

**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: August 20, 2026
Date of Decision: October 6, 2026

Zone Case: 108 of 2026
Address: 6714 Kelly Street
Lot and Block: 125-G-13, 125-G-14, 125-G-15, 125-F-239
Zoning Districts: UI
Neighborhood: Homewood West

Request: New construction of 38-unit residential structure

Application: BDA-2026-01297

Special Exception	Sections 911.02 and 911.04.A.85	Multi-Unit Residential use
	Sections 916.02.A and 916.09	15' residential compatibility front setback required; 9' proposed
		30' residential compatibility rear setback required; 0' proposed
	Sections 916.04.C and 916.09	15' residential compatibility setback for parking and loading; 5' interior side setback proposed.
Variance	Section 916.02.B	40' residential compatibility maximum height; 57' requested

Appearances:

Applicant: Shawn Gallagher, Katie Seftas, James Eash

Findings of Fact:

1. The Subject Property is comprised of four contiguous parcels, Parcel Nos. 125-G-13, 125-G-14, 125-G-15 and 125-F-239, in Homewood West.
2. A vacant building is located on Parcel No. 125-F-239, which is in a UI (Urban Industrial) District. It is adjacent to the parcel at 6936 Fifth Avenue, also in the UI District.
3. Parcel Nos. 125-G-13, 14 and 15 are vacant and were recently rezoned from R1D-L (Residential One Unit Detached, Low Density) to be included in the UI District.

4. Parcel No. 125-G-15 is adjacent to Parcel No. 125-G-16 (6728 Kelly Street), in the R1D-L District. Parcels in the R1D-L District, with frontage on Hamilton Avenue, are located on the opposite side of Formosa Way from the rear of the Subject Property. The width of Formosa Way is approximately 24'.

5. The dimensions of the combined parcels of the Subject Property are 160' by 135' (21,600 sf).

6. The grade of the Subject Property has an upward slope of approximately 6'-6" from the front property line on Kelly Street towards the rear of the site.

7. The Applicant proposes to construct a 4-story building on the Subject Property, to be used for 38 residential units. The maximum measured height of the structure would be 57' and it would extend approximately 121' in length along Kelly Street.

8. As proposed, the building would have a minimum 9' setback from the front property line; a 10' setback from the interior side property line shared with the 6936 Fifth Avenue parcel; a 29' interior side setback from the property line shared with the 6728 Kelly Street parcel; and a minimum 0' setback from limited portions of the rear property line on Formosa Way.

9. A parking area with 26 spaces (including one loading space) and 5 bicycle parking spaces would be located at the rear of the site, underneath a cantilevered portion of the structure. The parking area would extend to the Formosa Way property line with a 0' setback. It would be set back 5' from the interior side property line shared with the 6728 Kelly Street parcel and landscaping would be located within that setback.

10. The ground floor of the building would be used for a lobby, bicycle parking, laundry room, community room and offices. No residential units are proposed for the ground floor. The 38 residential units proposed would be on the upper three floors.

11. The Applicant presented renderings to demonstrate that the building was designed to limit the impacts of its massing on the neighboring residential properties, including the 29' setback from the 6728 Kelly Street parcel, in the R1D-L District.

12. The Applicant asserted that the proposed 9' front setback would be consistent with the other structures on Kelly Street and with the grade of the site and, because of the 29' interior side setback from the adjacent parcel in the R1D-L District, would have a limited impact on the residential district.

13. Although the parking area would extend to the rear property line on Formosa Way, with a 0' setback, the Applicant demonstrated that only a limited portion of the structure would be within the 30' rear setback for the area proximate to the properties in the R1D-L District on the opposite side of Formosa Way, and that the reduced setback would not have a detrimental impact on the rear of those properties, which have frontage on Hamilton Avenue.

14. The Applicant asserted that the topography of the site is a unique condition that precludes strict compliance with the Code's height limitations and presented renderings to demonstrate that the proposed maximum 57' height would not have a significant impact on nearby residential properties.

15. The Applicant explained that Low Income Housing Tax Credit funding from the Pennsylvania Housing Finance Agency would be sought for the project, and that the proposed density is the minimum that would be eligible for funding.

16. Beginning in 2022, the Applicant held community engagement meetings with the neighboring property owner, the Homewood Community Development Collaborative and City officials.

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

18. The Applicant provided a post-hearing submission on August 26, 2026 and the record closed as of that date.

Conclusions of Law:

1. Pursuant to Code Sections 911.02 and 911.04.A.85, multi-unit residential uses are permitted as a special exception in UI Districts, subject to the single specific criterion that residential units may be limited to floors above the ground floor where residential use of the ground floor is not desirable.

2. The Applicant does not propose to include residential units on the ground floor and thus complies with the Code's specific criteria for the proposed multi-unit residential use.

3. Chapter 916 sets forth residential compatibility standards that are intended to protect residential properties from the impacts sometimes associated with adjacent higher density multi-unit residential development.

4. Section 916.02.A. includes building height and setback standards that apply where a development is adjacent to properties in residential districts and uses the site development standards for that district to establish the residential compatibility setbacks. Pursuant to Section 916.09, waiver of the setback requirements is permitted as a special exception. Pursuant to Section 916.09.C, adjustments to the height requirements must be considered under the standards for dimensional variances.

5. Because the Subject Property abuts parcels in an R1D-L District, pursuant to Section 916.02.A.1.a, the 15' front setback for the R1D-L District applies for the first 50' of the parcel adjacent to the residential lot, here, the 6728 Kelly Street parcel. The Applicant proposes a 29' setback from that parcel and a 9' front setback for the structure's 121' along Kelly Street. Because the 9' setback would be consistent with the topography and with the front setbacks of other structures along Kelly Street, waiver of the 15' front setback requirement is appropriate.

6. Pursuant to Section 916.02.A.6.a, the minimum rear setback required for the development on the Subject Property is the 30' required for front setbacks in the R1D-L District. As proposed, the parking area would extend to the Formosa Way property line with a 0' setback but only limited portions of the building would extend to that property line, with only a limited area of the structure within the 30' setback area. Because of the topography of the area and because parcels in the R1D-L District on the opposite side of Formosa Way have frontage on Hamilton Avenue, waiver of the 30' setback, as described, is also appropriate.

7. Section 916.02.B sets forth different height limitations based on the distance of the proposed structure from property in an R1 District. Within 50' of an R1 District, the permitted maximum height is 40'/3-stories; within 51' to 100', the permitted height is 50'/4-stories; and at a distance of more than 100', no compatibility standards apply.

8. Pursuant to Section 916.09.C, the additional building height requirements in the residential compatibility standards can only be waived where a taller structure is located between the proposed development and the residential district. Because the building would be 57' high within 50' of the R1D-L District, without an intervening taller structure, the Applicant requests a variance from the residential compatibility height limitation, as set forth in Section 916.02.B.

9. The Applicant demonstrated that the topography of the site is a unique condition that precludes strict compliance with the Code's height standards, and that the proposed height, in the context of the site and the surrounding neighborhood, would not be detrimental to nearby residential properties. The Applicant also demonstrated that the 57' height is the minimum height that would allow for the 38 residential units proposed.

10. Section 916.04 sets forth residential compatibility design standards, including the requirement that parking and loading areas are to be located at least 15' from properties in R1 Districts.

11. The proposed parking area would be set back more than 15' from the parcels in the R1D-L District on the opposite side of Formosa Way but would be set back 5' from interior side property line shared with the 6728 Kelly Street parcel. Because landscaping is to be provided with that setback, waiver of the 15' setback requirement is appropriate.

12. Consistent with the evidence and testimony presented, and the applicable legal standards governing special exceptions and variances, the Board concludes that approval of the request is appropriate.

Decision: The Applicant's request for a special exception pursuant to Sections 911.02 and 911.04.A.85 to allow the proposed 38-unit residential use; special exceptions pursuant to Sections 916.02.A and 916.09 to allow waiver of the front and rear residential compatibility setback requirements; a special exception pursuant to Sections 916.04.C and 916.09 to allow a 5' interior side setback for the parking area; and a dimensional variance from Section 916.02.B to allow for a 57' maximum height 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.