

IN RE: APPEAL OF KBLJ, LLC, RELATIVE TO A PROPERTY LOCATED AT 243 NORTH FOURTH STREET, CITY OF READING, BERKS COUNTY, PENNSYLVANIA	: BEFORE THE ZONING HEARING BOARD OF THE CITY OF READING, PENNSYLVANIA : : : APPEAL NO. 2019-18 : : : VARIANCE, INTERPRETATION : AND/OR SPECIAL EXCEPTION
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**DECISION OF THE ZONING HEARING
 BOARD OF THE CITY OF READING**

AND NOW, this 16th day of October, 2019, a hearing having been held on September 11, 2019, upon the application of KBLJ, LLC, notice of such hearing having been first 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 KBLJ, LLC, a Pennsylvania limited liability company, with a principal address of 815 Evergreen Drive, Wyomissing, Berks County, Pennsylvania 19610 (hereinafter referred to as "Applicant").
2. Applicant is the fee simple owner of the real property located at 243 North Fourth Street, City of Reading, Berks County, Pennsylvania (hereinafter referred to as the "Subject Property").
3. The Subject Property is located in the R-3 Residential Zoning District as that term and district are defined by the Zoning Ordinance of the City of Reading, as amended (hereinafter referred to as the "Zoning Ordinance").

4. Applicant seeks a special exception to construct an above ground parking structure along with relief from certain landscaping, loading and dimensional requirements for the purpose of providing additional on-site parking for a previously approved neighborhood market at 229 North Fourth Street (Appeal 2018-28).

5. Additional testimony was provided by Miguel Herrera and James Koppenhaver.

6. Applicant desires to reconfigure the parking layout at the Subject Property to provide better truck parking.

7. The proposal requires the demolition of the former school building at the Subject Property.

8. The relief will provide better parking and ingress and egress at the Subject Property.

9. The proposed dimensional and landscaping relief are necessary to allow the Subject Property to be developed in a commercially viable manner.

10. There were no objections to the requested relief.

11. Board finds the proposed use will not be detrimental to the health, safety and welfare of the zoning district or the City of Reading.

DISCUSSION

Applicant seeks a special exception to construct an above ground parking structure along with relief from certain landscaping, loading and dimensional requirements for the purpose of providing additional on-site parking for a previously approved neighborhood market at 229 North Fourth Street (Appeal 2018-28). The Zoning Board finds the proposed use is in keeping with the spirit and intent of the Zoning Ordinance and will not be detrimental to the health, safety and welfare of the neighborhood, the zoning district, or the City of Reading.


CONCLUSIONS OF LAW

1. Applicant is KBLJ, LLC.
2. The Subject Property is located at 243 N. Fourth Street, City of Reading, Berks County, Pennsylvania 19601.
3. The Subject Property is located in the R-3 Residential Zoning District.
4. Applicant seeks a special exception to construct an above ground parking structure along with relief from certain landscaping, loading and dimensional requirements for the purpose of providing additional on-site parking for a previously approved neighborhood market at 229 North Fourth Street (Appeal 2018-28).
5. The Zoning Board is permitted to grant applications for variances and/or special exceptions and to interpret the Zoning Ordinance.
6. After reviewing the Applicant's request in detail, the Zoning Hearing Board enters the following Decision:
 - a. Applicant is granted all the requested relief as set forth in the findings of fact and as testified to before the Zoning Board.
 - b. Applicant shall attend a One Stop Meeting to ensure compliance with all relevant codes and ordinances.
 - c. Applicant shall provide a landscaping plan to the Zoning Administrator for his review and approval and the approval of the City Arborist.
 - d. Applicant shall comply with all relevant building and occupancy codes and ordinances as well as the plans and testimony submitted before the Zoning Board.
 - e. Applicant may not use, expand, alter or otherwise use the Subject Property inconsistently with the contents of this Decision without making application requesting further relief from the Zoning Board.

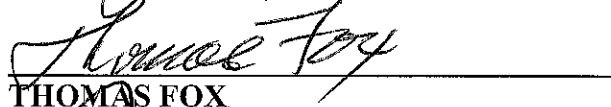
f. Failure to comply with any of these above-referenced conditions shall mean the immediate revocation of the relief granted herein.

The decision of this Board is by a vote of 4 to 0.

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



PHILIP RABENA, CHAIRMAN

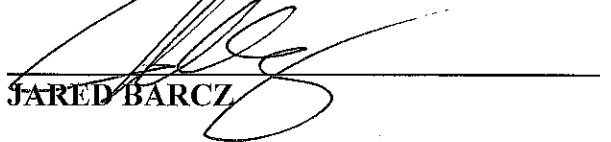


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