

IN RE: APPEAL OF QUEEN OF ALL SAINTS CHAPEL, INC., RELATIVE TO A PROPERTY LOCATED AT 1711 HAMPDEN BOULEVARD, CITY OF READING, BERKS COUNTY, PENNSYLVANIA : **BEFORE THE ZONING HEARING BOARD OF THE CITY OF READING, PENNSYLVANIA**
: **APPEAL NO. 2020-13**
: **VARIANCE, INTERPRETATION AND/OR SPECIAL EXCEPTION**

DECISION OF THE ZONING HEARING BOARD OF THE CITY OF READING

AND NOW, this 14th day of October, 2020, a hearing having been held on September 9, 2020, upon the application of Queen of All Saints Chapel, 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. Applicant is Queen of All Saints Chapel, Inc., a Michigan corporation, with a mailing address of 1000 Spring Lake Highway, Brooksville, Florida 34602 (hereinafter referred to as the “Applicant”).
2. Applicant has an equitable interest in the real property located at 1711 Hampden Boulevard, City of Reading, Berks County, Pennsylvania (hereinafter referred to as the “Subject Property”).
3. The fee simple owners of the Subject Property, David F. Leeland and Dawn F. Leeland, have granted Applicant permission to seek the requested relief.
4. The Subject Property is located in the R-1 Residential Zoning District and the Heights Conservation District as those terms and districts are defined by the Zoning Ordinance of the City of Reading, as amended (hereinafter referred to as the “Zoning Ordinance”).

5. Applicant seeks a variance to establish a seminary at the Subject Property and a variance from the minimum off-street parking requirements.

6. Specifically, Applicant seeks relief from Sections 600-801(B) and 600-1603(A), of the Zoning Ordinance.

7. Applicant was represented by Kelsey Frankowski, Esquire.

8. The Subject Property consists of 3.07 acres and includes a two and one-half story, residential stone masonry structure with a gable roof. The building was built in approximately 1930.

9. The Subject Property has been used since 1930 for various residential and commercial purposes.

10. The Subject Property is currently being used as an eight unit Bed and Breakfast (zoning relief was granted on March 14, 2018 -Appeal 2018-07).

11. Applicant testified there is an existing on-site parking area with nine (9) parking spaces.

12. Applicant proposes to use the Subject Property as a seminary where students of the seminary will be educated and housed.

13. Applicant states there is an unnecessary hardship on the Applicant due to the size, age, and location of the Subject Property.

14. Applicant states there is no possibility the Subject Property can be developed in strict conformity with the Zoning Ordinance and a variance is necessary to enable the reasonable use of the Subject Property.

15. Applicant states it did not create the hardship, the requested variance will not alter the essential character of the neighborhood, will not impair the use of adjacent properties, and will not be detrimental to public welfare.

16. Applicant states the variance would represent the minimum variance that will afford relief and will represent the least modification possible of the Zoning Ordinance.

17. The Board finds the proposed bedroom configuration and parking configuration are in keeping with the spirit and intent of the Zoning Ordinance.

18. The Board finds all parking configurations must be approved by the Zoning Administrator. A maximum of thirteen (13) spaces are allowed.

19. The Board finds the maximum number of residents at the Subject Property shall not exceed thirty-seven (37).

20. Several residents participated in the hearing. There was one objection to the proposed relief.

21. The Board finds the proposed seminary will not be detrimental to the health, safety and welfare of the zoning districts or the City of Reading and are in keeping with the spirit and intent of the Zoning Ordinance.

DISCUSSION

Applicant seeks a variance to operate a seminary at the Subject Property. In addition, Applicant seeks a variance from the off-street parking requirements. 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 districts, or the City of Reading.

CONCLUSIONS OF LAW

1. Applicant is Queen of All Saints Chapel, Inc.
2. The Subject Property is located at 1711 Hampden Boulevard, City of Reading, Berks County, Pennsylvania 19602.
3. The Subject Property is located in the R-1 Residential Zoning District and the Heights Conservation District.
4. Applicant seeks a variance to operate a seminary at the Subject Property and a variance from the off-street parking requirements.
5. The Zoning Board is permitted to grant applications for variances and/or special exceptions and to interpret the Zoning Ordinance.
6. After reviewing the Applicant's request in detail, the Zoning Hearing Board enters the following Decision:

- a. Applicant is granted a variance to operate a seminary at the Subject Property.
- b. Applicant is granted a variance regarding parking. Applicant shall provide thirteen (13) on-site parking spaces.
- c. The maximum number of residents shall be thirty-seven (37).
- d. The prohibition on ancillary events previously imposed by the Zoning Board on March 14, 2018 (Appeal 2018-07) remain in force.
- e. No further reduction or expansion of off-street parking shall occur without requesting additional zoning relief.
- f. Prior to the issuance of a Zoning Permit, Applicant shall submit a revised parking plan to the Zoning Administrator which demonstrates compliance with parking design and construction standards set forth in the Zoning Ordinance;
- g. If the Department of Public Works determines a planning module is required pursuant to the PA Sewage Facilities Act (Act 537), Applicant shall obtain approval from the Department of Public Works prior to the issuance of a Zoning Permit.
- h. No exterior changes or construction shall occur before a Certificate of Appropriateness is issued by the City of Reading Historical Architectural Review Board for the proposed construction.
- i. No occupancy of the Subject Property shall occur before a Certificate of Occupancy is issued by the City of Reading Building Official for the proposed use.
- j. Applicant shall attend a One Stop Meeting to make sure it is in compliance with all codes and ordinances.
- k. Applicant shall comply with all relevant building, trades, fire codes, occupancy codes and ordinances as well as the plans and testimony submitted before the Zoning Board.
- l. 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.

m. 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**

/s/ Philip Rabena

PHILIP RABENA, CHAIRMAN

/s/ Thomas Fox

THOMAS FOX

/s/ Jeffrey Gattone

JEFFREY GATTONE

/s/ William Harst

WILLIAM HARST

/s/ Jared Barcz

JARED BARCZ