



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: April 3, 2025
Date of Decision: April 24, 2025

Zone Case: 28 of 2025
Address: 1528 Beechview Avenue
Lot and Block: 35-B-251
Zoning Districts: R1D-H
Ward: 19
Neighborhood: Beechview

Request: Change of former medical office into two additional dwelling units for existing multi-unit residential use

Application: BDA-2025-01101

Special Exception	Section 921.02.A.4	Change of non-conforming use from ground floor medical office (ground floor) and four dwelling units (2 nd and 3 rd floors) to six dwelling units
	Section 921.02.A.1	Expansion of non-conforming use
Variance	Section 921.02.A.1	Expansion of non-conforming use by more than 15%

Appearances:

Applicant: Noah Dawgiello, Kalina Kath, Erik Kath

Findings of Fact:

1. The Subject Property is located at 1528 Beechview Avenue in an R1D-H (Residential One Unit Detached High Density) District in Beechview.
2. The Subject Property is located across Parody Way from the Beechview Avenue LNC (Local Neighborhood Commercial) District.
3. The three-story structure on the property appears to have been originally constructed for a mixed retail and residential use, in the early 20th century.

4. A 1991 Certificate of Occupancy permits use of the structure for “Use of entire first floor as doctor’s office (four dwelling units to remain). With six outdoor parking stalls in rear.”
5. The Applicant proposes to renovate the first floor space, as previously occupied by the doctor’s office, for two additional dwelling units.
6. The conversion of the ground floor to dwelling units would increase the floor area of the multi-unit residential use by approximately 33%.
7. The Applicant explained that the building has been vacant for a significant period of time, and that the use of that space for two residential units would be more consistent with the residential character of the surrounding area.
8. The Applicant demonstrated that the parking lot identified in the Certificate of Occupancy would be sufficient to provide parking for the existing and additional residential units in compliance with the Code’s parking standards.
9. The Applicant asserted that the paved area between the building and the sidewalk could be used for loading, however the curb cut would require approval from the Department of Mobility and Infrastructure.
10. The Applicant identified other non-conforming structures with multiple residential units in the proximate area of the Subject Property.
11. No one appeared at the hearing to oppose the request.

Conclusions of Law:

1. Pursuant to Section 911.02, commercial and medical office uses are not permitted in RD-H Districts, and thus the uses of the property described in the 1991 Certificate of Occupancy are legally non-conforming.
2. The Applicant requests a special exception pursuant to Section 921.02.A.2, to allow the change of the permitted nonconforming medical office space into two additional residential units.
3. Section 921.02.A.1 permits the expansion of an existing nonconforming use, subject to several conditions including Section 921.02.A.1(a)(1), which prohibits the expansion of a nonconforming use by more than 15%.
4. Because of the magnitude of the variance sought for the expansion of the nonconforming multi-unit residential use, beyond the 15% expansion that is allowed, the Board applies the Section 922.09 variance standards to the entirety of the request.
5. The Applicant presented sufficient evidence to demonstrate that the conversion of the permitted medical office space for use for two additional dwelling units in the multi-unit building would be consistent with the general character of the existing non-conforming use and with the residential character of the area. The change in use will not have a significant impact on the surrounding neighborhood.

6. The Applicant presented credible evidence and testimony that the existing structure and the existence of other nonconforming uses in the vicinity of the Subject Property are unique characteristics of the site that limit strict compliance with the Code.

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

Decision: The Applicant's request for a variance from Section 921.02.A.1 and a special exception pursuant to Section 921.02.A.2 to allow the conversion of the ground floor commercial tenant space into two dwelling units is hereby APPROVED; subject to the condition that any curb cuts shall be reviewed and approved by the Department of Mobility and Infrastructure.

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.