

IN RE: APPEAL OF BRIAN GUZMAN RELATIVE TO PROPERTY LOCATED AT 544 NORTH NINTH STREET, CITY OF READING, BERKS COUNTY, PENNSYLVANIA	: BEFORE THE ZONING HEARING : BOARD OF THE CITY OF READING, : PENNSYLVANIA : : APPEAL NO. 2023-14 : : VARIANCE, INTERPRETATION : AND/OR SPECIAL EXCEPTION
--	---

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

AND NOW, this 13th day of September 2023, hearings having been held on June 14, 2023, and August 9, 2023, upon the application of Brian Guzman, 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 Brian Guzman, an adult individual, with a principal address of 4219 12th Avenue, Temple, Berks County, Pennsylvania 19560 (hereinafter referred to as the “Applicant”).
2. Brian Guzman is the authorized representative of Iglesia Cristiana Casa Del Rey.
3. Iglesia Cristiana Casa Del Rey is the fee simple owner of the real property located at 544 North Ninth Street, City of Reading, Berks County, Pennsylvania (hereinafter referred to as the “Subject Property”).
4. 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”).
5. Applicant was represented by Alex Alfieri, Esquire, of Stock Law, 50 North Fifth Street, 4th Floor, Reading, PA 19601.
6. Applicant seeks a dimensional variance and any other required variances to establish a parking lot to accommodate four (4) parking spaces on the Subject Property.

7. The Department of Public Works indicated that because there was only four (4) parking spaces no permit would be required.
8. The maximum impervious coverage is below the required maximum.
9. Applicant will comply with the buffer zones.
10. Applicant agreed to annex the Subject Property to the church property.
11. There were no objections to the requested relief.
12. The Board finds the proposed use of the Subject Property will not be a detriment to the health, safety and welfare of the neighborhood or the zoning district in general.

DISCUSSION

Applicant seeks a dimensional variance and any other required variances to establish a parking lot to accommodate four (4) parking spaces on the Subject Property. The proposed use of the Subject Property will not be a detriment to the health, safety and welfare of the neighborhood or the zoning district in general.

CONCLUSIONS OF LAW

1. Applicant is Brian Guzman.
2. The Subject Property is located at 544 N. Ninth Street, City of Reading, Berks County, Pennsylvania.
3. The Subject Property is located in the R-3 Zoning District.
4. Applicant seeks a dimensional variance and any other required variances to establish a parking lot to accommodate four (4) parking spaces on 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. After reviewing the Applicant's request in detail, the Zoning Hearing Board enters the following Decision:

a. Applicant is hereby granted the requested relief as long as he agrees to annex the Subject Property to the church 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 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