

**IN RE: APPEAL OF CITY OF READING : BEFORE THE ZONING HEARING  
DEPARTMENT OF FIRE AND RESCUE : BOARD OF THE CITY OF READING,  
SERVICES RELATIVE TO A PROPERTY : PENNSYLVANIA  
LOCATED AT 1202 NORTH NINTH :  
STREET, CITY OF READING, BERKS : APPEAL NO. 2021-05  
COUNTY, PENNSYLVANIA :  
: VARIANCE, INTERPRETATION  
: AND/OR SPECIAL EXCEPTION**

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

AND NOW, this 14th day of April, 2021, a hearing having been held on March 10, 2021, upon the application of City of Reading Department of Fire and Rescue Services 1-41, 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 City of Reading Department of Fire and Rescue Services 1-41, with a principal mailing address of 815 Washington Street, Reading, Berks County, Pennsylvania 19601 (hereinafter referred to as the “Applicant”).
2. Applicant is the fee simple owner of the property located at 1201 N. 9<sup>th</sup> Street, City of Reading, Berks County, Pennsylvania 19604 (hereinafter referred to as “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 was represented at the hearing by Frederick Lachat, Esquire.
5. Applicant seeks relief to develop a 12,012 +/- square foot/0.28 acres (100'x120') property for the construction of a municipal fire and rescue station.
6. Applicant seeks variances from the following sections of the Zoning Ordinance:
  - a. Section 600-804.A. – Dimensional Requirement  
Maximum Building Coverage – 60% permitted/62.96% proposed  
Maximum Impervious Coverage – 80% permitted/87.65% proposed  
Minimum Front Yard Setback – 5 feet required/1 foot proposed  
Minimum Side yard Setback – 6 feet required/2.17 feet proposed
  - b. Section 600-1603.A.(10) – Off-Street Parking Standards
  - c. Section 600-1503.B. – Private Driveways
  - d. Section 600-1401, 1402, 1602.N. – Buffer Strips/Screening
  - e. Section 600-1604 – Off-Street Loading Spaces
7. Applicant seeks a special exception from Section 600-804.B.(4)(i) – Allowed Uses.
8. The Subject Property is the current 9<sup>th</sup> and Marion playground and is improved with a macadam surface, pavilion, storage shed and playground equipment enclosed with chain link fencing and is 100% impervious coverage.
9. The proposed municipal fire and rescue station will have a ground floor of 7.563 gross square footage (62.96% building coverage).
10. The total proposed impervious coverage will be 87.65% which is a reduction to the existing coverage of 12.35%.
11. The proposed municipal fire and rescue station will have a main access onto N. Ninth Street that will serve three apparatus bays for the primary fire apparatus.
12. An access drive is proposed onto N. Mill Street that will serve one apparatus bay for the reserve ambulance.
13. Applicant proposes 10 parking spaces with 5 parking spaces on Marion Street and 5 parking spaces on N. Mill Street which includes 1 handicapped parking space.

14. Applicant proposes a 12 foot by 35 foot loading area at the N. Ninth Street access driveway.

15. The proposed municipal fire and rescue station will replace the existing Marion-Hampden Fire Station located at 1155 N. Ninth Street.

16. The proposed municipal fire and rescue station will serve the community in a similar capacity as the current station known as the Marion-Hampden Fire Station located at 1155 N. Ninth Street.

17. Applicant testified the proposed municipal fire and rescue station will not increase traffic congestion or create a traffic hazard.

18. Applicant testified there will be flashing warning beacons in association with the fire and rescue station and additional signage that will be operated by the fire and rescue station personnel.

19. Applicant testified the proposed municipal fire and rescue station will not impair the adequate supply of light and air to adjacent properties.

20. Applicant testified the proposed relief will not be a detriment to the health, safety and welfare of the neighborhood.

21. Applicant testified sufficient landscaping, including trees, shrubs and lawn, shall be provided to serve as a buffer between the Subject Property and adjacent properties and to ensure an attractive appearance.

22. Applicant testified it will satisfy the required off-street parking spaces.

23. The Subject Property cannot be developed in accordance with the strict terms of the Zoning Ordinance.

24. There were no objections to the requested relief.

## DISCUSSION

Applicant seeks relief to construct a modern municipal fire and rescue station at the Subject Property. The Board finds the proposed relief will not be detrimental to the health, safety or welfare of the neighborhood. The Board finds the proposed relief will be a benefit to the neighborhood.

## CONCLUSIONS OF LAW

1. Applicant is City of Reading Department of Fire and Rescue Services 1-41.
2. The Subject Property is located at 1201 N. Ninth Street, City of Reading, Berks County, Pennsylvania.
3. The Subject Property is located in the R-3 Residential Zoning District.
4. Applicant seeks relief to construct a municipal fire and rescue station at the Subject Property.
5. The Zoning Board is permitted to grant applications for variances and/or special exceptions and other relief as set forth in the Zoning Ordinance.
6. In order to grant the relief, Applicant must show it has satisfied the relevant sections Zoning Ordinance as set forth in paragraph 6 under Findings of Fact.
7. After reviewing the Applicant's request in detail, the Zoning Hearing Board enters the following Decision:
  - a. Applicant is hereby granted the variance, special exception, and any other associated relief subject to the following conditions:
    - i. A Preliminary Land Development Plan shall be submitted addressing the provisions required by the Zoning Ordinance and the Subdivision and Land Development Ordinance.

ii. A Final Land Development Plan shall be submitted for approval by the City of Reading and recorded with the Berks County Recorder of Deeds.

iii. The use of North Mill Street shall be reviewed by the Director of Public Works in further detail to determine that all vehicles can make the necessary turning movements for ingress and egress. If the director determines it necessary, the width of the alley or road shall be widened and improved as part of the Land Development Plan.

iv. The Land Development Plan shall provide emphasis on neighborhood revitalization, vehicular and pedestrian site accessibility, off-street parking and loading, stormwater management, sanitary sewage disposal, water supply, utilities, landscaping and buffer yard, solid waste disposal, and other supplemental requirements.

v. All proposed signs shall be located, designed, permitted and installed in accordance with the provisions specified by the City of Reading.

vi. A Stormwater Management Plan shall be submitted to the City of Reading in accordance with the provisions specified by the City of Reading and agencies with jurisdiction.

vii. All sanitary sewage disposal issues shall be resolved to the satisfaction of the City of Reading, including the reservation, permitting, installation and connection of the required sanitary sewage disposal improvements.

viii. All water supply issues shall be resolved to the satisfaction of the City of Reading, including the reservation, permitting, installation and connection of the required water supply improvements.

ix. The appropriate building and zoning permits shall be prepared and submitted to address all building code requirements.

x. The building shall comply with all fire, safety and accessibility

requirements specified by the City of Reading prior to occupancy.

xi. Applicant shall comply with all relevant building and occupancy codes and ordinances as well as the plans and testimony submitted before the Zoning Board.

xii. 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.

xiii. 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*

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**PHILIP RABENA, CHAIRMAN**

*/s/ Thomas Fox*

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**THOMAS FOX**

*/s/ Jeffrey Gattone*

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**JEFFREY GATTONE**

*/s/ William Harst*

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**WILLIAM HARST**

*/s/ Jared Barcz*

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**JARED BARCZ**