



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: April 9, 2026
Date of Decision: May 7 2026

Zone Case: 35 of 2026
Address: 4811 Butler Street
Lot and Block: 80-K-209
Zoning Districts: LNC
Ward: 9
Neighborhood: Central Lawrenceville

Request: Electronic Sign

Application: BDA-2025-11814

Variance	Section 919.03.O.3	Electronic Signs are Prohibited
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Appearances:

Applicant: Nathan Hart, Chris Sinopoly, Neil Shah

Findings of Fact:

1. The Subject Property is located at 4811 Butler Street in an LNC (Local Neighborhood Commercial) District in Lawrenceville.
2. A 2016 Certificate of Occupancy permits the use of the Subject Property for “use of one-story structure... as retail sales and service (limited) for beer distributor.”
3. Located on the property is a one-story structure, which is set back approximately 86’ from the front property line on Butler Street. A 7-space parking area is located within the front setback, with a curb cut on Butler Street. A chain link fence and gate are located on the front property line. The structures on the parcels adjacent to the Subject Property have more reduced front setbacks and limited side setbacks.
4. Located at the front corner of the parcel, with a front setback of approximately 1’, is a pole sign with an internally-lit, 4’ by 6’ (24 sf) “Beer on Butler” sign at the top.
5. The store frontage and the chain link fence are extensively used for advertising signage for the products sold on the property.

6. Without obtaining permission from the City, the Applicant installed a 1'-1" by 7'-5" (8 sf) electronic sign below the "Beer on Butler" sign on the pole.

7. The Applicant explained that the electronic sign replaced a smaller sign that had been installed, also without the required permits, when the beer distributor opened in 2016.

8. The Applicant asserted that the electronic sign is intended to identify the beer distributor and to provide information about the products that it offers.

9. The Applicant maintained that the electronic sign improves the visibility of the beer distributor on Butler Street.

10. The Applicant was unable to present any evidence of any unique condition of the Subject Property that would create an unnecessary hardship that would prevent compliance with the Code's prohibition against electronic signs in LNC Districts.

11. Nothing distinguishes the Subject Property from other properties in the Butler Street LNC District, and the other uses that might assert a need or preference for an electronic sign.

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

13. Following the hearing, the Applicant contacted the Department of City Planning to notify the City of the intent to remove the electronic sign.

Conclusions of Law:

1. Pursuant to Code Section 919.03.O.3, electronic non-advertising signs are permitted only in HC, UI and GI Districts. This type of electronic sign is prohibited in LNC Districts. The Applicant thus seeks a use variance to allow an electronic sign in an LNC District.

2. Section 922.09.E sets forth the general conditions the Board is to consider with respect to variances. The criteria for determining whether to grant a variance include: 1) whether unique circumstances or conditions of a property would result in an unnecessary hardship; 2) whether the property could be developed in accordance with the Code's requirements to allow for its reasonable use; 3) whether the applicant created the hardship; 4) whether the requested variance would adversely affect the essential character of the neighborhood or the public welfare; and 5) whether the variance requested is the minimum variance that would afford relief with the least modification possible. See *Marshall v. City of Philadelphia and Zoning Bd. of Adj.*, 97 A.3d 323, 329 (Pa. 2014); *Hertzberg v. Zoning Board of Adj. of the City of Pittsburgh*, 721 A.2d 43 (Pa. 1998), citing *Allegheny West Civic Council v. Zoning Bd. of Adj. of the City of Pittsburgh*, 689 A.2d 225 (Pa. 1997); see also *Metal Green Inc. v. City of Philadelphia*, 266 A.3d 495, 510 (Pa. 2021).

3. The Applicant sought approval for the electronic sign that had been installed on the property without the required approvals, asserting that the electronic sign was necessary to enhance the visibility of the beer distributor. The goal of enhanced visibility is directly contrary to the intent of the prohibition. The asserted need for visibility is not a unique condition associated with the property and is not sufficient to justify a variance from the Code's prohibition against electronic non-advertising signs in the LNC District.

4. Consistent with the evidence and testimony presented and the applicable legal standards governing variances, the Board concludes that the request for a variance from the prohibition against electronic non-advertising signs must be denied and the electronic sign, as installed, must be removed.

Decision: The Applicant's request for a use variance from Section 919.03.O.3 to allow an electronic non-advertising sign on the Subject Property is hereby DENIED and the electronic sign, as installed, must be removed.

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.