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 17, 2026
Date of Decision: November 16, 2026

Zone Case: 117 of 2026
Address: 322 4th Avenue
Lot and Block: 1-H-336, 1-H-334
Zoning Districts: GT-A
Neighborhood: Central Business District

Request: Use of existing building for residential self-storage warehouse

Application: BDA-2026-05707

Variance	Section 911.02	Residential Self Storage

Appearances:

Applicant: David Bishoff, Bill Sittig

In Support: Ted Black

Findings of Fact:

1. The Subject Property is located at 322 4th Avenue in a GT-A (Golden Triangle Subdistrict A) District in the Central Business District.

2. The Subject Property is comprised of two adjacent parcels, which are identified as Parcels Nos. 1-H-336 and 1-H-334.

3. A 1962 Certificate of Occupancy permits the use of Parcel No. 1-H-336 for "parking lot."

4. The dimensions of the parking lot parcel are 60' by 169' (10,140) and it has curb cuts on 4th Avenue and 3rd Avenue.

5. The dimensions of Parcel No. 1-H-224 are 5,070 sf (60' by 84.5'). The 15-story Keystone Bank Building is located on the parcel and extends to all property lines with 0' setbacks.

6. Construction of the Keystone Bank Building was completed in 1902 and the unique, historic features of the building's Beaux-Arts design include a sculptural eagle and lions, Palladian windows, cornices and medallions. A lightwell arch is within the front façade. The building is a

contributing building to the Fourth Avenue Historic District, as listed on the National Register of Historic Places.

7. The historic nature and design of the building, including the lightwell arch and the lack of windows, preclude its reasonable use for many of the uses permitted in the GT-A District.

8. A 2005 Certificate of Occupancy for the Subject Property permits "use of 2nd floor as offices for North PGH telephone and 12th floor as offices for ideal conditions."

9. A 2005 Certificate for the Subject Property permits "Use of 4200 SQ. FT. on 4th floor as utility space for fiber optics."

10. The Applicant explained that the fourth through eighth floors are currently used for a data center use, and that the remaining floors have been vacant for a significant period of time.

11. The Applicant proposes to renovate a portion of the building for a residential self-storage facility.

12. As proposed, the retail use that would occupy the ground floor would provide supplies and rental services for tenants of the self-storage facility.

13. The Applicant seeks to use the upper floors that are not occupied by the data center use for self-storage units. If the data center use on the fourth through eighth floors ends, the proposed self-storage use could occupy the entire building.

14. As proposed, the self-storage facility would be open from 6 a.m. until 11 p.m., daily.

15. Access to the proposed self-storage use would be from the entrance on 4th Avenue, with loading from space within the existing parking lot on Parcel No. 1-H-336.

16. The Applicant anticipates that residents of nearby multi-unit residential buildings and students at Point Park University would make use of the self-storage facility and asserted that the use would not have a detrimental impact on the surrounding area.

17. The Applicant stated that the signage for the self-storage use would be limited, would comply with the Code's standards and would be subject to separate review and approval.

18. Ted Black, representing Point Park University, appeared at the hearing to support the request.

19. No one appeared at the hearing to oppose the request.

20. Following the hearing, on October 5, 20126, the Applicant submitted to the Board a list of proposed conditions of approval. The record for the hearing closed with that submission.

Conclusions of Law:

1. Section 911.02 defines "Warehouse, Residential Storage" as "an enclosed storage facility of a commercial nature containing independent, fully enclosed bays which are leased to persons exclusively for dead storage of their household goods or personal property."

2. The warehouse, residential storage use is not permitted in the GT-A District.

3. Section 922.09 of the Code sets for the general standards that the Board is to consider with respect to a variance, including 1) unique circumstances or conditions of a property would result in in an unnecessary hardship; 2) that the proposed variance would have no adverse effect on the public welfare; and that 3) the proposed variance is the minimum variance that would afford relief with the least modification possible. *Marshall v. City of Philadelphia and Zoning Bd. of Adj.*, 97 A.3d 323, 329 (Pa. 2014*); see also Hertzberg v. Zoning Board of Adjustment of the City of Pittsburgh*, 721 A.2d 43 (Pa. 1998), citing *Allegheny West Civic Council v. Zoning Bd. of Adj. of the City of Pittsburgh*, 689 A.2d 225 (Pa. 1997).

4. In *Marshall*, the Pennsylvania Supreme Court considered a requested use variance to allow the reuse of a century-old school building, which was vacant and in need of repair. The Court recognized and affirmed its holding in *O'Neill v. Philadelphia Zoning Bd. of Adj.*, 120 A.2d 901 (Pa. 1956), that the "unnecessary hardship" standard does not require a showing that the property would be "practically valueless" without a variance and recognized that it is within a zoning board's discretion to consider the unique circumstances related to efforts to preserve and redevelop a vacant historic building. In the context of a request for a use variance, the Court held that a zoning board's discretion is not so circumscribed as to require a property owner to reconstruct a building for a conforming use, regardless of prohibitive expense, particularly where the proposed reuse of the building would have a beneficial impact on the neighborhood.

5. Here, the Applicant presented substantial and credible evidence that the existing historic and primarily vacant building has not been used or usable for any purpose that is permitted in the GT-A District and is a unique condition that precludes use of the site for a permitted use, and that the proposed residential self-storage use is intended to serve the surrounding community.

6. The variance requested variance is the minimum variance that would afford relief and would allow for the reasonable use and preservation of the historic structure.

7. Consistent with the evidence and testimony presented, and the applicable legal standards governing variances, the Board concludes that approval of the request is appropriate, subject to the conditions set forth below.

Decision: The Applicant's request for a variance from Section 911.02 to allow use of the existing building on the Subject Property for a residential self-storage use is hereby APPROVED, subject to the following conditions:

- **Use of the adjacent Parcel No. 1-H-336 for off-street loading and parking shall be reflected in the Certificate of Occupancy for the residential self-storage use on Parcel No. 1-H-334 and shall be required for the duration of the residential self-storage use;**

- **The Department of Mobility and Infrastructure must review the intended use of Parcel No. 1-H-336 for off-street loading and parking, with ingress from Fourth Avenue and egress onto Third Avenue, and determine whether it complies with applicable standards;**

- **The hours of operation for the residential self-storage use shall be limited to 6:00 a.m. until 11:00 p.m. daily;**

- **The façade and streetscape improvements described in the application and to the Board shall be completed and installed before the issuance of a Certificate of Occupancy; and**

- **Any signage intended for the retail and residential self-storage uses shall be subject to separate review and approval.**

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.