

IN RE: APPEAL OF STEVEN DELACRUZ RELATIVE TO A PROPERTY LOCATED AT 1231 N. 13TH STREET, CITY OF READING, BERKS COUNTY, PENNSYLVANIA	: BEFORE THE ZONING HEARING : BOARD OF THE CITY OF READING, : PENNSYLVANIA : : APPEAL NO. 2503-0012 : : VARIANCE, INTERPRETATION : AND/OR SPECIAL EXCEPTION
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**DECISION OF THE ZONING HEARING
BOARD OF THE CITY OF READING**

AND NOW, this 14th day of May, 2025, a hearing having been held on April 9, 2025, upon the application of Steven Delacruz, 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 Steven Delacruz, an adult individual who resides with his fiancé, Clarissa Pena, at 1231 N. 13th Street, Reading, Berks County, Pennsylvania (hereinafter referred to as the “Applicant”).
2. Applicant’s fiancé, Clarissa Pena, is the fee simple owner of the real property located at 1231 N. 13th Street, City of Reading, Berks County, Pennsylvania (hereinafter referred to as the “Subject Property”) and she has granted Applicant permission to seek the requested relief.
3. The Subject Property is located in the R-2 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 seeks a special exception to operate a barbershop, a major home occupation, in an area of the Subject property previously used as a garage; in the alternative, Applicant is seeking a variance or an appeal of the Zoning Administrator’s determination.
5. Applicant is seeking relief from Sections 600-406.D., 600-1201 and 600-1202 of the Zoning Ordinance.

6. Applicant submitted with his Application a copy of his barber's license with the PA Bureau of Professional and Occupational Affairs and a copy of his driver's license showing the Subject Property as his place of residence.

7. Applicant also operates a barbershop at 1129 Chestnut Street in the City of Reading for approximately three (3) years and stated he has had no problems with Codes or any other violations or complaints.

8. Applicant stated he will have no employees.

9. Applicant understands he is only allowed two (2) stations.

10. Applicant testified his customers have to make an appointment and his hours of operation would be Tuesday through Saturday from 10:00 a.m. to 5:00 p.m., prevailing time.

11. There is an exterior door for access to the barbershop area by his customers.

12. Applicant stated there is parking available for his customers at the rear of the Subject Property in addition to the space for his personal vehicle.

13. The Board finds the proposed barbershop will not create undue congestion, noise, or be incompatible with neighboring property uses as long as the Applicant is the sole employee.

14. The Board finds the proposed use will not be a detriment to the health, safety and welfare of the neighborhood.

DISCUSSION

Applicant seeks a special exception to operate a barbershop, a major home occupation, in an area of the Subject property previously used as a garage; in the alternative, Applicant is seeking a variance or an appeal of the Zoning Administrator's determination. The Board finds the proposed use will not be a detriment to the health, safety and welfare of the neighborhood.

CONCLUSIONS OF LAW

1. Applicant is Steven Delacruz.

2. The Subject Property is located at 1231 N. 13th Street, Reading, Berks County, Pennsylvania 19604.

3. The Subject Property is located in the R-2 Zoning District.
4. Applicant seeks a special exception to operate a barbershop, a major home occupation, in an area of the Subject property previously used as a garage; in the alternative, Applicant is seeking a variance or an appeal of the Zoning Administrator's determination.
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 he 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 requested relief to operate a barbershop in the area of the Subject Property previously used as a garage as long as he resides at the Subject Property.
 - b. Applicant must be the sole barber and is limited to two (2) stations.
 - c. Applicant will provide at least one (1) customer off-street parking space.
 - d. Applicant shall not place any ATM machines, soda machines, vending machines, video machines, or jukeboxes at the Subject Property.
 - e. There shall be no signage unless approved by the Zoning Administrator.
 - f. Applicant shall obtain all requisite documents, including but not limited to, an occupancy permit and business privilege license.
 - g. Applicant shall comply with all relevant building and occupancy codes and ordinances as well as the plans and testimony submitted before the Zoning Board.
 - h. 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.

i. Applicant must comply with all conditions set forth in the findings of fact and conclusions of law.

j. 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