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SCHENLEY FARM AREA SLATED TO BE ONE-FAMILY HOME DISTRICT

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Kephart Opinion Be-
lieved Only Obstacle
To Ruling.

ONE DISSENTER MAKES APPEAL

Pittsburgh is to have the superlative residential zoning classification, or districts better known as the one-family dwelling zones. Council yesterday affirmed the ordinance creating the new residential classification which is designated "C" and as the measure received the votes of the eight members present its enactment is assured.

The Schenley Farms district will be the first to be subjected to the higher classification, as with creation of the new class an ordinance placing that section of the city in a zone of excessive restriction also was affirmed.

COMPLAINT BY HOME OWNERS.

It was the urgency created by the Schenley Farms residents who are facing expiration of the deed restrictions which enabled the district development on October 1, next. Already duplex residences for the Schenley Farms district have been projected and a large delegation of home owners yesterday were given a hearing by council. The appeal to council was positive as it was represented that the new classification is imperative if the character of the Schenley Farms district is to be preserved.

October 1 seemed to be the dead line fixed by speakers for the zoning change, if Schenley Farms is to be protected, and it was this that caused council to act on the ordinance creating the new classification, which has been pending for some months.

LEGALITY IS QUESTIONED.

Overshadowing yesterday's action is the legal aspect, of which some of the solons expressed concern. The recent supreme court decision, written by Judge Kephart, cast its shadow. It was unfavorable to some of the fundamental principles of zoning. To this Robert Garland added when he recounted a recent conversation he had with a prominent local attorney, in which the attorney expressed his doubt as to the feasibility of estab-

lishing the new classification or fear of it being represented as class legislation, a court decision on which might cause the whole fabric of zoning to fall.

NEW-ZONE IS OUTLINED.

The first area to have applied the ultra zoning distinction is bounded as follows: By Bigelow boulevard, Parkman avenue, the line dividing the properties now or late of J. N. Chester and the University of Pittsburgh, Center avenue, Bryn Mawr road, Andover terrace, Alpena street, Bigelow boulevard, and a line parallel with and 151 feet east of Bigelow boulevard and Bayard street.

Enactment of the ordinances affirmed yesterday will increase the number of zones in the city to six. The present five are: Heavy industrial, light industrial, commercial, residential A and residential B. In A residential apartments are permitted. In B residential apartments are prohibited but duplexes permitted. The new classification, C residential, will limit to dwellings for one family.

Dual occupancy of a residence, according to an interpretation placed by Knowles begins with the installation of separate kitchens. Which would mean that the newlyweds could be host to the bride's family up to a point where two kitchens are necessary to peace. Therefore, the kitchen has been accepted as the marker of the first point of entry in drawing the line between single and double-family occupancy.

DELEGATION IS INSISTENT.

The one-family restriction was a part of the original zoning ordinance when received by council, but that body obliterated it largely on account of a lack of public demand for such classification.

Yesterday when the Schenley Farms delegation crowded council chambers the public demand for the new classification was apparent. It was represented that 95 per cent of the residents of the district favored the new classification.

Paul C. Dunlevy, president of the Schenley Farms Civic Association, told council that his community wanted the new classification and also its application to Schenley Farms as a means regarded as imperative to maintain the character and quality of one of the city's most satisfactory residential districts.

A. H. Burchfield, E. C. Brainerd, Clyde C. Taylor, George H. Stengel, C. B. Nash, and others, spoke along similar lines. Burchfield entered into the history of the farms developed from what had been a dairy farm into a garden residential spot and one of the show places of the city, through the "vision, genius and nerve" of Nicola.

The "nerve" consisted of the Nicola spirit to invest \$1,500,000 in streets, utilities and beautification of a farm area before a single sale had been made in carrying out the better Pittsburgh as envisioned by the developer, Burchfield said.

ONE DISSENTER APPEARS.

Council was impressed that it had a plain duty to perform in acting for the best interests of the Schenley Farms community, now in need of something to take the place of passing restrictions.

W. W. Giggin was the only opponent to appear against the ordinance applying the new restriction to the described area. He said he represented property interests holding 375 feet front on Parkman avenue on which sales had already been made with a view of erecting duplexes. He said he had as much regard as any one present for the welfare of Schenley Farms and had so conducted himself in property matters. He made it plain that he had never made any effort toward letting any "cheap" people into the much desired area.

That there will be no effort to limit the new classification was made known by Mr. Garland. It will be applied as wanted. The North Highland district was mentioned by him as probably being next in order. Squirrel Hill and other sections are expected to be heard from. The planning commission was instructed to get busy in a general canvass of the city to determine suitable area for a change to the higher residential restrictions.