

**IN RE: APPEAL OF HARNOOR : BEFORE THE ZONING HEARING
PROPERTIES, LLC, RELATIVE TO : BOARD OF THE CITY OF READING,
A PROPERTY LOCATED AT 1014 N. : PENNSYLVANIA
13TH STREET, CITY OF READING, :
BERKS COUNTY, PENNSYLVANIA : APPEAL NO. 2404-0009
:
: VARIANCE, INTERPRETATION
: AND/OR SPECIAL EXCEPTION**

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

AND NOW this 12th day of June, 2024, a hearing having been held on May 8, 2024, upon the application of Harnoor Properties, LLC, notice of such hearing having first been 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 Harnoor Properties, LLC, a Pennsylvania Limited Liability Company, with a principal mailing address of 32 Fox Grove Drive, Reading, Berks County, Pennsylvania 19608 (hereinafter referred to as the “Applicant”).
2. Applicant is the fee simple owner of the real property located at 1014 N. 13th 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 Daral A. Woerle, Esquire.
5. Applicant seeks a special exception to expand the days and hours of operation of a nonconforming convenience store located at the Subject Property.
6. Applicant recently purchased the Subject Property and has been converting it from a gas station/service station to a gas station/convenience store.
7. The current approved days and hours of operation of the nonconforming gas station/service station are Monday through Friday from 6:00 a.m. to 5:00 p.m., Saturday from 7:00 a.m. to 12:00 p.m., and closed Sundays.
8. Applicant desires to operate the gas station/convenience store Monday through Sunday from 5:00 a.m. to 11:00 p.m., prevailing time.
9. Applicant believes the change from a service station to a convenience store and the increased hours of operation will not have a negative impact on the community.
10. The Zoning Board finds the increased hours will not be a detriment to the health, safety and welfare of the neighborhood.
11. There were no objections presented at the hearing.

DISCUSSION

Applicant seeks a special exception to expand the days and hours of operation of a nonconforming convenience store located at the Subject Property. 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 zoning district or the neighborhood in general.

CONCLUSIONS OF LAW

1. Applicant is Harnoor Properties, LLC.

2. The Subject Property is located at 1014 N. 13th Street, City of Reading, Berks County, Pennsylvania.
3. The Subject Property is located in the R-3 Residential Zoning District.
4. Applicant seeks relief to increase the hours of operation of the convenience store 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, Applicant must show it has satisfied the relevant sections of the Zoning Ordinance.
7. The Zoning Board incorporates the findings of fact as though fully set forth at length herein.
8. After reviewing the Applicant's request in detail, the Zoning Hearing Board enters the following Decision:
 - a. Applicant is hereby granted a special exception to operate the convenience store Monday through Sunday from 5:00 a.m. to 11:00 p.m., prevailing time.
 - b. Applicant shall not block the front window of the Subject Property for safety and security purposes.
 - 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 shall apply for any required building, trade, and fire permits and inspections, along with submitting an application for a health inspection and health permit and complying with any related requests for the granting of such permits/licenses.

e. 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.

f. 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