

IN RE: APPEAL OF EVELYN MUNIZ RELATIVE TO PROPERTY LOCATED AT 1323 N. 13TH STREET, CITY OF READING, BERKS COUNTY, PENNSYLVANIA	: BEFORE THE ZONING HEARING : BOARD OF THE CITY OF READING, : PENNSYLVANIA : : APPEAL NO. 2502-0007 : : VARIANCE, INTERPRETATION : AND/OR SPECIAL EXCEPTION
--	---

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

AND NOW, this 9th day of April, 2025, a hearing having been held on March 12, 2025, upon the application of Evelyn Muniz, 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 Evelyn Muniz, an adult individual residing at 1323 N. 13th Street, Reading, Berks County, Pennsylvania (hereinafter referred to as the “Applicant”).
2. Applicant’s daughter, Carmen Muniz, is the fee simple owner of the property located at 1323 N. 13th Street, City of Reading, Berks County, Pennsylvania (hereinafter referred to as the “Subject Property”) and she has granted permission to the Applicant to seek the requested relief.
3. The Subject Property is located in the R-2 Residential Zoning District and the Height Conservation District as those terms and districts are defined by the Zoning Ordinance of the City of Reading, as amended (hereinafter referred to as the “Zoning Ordinance”).
4. Applicant requests relief from Sections 600-803 (R-2 Residential District) and 600-1602 (Design and Construction) to allow a 9’ x 18’ cement surface parking area in the rear

of the Subject Property that exceeds the maximum permitted impervious coverage.

5. Section 600-603 requires a dimensional variance if the impervious coverage exceeds the maximum district standard of 55%.

6. Applicant resides in the dwelling unit located on the Subject Property along with her husband, son and grandchild.

7. Applicant stated the steps leading to the front of the Subject Property on 13th Street are extremely steep and long.

8. Applicant is requesting the surface parking area at the rear of the Subject Property for an easier and safer entry to the dwelling unit located on the Subject Property.

9. Applicant's grandchild requires a wheelchair so the rear parking area would provide easy access to the home for all individuals residing in the home.

10. Applicant stated she is requesting relief for a 9' x 18' cement surface parking area to accommodate one vehicle for a total proposed impervious coverage of 1,788 square feet (59%).

11. Applicant stated many of the neighboring properties also have parking areas in the rear of the property.

12. There were no objections to the requested relief.

DISCUSSION

Applicant requests relief from Sections 600-803 (R-2 Residential District) and 600-1602 (Design and Construction) to allow a 9' x 18' cement surface parking area in the rear of the Subject Property that exceeds the maximum permitted impervious coverage. The Zoning Board finds that the proposed use is in keeping with the spirit and intent of the Zoning Ordinance and will not be a detriment to the health, safety and welfare of the neighborhood.

CONCLUSIONS OF LAW

1. Applicant is Evelyn Muniz.
2. The Subject Property is located at 1323 N. 13th Street, City of Reading, Berks County, Pennsylvania.
3. The Subject Property is located in the R-2 Residential Zoning District and the Height Conservation District.
4. Applicant requests relief from Sections 600-803 (R-2 Residential District) and 600-1602 (Design and Construction) to allow a 9' x 18' cement surface parking area in the rear of the Subject Property that exceeds the maximum permitted impervious coverage.
5. The Zoning Board incorporates the findings of fact as though fully set forth at length herein.
6. The Zoning Board is permitted to grant applications for variances and/or special exceptions and other relief as set forth in the Zoning Ordinance.
7. In order to grant the relief, the Applicant must show she has satisfied the relevant sections of the Zoning Ordinance.
8. After reviewing the Applicant's request in detail, the Zoning Hearing Board enters the following Decision:
 - a. Applicant is hereby granted the variance for a 9' x 18' cement surface parking area at the rear of the Subject Property which will accommodate one vehicle.
 - b. Applicant shall submit the parking area plan for review by the City's Department of Public Works.
 - c. Applicant shall comply with all relevant building and occupancy codes

and ordinances as well as the plans and testimony submitted before the Zoning Board.

d. 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.

e. 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