



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: May 1, 2025
Date of Decision: May 23, 2025

Zone Case: 43 of 2025
Address: 32 62nd Street
Lot and Block: 120-G-155
Zoning Districts: RIV-GI
Ward: 10
Neighborhood: Upper Lawrenceville

Request: Use of 16' by 20' shipping container for Seed Lab

Application: BDA-2024-08077

Variance	Section 905.05.E.4.a(1)(b)	95' setback required from the project pool elevation; 65'-9" setback proposed
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Appearances:

Applicant: Cassie Gray, Danielle Crumrine,

Findings of Fact:

1. The Subject Property is located at 32 62nd Street in a RIV-GI (River, General Industrial) District in Upper Lawrenceville.
2. The grade of the Subject Property has a significant upward slope from the bank of the Allegheny River towards the rear of the site.
3. The 5-acre site is used for the headquarters of the Tree Pittsburgh organization, including the organization's office building and outdoor space that is used for environmental education programs and the cultivation of trees.
4. The Applicant proposes to install a 16' by 20' shipping container that would be used to store and cultivate seeds.
5. As proposed the shipping container would be set back 65'-9" from the project pool elevation.
6. The Applicant explained that, because of the grade of the property, the site proposed for the shipping container is approximately 33' above the Allegheny River.

7. The storage container would not be on a permanent foundation.

8. The Applicant explained that the organization has developed a riparian management plan to preserve the stability of the riverbank, and that the area proposed for the shipping container is not susceptible to flooding.

9. The Applicant asserted that the topography of the Subject Property is a unique condition that precludes the placement of the shipping container in another location in compliance with the Code's setback requirements.

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

Conclusions of Law:

1. Section 905.05.E.4.a(1)(b), one of the regulations for Riverfront Districts, requires a 95' setback from the project pool elevation.

2. The Code defines the project pool elevation as "the "hydraulically based reference plane that indicates water surface elevation in an area regulated by water control structures such as dams."

3. Here, the Applicant presented credible evidence that the topography of the Subject Property is a unique condition that precludes strict compliance with the project pool elevation provision of the Code, and that the proposed location for the shipping container, with a 65'-9" setback from the project pool elevation will be consistent with the intent of the Code provision in the context of the site and will not have a significant impact on surrounding properties.

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

Decision: The Applicant's request for a variance from Section 905.05.E.4.a(1)(b) to allow the placement of a shipping container with a 65'-9" setback from the project pool elevation 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.