

ORDINANCE NO. 41

AN ORDINANCE FURTHER AMENDING ZONING ORDINANCE NO. 1 OF THE BOROUGH OF MONROEVILLE, AS HERETOFORE AMENDED; SAID ORDINANCE BEING ENTITLED, "AN ORDINANCE OF THE BOROUGH OF MONROEVILLE REGULATING AND RESTRICTING THE ERECTION, CONSTRUCTION ALTERATION, REPAIR, LOCATION AND THE USE OF BUILDINGS AND OTHER STRUCTURES AND THE PERCENTAGE OF LOT THAT MAY BE OCCUPIED, THE SIZE OF YARDS, COURTS AND OTHER OPEN SPACES, THE DENSITY OF POPULATION AND THE LOCATION AND USE OF BUILDINGS, STRUCTURES AND LAND FOR TRADE, INDUSTRY OR OTHER PURPOSES AND ESTABLISHING BUILDING LINES UPON ALL PUBLIC STREETS, ROADS, HIGHWAYS, LANES AND ALLEYS AND THE AREA OF LOTS; CONFERRING UPON THE BOROUGH SECRETARY OR SUCH OTHER OFFICIAL AS THE BOROUGH COUNCIL MAY DESIGNATE CERTAIN POWERS FOR THE ENFORCEMENT THEREOF; PROVIDING PENALTIES FOR THE VIOLATION OF THE TERMS AND CONDITIONS OF THIS ORDINANCE.", BY RECLASSIFYING AND CHANGING A CERTAIN TRACT OF LAND, ADJOINING AND ABUTTING THE PROPERTY OF THE MIRACLE MILE SHOPPING CENTER, ALONG THE PRESENT SOUTHERLY PROPERTY LINE THEREOF AND ABUTTING ON THE EAST THE PROPERTY NOW OR LATE OF MRS. R. J. FOSTER AND ON THE SOUTH BY THE NORTHERN PIKE AND ON THE WEST BY THE PROPERTIES OF MARY M. REEL AND THE CROSS ROADS PRESBYTERIAN CEMETERY. INCLUDED IN SAID RECLASSIFICATION, ALSO, THOSE PROPERTIES ALONG NORTHERN PIKE PRESENTLY OWNED BY FAGAN, CHAMPNEY, HURSH AND HOMITZ; THE SAID TRACT TO BE CHANGED FROM RESIDENTIAL ZONE TO COMMERCIAL C-2 ZONE.

WHEREAS, Council of the Borough of Monroeville upon consideration of a Petition presented at its meeting held on February 28, 1955, by the Pittsburgh Miracle Mile Town and Country Shopping Center, Inc., requesting the rezoning of certain property therein described, duly adopted a motion recommending the receipt and filing of said Petition and of an Ordinance to amend the Zoning Ordinance of the Borough, known as Ordinance No. 1, by supplementing, reclassifying and changing certain real property, as hereinafter described to be in a new classification or zoned district. That the proposed amending ordinance as submitted to the Borough Council was directed to be advertised according to law at least 15 days prior to hearing upon the same and that at least 10 written notices be posted in conspicuous places in the community and area affected and that a public hearing be held thereon by Council on March 29, 1955 at 8:00 P.M., at the Patton Heights School, in said Borough. That Council held said hearing and duly considered the matter and then by motion duly adopted, amended said proposed Ordinance, as herein set forth and continued the hearing to April 11, 1954 at 8:00 P.M., at the Patton Heights School in said Borough.

WHEREAS, it was the considered judgment of Council, that the reclassifying and changing of the hereinafter described property is necessary for the public convenience, progress and general welfare of the Borough and its residents.

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NOW, THEREFORE, the Council of the Borough of Monroeville does hereby ordain and enact the following Ordinance.

SECTION 1. That Ordinance No. 1 of the Borough of Monroeville, as heretofore amended, be and the same is hereby further amended as hereinafter set forth.

SECTION 2. That Article III, Section 6, of said Zoning Ordinance No. 1, as heretofore amended, is hereby further amended and corrected by adding thereto the following, but that its provisions in all other respects shall be and remain the same as heretofore.

That the following described area is hereby changed, altered and designated as to be in the Commercial C-2 Zone:

Beginning at a point on the center line of the Northern Turnpike 40 feet wide, distant along said center line South $67^{\circ} 55'$ East 167.82 feet from a point on the Easterly line of a tract of land conveyed by Mollie Stone to the Cross Roads Presbyterian Church by deed dated October 30, 1924, of record in Deed Book Volume 2216, page 186, which point of beginning is the Southeasterly corner of other land of Mary M. Reel; thence from place of beginning and along the line of land of Mary M. Reel, of which this is a part, the two following courses and distances: North $17^{\circ} 40'$ East 191.06 feet to a point; and North $69^{\circ} 50'$ West 220.06 feet to a point on the Easterly line of the aforesaid land conveyed to the Cross Roads Presbyterian Church; thence along said line, North $2^{\circ} 02'$ East 142.75 feet to a point on the line of lands of the Pittsburgh Miracle Mile Town & Country Shopping Center, Inc; thence along said line, South $88^{\circ} 25'$ East 715.96 feet to a point; thence by line of land now or formerly of Foster and passing through an iron pin, 0.2 feet South of said corner, South $7^{\circ} 40'$ West 595.86 feet to a point in the center line of the Northern Turnpike aforesaid; thence along said center line, North $66^{\circ} 44'$ West 204.30 feet to a point on line of land conveyed to Clyde F. Fagan and wife by deed dated March 27, 1952, of record in Deed Book Volume 3177, page 304; thence continuing along the properties of the said Clyde F. Fagan et ux, Guy M. Champney, C. R. Hursh and T. P. Homitz (formerly Brown), a distance of 237.44 feet to a point; thence continuing along said center line of Northern Turnpike North $67^{\circ} 55'$ West a distance of 93.73 feet to the Southeasterly corner of lands of Mary M. Reel, at the place of beginning.

SECTION 3. That the area use districts as contained and shown on the Zoning Map, be amended by changing and adding thereto the aforesaid property to be marked and designated within Commercial C-2 Zone, as created and established by this Ordinance.

SECTION 4. That all Ordinances or parts of Ordinances conflicting with the provisions of this Ordinance be and the same are hereby repealed, insofar as the same are in conflict or inconsistent with the provisions of this Ordinance.

ORDAINED AND ENACTED this 11th day of April, 1955.

ATTEST:

BOROUGH OF MONROEVILLE

(Signed) Edyth J. Amalong
Borough Secretary

By (Signed) Wm. J. Caughey
President of Council

EXAMINED AND APPROVED by me this 11th day of April, 1955.

(Signed) Samuel Jenkins
Burgess