

<p>IN RE: APPEAL OF R&R CITY REALTY, INC. RELATIVE TO A PROPERTY LOCATED AT 601 LANCASTER AVENUE, CITY OF READING, BERKS COUNTY, PENNSYLVANIA</p>	<p>: BEFORE THE ZONING HEARING BOARD OF THE CITY OF READING, PENNSYLVANIA</p> <p>: APPEAL NO. 2018-16</p> <p>: VARIANCE, INTERPRETATION AND/OR SPECIAL EXCEPTION</p>
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DECISION OF THE ZONING HEARING BOARD OF THE CITY OF READING

AND NOW, this 13th day of June, 2018, a hearing having been held on May 9, 2018, upon the application of R&R City Realty, Inc., 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 R&R City Realty, Inc., with a mailing address of 359 W. 53rd Street, #1C, New York, NY 10019 (hereinafter referred to as the “Applicant”).
2. R&R City Realty, Inc., is the fee simple owner of property located at 601 Lancaster Avenue, Reading, City of Reading, Berks County, Pennsylvania 19611 (hereinafter referred to as the “Subject Property”).
3. The Subject Property is located in the C-H Commercial Highway 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. Applicant seeks variances from the minimum lot size and off-street parking

requirements at the Subject Property.

5. Specifically, Applicant seeks relief from Sections 600-406, 600-810, 600-1101, and 600-1603 of the Zoning Ordinance and all associated variances, special exceptions and interpretations.

6. Applicant testified the Subject Property currently consists of four (4) two bedroom apartments.

7. Applicant seeks to add a fifth two bedroom apartment in the lowest level of the Subject Property.

8. Applicant testified the lot is 2,200 square feet.

9. The Zoning Ordinance requires 1,500 square feet per dwelling unit in a low-rise apartment building in the C-H Zoning District.

10. Applicant testified the apartment building on the Subject Property is currently being completely renovated and does not currently have tenants.

11. The Board finds Applicant must provide eight (8) off-street parking spaces.

12. Applicant testified there is a parking lot in the back of the Subject Property which will be used for tenant parking.

13. Applicant testified it does not own the parking lot.

14. Applicant did not produce a lease for the parking lot.

15. Applicant agreed as a condition to the grant of the requested relief it would provide to the Zoning Administrator a written lease for eight (8) off-street parking spaces.

16. The Board finds the requested relief will not be a detriment to the health, safety and welfare of the neighborhood as long as Applicant can provide eight (8) off-street parking spaces to be used for the tenants.

17. There were no objections presented to the requested relief.

DISCUSSION

Applicant seeks variance to add a fifth two bedroom apartment on the lowest level of the Subject Property. Applicant also seeks a variance from the off-street parking requirements. The Board finds the requested relief will not be a detriment to the health, safety and welfare of the neighborhood as long as it can provide eight (8) off-street parking spaces.

CONCLUSIONS OF LAW

1. Applicant is R&R City Realty, Inc., a Pennsylvania Corporation.
2. The Subject Property is located at 601 Lancaster Avenue, City of Reading, Berks County, Pennsylvania 19611.
3. The Subject Property is located in the C-H Commercial Highway Zoning District.
4. The specific sections of the Zoning Ordinance appealed are 600-406, 600-810, 600-1101, and 600-1603.
5. The Zoning Board is permitted to provide interpretation and grant applications for variances and special exceptions as set forth in the relevant sections of the Zoning Ordinance.
6. In order to grant the requested relief, the Applicant must show it has satisfied the relevant sections of the Zoning Ordinance.
7. After reviewing the Applicant's request in detail and based upon the findings of fact, the Zoning Hearing Board enters the following Decision:
 - a. Applicant is granted a variance from the minimum lot size requirement to add a fifth apartment in the lowest level of the Subject Property.
 - b. Applicant is granted the variance from the off-street parking requirement as long as Applicant provides a written lease agreement for the required eight (8) off-street parking spaces to the Zoning Administrator.

c. Applicant must comply with all relevant building and occupancy codes as well as the plans and testimony submitted before the Zoning Board.

d. 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.

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 5 to 0.

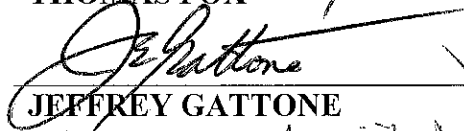
**ZONING HEARING BOARD OF THE
CITY OF READING**



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