

**IN RE: APPEAL OF YUDERCA A. RAMOS RELATIVE TO A PROPERTY LOCATED AT 322 NORTH SIXTH STREET, CITY OF READING, BERKS COUNTY, PENNSYLVANIA** : **BEFORE THE ZONING HEARING BOARD OF THE CITY OF READING, PENNSYLVANIA**  
 : **APPEAL NO. 2018-27**  
 : **VARIANCE, INTERPRETATION AND/OR SPECIAL EXCEPTION**

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

**AND NOW**, this 10<sup>th</sup> day of October, 2018, a hearing having been held on September 12, 2018, upon the application of Yuderca A. Ramos, 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 Yuderca A. Ramos, an adult individual who resides at 2805 Grandview Boulevard, Reading, Berks County, Pennsylvania (hereinafter referred to as the “Applicant”).
2. Applicant is the fee simple owner of 322 North Sixth 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 is defined by the Zoning Ordinance of the City of Reading, as amended (hereinafter referred to as the “Zoning Ordinance”).
4. Applicant seeks relief to allow a second residential unit and a commercial barber shop on the first floor of the Subject Property.

5. Applicant testified the second floor of the Subject Property consists of a residential unit.

6. Applicant desires to convert a portion of the first floor for the commercial barbershop use and the remainder of the first floor will be for a residential unit. The second floor will remain a rental unit.

7. Applicant's proposed hours of operation would be from 9:00 a.m. until 6:00 p.m. Monday through Friday and 8:00 a.m. to 7:00 p.m. on Saturday, prevailing time.

8. Applicant proposes to have a four (4) chair barbershop with five (5) employees.

9. Applicant testified it will be a unisex barbershop.

10. Applicant testified there are twelve (12) parking spaces available on a lot he owns at 316 North Sixth Street.

11. Applicant testified there is parking at the rear of the Subject Property for tenant parking.

12. Applicant testified and the Board finds the proposed use will not be a detriment to the health, safety and welfare of the neighborhood.

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

### **DISCUSSION**

Applicant seeks a variance to operate a four (4) chair unisex barbershop on a portion of the first floor of the Subject Property and a residential unit in the remainder of the first floor of the Subject Property.

### **CONCLUSIONS OF LAW**

1. The Applicant is Yuderca A. Ramos.

2. The Subject Property is located at 322 North Sixth Street, Reading, Berks County, Pennsylvania.

3. The Subject Property is located in the R-3 Residential Zoning District.
4. Applicant seeks relief to allow a second residential unit and a unisex barbershop on the first floor of the Subject Property.
5. The Zoning Board incorporates the findings of fact and conclusions of law as though fully set forth at length herein.
6. The Zoning Board is permitted to grant applications for variance(s) as set forth in the Zoning Ordinance.
7. In order to grant the variances, the Applicant must show that he has satisfied Sections 600-804(B)(3)(a), 600-804(C)(4), and 600-804(B)(1) of the Zoning Ordinance.
8. After reviewing the Applicant's request in detail, the Zoning Hearing Board enters the following Decision:
  - a. Applicant is hereby granted relief to operate a barbershop on the first floor of the Subject Property with four (4) barber chairs.
  - b. Applicant is hereby granted relief for a second residential unit on the first floor of the Subject Property.
  - c. Applicant is hereby granted a variance from the strict terms of the off-street parking requirements.
  - d. Applicant shall not place any ATM machines, soda machines, vending machines, video machines, or jukeboxes at the Subject Property.
  - e. The window signage shall be limited to thirty percent (30%) of the glass area, or 600 square inches, whichever is greater.
  - f. Applicant shall obtain all requisite documents, including but not limited to, an occupancy permit and business privilege license.

g. If applicable, Applicant shall provide copies of the state issued licenses for a massage therapist and/or nail technician.

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

i. 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.

j. Applicant must comply with all conditions set forth in the findings of fact.

k. 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



THOMAS FOX



JEFFREY GATTONE



JARED BARCZ