

IN RE: APPEAL OF MERCY COMMUNITY CRISIS PREGNANCY CENTER RELATIVE TO A PROPERTY LOCATED AT 921 WALNUT STREET, CITY OF READING, BERKS COUNTY, PENNSYLVANIA	: BEFORE THE ZONING HEARING : BOARD OF THE CITY OF READING, : PENNSYLVANIA : : APPEAL NO. 2501-0004 : : VARIANCE, INTERPRETATION : AND/OR SPECIAL EXCEPTION
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**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 Mercy Community Crisis Pregnancy Center, 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. The Applicant is Mercy Community Crisis Pregnancy Center with a principal address at 105 S. Fifth Street, City of Reading, Berks County, Pennsylvania 19602, (hereinafter referred to as the “Applicant”).
2. Applicant is the fee simple owner of property known as 921 Walnut Street, City of Reading, Berks County, Pennsylvania (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 was represented by Mahlon J. Boyer, Esquire, of Bingham Hess, 2 Meridian Boulevard, Suite 100, Wyomissing, PA 19610.
5. On April 14, 2004, the Zoning Board rendered a Decision to Applicant in Appeal No. 2004-09 wherein it was granted approval to operate a counseling service center at the Subject Property.

6. Applicant is seeking approval for the expansion of the previously approved nonconforming counseling center and is also requesting modification to permit the required number of employees for the proposed services without restriction.

7. Applicant is a nonprofit organization that services the community by providing counseling services for women in crisis, including support services like parenting education, supplies like clothing and diapers, and referrals for prenatal care.

8. Applicant seeks approval to continue the present use of the Subject Property with the addition of some medical services including ultrasounds, STI/STD testing and prenatal care as well as educational classes and training.

9. The proposed days of operation will be Monday through Saturday from 10:00 a.m. to 7:00 p.m., prevailing time.

10. Applicant stated the current anticipated number of employees is six (6) but is seeking a decision that does not restrict the employees to a specified number.

11. Applicant testified that there are at least four (4) off-street parking spaces at the Subject Property.

12. Applicant intends to make interior changes to the existing building but it will maintain the same structural footprint of the Subject Property.

13. Applicant is only proposing to expand the types of services it provides which will allow Applicant to offer greater assistance to those in need.

14. Applicant stated the proposed educational and training classes would offer youth and women classes dealing with healthy relationships, self and safety awareness, cooking and baking classes, and after-abortion counseling, as well as Bible studies.

15. Applicant stated most of its clients travel on foot or will be dropped off.

16. Applicant stated the proposed expanded use of the Subject Property will not increase traffic congestion, and will not be a detriment to the health, safety and public welfare of the neighborhood in general.

17. There were no objectors to the proposed use.

DISCUSSION

Applicant is seeking approval for the expansion of the previously approved nonconforming counseling center and is also requesting modification to permit the required number of employees for the proposed services without restriction.

The Zoning Board finds that the proposed use will not be detrimental to the health, safety and welfare of the neighborhood.

CONCLUSIONS OF LAW

1. Applicant is Mercy Community Crisis Pregnancy Center.
2. The Subject Property is located at 921 Walnut Street, Reading, Berks County, Pennsylvania, in the R-3 Residential Zoning District.
3. Applicant is seeking approval for the expansion of the previously approved nonconforming counseling center and is also requesting modification to permit the required number of employees for the proposed services without restriction.
4. The Zoning Board is permitted to grant applications for variances and/or special exceptions as set forth in 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 variances and/or special exceptions, 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 the requested relief.
 - 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 including the conditions applicant agreed to on the record which are incorporated herein by reference.

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