

**IN RE: APPEAL OF CHARLES G. HAYNES RELATIVE TO A PROPERTY LOCATED AT 436 WEST OLEY STREET, CITY OF READING, BERKS COUNTY, PENNSYLVANIA** : **BEFORE THE ZONING HEARING BOARD OF THE CITY OF READING, PENNSYLVANIA**  
 : **APPEAL NO. 2018-32**  
 : **VARIANCE, INTERPRETATION AND/OR SPECIAL EXCEPTION**

**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 Charles G. Haynes, 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 Charles G. Haynes, an adult individual who resides at 436 West Oley Street, Reading, Berks County, Pennsylvania 19601 (hereinafter referred to as the “Applicant”).
2. Applicant is the fee simple owner of 436 West Oley Street, City of Reading, Berks County, Pennsylvania 19601 (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 establish a barbershop in an accessory building located on the same lot as his primary residence.
5. Applicant has been a barber and a barber instructor for many years.
6. The accessory building at the Subject Property was used for many years as a barbershop and has been closed for several years.
7. Applicant proposes no changes to the subject building or property.
8. Applicant would like to reopen the accessory building as a barbershop.
9. The barbershop would be an accessory use to the primary residence at the Subject Property.
10. Applicant requests a special exception for the barbershop as a home occupation.
11. Applicant requests a variance from off-street parking requirements.
12. Applicant requests a variance from floor area requirements.
13. There were no objections presented at the hearing.

### **DISCUSSION**

Applicant proposes to reopen a barbershop in an accessory structure as a barbershop at the Subject Property. The Subject Property is also Applicant's primary residence. The Boards finds the proposed use is acceptable and permitted as long as Mr. Haynes owns the Subject Property and is the principal of the barbershop.

### **CONCLUSIONS OF LAW**

1. The Applicant is Charles G. Haynes.
2. The Subject Property is located at 436 West Oley Street, Reading, Berks County, Pennsylvania.
3. The Subject Property is located in the R-3 Residential Zoning District.

4. Applicant seeks relief to reopen a barbershop in an accessory structure at 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) and/or special exception(s) as set forth in the Zoning Ordinance.

7. In order to grant the variances, the Applicant must show that he has satisfied the relevant sections 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 the requested special exception and variances to operate a barbershop in the accessory structure located at the Subject Property as long as Applicant, Charles G. Haynes, owns the Subject Property and is a principal in the barbershop.

b. Applicant shall not place any ATM machines, soda machines, vending machines, video machines, or jukeboxes at the Subject Property.

c. The window signage shall be limited to thirty percent (30%) of the glass area, or 600 square inches, whichever is greater.

d. Applicant shall obtain all requisite documents, including but not limited to, an occupancy permit and business privilege license.

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

h. 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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**PHILIP RABENA, CHAIRMAN**

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**THOMAS FOX**

  
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**JEFFREY GATTONE**

  
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**WILLIAM HARST**

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**JARED BARCZ**