

<b>IN RE: APPEAL OF R &amp; L  INVESTMENT PROPERTIES, LLC,  RELATIVE TO A PROPERTY  LOCATED AT 40 NOBLE STREET  AND 609 BROOKLINE STREET, CITY  OF READING, BERKS COUNTY,  PENNSYLVANIA</b>	<b>: BEFORE THE ZONING HEARING  : BOARD OF THE CITY OF READING,  : PENNSYLVANIA  :  : APPEAL NO. 2021-08  :  : VARIANCE, INTERPRETATION  : AND/OR SPECIAL EXCEPTION</b>
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**DECISION OF THE ZONING HEARING  
BOARD OF THE CITY OF READING**

**AND NOW**, this 12th day of May, 2021, a hearing having been held on April 14, 2021, upon the application of R & L Investment Properties, LLC, 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 R & L Investment Properties, LLC, a Pennsylvania Limited Liability Company, with a principal address of 625 Brookline Street, Reading, Berks County, Pennsylvania 19611 (hereinafter referred to as the “Applicant”).
2. Applicant is the fee simple owner of property located at 40 Noble Street and 609 Brookline Street, City of Reading, Berks County, Pennsylvania (hereinafter referred to as the “Subject Property”).
3. The Subject Property is located in the HM – Heavy Manufacturing 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 by Barbara Kern Dietrich, Esquire.

5. Applicant seeks a variance for adaptive reuse of an existing commercial building located at 40 Noble Street (Parcel A) to convert the building into seven (7) residential apartments. In addition, Applicant seeks relief to use the existing lot at 609 Brookline Street (Parcel B) for off-street parking for the residential apartment units.

6. Parcel A consists of an existing two-story brick, 1,920 square foot building that formerly housed the Berks Camera Club.

7. The building on Parcel A, which faces Noble Street, is surrounded by a paved area with virtually no vegetation and insufficient area for parking.

8. Parcel B consists of an 11,325 +/- square foot lot that does not contain any principal buildings or uses and is currently utilized for parking and storage.

9. Applicant proposes to use Parcel B for off-street parking spaces for the residential apartments and other uses.

10. The Subject Property is non-conforming with respect to required minimum lot size, minimum lot width, minimum front, side and rear yard setbacks, maximum building coverage, and maximum impervious coverage.

11. Applicant seeks relief from the following Sections 600-812.A., 600-812.B., and 600-406.A.(1).

12. There were no objections presented at the hearing.

### **DISCUSSION**

Applicant requests relief for adaptive reuse of an existing building located at 40 Noble Street (Parcel A) and an accessory parking lot at 609 Brookline Street (Parcel B). Applicant proposes to convert the existing building into seven (7) residential apartment units. The Zoning

Board finds the proposed use will not be a detriment to the health, safety and welfare of the neighborhood and is in keeping with the spirit and intent of the Ordinance.

### **CONCLUSIONS OF LAW**

1. Applicant is R & L Investment Properties, LLC.
2. The Subject Property is located at 40 Noble Street and 609 Brookline Street, Reading, PA 19611.
3. The Subject Property is located in the H-M Heavy Manufacturing Zoning District.
4. The Zoning Board is permitted to provide interpretation and grant applications for variances and special exceptions as set forth in the relevant sections of the Zoning Ordinance.
5. In order to grant the requested relief, the Applicant must show it has satisfied the relevant sections of the Zoning Ordinance.
6. After reviewing the Applicant's request in detail, the Zoning Hearing Board enters the following Decision:
  - a. Applicant is granted relief from all relevant sections of the Zoning Ordinance subject to the following conditions:
    - (1) Applicant shall comply with all pertinent provisions for Adaptive Reuse considering the Residential Apartment Uses, as prescribed by the Zoning Ordinance.
    - (2) A Preliminary Land Development Plan shall be prepared to address the provisions required by the Subdivision and Land Development Ordinance (Chapter 515 of the City of Reading Code).
    - (3) A Final Land Development Plan shall be prepared for approval by the City of Reading and recorded with the Berks County Recorder of Deeds.
    - (4) Applicant shall submit an Annexation Plan to the City of Reading in order to consolidate Parcels A and B, unless an alternative configuration is recommended by

the Planning Commission.

(5) Applicant shall submit a Landscaping Plan to the Planning Commission for review and implement any recommended changes to ensure adequate landscaping for the proposed use.

(6) Applicant shall submit a Lighting Plan to the Zoning Administrator to determine compliance with relevant provisions of the Zoning Ordinance.

(7) A Stormwater Management Plan shall be submitted to the City of Reading in accordance with the provisions specified by the City of Reading, Berks County Conservation District and other agencies with jurisdiction.

(8) 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.

(9) 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.

(10) The Land Development Plan shall provide emphasis on neighborhood revitalization, architectural enhancement, vehicular and pedestrian site accessibility, curbs and sidewalks, driveways, off-street parking and loading, stormwater management, sanitary sewage disposal, water supply, utilities, landscaping and street trees, lighting, solid waste disposal, and other supplemental requirements.

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

(12) The appropriate building and zoning permits shall be prepared and submitted to address all building code requirements for the proposed residential apartment units.

(13) The building shall comply with all fire, safety and accessibility requirements specified by the City of Reading prior to occupancy.

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

(15) 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.

(16) Failure to comply with any of the 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**