

IN RE: APPEAL OF BARBARA MARTIN RELATIVE TO A PROPERTY LOCATED AT 630 SUMMIT AVENUE, CITY OF READING, BERKS COUNTY, PENNSYLVANIA : **BEFORE THE ZONING HEARING BOARD OF THE CITY OF READING, PENNSYLVANIA**
: **APPEAL NO. 2021-10**
: **VARIANCE, INTERPRETATION AND/OR SPECIAL EXCEPTION**

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 Barbara Martin, 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 Barbara Martin, an adult individual residing at 630 Summit Avenue, Reading, Berks County, Pennsylvania 19611 (hereinafter referred to as the “Applicant”).
2. Applicant is the fee simple owner of real property located at 630 Summit Avenue, City of Reading, Berks County, Pennsylvania 19611 (hereinafter referred to as the “Subject Property”).
3. 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”).
4. Applicant was represented by Kelsey Frankowski, Esquire.
5. Applicant seeks a special exception to enclose the existing covered front porch located at the Subject Property.

6. The Subject property consists of a 3-story single family dwelling on a lot of approximately 5,227 square feet.
7. The dimensions of the existing porch roof and frame will not change.
8. The enclosed porch would have three windows and a door.
9. Section 600-909.D. of the Zoning Ordinance requires special exception approval for the removal or enclosure of a front porch within the front yard setback.
10. The R-2 Zoning District requires a front yard setback of 15 feet and the existing front porch is set back 7 feet from the front property line of the Subject Property.
11. Applicant needs the extra enclosed space to store dialysis equipment and supplies.
12. Applicant stated the enclosure would not harm the character of the neighborhood as there are many enclosed porches in the block.
13. Applicant stated the change will not increase traffic or create a traffic hazard, will not create an undue concentration of people, will not impair adequate light or air to adjacent properties, and will not be a threat to public safety or detrimental to the use of adjacent properties.
14. 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 in general.

DISCUSSION

Applicant requests a special exception to enclose the existing front porch at the Subject Property. The Zoning Board finds the requested relief 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 Barbara Martin.
2. The Subject Property is located at 630 Summit Avenue, City of Reading, Berks County, Pennsylvania.
3. The Subject Property is located in the R-2 Residential Zoning District.
4. Applicant has requested a special exception to enclose the existing front porch at the Subject Property.
5. In order to grant the variances, Applicant must show she 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 hereby granted a special exception to enclose the existing front porch at the Subject Property subject to the following conditions:
 - (1) Applicant shall obtain an inspection by the City Engineer or designee to verify that the location of the front porch and enclosure will not impermissibly encroach upon the public right of way.
 - (2) Applicant shall apply for any required building trades, fire permits and submit to appropriate inspections deemed necessary.
 - (3) 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.
 - (4) 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.

(5) 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