



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:** July 2, 2026**Date of Decision:** July 6, 2026**Zone Case:** 94 of 2026**Address:** 5231 Penn Avenue**Lot and Block:** 50-L-306**Zoning Districts:** R1D-H**Neighborhood:** Garfield**Request:** Temporary use of building for passport academy**Application:** BDA-2026-12682

Special Exception	Sections 911.02/911.04.A.63.a	School, Elementary or Secondary (limited); temporary use of existing building proposed
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Appearances:

Applicant: Robert Max Junker, Sharon Zaborowski, Elizabeth Usnick

Findings of Fact:

1. The Subject Property is located at 5231 Penn Avenue, at the intersection with N. Atlantic, in an R1D-H (Single-Unit Detached Residential - High Density) District in Garfield.

2. The area of the parcel is approximately 23,587 sf.

3. Located on Parcel No. 50-L-306 are a three-story office building and an accessory parking lot. Additional adjacent parking lots associated with the building are located on the adjacent Parcel Nos. 50-R-15 and 50-R-19, which are in an LNC (Local Neighborhood Commercial) District. All three parcels under common ownership.

4. The usable area within the building is approximately 35,139 sf.

5. The Applicant is a public charter school, which was established in 2013, for students between the ages of 16 and 21 and has approximately 18 full-time staff members. The school has had several different locations.

6. The Applicant seeks to use the building on the Subject Property as a temporary location for the school until construction of its new permanent location is completed.

7. A 2001 Certificate of Occupancy permits the use of the building on the Subject Property as a “school for children ages 13-18 operating Mon. – Fri. between hrs. of 8 a.m. and 8 p.m. maximum of 74 children and 15 staff members. 6,000 sq. ft. on second floor and use of 15 spaces in parking lot.”

8. A 2007 Certificate of Occupancy permitted “use of additional 10,000 sq ft on ground floor (lobby), 2nd and 3rd floors; for a total of approximately 16,000 sq ft for use as a secondary school for ages 13-18 and with a maximum of 110 students.”

9. The most current 2012 Certificate of Occupancy permits “use of ground, 1st, 2nd & 3rd floor as office (general), with incidental storage on the ground floor.”

10. As reflected in the Certificates of Occupancy, the previous use of the building for a school was changed to an office (general) use. The school use is permitted as a special exception and the office (general) use is not permitted in R1 Districts.

11. The previous school use was for The Neighborhood Academy.

12. The Applicant proposes to use the first floor and half of the second floor of the building, an area of approximately 18,582 sf, for a School, Elementary or Secondary (Limited) use. Only limited interior renovations and no additions to the building are proposed. As proposed, the use would be temporary, intended only for the 2026/27 school year.

13. The charter school program is designed to allow for flexibility, with a morning session, from 8:30a.m. until 11:30a.m., and an afternoon session, from 12:30 p.m. until 3:45 p.m. For both sessions, fewer than 75 students will participate. Staff hours would be from 8:15 a.m. until 3:45 p.m.

14. The Applicant does not use school buses, and most students use public transportation or are dropped off at the school.

15. The Applicant provided an Operations Memo that outlines the parking and traffic impacts of the proposed temporary use.

16. The existing parking lot on the adjacent parcels would be available for staff and visitors’ use.

17. The school does not provide full meals and would not have a cafeteria or food service deliveries. It also does not have athletic facilities.

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

Conclusions of Law:

1. Code Section 911.02 defines a “School, Elementary or Secondary (Limited)” as “an Elementary or Secondary School with a maximum enrollment of less than 75 students.” The use is permitted as a special exception in R1 Districts, subject to the standards set forth in Code Section 911.04.A.63.a. The standards require the Board to consider the Chapter 16 Residential

Compatibility Standards, traffic and parking impacts, parking and access, and potential detrimental impacts.

2. The Applicant presented sufficient evidence to demonstrate that the proposed temporary use of the existing building on the Subject Property, which was previously used for a school, complies with the applicable standards and with the general standards for special exceptions in Code Section 922.07.

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

4. Because the Applicant proposes a temporary use, this approval will expire at the conclusion of the 2026-2027 school year, and the Applicant acknowledged that if circumstances change and it seeks to extend the occupancy beyond the 2026-2027 school year, then it must seek the Board's approval for the proposed extension.

Decision: The Applicant's request for a special exception pursuant to Sections 911.02 and 911.04.A.63.a to allow the temporary use of the building on the Subject Property as a School, Elementary or Secondary (Limited) until the conclusion of the 2026-2027 school year is hereby APPROVED, subject to compliance with the 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.