Division of Zoning and Development Review
City of Pittsburgh, Department of City Planning
412 Boulevard of the Allies, Second Floor
Pittsburgh, Pennsylvania 15219

ZONING BOARD OF ADJUSTMENT

Date of Hearing: September 10, 2026
Date of Decision: October 22, 2026

Zone Case: 121 of 2026
Address: 22 South 27th Street
Lot and Block: 12-M-90
Zoning Districts: R2-VH
Neighborhood: South Side Flats

Request: Change of use to gym

Application: BDA-2025-08366

Special Exception	Section 921.02.A.4	Change non-conforming use from retail sales and services (limited) to recreation and entertainment indoor (limited)

Appearances:

Applicant: Nathan Hart, Gregory Brandt, Shannon Fraser

Observing: Richard Heilman

Findings of Fact:

1. The Subject Property is located at 22 South 27th Street in an R2-VH (Residential Two Unit Very High Density) District in the South Side Flats.

2. The two-story building on the Subject Property extends to all property lines, with no off-street parking.

3. The site is proximate to parcels in the E. Carson Street LNC (Local Neighborhood Commercial) District.

4. A 1940 Certificate of Occupancy permits the use of the two-story building for ""bakery on 1st floor, 1 family dwelling on 2nd floor."

5. The Applicant proposes to renovate the building's 2,200 sf ground floor for a gymnasium use.

6. As described to the Board, the gymnasium would typically open at 5 a.m. and close by 9 p.m.

7. The Applicant explained that the gym could accommodate 30 clients at one time.

8. No on-site parking was available for the permitted bakery use and no on-site parking is proposed for the gymnasium. The Applicant anticipates that clients would use on-street parking.

9. The Applicant asserted that on-street parking is typically available in the proximate area of the Subject Property and explained that the business has an informal agreement to use spaces in the parking lot for the Sokol Club, which is located at 2912 E. Carson Street, approximately 1,400' from the Subject Property.

10. Richard Heilman, the owner of the property located at 2625 Heilman Street appeared at the hearing. Mr. Heilman expressed some concerns about parking in the proximate area of the Subject Property, but did not object to the request.

Conclusions of Law:

1. Code Section 921.02.A.4 permits the change of one nonconforming use to another where the proposed use is "of the same general character or of a character that is more closely conforming than the existing, nonconforming use" and is generally consistent with the prior nonconforming use with respect to the impact of the proposed use on the surrounding area.

2. The Code defines "recreation and entertainment, indoor" as "an establishment offering recreation and entertainment to the general public within an enclosed building," with typical uses including fitness centers and dance studios. The "recreation and entertainment, indoor (limited)" use is one for which fewer than 20 parking spaces are required. The proposed gymnasium would be a recreation and entertainment, indoor (limited) use.

3. The bakery use, as described in the 1940 Certificate of Occupancy, is a legally nonconforming use in the R2-VH District. Because the recreation and entertainment, indoor use is not permitted in R2-VH Districts, the proposed gymnasium would also be nonconforming in that district.

4. The Board concludes that the proposed gymnasium use, as described to the Board, will not have a more significant impact on the surrounding neighborhood, as compared to the previous use of the property.

5. Consistent with the evidence and testimony presented and the applicable legal standards governing special exceptions, the Board concludes that approval of the requested special exception is appropriate.

Decision: The Applicant's request for a special exception pursuant to Section 921.02.A.4 to allow the change of use of a 2,200 sf area within the structure from the non-conforming bakery use to a gymnasium use is hereby APPROVED, subject to compliance with the general hours of operation and operational details described to the Board.

s/Alice B. Mitinger
Alice B. Mitinger, *Chair*

s/Lashawn Burton-Faulk
LaShawn Burton-Faulk

s/ John J. Richardson
John J. Richardson

Note: Decision issued with electronic signatures, with the Board members' review and approval.