

BOROUGH OF MONROEVILLE

ORDINANCE NO. 152.

AN ORDINANCE AMENDING ORDINANCE NO. 1 KNOWN AS THE OFFICIAL ZONING ORDINANCE OF THE BOROUGH OF MONROEVILLE, BY CHANGING THE CLASSIFICATION OF CERTAIN PROPERTY PRESENTLY OWNED BY ALBERT C. KNABE AND ELSIE KNABE, HIS WIFE, FROM RESIDENTIAL R-1 TO COMMERCIAL C-2.

SECTION 1. BE IT ORDAINED AND ENACTED BY 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 No. 1, known as the OFFICIAL ZONING ORDINANCE of the Borough of Monroeville be amended and revised in the manner following:

SECTION 2. That the property of Albert C. Knabe and Elsie Knabe, his wife, described below and presently zoned Residential R-1 be reclassified and rezoned to Commercial C-2:

ALL that certain lot or piece of s ground presently owned by Albert C. Knabe and Elsie Knabe, his wife, situate in the Borough of Monroeville, Allegheny County, Pennsylvania, being more particularly bounded and described as follows, to-wit:-

BEGINNING at a point on the Southeasterly side of Monroeville Road at the intersection of Monroeville Road with Jamison Lane, said point being at the Southeasterly point where the aforesaid roads intersect; thence by a line common with the Southeasterly side of Monroeville Road and the property owned by Albert C. Knabe, et ux, North 34° East, a distance of 140 feet to a point on the private road; thence by a line common to said private road and line of land herein described South $46^{\circ}30'27''$ East, a distance of 207.63 feet to a point; thence by line common to the land herein described and other lands of Albert C. Knabe, et ux, South $51^{\circ}39'$ West, a distance of 164.94 feet to a point on Jamison Lane; thence by line common to said Jamison Lane and the land herein described in a Northwesterly direction, 160.08 feet to a point at the place of beginning.

SECTION 3. That Section 6 of Article III of said Ordinance No. 1 be amended by adding to the list of Commercial C-2, property of Albert C. Knabe, et ux, as described in Section 2 above, and that pursuant thereto, the Official Zoning Map accompanying Ordinance No. 1 be changed so as to show this rezoning.

SECTION 4. That any Ordinance or part of an Ordinance conflicting with the provisions of this Ordinance be and the same is hereby repealed.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 law in Council this 19th day of December, 1958.

ATTEST:

BOROUGH OF MONROEVILLE

S/Audrey D. McCarthy
Borough Secretary

S/ William Vastadore
President of Council

Examined and approved by me this 22nd day of December, 1958.

S/ Anthony Martin
Burgess

Plaintiffs

vs.

CLARENCE T. DIETZ and
DOROTHY DIETZ, his wife,
ALBERT C. KNABE and ELSIE
KNABE, his wife, BOROUGH OF
MONROEVILLE, A Municipal
Corporation, and ESSO
STANDARD OIL COMPANY, a
corporation,

Defendants

No. 1598 July Term, 1959.

IN EQUITY.

DECREE NISI

May 27, 1960, after hearing and upon due consideration,
it is hereby ordered, adjudged and decreed as follows -

1. Ordinance No. 129 and Ordinance No. 152 of the Borough of Monroeville are declared null and void.
2. The construction of a gasoline service station on the property now owned by Clarence T. Dietz and Dorothy Dietz, his wife, located at the corner of Jamison Lane and Monroeville Road, in the Borough of Monroeville, which property is zoned Residential R-1, constitutes a nuisance and is hereby enjoined, and the said defendants, Clarence T. Dietz and Dorothy Dietz, his wife, are ordered to remove the partially constructed gasoline service station presently located on their said property.
3. Costs of this lawsuit to be paid equally by the defendants.

WALTER P. SMART
CHANCELLOR

Filed 1960 May 27 AM 9:44

FROM THE RECORD

David B. Roberts
PROTHONOTARY

BY *Louis W. Lewis*
DEPUTY