



**Division of Development Administration and 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:** December 11, 2025  
**Date of Decision:** January 25, 2026

**Zone Case:** 157 of 2025  
**Address:** 340 N. Aiken Ave  
**Lot and Block:** 50-H-52  
**Zoning Districts:** R2-H  
**Ward:** 11  
**Neighborhood:** Garfield

**Request:** Use of existing building for convenience store

**Application:** BDA-2025-11154

Special Exception	Section 921.02.A.4	Change non-conforming use from tailor shop to convenience store
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**Appearances:**

Applicant: Jamal Suliaman, Sergei Matveviev

**Findings of Fact:**

1. The Subject Property is located at 340 N. Aiken Avenue in an R2-H (Residential Two Unit High Density) District in Garfield.
2. A 1962 Certificate of Occupancy permits the use of the Subject Property for “dry cleaning and tailor shop.”
3. In Zone Case No. 269 of 2006, the Board approved the use of the structure for grocery store (limited) for a convenience store.
4. Following the Board’s approval, the property owner changed the use of the structure to the convenience store use, but did not obtain a Certificate of Occupancy from the City that reflected the change in the use.
5. A convenience store, currently known as Garfield Hill Market, has been in operation on the property since 2007.
6. The store is open seven days per week from 8 a.m. until 10 p.m., and at least one employee is on-site when the store is open.

7. No off-street parking is available on the site for the convenience store.
8. Garbage is stored in a dumpster that is located in the paved area between the building and Hillcrest Street.
9. The Applicant asserted that the convenience store, as it has been operating for at least 18 years, has not had any detrimental impacts on the surrounding neighborhood.
10. No one appeared at the hearing to oppose 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 tailor shop use, as described in the 1962 Certificate of Occupancy, is a legally nonconforming use in the R2-H District. The proposed convenience store use is not permitted in R2-H Districts and is also nonconforming in that district.
3. The Board concludes that approval of the convenience store use, which has been in operation since at least 2007, would be consistent with the Board’s 2006 decision and would not have any significant impacts on the surrounding area.
4. Consistent with the evidence and testimony presented to the Board, and the applicable legal standards governing special exceptions and non-conforming uses, the Board concludes that approval of the request is appropriate.

**Decision: The Applicant’s request for a special exception pursuant to Section 921.02.A.4 to allow the grocery store (limited) use, as described to the Board, is hereby APPROVED.**

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.