

IN RE: APPEAL OF PEDRO OBANDO RELATIVE TO PROPERTY LOCATED AT 310 CEDAR STREET, CITY OF READING, BERKS COUNTY, PENNSYLVANIA	: BEFORE THE ZONING HEARING : BOARD OF THE CITY OF READING, : PENNSYLVANIA : : APPEAL NO. 2023-33 : : VARIANCE, INTERPRETATION : AND/OR SPECIAL EXCEPTION
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**DECISION OF THE ZONING HEARING
BOARD OF THE CITY OF READING**

AND NOW, this 13th day of December 2023, a hearing having been held on November 8, 2023, upon the application of Pedro Obando, 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 Pedro Obando, an adult individual residing at 310 Cedar Street, Reading, Berks County, Pennsylvania 19601 (hereinafter referred to as the “Applicant”).
2. Applicant is the fee simple owner of property located at 310 Cedar Street, City of Reading, Berks County, Pennsylvania 19601 (hereinafter referred to as the “Subject Property”).
3. The Subject Property is located in the R-3 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 is requesting dimensional variances for maximum building and impervious coverage to allow a gazebo and concrete surface parking area in the rear of the Subject Property.
5. Applicant previously submitted zoning permit applications for a surface parking area (ZP #2023-458) and a gazebo (ZP #2023-460) in response to a Notice of Violation sent to Applicant on August 16, 2023. Both applications were denied due to exceeding the maximum permitted impervious and building coverage of the lot, respectively.

6. Applicant stated he purchased the home in June of 2022 with the 13' x 10' gazebo already in existence in its current state and the property was advertised as having on-site parking.
7. In the R-3 Zoning District the allowed maximum impervious coverage is 926 square feet (75%), and the allowed maximum building coverage is 741 square feet (60%).
8. Applicant is proposing a building coverage of 780 square feet (63%).
9. Applicant is requesting an 11' by 30' concrete surface parking area and the requested impervious coverage is 1,175 square feet (95%).
10. Applicant stated the requested relief will not affect neighboring property owners.
11. Applicant agreed on the record to reduce the size of the surface parking area to 9' by 18' which will permit the Applicant sufficient space for one vehicle and would reduce the proposed impervious coverage from 95% to 82%.
12. There were no objections to the proposed relief.

DISCUSSION

Applicant is requesting dimensional variances for maximum building and impervious coverage to allow a gazebo and concrete surface parking area in the rear of the Subject Property. Applicant agreed to comply with conditions imposed by the Board in order to be granted the requested relief.

CONCLUSIONS OF LAW

1. Applicant is Pedro Obando.
2. The Subject Property is located at 310 Cedar Street, City of Reading, Berks County, Pennsylvania 19601.
3. The Subject Property is located in the R-3 Residential Zoning District.
4. Applicant is requesting dimensional variances for maximum building and impervious coverage to allow a gazebo and concrete surface parking area in the rear of the Subject Property.
5. The Zoning Board is permitted to grant applications for variances and/or special exceptions and other relief as set forth in the Zoning Ordinance.
6. In order to grant the relief, the Applicant must show he has satisfied the relevant sections

of the Zoning Ordinance.

7. The Zoning 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 dimensional variance for a 9' x 18' (162 square foot) concrete surface parking area which will allow sufficient space for Applicant to park one vehicle.

b. Applicant is permitted to retain the existing gazebo.

c. Applicant must remove all debris from the area.

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

e. 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.

f. 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