

OFFICIAL**BOROUGH OF FOREST HILLS  
ORDINANCE NO. 1113**

AN ORDINANCE OF THE BOROUGH OF FOREST HILLS, ALLEGHENY COUNTY, PENNSYLVANIA, AMENDING CHAPTER 27 OF THE FOREST HILLS BOROUGH CODE OF ORDINANCES, ZONING, IN ORDER TO REVISE THE BOROUGH ZONING MAP TO CHANGE THE ZONING DISTRICT DESIGNATION OF PROPERTY KNOWN AS 444 AVENUE D FROM R-2 LOW DENSITY RESIDENTIAL TO S-2 SPECIAL DISTRICT IN ACCORDANCE WITH THE APPLICATION TO AMEND ZONING MAP FILED BY BEYOND DENTAL, LLC.

**WHEREAS**, the Municipalities Planning Code (MPC), 53 P.S. §10101 *et seq.*, authorizes the Borough of Forest Hills (the "Borough") to regulate zoning and land use in the Borough; and

**WHEREAS**, Chapter 27 of the Forest Hills Borough Code of Ordinances, Zoning, as amended, (the "Zoning Ordinance") regulates zoning and land use in the Borough consistent with the requirements of the MPC in order to maintain, preserve and protect the public health, safety and welfare; and

**WHEREAS**, on September 28, 2023, Beyond Dental, LLC, ("Applicant") equitable owner of property known as 444 Avenue D, Pittsburgh, PA 15221, identified by Allegheny County as Block and Lot Nos. 374-F-55 and 374-F-68 (the "Subject Property"), submitted an application to amend the Zoning Map of the Borough to change the zoning district classification of the Subject Property from R-2 Low Density Residential to S-2 Special ("Rezoning Application"); and

**WHEREAS**, pursuant to Section 27-1305 of the Zoning Ordinance, the Borough Planning Commission reviewed the Applicant's request at its regular public meeting held on Thursday October 26, 2023, and did thereafter issue a written recommendation to the Borough Council of the Borough of Forest Hills ("Council") which concluded that the Rezoning Application was consistent with the Borough Comprehensive Plan; and

**WHEREAS**, pursuant to Section 27-1305 of the Zoning Ordinance and the MPC, the Rezoning Application was submitted to the Planning Department of Allegheny County Department of Economic Development which returned certain comments which have been considered by Council; and

**WHEREAS**, pursuant to Section 27-1305 of the Zoning Ordinance and the MPC a public hearing was duly advertised and held on the Rezoning Application at the regular meeting of Borough Council held on Wednesday December 20, 2023; and

**WHEREAS**, written notice of the December 20, 2023, public hearing was provided to the Applicant, and to the address to which real estate tax bills are sent for the Subject Property as required by Section 27-1305 of the Zoning Ordinance and the MPC; and

**WHEREAS**, notice of the December 20, 2023, public hearing was conspicuously posted on the Subject Property at least one week prior to the public hearing as required by Section 27-1305 of the Zoning Ordinance and the MPC; and

**WHEREAS**, based on the recommendation of the Planning Commission, and in consideration of the Rezoning Application and testimony and public comment received at the public hearing held on December 20, 2023, Borough Council desires to amend the Zoning Ordinance in order to change the zoning district designation of 444 Avenue D, otherwise identified by Allegheny County as Block and Lot Nos. 374-F-55 and 374-F-68, from R-2 Low Density Residential to S-2 Special.

**NOW, THEREFORE**, the Council of the Borough of Forest Hills hereby ordains and enacts as follows, incorporating the above recitals by reference:

**Section 1.** Chapter 27 of the Borough of Forest Hills Code of Ordinances, Zoning is hereby amended by revising the Borough Zoning Map contained therein to change the zoning district designation of 444 Avenue D, otherwise identified by Allegheny County as Block and Lot Nos. 374-F-55 and 374-F-68 from R-2 Low Density Residential to S-2 Special.

**Section 2.** Section 27-1401, of the Zoning Ordinance, Zoning District Reclassifications, is hereby amended by adding reference to this ordinance and the reclassification of 444 Avenue D, otherwise identified by Allegheny County as Block and Lot Nos. 374-F-55 and 374-F-68 from R-2 Low Density Residential to S-2 Special


**Section 2.** All prior ordinances are hereby repealed in whole or in part to the extent inconsistent herewith.

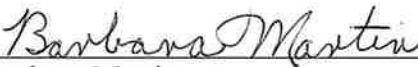
**Section 3.** This Ordinance shall take effect in accordance with applicable law.

**ORDAINED** and **ENACTED** this 17th day of January, 2024, by the Council of the Borough of Forest Hills in lawful session duly assembled.

ATTEST:

BOROUGH OF FOREST HILLS

  
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Steven J. Morus  
Borough Manager/Secretary  
(Seal)

By:   
\_\_\_\_\_  
Barbara Martin  
President, Borough Council

**EXAMINED** and **APPROVED** this 17th day of January, 2024

  
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Frank Porco  
Mayor