

IN RE: APPEAL OF IGLESIA DE DIOS : **BEFORE THE ZONING HEARING**
PENTECOSTAL MI, FUENTE DE : **BOARD OF THE CITY OF READING,**
RESTAURACION RELATIVE TO A : **PENNSYLVANIA**
PROPERTY LOCATED AT 301 SOUTH :
NINTH STREET, CITY OF READING, : **APPEAL NO. 2018-10**
BERKS COUNTY, PENNSYLVANIA :
: **VARIANCE, INTERPRETATION**
: **AND/OR SPECIAL EXCEPTION**

DECISION OF THE ZONING HEARING
BOARD OF THE CITY OF READING

AND NOW, this 9th day of May, 2018, hearings having been held on March 14, 2018, and April 11, 2018, upon the application of Iglesia de Dios Pentecostal Mi, Fuente de Restauracion, 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. The Applicant is Iglesia de Dios Pentecostal Mi, Fuente de Restauracion, with a principal address of 418 N. Sixth Street, Reading, Berks County, Pennsylvania 19601 (hereinafter referred to as the “Applicant”).
2. Applicant is the fee simple owner of the property located at 301 South Ninth Street, City of Reading, Berks County, Pennsylvania (hereinafter referred to as the “Subject Property”).
3. The Subject Property is located in the C-N Commercial Neighborhood 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. On June 11, 2014, the Zoning Board granted Applicant relief to convert a social

club into a place of worship (Appeal No. 2014-04) with certain conditions.

5. One of the conditions in the aforesaid Decision stated “Applicant will reconfigure the rear property to enable parking for eleven (11) vehicles as approved by the Zoning Administrator”.

6. Applicant has not complied with this condition.

7. Applicant previously submitted an Application to the Zoning Board in February 2018 (Appeal 2018-08) requesting relief for nine (9) regular parking spaces and one (1) ADA van accessible handicap space but the new proposal eliminated the required buffer strip along Spruce Street. The submitted Application also did not provide photometrics enunciating footcandles per Section 600-912.

8. A hearing was scheduled on March 14, 2018 concerning Appeal 2018-08 but Applicant failed to show for the hearing and the relief was denied by the Zoning Board.

9. Applicant submitted a new Application to the Zoning Board which is the subject of this Appeal.

10. Applicant seeks the following relief to allow nine (9) regular parking spaces including an ADA van accessible handicap space rather than the previously approved eleven (11) parking spaces.

11. Applicant also seeks relief from one of the required vegetation buffer strips at the north side of the Subject Property along Spruce Street due to dimensional restrictions.

12. The proposed parking plan will allow reasonable access to the Subject Property.

13. Applicant agreed to submit a lighting plan and the approval of the plan is under the sole discretion of the Zoning Administrator.

14. There were no objections presented at the hearing.

DISCUSSION

Applicant requests relief to change the approved eleven (11) parking spaces (Appeal No. 2014-04) to eight (8) regular parking spaces and one (1) ADA van accessible handicap space and relief from a required vegetation buffer on the north side of the Subject Property along Spruce Street.

CONCLUSIONS OF LAW

1. The Applicant is Iglesia de Dios Pentecostal Mi, Fuente de Restauracion.
2. The Subject Property is located at 301 South Ninth Street, City of Reading, Berks County, Pennsylvania.
3. The Subject Property is located in the C-N Commercial Neighborhood Zoning District.
4. Applicant requests relief to change the allowed parking spaces from eleven (11) to eight (8) regular parking spaces and one (1) ADA van accessible handicap space.
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 relief, Applicant must show it has satisfied the relevant sections of the Zoning Ordinance and all other required variances, special exceptions and/or interpretations.
7. After reviewing the Applicant's request in detail, the Zoning Hearing Board enters the following Decision:
 - a. Applicant is hereby granted the relief for eight (8) regular parking spaces and one (1) ADA van accessible handicap space as set forth in the Plans submitted at the hearing.
 - b. Applicant is hereby granted relief from the required vegetation buffer on the north side of the Subject Property along Spruce Street.

c. Applicant shall provide a lighting plan to the Zoning Administrator depicting photometric footcandle compliance.

d. The relief granted herein is conditioned upon the Applicant complying 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 5 to 0.

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




PHILIP RABENA, CHAIRMAN



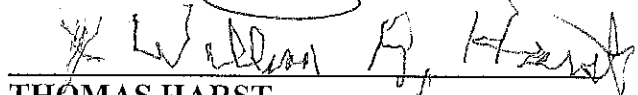
THOMAS FOX



JEFFREY GATTONE



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THOMAS HARST