

**IN RE: APPEAL OF CHARLES** : **BEFORE THE ZONING HEARING**  
**GYAPONG OF ACTION CHAPEL** : **BOARD OF THE CITY OF READING,**  
**PENNSYLVANIA RELATIVE TO A** : **PENNSYLVANIA**  
**PROPERTY LOCATED AT 330 SUMMIT** :  
**AVENUE, CITY OF READING, BERKS** : **APPEAL NO. 2019-28**  
**COUNTY, PENNSYLVANIA** :  
: **VARIANCE, INTERPRETATION**  
: **AND/OR SPECIAL EXCEPTION**

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

**AND NOW**, this 12th day of February, 2020, a hearing having been held on January 8, 2020, upon the application of Charles Gyapong of Action Chapel Pennsylvania, 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 Charles Gyapong of Action Chapel Pennsylvania, an adult individual residing at 1012 Brinan Avenue, Temple, City of Reading, Berks County, Pennsylvania 19560 (hereinafter referred to as the “Applicant”).
2. Applicant has a leasehold interest in the real property located at 330 Summit Avenue, City of Reading, Berks County, Pennsylvania (hereinafter referred to as the “Subject Property”).
3. The fee simple owner of the Subject Property, My Sang Tran – Sandy’s Nails, LLC, has granted Applicant permission to seek the requested relief.

4. The Subject Property is located in the R-2 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 is requesting a special exception to operate a place of worship at the Subject Property.
6. Applicant seeks relief under Sections 600-803(B) and 600-1603(A) of the Zoning Ordinance.
7. The Subject Property is currently vacant and was formerly a tile business.
8. Applicant stated the church has two services on a Sunday from 8:00 a.m. to 10:00 a.m. and 4:00 p.m. to 6:00 p.m., and also on Thursday from 6:30 p.m. to 8:00 p.m., prevailing time.
9. Applicant testified there are approximately seventy (70) church members.
10. Applicant testified most of the members walk to church or use the church van.
11. Applicant testified the owner of Mimmo's Restaurant located at 290 Morgantown Road has agreed to provide twenty (20) parking spaces for the members of the church.
12. Applicant provided evidence the 18<sup>th</sup> Ward Democratic Club will lease parking spaces to the church.
13. Several neighbors expressed concerns over the parking issues.
14. The Zoning Board finds the proposed use will not be a detriment to the health, safety and welfare of the neighborhood and will not impact on-street parking or neighboring properties.

### DISCUSSION

Applicant seeks a special exception to operate a place of worship 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, the zoning district or the City of Reading.

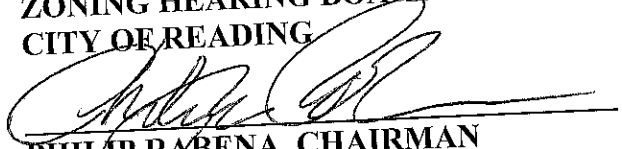
### CONCLUSIONS OF LAW

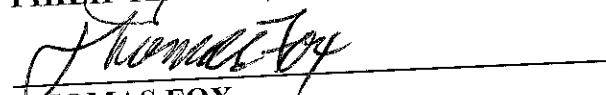
1. Applicant is Charles Gyapong of Action Chapel Pennsylvania.
2. The Subject Property is located at 330 Summit Avenue, City of Reading, Berks County, Pennsylvania.
3. The Subject Property is located in the R-2 Residential Zoning District.
4. Applicant seeks a special exception to operate a place of worship at the Subject Property.
5. In order to grant the requested relief, Applicant must show he has satisfied the relevant sections of the Zoning Ordinance.
6. After reviewing the Applicant's request in detail, the Zoning Board enters the following Decision:
  - a. Applicant is granted a special exception to operate a place of worship at the Subject Property.
  - b. The relief is granted subject to the Zoning Officer approving Applicant's parking plan.
  - c. Applicant's use of the Subject Property for church purposes shall not extend past 10:00 p.m., prevailing time.
  - d. Applicant may use the Subject Property for uses deemed to be customarily accessory uses to a place of worship, excluding a shelter, soup kitchen or donation center. If the Applicant seeks to operate a shelter, soup kitchen or donation center, it shall submit an application for conditional use approval.

- e. Applicant may prepare food for church members and accept donations at the church; however, donations shall be distributed at an approved facility not at the Subject Property.
- f. Applicant shall not allow excess noise to emanate from the Subject Property.
- g. Applicant must comply with all relevant building and occupancy codes as well as the plans and testimony submitted before the Zoning Board.
- h. 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.
- i. Failure to comply with any of these above-referenced conditions shall mean the immediate revocation of the relief granted herein.

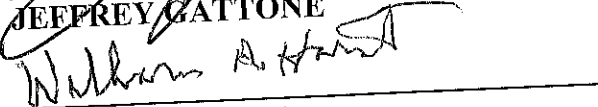
The decision of this Board is by a vote of 4 to 0.

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

  
PHILIP RABENA, CHAIRMAN

  
THOMAS FOX

  
JEFFREY GATTONE

  
WILLIAM HARST

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JARED BARCZ