

IN RE: APPEAL OF JPRO	:	BEFORE THE ZONING HEARING
PROPERTIES, LLC, AND REDEEMED	:	BOARD OF THE CITY OF READING,
PROPERTIES, LLC, RELATIVE TO A	:	PENNSYLVANIA
PROPERTY LOCATED AT 1900 HILL	:	
ROAD, CITY OF READING, BERKS	:	APPEAL NO. 2404-0011
COUNTY, PENNSYLVANIA	:	
	:	VARIANCE, INTERPRETATION
	:	AND/OR SPECIAL EXCEPTION

**DECISION OF THE ZONING HEARING
BOARD OF THE CITY OF READING**

AND NOW, this 12th day of March, 2025, a hearing having been held on February 12, 2025, upon the application of JPRO Properties, LLC, and Redeemed Properties, 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:

The Zoning Board finds the following facts:

1. Applicants are JPRO Properties, LLC, and Redeemed Properties, LLC, with a mailing address of 1900 Hill Road, Apt. 1, Reading, Pennsylvania 19602 (hereinafter referred to as the “Applicant”).
2. The Zoning Board finds Applicant is the fee simple owner of the real property located at 1900 Hill Road, City of Reading, Berks County, Pennsylvania 19602, hereinafter referred to as the “Subject Property”).
3. The Subject Property is located in the R-1 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 Joel A. Ready, Esquire, of Cornerstone Law Firm, LLC, 8500 Allentown Pike, Suite 3, Blandon, PA 19510.

5. Applicant is seeking a variance for approval of a fourth dwelling unit at the Subject Property or, in the alternative, a special exception for the fourth dwelling unit as nonconforming.

6. Applicant previously submitted an Application to the Zoning Board for the foregoing relief and it was denied by the Zoning Board on June 12, 2024. The Zoning Board found the Subject Property could be used in strict conformity with the terms of the Zoning Ordinance as a three (3) unit apartment building.

7. Applicant thereafter filed an appeal to the Berks County Court of Common Pleas to Docket No. 24-12261 and Judge Nevius remanded the case to the Zoning Board for further proceedings.

8. The Zoning Board incorporates the testimony set forth in the initial application hearing held on May 8, 2024, as if set forth at length herein.

9. Applicant was unrepresented at the hearing before the Zoning Board on May 8, 2024.

10. At the hearing before Judge Nevius, Applicant was represented by Joel A. Ready, Esquire, who apprised the Court that there was testimony, exhibits and facts that would tend to support there was an existing fourth unit that would be considered a nonconforming use which was not produced at the original hearing before the Zoning Board on May 8, 2024.

11. At the hearing held on February 12, 2025, Attorney Ready submitted a 19-page document to the Zoning Board which consisted of documentation and photos, some of which pre-date ownership by the Applicant of the Subject Property indicating the following:

- a. City of Reading reports showing four (4) units being inspected at the Subject Property for at least the prior six (6) years.
 - b. Photos showing the four (4) units prior to and after the renovations by the Applicant were completed. The before pictures indicate the apartments had been there for some time due to the age of the appliances.
 - c. Photos showing five (5) electrical meters, one for each unit and one for the owner of the building that covers any common area spaces.
12. Attorney Ready stated that the Subject Property was advertised and sold to the Applicants as a four (4) unit apartment building.
 13. Attorney Ready stated several utility companies as well as Xfinity have had accounts set up for each of the four (4) units for quite some time.
 14. Attorney Ready was asked by the Zoning Board to contact in-house legal counsel for Met-Ed to attempt to ascertain exactly when all four electric meters were installed at the Subject Property and was instructed to inform the Zoning Board of his findings.
 15. Attorney Ready stated there have been positive reactions from the neighbors because the Subject Property has been renovated and cleaned up.
 16. Attorney Ready stated there are no toxic fumes, there is sufficient parking, and there is nothing being done that would be out of the ordinary for a residential property.
 17. Attorney Ready stated there was no expansion by the Applicants to the existing apartment building, only renovations.
 18. Attorney Ready stated allowing the fourth apartment unit will help create more affordable housing in the City of Reading.
 19. There were no objections presented at the hearing.

20. After hearing additional testimony, the Board finds the approval of a fourth dwelling unit 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

This matter is before the Zoning Board due to an Order of Judge Nevius of the Berks County Court of Common Pleas remanding the matter to the Zoning Board for further proceedings. Applicant is seeking a variance for approval of a fourth dwelling unit at the Subject Property or, in the alternative, a special exception for the fourth dwelling unit as nonconforming. The Zoning Board finds the requested relief 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 JPRO Properties, LLC, and Redeemed Properties, LLC.
2. The Subject Property is located at 1900 Hill Road, City of Reading, Berks County, Pennsylvania.
3. The Subject Property is located in the R-1 Residential Zoning District.
4. The Zoning Board is permitted to provide interpretation and grant applications for variances and/or special exceptions as set forth in the relevant sections of the Zoning Ordinance.
5. The Zoning Board incorporates the findings of fact as though fully set forth at length herein.
6. In order to grant the requested variance and/or special exception, Applicant must show it has satisfied the relevant sections of the Zoning Ordinance.
7. After reviewing the Applicant's request in detail, the Zoning Hearing Board enters the following Decision:

- a. Applicant is hereby granted approval for a fourth dwelling unit at the Subject Property.
- b. Applicant shall comply with all relevant building and occupancy codes and ordinances as well as the plans and testimony submitted before the Zoning Board.
- c. 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.
- d. 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 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/ Jared Barcz

JARED BARCZ