

**IN RE: APPEAL OF MARK A. PONCE** : **BEFORE THE ZONING HEARING**  
**RELATIVE TO PROPERTY LOCATED AT** : **BOARD OF THE CITY OF READING,**  
**253 REED STREET, CITY OF READING,** : **PENNSYLVANIA**  
**BERKS COUNTY, PENNSYLVANIA** :  
: **APPEAL NO. 2018-25**  
: **VARIANCE, INTERPRETATION**  
: **AND/OR SPECIAL EXCEPTION**

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

**AND NOW**, this 10th day of October, 2018, a hearing having been held on September 12, 2018, upon the application of Mark A. Ponce, 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 Mark A. Ponce, an adult individual, with a principal address of 1007 Summit Road, Temple, Berks County, Pennsylvania 19560 (hereinafter referred to as the “Applicant”).
2. Applicant is the fee simple owner of the real property located at 253 Reed Street, City of Reading, Berks County, Pennsylvania (hereinafter referred to as the “Subject Property”).
3. The Subject Property is located in the M-C (Manufacturing Commercial) 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 requests relief to allow a commercial parking lot on the Subject Property.
5. Applicant was represented by Clemson Page, Esquire.
6. Applicant’s testimony was also presented by Bruce Rader.
7. Specifically, Applicant seeks relief from the following sections of the Zoning Ordinance:
  - a. 600-608 prohibited uses;
  - b. 600-811(A) lot size;

- c. 600-811(C)(3) 10 foot buffer strips;
- d. 600-912 lighting control;
- e. 600-1302 maximum wall height;
- f. 600-1303 clear site triangle;
- g. 600-1401 buffer strips along streets;
- h. 600-1402 screening;
- i. 600-1501 private roads and driveways;
- j. 600-1502 private parking areas;
- k. 600-1503 site triangle;
- l. 600-1602(B) access driveway; and
- m. 600-1602(L) parking spaces closer than 10 feet to a dwelling.

8. Applicant testified he purchased the Subject Property approximately five years ago and has not had any zoning issues.

9. Applicant seeks to develop the Subject Property with a commercial parking lot with twenty-five (25) parking spaces and two (2) ADA spaces one of which is van accessible.

10. Applicant proposes to grade, pave, landscape, illuminate and fence the parking lot on the Subject Property.

11. Applicant proposes that the lot will be a private (leased) parking lot and lessees will have access to the lot via a gated entrance.

12. There were no objections to the requested relief.

13. The Board finds the proposed use of the Subject Property will not be a detriment to the health, safety and welfare of the neighborhood or the zoning district in general.

#### **DISCUSSION**

Applicant is requesting relief to allow a commercial parking lot at the Subject Property. The proposed use of the Subject Property will not be a detriment to the health, safety and welfare of the neighborhood or the zoning district in general.

## CONCLUSIONS OF LAW

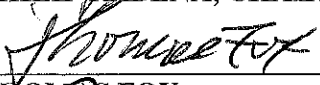
1. Applicant is Mark A. Ponce.
2. The Subject Property is located at 253 Reed Street, City of Reading, Berks County, Pennsylvania.
3. The Subject Property is located in the M-C Zoning District.
4. Applicant requests relief to allow a commercial parking lot at the Subject Property.
5. The Zoning Board 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 relief, the Applicant must show he has satisfied Sections 600-811, 600-608, 600-912, 600-1302, 600-1303, 600-1401, 600-1402, 600-1501, 600-1502, 600-1503 and 600-1602 of the Zoning Ordinance.
7. After reviewing the Applicant's request in detail, the Zoning Hearing Board enters the following Decision:
  - a. Applicant is hereby granted the variance for a commercial parking lot at the Subject Property.
  - b. A lighting plan must be submitted depicting the type of lighting for shielding, the height of the light standards and a photo-metrics plan showing the foot candles for spill over to the Zoning Administrator.
  - c. A revised plan must be submitted to the Zoning Administrator depicting the height and type of the proposed fence
  - d. A revised plan must be submitted to the Zoning Administrator depicting the height or length of the proposed wall along the alley.
  - e. A revised plan showing the dimensions of the two (2) parking spaces in the center of the plan must be given to the Zoning Administrator.
  - f. A revised plan depicting the ADA parking space dimensions must be submitted to the Zoning Administrator.

- g. A SALDO application must be submitted to the City Planning Commission for approval.
- h. Wheel blocks must be added along the southern property line that abuts the residential dwelling.
- i. All parking areas of more than ten (10) spaces shall be approved by the Department of Public Works and the City of Reading Planning Commission.
- j. Applicant shall comply with all relevant building and occupancy codes and ordinances as well as the plans and testimony submitted before the Zoning Board.
- k. 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.
- l. 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**

  
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PHILIP RABENA, CHAIRMAN

  
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THOMAS FOX

  
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JEFFREY E. GATTONE

  
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JARED P. BARCZ