

IN RE: APPEAL OF MARISOL PARIS : **BEFORE THE ZONING HEARING**
RELATIVE TO A PROPERTY LOCATED : **BOARD OF THE CITY OF READING,**
AT 139 WEST GREEN STREET, CITY OF : **PENNSYLVANIA**
READING, BERKS COUNTY, :
PENNSYLVANIA : **APPEAL NO. 2018-39**
: **VARIANCE, INTERPRETATION**
: **AND/OR SPECIAL EXCEPTION**

DECISION OF THE ZONING HEARING
BOARD OF THE CITY OF READING

AND NOW, this 13th day of March, 2019, hearings having been held on December 12, 2018, and February 13, 2019, upon the application of Marisol Paris, 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:

The Zoning Board finds the following facts:

1. The Applicant is Marisol Paris, an adult individual residing at 641-A Willow Street, Reading, Berks County, Pennsylvania 19602 (hereinafter referred to as the “Applicant”).
2. Applicant is the property manager for the fee simple owner of property located at 139 West Green Street, City of Reading, Berks County, Pennsylvania (hereinafter referred to as the “Subject Property”).
3. The fee simple owner of the Subject Property, Orquidia Luna, has granted Applicant permission to seek the requested relief.
4. 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”).
5. Applicant seeks relief to have two (2) dwelling units and a variance to reduce the off-street parking requirements.

6. The Subject Property historically had a first floor commercial unit and a residential unit and then became two (2) residential units.

7. The Subject Property is a pre-existing nonconformity with respect to dimensional requirements.

8. There is adequate off-street parking.

9. There were no objections presented at the hearing.

10. The Zoning Board finds the proposed use is in keeping with the spirit and intent of the Zoning Ordinance and will not be detrimental to the health, safety and welfare of the neighborhood or the zoning district.

DISCUSSION

Applicant seeks relief to have two (2) dwelling units at the Subject Property. The Zoning Board finds the proposed use is in keeping with the spirit and intent of the Zoning Ordinance and will not be detrimental to the health, safety and welfare of the neighborhood or the zoning district.

CONCLUSIONS OF LAW

1. Applicant is Marisol Paris.

2. The Subject Property is located at 139 West Green Street, Reading, Berks County, Pennsylvania.

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

4. The specific sections of the Zoning Ordinance appealed are 600-804.C.(4), 600-804.B.3.(a), and 1203.D.

5. The Zoning Board is permitted to provide interpretation and grant applications for variances and/or special exceptions as set forth in the relevant sections of the Zoning Ordinance.

6. In order to grant the requested variance and/or special exception, Applicant must show she has satisfied the relevant sections of the Zoning Ordinance.

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

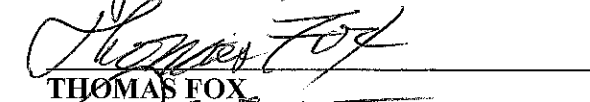
- a. Applicant is hereby granted permission for two (2) dwelling units at the Subject Property.
- b. Applicant shall install a third electric meter to provide separate electrical service for the common areas of the Subject Property.
- c. Applicant shall not rent to more than three (3) unrelated persons for each unit.
- d. Applicant shall attend a One Stop meeting with the Building and Fire Inspectors to ensure compliance with all applicable Building and Fire Codes.
- e. Applicant shall apply for any required building trades, fire permits and submit to appropriate inspections deemed necessary.
- f. Applicant shall comply with all relevant fire, building and occupancy codes and ordinances as well as the plans and testimony submitted before the Zoning Board.
- g. 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.
- 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 5 to 0.

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



PHILIP RABENA, CHAIRMAN



THOMAS FOX



JEFFREY GATTONE



WILLIAM HARST



JARED BARCZ