

IN RE: APPEAL OF T-MOBILE : BEFORE THE ZONING HEARING
NORTHEAST, LLC, RELATIVE TO A : BOARD OF THE CITY OF READING,
PROPERTY LOCATED AT 601 NORTH : PENNSYLVANIA
FIFTH STREET, CITY OF READING, BERKS :
COUNTY, PENNSYLVANIA : APPEAL NO. 2018-01
:
: VARIANCE, INTERPRETATION
: AND/OR SPECIAL EXCEPTION

**DECISION OF THE ZONING HEARING
BOARD OF THE CITY OF READING**

AND NOW, this 14th day of March, 2018, a hearing having been scheduled on January 10, 2018, and February 14, 2018, upon the application of T-Mobile Northeast, LLC, notice of such hearing having first been sent and advertised in accordance with the provisions of the Pennsylvania Municipalities Planning Code and the City of Reading Zoning Ordinance, as amended, the Zoning Hearing Board of the City of Reading (hereinafter referred to as the "Zoning Board") renders the following decision:

FINDINGS OF FACT

The Zoning Board finds the following facts:

1. Applicant is T-Mobile Northeast, LLC, having a principal mailing address of 510 Virginia Avenue, Fort Washington, Pennsylvania 19037 (hereinafter referred to as the "Applicant").
2. Applicant submitted its application for zoning relief to the Zoning Administrator on November 16, 2017, with respect to property located at 601 N. Fifth Street, Reading, Berks County, Pennsylvania (hereinafter referred to as the "Subject Property").
3. On or about November 22, 2017, Applicant's attorney Michael S. Grab, confirmed with the Zoning Administrator Applicant was waiving the requirement that a hearing be held within sixty (60) days of the date of its application and requested that the application be scheduled for a hearing before the Zoning Hearing Board on January 10, 2018.
4. At the hearing on January, 10, 2018, the Zoning Administrator indicated Applicant's attorney again requested a sixty (60) day continuance and the Zoning Board agreed to grant said continuance.

5. A hearing on Applicant's requested zoning relief was scheduled for February 14, 2018, at 5:30 p.m.
6. Applicant failed to appear for the hearing.

DISCUSSION

Applicant submitted an application for zoning relief to install a non-tower, wireless communication facility on top of the building located at the Subject Property. Applicant requested several continuances and failed to appear for the hearing scheduled on February 14, 2018.

CONCLUSIONS OF LAW

1. Applicant is T-Mobile Northeast, LLC.
2. Applicant filed a zoning application on November 16, 2017, and thereafter requested several continuances.
3. Applicant failed to appear at the hearing scheduled on February 14, 2018, at 5:30 p.m..
4. Based upon the foregoing Findings of Fact and Conclusions of Law, the Zoning Board denies Applicant's requested relief.

The decision of this Board is by a vote of 3 to 0.

**ZONING HEARING BOARD OF THE CITY
OF READING**



PHILIP RABENA, CHAIRMAN



THOMAS FOX



JEFFREY GATTONE

WILLIAM HARST

JARED BARCZ