

IN RE: APPEAL OF ALEJANDRO : **BEFORE THE ZONING HEARING**
COLLADO-GUZMAN AND MARIA : **BOARD OF THE CITY OF READING,**
TORRES-ACOSTA RELATIVE TO A : **PENNSYLVANIA**
PROPERTY LOCATED AT 343 :
SOUTH 6TH STREET, CITY OF : **APPEAL NO. 2021-17**
READING, BERKS COUNTY, :
PENNSYLVANIA : **VARIANCE, INTERPRETATION**
: **AND/OR SPECIAL EXCEPTION**

DECISION OF THE ZONING HEARING
BOARD OF THE CITY OF READING

AND NOW, this 10th day of November, 2021, a hearing having been held on October 20, 2021, upon the application of Alejandro Collado-Guzman and Maria Torres-Acosta, 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. Applicants are Alejandro Collado-Guzman and Maria Torres-Acosta, adult individuals residing at 213 S. 4th Street, Reading, Berks County, Pennsylvania 19602 (hereinafter referred to as “Applicants”).
2. Applicants are the fee simple owners of property located at 343 South 6th Street, City of Reading, Berks County, Pennsylvania 19602 (hereinafter referred to as the “Subject Property”).
3. The Subject Property is located in the R-3 Zoning District and the Prince Historic 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”).

4. Applicants were represented by Scott G. Hoh, Esquire.
5. Applicants seek a zoning variance to establish a nine-unit multifamily residential rental property at the Subject Property.
6. Applicants testified that the Subject Property has been a nine-unit residential rental property since before they owned it.
7. The Subject Property has been the subject of numerous right to know requests and litigation in the Court of Common Pleas of Berks County.
8. Based upon the Court of Common Pleas filings and the other evidence submitted by Applicants, the Board finds the Subject Property is a nine-unit residential building.
9. The 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.

DISCUSSION

Applicants seek a zoning variance to establish a nine-unit multifamily residential rental property at the Subject Property. The proposed use will be a detriment to the health, safety and welfare of the neighborhood and is not in keeping with the spirit and intent of the Ordinance.

CONCLUSIONS OF LAW

1. Applicants are Alejandro Collado-Guzman ad Maria Torres-Acosta.
2. The Subject Property is located at 343 South 6th Street, City of Reading, Berks County, Pennsylvania.
3. The Subject Property is located in the R-3 Residential Zoning District and the Prince Historic District.
4. The Zoning Board is permitted to provide interpretation and grant applications for variances as set forth in the relevant sections of the Zoning Ordinance.

5. In order to grant the requested variance, Applicants must show they have satisfied the relevant sections of the Zoning Ordinance.

6. After reviewing the Applicants' request in detail, the Zoning Hearing Board enters the following Decision:

a. Applicants are hereby granted the relief requested and the Subject Property shall be a nine-unit residential property.

b. A Site Plan shall be prepared and submitted to the Zoning Office in order to demonstrate compliance with the Zoning Ordinance.

c. The Site Plan shall provide emphasis on neighborhood compatibility, architectural enhancements, vehicular and pedestrian site accessibility, off-street parking and loading, sanitary sewage disposal, water supply, utilities, landscaping and buffer yards, solid waste disposal and other requirements that may apply to the proposed use.

d. Architectural plans, renderings and/or elevations shall be submitted in order to demonstrate compliance with zoning and building code requirements that are required by the Zoning Ordinance and applicable building and/or occupancy codes.

e. Applicants shall comply with the provisions for low-rise apartments as specified by the Zoning Ordinance except those for which relief has been specifically granted.

f. 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. If required by the Department of Public Works, sewer planning modules shall be submitted to the City of Reading in accordance with the provisions specified by the City of Reading, Pennsylvania Department of Environmental Protection, and other agencies with jurisdiction.

g. All water supply issues shall be resolved to the satisfaction of the City of

Reading, including the reservation, permitting, installation and connection of the water supply improvements.

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

i. The proposed residential apartment building shall comply with all fire, safety and accessibility requirements specified by the City of Reading prior to occupancy.

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

k. Applicants 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.

l. 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 4 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