

IN RE: APPEAL OF BARRY AND VIOLA JONES RELATIVE TO PROPERTY LOCATED AT 324 SOUTH EIGHTH STREET, CITY OF READING, BERKS COUNTY, PENNSYLVANIA : **BEFORE THE ZONING HEARING BOARD OF THE CITY OF READING, PENNSYLVANIA**
 : **APPEAL NO. 2018-03**
 : **VARIANCE, INTERPRETATION AND/OR SPECIAL EXCEPTION**

DECISION OF THE ZONING HEARING BOARD OF THE CITY OF READING

AND NOW, this 14th day of February, 2018, a hearing having been held on January 10, 2018, upon the application of Barry and Viola Jones, 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. Applicants are Barry and Viola Jones, adult individuals, with a principal address of 326 S. 8th Street, Berks County, Pennsylvania 19602 (hereinafter referred to as the “Applicants”).
2. Applicants are the fee simple owners of the real property located at 324 S. 8th Street, City of Reading, Berks County, Pennsylvania 19602 (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 is defined by the Zoning Ordinance of the City of Reading, as amended (hereinafter referred to as the “Zoning Ordinance”).
4. Applicants request variances from Sections 600-804(A) and 600-1602(A) to convert vacant land into a stone parking area for their personal vehicles.
5. Applicants own the real property adjacent to the Subject Property known as 326 S. Eighth Street and have lived there for forty-three (43) years.
6. Applicants testified approximately two (2) years ago the former owner razed the dwelling located on the Subject Property and approximately three tons of stones were placed on the Subject

Property.

7. Applicants subsequently purchased the Subject Property.
8. Applicants testified a condition was placed on the Deed stating nothing was allowed to be built on the Subject Property for twenty (20) years.
9. Applicants desire to get their vehicles off the street as they are constantly being hit by passing vehicles.
10. Applicants testified they previously received a driveway permit from the Reading Public Works and were later informed they needed zoning relief in order to use the Subject Property as a parking area for their personal vehicles.
11. Applicants testified they have not had any water drainage issues in the basement of their home on the adjacent property.
12. There were no objections presented at the hearing.
13. The Board finds the requested relief will not be a detriment to the health, safety and welfare of the neighborhood.

DISCUSSION

Applicants are requesting relief to allow a stone parking area for their personal vehicles at the Subject Property. The Board finds the requested relief will not be a detriment to the health, safety and welfare of the neighborhood.

CONCLUSIONS OF LAW

1. Applicants are Barry and Viola Jones.
2. The Subject Property is located at 324 S. Eighth Street, City of Reading, Berks County, Pennsylvania 19602.
3. The Subject Property is located in the R-3 Zoning District.
4. Applicants request relief to allow a stone parking area at the Subject Property.
5. The Zoning Board is permitted to grant applications for variances and/or special exceptions and other relief as set forth in the Zoning Ordinance.

6. In order to grant the requested relief, Applicants must show they have satisfied the relevant sections of the Zoning Ordinance.

7. After reviewing the Applicants' request in detail, the Zoning Hearing Board enters the following Decision:

a. Applicants are hereby granted the variance for a stone parking area at the Subject Property.

b. Applicants shall combine 324 and 326 S. Eighth Street into one Deed with the continued restriction that no building may be constructed on 324 S. Eighth Street for twenty (20) years.

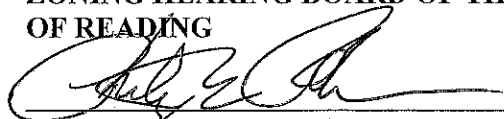
c. Applicants shall comply with all relevant building and occupancy codes and ordinances as well as the plans and testimony submitted before the Zoning Board.

d. Applicants 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.

e. 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 3 to 0.

ZONING HEARING BOARD OF THE CITY
OF READING



PHILIP B. BENA, CHAIRMAN



THOMAS FOX



JEFFREY GATTONE

WILLIAM HARST

JARED BARCZ