

IN RE: APPEAL OF DOMINICAN ASSOCIATION OF PA, INC., RELATIVE TO A PROPERTY LOCATED AT 1158 BUTTONWOOD STREET, CITY OF READING, BERKS COUNTY, PENNSYLVANIA	: BEFORE THE ZONING HEARING BOARD OF THE CITY OF READING, PENNSYLVANIA : APPEAL NO. 2018-29 : VARIANCE, INTERPRETATION : AND/OR SPECIAL EXCEPTION :
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**DECISION OF THE ZONING HEARING
BOARD OF THE CITY OF READING**

AND NOW, this 14th day of November, 2018, a hearing having been held on October 10, 2018, upon the application of Dominican Association of PA, 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 Dominican Association of PA, Inc., a Pennsylvania non-profit corporation, with a principal place of business of 419 North Sixth Street, City of Reading, Berks County, Pennsylvania (hereinafter referred to as the “Applicant”).
2. Applicant has a leasehold interest in the property located at 1158 Buttonwood Street, City of Reading, Berks County, Pennsylvania (hereinafter referred to as the “Subject Property”).
3. The fee simple owner of the Subject Property, Victor Sales Morales, has granted Applicant permission to seek the requested zoning relief.
4. The Subject Property is located in the R-3 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”).
5. Applicant was represented by Joan London, Esquire.

6. Applicant desires to use the Subject Property as its headquarters. The Subject Property will also be used for presentations that will be helpful to the Latino community such as citizenship classes and English as a second language classes.

7. Applicant is requesting a use variance.

8. Applicant testified no alcohol will be served, provided or allowed at the Subject Property.

9. Applicant stated the Subject Property will not be a social hall.

10. Applicant stated it would obtain dedicated parking from the building owner.

11. Applicant testified the Subject Property will not be rented out for birthday parties or any other social events.

DISCUSSION

Applicant proposes to use the first floor commercial space at the Subject Property for an office for its domestic non-profit corporation. The purpose of the corporation is to provide English as second language classes and other classes to help Latinos further their education and language skills.

CONCLUSIONS OF LAW

1. Applicant is Dominican Association of PA, Inc.

2. The Subject Property is located in the R-3 Zoning District.

3. The specific sections of the Zoning Ordinance appealed are 600-804(B)(1), 600-608(A) and 600-1603(A)(8).

4. 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.

5. In order to grant the requested relief, the Applicant must show it has satisfied the relevant sections of the Zoning Ordinance.

6. After reviewing the Applicant's request in detail, the Zoning Hearing Board enters the following Decision:

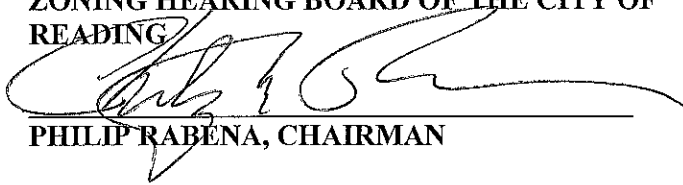
a. Applicant is hereby granted relief from all relevant sections of the Zoning

Ordinance to use the Subject Property as an office and for educational classes.

- b. Applicant must provide proof of four (4) dedicated parking spaces.
- c. The Subject Property may not be used for social functions.
- d. Alcohol is specifically prohibited at the Subject Property.
- e. Applicant shall comply with all relevant building and occupancy codes and ordinances as well as the plans and testimony submitted before the Zoning Board.
- f. 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.
- g. Failure to comply with any of these above-referenced conditions shall mean the immediate revocation of the relief granted herein.

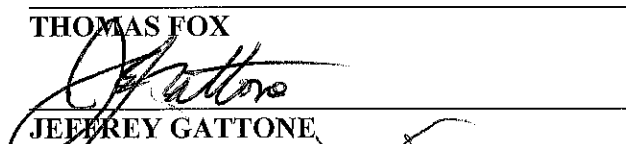
The decision of this Board is by a vote of 3 to 0.

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

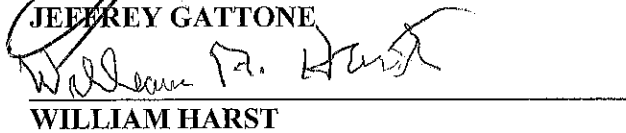


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