

## ORDINANCE NO. 86

AMENDING ORDINANCE NUMBER ONE KNOWN AS THE OFFICIAL ZONING ORDINANCE OF THE BOROUGH OF MONROEVILLE BY CHANGING THE CLASSIFICATION OF CERTAIN PROPERTY PRESENTLY OWNED BY THE CARR COAL COMPANY FROM RESIDENTIAL TO MANUFACTURING AND LIGHT INDUSTRIAL, M.L.I.; BY AMENDING SECTION 2 OF ARTICLE III BY CHANGING THE INTRODUCTORY SENTENCE THEREIN AS AFFECTING THE PROPERTY OF THE CARR COAL COMPANY; BY AMENDING SECTION 7 OF ARTICLE III SO AS TO REDUCE THE NUMBER OF PROHIBITED USES IN THE AREA OF THE PROPERTY OF THE CARR COAL COMPANY; AND BY ADDING TO THE MANUFACTURING AND LIGHT INDUSTRIAL AREA THE PROPERTY OF THE CARR COAL COMPANY.

SECTION 1. BE IT ORDAINED AND ENACTED by the Burgess and the Council of the Borough of Monroeville, Allegheny County, Pennsylvania, and it is hereby ordained and enacted by the authority of the same:

That Ordinance Number One, known as the OFFICIAL Zoning Ordinance of the Borough of Monroeville, be amended and revised in the following manner.

SECTION 2. That the property of The Carr Coal Company as described below, presently zoned as Residential, be reclassified and rezoned to a Manufacturing and Light Industrial, M.L.I., District. The property hereby rezoned is described as follows:

ALL that certain tract or piece of ground situate in the Borough of Monroeville, Allegheny County, Pennsylvania, presently owned by the Carr Coal Company, formerly known as the Rachel Miller Farm, bounded and described as follows:

BEGINNING at or near the center of the Township Road sometimes called Patton Street at the Wilmerding Borough line; thence along said Wilmerding Borough line, the following seven courses and distances: North  $71^{\circ} 07'$  West, three hundred nineteen and  $02/100$  (319.02) feet, South  $21^{\circ} 04'$  West, one hundred fifty-four and  $5/10$  (154.5) feet, South  $39^{\circ} 36'$  West, one hundred sixty and  $7/10$  (160.7) feet, South  $23^{\circ} 26'$  West, four hundred four and  $38/100$  (404.38) feet, South  $10^{\circ} 02'$  East, one hundred eight and  $6/10$  (108.6) feet, South  $87^{\circ} 33'$  West, two hundred twenty-five and  $7/10$  (225.7) feet, North  $76^{\circ} 25'$  West, five hundred eighty-five (585) feet to lands of the East Pittsburgh Improvement Company; thence along lands last mentioned North  $41^{\circ} 25'$  West, seven hundred ninety-nine (799) feet, North  $47^{\circ} 58'$  West one hundred thirty-five and  $5/10$  (135.5) feet, and North  $31^{\circ} 48'$  East, one hundred twenty-six and  $9/10$  (126.9) feet; thence along the Wilmerding Borough line North  $46^{\circ} 05'$  West, three hundred ninety-two and  $3/10$  (392.3) feet,

and North  $39^{\circ} 11'$  West, four hundred ninety-nine and  $1/10$  (499.1) feet to lands conveyed to the Duquesne Light Company by Rachel McMasters Miller, et vir., by deed dated March 30, 1920, and of record in Deed Book Vol. 2047, page 41; thence along said lands of the Duquesne Light Company, first, North  $35^{\circ} 57'$  East, two hundred sixty (260) feet, second, South  $57^{\circ} 40'$  East, ninety (90) feet, third, North  $32^{\circ} 20'$  East, two hundred fifty (250) feet, and fourth, North  $57^{\circ} 40'$  West, two hundred twenty-two and  $31/100$  (222.31) feet to Elmhurst Plan No. 2; thence along said plan North  $35^{\circ} 46'$  East, four hundred fifty (450) feet, North  $24^{\circ} 33'$  West, eight hundred sixty-three and  $28/100$  (863.28) feet, and North  $22^{\circ} 21'$  East, one hundred fifty-nine and  $16/100$  (159.16) feet to the line of lands claimed by Rebecca S. McKinney's heirs; thence along said lands claimed by Rebecca S. McKinney's heirs, and passing through "Point B" hereinafter referred to, South  $82^{\circ} 28'$  East, eight hundred ninety and  $6/10$  (890.6) feet to a point in the dividing line between patent called "Jacobs Ladder", part of which is included in this tract, and patent granted to Eleazer Mires, which point is hereinafter referred to as "Point A"; thence along lands of the said McKinney's heirs by the dividing line between the two patents aforesaid North  $14^{\circ} 17'$  East, two thousand eleven and  $66/100$  (2011.66) feet to line of lands formerly of E. W. Boyd; thence along lands last mentioned south  $76^{\circ} 25'$  East, three hundred ten (310) feet to lands conveyed to Thos. J. Vunak, et al., by Rachel McMasters Miller, et vir., by deed dated February 19, 1923, and of record in Deed Book Vol. 2145, page 277; thence along said lands of Thos. J. Vunak, et al., South  $15^{\circ} 31'$  West, eight hundred twenty-seven and  $07/100$  (827.07) feet to the northerly line of a 40 foot street or road located on the lands herein described; thence along said northerly line of said 40 foot street, first, South  $74^{\circ} 29'$  East, two hundred forty-four and  $75/100$  (244.75) feet, second, South  $38^{\circ} 04'$  East, four hundred thirty-three and  $35/100$  (433.35) feet and third, North  $51^{\circ} 56'$  East, seven hundred sixty-eight and  $48/100$  (768.48) feet to lands of John J. Shusherba; thence crossing said forty (40) foot road by the lands last mentioned South  $38^{\circ} 04'$  East, two hundred thirty-seven and  $34/100$  (237.34) feet to lands of Samuel Kauchak, et al.; thence along the lands last mentioned South  $40^{\circ} 00'$  West, five hundred eighty and  $67/100$  (580.67) feet; thence along land of Mertz, et al., South  $18^{\circ} 14'$  West, four hundred forty-nine and  $52/100$  (499.52) feet; thence still along said lands of Mertz, et al., South  $61^{\circ} 16'$  East, ninety-seven and  $87/100$  (97.87) feet to lands of Boyd heirs; and thence along lands of said Boyd heirs, first,

South  $34^{\circ} 23'$  West, three hundred forty-six and  $03/100$  (346.03) feet to a stone, second, South  $10^{\circ} 12'$  West, nine hundred twenty-seven and  $43/100$  (927.43) feet, and third, South  $29^{\circ} 04'$  East one thousand forty-seven and  $4/10$  (1047.4) feet to the center of the Township Road sometimes called Patton Street, and thence by the center of said road or street South  $4^{\circ} 56'$  West, four hundred thirty-one and  $1/10$  (431.1) feet to the place of beginning.

EXCEPTING AND RESERVING THEREFROM the following tracts of land previously conveyed to other parties:

(1) BEGINNING at or near the center of the Township Road, sometimes called Patton Street, at the Wilmerding Borough line; thence along said Wilmerding Borough line, North  $71^{\circ} 07'$  West, 338.40 feet to a point; thence North  $25^{\circ} 57'$  East, 209.45 feet to a point; thence North  $6^{\circ} 00'$  East, 180 feet to a point; thence North  $21^{\circ} 00'$  West, 115 feet to a point; thence North  $38^{\circ} 00'$  West 6.72 feet to the northwesterly corner of land now or late of Wolanski; thence along the northerly line of land now or late of Wolanski, South  $83^{\circ} 15'$  East, 266.85 feet to a point; thence South  $29^{\circ} 30'$  East, 110 feet, more or less, to a point in Township Road, sometimes called Patton Street, southwesterly 431 feet, more or less, to the Wilmerding Borough line, at the place of beginning.

(2) BEGINNING at a point on the southerly side of a forty-foot street, the northerly side of which street is also the line of property now or late of Thomas Vunak, at the line of property now or late of J. J. Shushereba; thence along the line of said property now or late of J. J. Shushereba, South  $38^{\circ} 04'$  East, 197.90 feet to the line of property now or late of S. Kauchak; thence along the line of said property now or late of S. Kauchack, South  $39^{\circ} 56'$  West, 100 feet to a point; thence by the line of other property of John S. Carr, et al, co-partners, trading and doing business as The Carr Coal Company, North  $38^{\circ} 04'$  West, 218.70 feet to the southerly line of the aforementioned forty-foot street; thence along the southerly line of said forty-foot street hereinabove referred to, North  $51^{\circ} 56'$  East, 97.82 feet to the line of property now or late of J. J. Shushereba, at the place of beginning.

SECTION 3. That the introductory sentence in Section 2 of Article III of said Ordinance Number One be amended to read as follows:

"Section 2. Prohibited Uses - The following are prohibited and are hereby excluded from the entire Borough except in that area owned by The Carr Coal Company bordering on the Wilmerding and Turtle Creek Borough lines and formerly known as the Rachel Miller Farm:"

- "(1) Abbatoirs;
- (2) Acetylene Gas (Manufacture of Compound Acetylene in excess of 15 pounds pressure per square inch);
- (3) Acid Manufacture; chlorine or bleaching powder, manufacture or refining;
- (4) Airfields, Airports, Cemeteries;
- (5) Asphalt Manufacture or refining;
- (6) Automobile Wrecking Yard; Automobile Trailers and other moveable or portable structure or contrivance, except that one trailer may be parked or stored in an accessory building provided it is not thus used for living quarters, business or industry; a trailer camp is permitted on Strochein property east of Strochein Road;
- (7) Billboard, signboard, signs, except as otherwise provided (See Article IV);
- (8) Cement, Lime, gypsum or plaster of paris manufacture;
- (9) Coke ovens;
- (10) The erection and occupancy of only a basement or cellar for human habitation;
- (11) Fat rendering, soap, tallow, grease or lard; Manufacturing and refining and dyestuff manufacturing;
- (12) Fertilizer, animal, manufacture;
- (13) Garbage, offal, dead animals or refuse, incineration, reduction or storage;
- (14) Glue, size or gelatine; manufacture;
- (15) Gun powder, fireworks, or other explosives; manufacture or storage;
- (16) Junk, scrap, metal, paper or rags; storage, sorting or bailing;
- (17) Stockyards;
- (18) Strip Mining;
- (19) Tar distillation or manufacture;
- (20) Tourists or over-night cabins, motels except in commercial;
- (21) And, in general, those uses which may be noxious or offensive by reason of the emission of odor, dust, smoke, gas, vibration or noise."

"The uses permitted in this area shall be conducted completely within a structure or building, although materials may be stored in the open if enclosed by a fence and planting screen at least six (6) feet high."

SECTION 5. That Section 7 of Article III of said Ordinance Number One be amended by the adding to the list of Manufacturing and Light Industrial, M.L.I.-1 Districts the property of The Carr Coal Company as described in Section 2 above, and that pursuant thereto the Official Zoning Map accompanying Ordinance Number One be changed so as to show this rezoning.

SECTION 6. That any Ordinance or part of an Ordinance conflicting with the provisions of this Ordinance be and the same is hereby repealed.

ORDAINED AND ENACTED into a law in Council this 19th day of March, 1957.

ATTEST:

BOROUGH OF MONROEVILLE

(Signed) Gladys Diller  
Borough Secretary

By (Signed) Edgar Giles  
President of Council

EXAMINED AND APPROVED by me this      day of      , 1957.

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Burgess