

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

MICHAEL A. CAPUTO AND JANICE M. CAPUTO,)	
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)	
Petitioners/Appellants,)	
)	Case No. S.A. 18-000525
vs.)	
)	
ALLEGHENY COUNTY HEALTH DEPARTMENT,)	
)	
)	
Respondent/Appellee.)	
)	
)	

ORDER OF COURT

AND NOW, this 29th day of January, 2019, upon consideration of the Petition for Review, hearing transcript, record on appeal, and briefs of the parties, and having found that the ACHD's Hearing Officer's denial of the request for variance was arbitrary, an abuse of discretion, not supported by substantial evidence, and contrary to law, it is hereby ORDERED, ADJUDGED and DECREED that the Administrative Order issued by the ACHD's Hearing Officer on May 29, 2018 is reversed, set aside, and vacated.

It is further ORDERED, ADJUDGED and DECREED that the variance requested by the Petitioners/Appellants under Section AC-701.3.1 of the ACHD's Plumbing Code be and hereby is GRANTED.

BY THE COURT:

