

IN RE: APPEAL OF TAHIR AZIZ RELATIVE TO A PROPERTY LOCATED AT 1000 NORTH 8TH STREET, CITY OF READING, BERKS COUNTY, PENNSYLVANIA	: BEFORE THE ZONING HEARING : BOARD OF THE CITY OF READING, : PENNSYLVANIA : : APPEAL NO. 2509-0031 : : VARIANCE, INTERPRETATION : AND/OR SPECIAL EXCEPTION
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**DECISION OF THE ZONING HEARING
 BOARD OF THE CITY OF READING**

AND NOW, this 10th day of December 2025, a hearing having been held on November 12, 2025, upon the application of Tahir Aziz, 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:

The Zoning Board finds the following facts:

1. Applicant is Tahir Aziz, an adult individual residing at 1676 Kevin Drive, Bethlehem, Pennsylvania 18015 (hereinafter referred to as the “Applicant”).
2. Applicant is the fee simple owner of the real property located at 1000 North 8th Street, City of Reading, Berks County, Pennsylvania 19604 (hereinafter referred to as the “Subject Property”).
3. The Subject Property is located in the C-N Commercial Neighborhood Zoning Ordinance of the City of Reading, as amended (hereinafter referred to as the “Zoning Ordinance”).
4. Applicant seeks a variance from Section 600-809.B.(1)(S) of the Zoning Ordinance to operate a restaurant in the rear portion of the building located on the Subject Property and a variance from Section 600-1603.A.(32) with respect to off-street parking requirements.
5. Applicant was represented by Christopher C. Muvdi, Esquire, of Masano Bradley, 875 Berkshire Boulevard, Suite 100, Wyomissing, Pennsylvania 19610.

6. The Subject Property is located at the intersection of North 8th Street and Spring Street, and the front portion of the Subject Property is attached to a residential property known 1002 N. 8th Street, which is not owned by Applicant.

7. Restaurants are a use permitted by right within the C-N Zoning District, however the restaurant may not be attached to a residential building that is not in common ownership with the Subject Property.

8. The portion of the building where the proposed restaurant is located is not attached to the principal structure of the adjacent residential building located at 1002 N. 8th Street.

9. The front portion of the Subject Property is being leased to a retail establishment known as Boost Mobile Cell Phone.

10. Applicant requests relief to operate the restaurant out of the rear portion of the Subject Property at the corner of Spring Street and Nicolls Street.

11. The Subject Property also has two apartment units on the second floor.

12. There are two garages located along Nicolls Street which are attached to the portion of the Subject Property that Applicant plans to utilize for the proposed restaurant.

13. Applicant stated those garages are empty and can be utilized for employee parking.

14. Applicant will have two employees for the proposed restaurant.

15. Applicant envisions the restaurant to primarily be a takeout establishment with seating for four to eight people.

16. The hours of operation for the proposed restaurant are from 10:00 a.m. to 8:00 p.m., Monday through Friday, and from 11:00 a.m. to 10:00 p.m. on weekends.

17. Applicant stated the neighboring property owners do not have any objections to the operation of a restaurant.

18. There is no parking available at the Subject Property.

19. Applicant tried to obtain off-street parking from a neighboring property owner with a garage, but the zoning office denied the request due to open violations with that property owner.

20. Applicant owns the gas station across the street but was also denied that request by the zoning office due to insufficient parking.

21. Applicant stated there is available parking on Nicolls Street where his patrons could park and do a quick pickup of food.

22. Applicant stated the Subject Property has unique physical features including a portion of the building on the Subject Property being partially attached to a residential dwelling which presents a physical hardship in complying with the terms of the Zoning Ordinance.

23. Applicant stated he did not create the hardship.

24. There were no objections presented at the hearing.

DISCUSSION

Applicant seeks a variance from Section 600-809.B.(1)(S) of the Zoning Ordinance to operate a restaurant in the rear portion of the building located on the Subject Property and a variance from Section 600-1603.A.(32) with respect to the off-street parking requirements.

The Board finds that 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 Tahir Aziz.

2. The Subject Property is located at 1000 N. 8th Street, City of Reading, Berks County, Pennsylvania 19604.

3. The Subject Property is located in the C-N Commercial Neighborhood Zoning District.

4. The specific sections of the Zoning Ordinance appealed are Sections 600-809.B.(1)(S) and 600-1603.A.(32).

5. The Zoning Board is permitted to provide interpretation and grant applications for variances as set forth in the Zoning Ordinance.

6. In order to grant the requested variances, Applicant must show he has satisfied the relevant sections of the Zoning Ordinance.

7. The Board incorporates the findings of fact as though fully set forth at length herein.

8. 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 operate a restaurant in in the rear portion of the building located on the Subject Property and a variance from Section 600-1603.A.(32) with respect to the off-street parking requirements.

b. Applicant's hours of operation shall be limited to 10:00 a.m. to 8:00 p.m., Monday through Friday, and from 11:00 a.m. to 10:00 p.m. on weekends.

c. Applicant shall not allow video machines, soda machines, vending machines, jukeboxes, ATM machines, or clothing receptacles at or on the Subject Property.

d. Applicant must provide appropriate trash receptacles on the interior and exterior of the Subject Property.

e. Applicant is prohibited from selling alcohol at the Subject Property.

f. If on-street parking adversely affects the neighborhood, Applicant must provide additional off-street parking.

g. Applicant shall attend a One Stop meeting with City of Reading Building & Fire Inspectors to ensure compliance with all applicable Building and Fire Code requirements.

h. Applicant shall provide signage specifications to the Zoning Administrator in compliance with Sections 600-1703 and 600-1712 of the Zoning Ordinance.

i. Applicant shall apply for all required building, trades, and fire permits and submit to all required inspections deemed necessary.

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

k. 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.

1. 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/ Jared Barcz

JARED BARCZ

/s/ Charles Jones

CHARLES JONES