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August 19, 2025

Eckert Seamans Cherin & Mellott, LLC
Attn: Gerard A. Hornby, Esquire
U.S. Steel Tower
600 Grant Street, 44th Floor
Pittsburgh, PA 15219

Re: Zoning Application Case #2875 – Jennifer Bird

Dear Mr. Hornby:

This letter will serve to confirm the Decision rendered by the Zoning Hearing Board at its meeting held on Monday, July 7, 2025. A formal written Zoning Opinion containing the statements of fact and conclusions of law will be forthcoming.

1. The Board, *DENIED* the Applicant's Challenge to the Notice of Violation concerning violation of Municipal Dog Law, Municipal Code Section 30.5.1. The Board asserted it lacks jurisdiction over this code violation.
2. The Board, *DENIED* the Applicant's Challenge to the April 23, 2025 Notice of Violation arguing that the municipality failed to comply with the specific requirements of Municipalities Planning Code Section 10616.1.
3. The Board, *DENIED* the Applicant's alternative request for a Use Variance to Zoning Ordinance Section 69.25.1 to operate a kennel in an R-3 One-Family Dwelling District. The board asserted that the use variance is barred by the doctrine of res judicata.
4. The Board, *DENIED* the Applicant's alternative request for a Use Variance by Estoppel to Zoning Ordinance Section 69.25.1 to operate a kennel in an R-3 One-Family Dwelling District. The Board asserted that the variance by estoppel is barred by the doctrine of res judicata.

5. In the event that the res judicata is found by a court of competent jurisdiction to not bar the variance by estoppel, the Board, based on the merits presented, *APPROVED* the Applicant's alternative request for a Variance by Estoppel to Zoning Ordinance Section 69.25.1 to operate a kennel in an R-3 One-Family Dwelling District.

Very truly yours,



Steven Regan

Cc: Zoning Hearing Board
G. Robb, Esq.
R. Hicks
V. Kelly