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| <b>IN RE: APPEAL OF RAJWINDER KAUR SINGH ON BEHALF OF PRICETOWN, EPHRATA GAS &amp; FOOD MART, LLC, RELATIVE TO A PROPERTY LOCATED AT 200 WARREN STREET, CITY OF READING, BERKS COUNTY, PENNSYLVANIA</b> | <b>: BEFORE THE ZONING HEARING BOARD OF THE CITY OF READING, PENNSYLVANIA</b><br><b>: APPEAL NO. 2021-21</b><br><b>: 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 10th day of November, 2021, a hearing having been held on October 13, 2021, upon the application of Rajwinder Kaur Singh on behalf of Pricetown, Ephrata Gas and Food Mart, 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 Rajwinder Kaur Singh on behalf of Pricetown, Ephrata Gas and Food Mart, LLC, an adult individual residing at 200 Warren Street, Reading, Berks County, Pennsylvania 19601 (hereinafter referred to as the "Applicant").
2. Pricetown, Ephrata Gas and Food Mart, LLC, is the fee simple owner of the property located at 200 Warren Street, City of Reading, Berks County, Pennsylvania (hereinafter referred to as the "Subject Property").
3. Applicant is a member of Pricetown, Ephrata Gas and Food Mart, LLC.
4. The Subject Property is located in the Commercial Highway (C-H) 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").

5. Applicant was represented by Daral Woerle, Esquire.
6. Applicant's testimony was presented by Mark Christman of Drafting Solutions II, LLC, of 3937 N. Alabama Avenue, Reading, PA 19605.
7. Applicant is seeking relief to convert or redevelop the second floor of the existing convenience store building into a one-bedroom residential apartment unit.
8. The Subject Property is located on a 16,560 +/- square foot commercial property which consists of an existing convenience store with gasoline service station.
9. The commercial use was previously approved by the City of Reading.
10. The existing convenience store is a permitted use by right within the C-H Zoning District and occupies the first floor of the existing building.
11. Applicant is seeking zoning relief via a variance or special exception as part of an adaptive reuse application in order to permit the one-bedroom residential apartment unit on the second floor.
12. Applicant stated the apartment unit will be for the manager or an employee of the convenience store.
13. The second floor was previously used for dry storage.
14. The apartment unit will consist of one bedroom, a bathroom, a study/office, kitchen and living area.
15. There is a separate means of ingress of egress to the apartment unit without having to go through the convenience store.
16. There will be no additions to the existing building.
17. The impervious coverage will remain as is.
18. There will be a designated parking space for the apartment unit near the entrance door to the apartment which leaves ample parking for the convenience store.
19. There were no objections presented at the hearing.

## DISCUSSION

Applicant seeks relief to convert or redevelop the second floor of the existing convenience store building into a one-bedroom residential apartment unit for an employee or manager of the convenience store. 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 Rajwinder Kaur Singh on behalf of Pricetown, Ephrata Gas & Food Mart, LLC.
2. The Subject Property is located at 200 Warren Street, City of Reading, Berks County, Pennsylvania.
3. The Subject Property is located in the Commercial Highway (C-M) 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 he 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 and residential apartment uses, as specified by the Zoning Ordinance.
    - (2) The residential use is restricted to an employee or manager of the convenience store locate on the Subject Property.
    - (3) A Revised Plan of Record or Minor Land Development Plan shall be prepared in order to comply with the provisions required by the Zoning Ordinance and Subdivision and Land Development Ordinance and shall be submitted to the City of Reading Planning Commission for

review and consideration.

(4) Architectural plans, rendering and/or elevations shall be submitted with the Revised Plan of Record or Minor Land Development Plan in order to demonstrate compliance with building code requirements.

(5) The Revised Plan of Record or Minor Land Development 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, exterior lighting, solid waste disposal, and other requirements that may apply to the proposed use.

(6) Applicant shall be required to demonstrate to the satisfaction of the City of Reading that ongoing maintenance of the Subject Property will be provided, including but not limited to snow removal, paving, and drainage of all paved areas including alleyways between the Subject Property and the near public street.

(7) The appropriate building and trades permits, zoning permits and housing registration shall be prepared and submitted to address all City of Reading code requirements for the proposed residential apartment unit and any existing or future uses, structures, and signage on the property.

(8) The existing driveway aprons, sidewalks, and curb ramps shall be maintained and/or reconstructed in accordance with current design standards for streets and sidewalks as determined by the City of Reading.

(9) The existing dumpster shall be screened from view in accordance with zoning and property maintenance codes. Litter and garbage shall be removed from the entire site on a daily basis.

(10) Applicant shall plant a minimum of one shade tree which shall meet species and planting requirements set forth by the City Shade Tree Commission and Chapter 515, Subdivision and Land Development as determined by the City Arborist.

(11) 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.

(12) 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.

(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 4 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**