

**IN RE: APPEAL OF THREE GIRLS : BEFORE THE ZONING HEARING
AND CO. RELATIVE TO A : BOARD OF THE CITY OF READING,
PROPERTY LOCATED AT 1128 : PENNSYLVANIA
ROBESON STREET, CITY OF :
READING, BERKS COUNTY, : APPEAL NO. 2404-0010
PENNSYLVANIA :
: 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 Three Girls and Co., 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 Three Girls and Co., a Pennsylvania Limited Liability Company, with a mailing address of 517 Florida Avenue, Reading, City of Reading, Berks County, Pennsylvania 19605 (hereinafter referred to as the “Applicant”).
2. Applicant is the fee simple owner of the property located 1128 Robeson Street, City of Reading Berks County, Pennsylvania 19604 (hereinafter referred to as “Subject Property”).
3. The Subject Property is located in the R-3 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 James R. Fegley, Esquire, of Justicia Law, LLC,

Street, 35 N. Sixth Street, Suite 102, Reading, PA 19601.

5. Applicant seeks a special exception for reduction of off-street parking requirements or, in the alternative, a variance for off-street parking requirements (Section 600-1603 – off-street parking).

6. Applicant received zoning relief from the Zoning Board on May 10, 2023, for adaptive reuse at the Subject Property (Appeal 2022-56).

7. A condition of the Decision rendered by the Zoning Board with respect to Appeal 2022-56 was that Applicant shall provide to the Zoning Office lease agreements for two (2) additional parking spaces.

8. Applicant has been unable to secure two (2) off-street parking spaces.

9. There were no objections to the requested relief.

10. The proposed zoning relief is not in keeping with the spirit and intent of the Zoning Ordinance.

11. The Board finds the requested relief will be a detriment to the health, safety and welfare of the neighborhood.

DISCUSSION

Applicant seeks a special exception for reduction of off-street parking requirements or, in the alternative, a variance for off-street parking requirements (Section 600-1603 – off-street parking). The proposed use will be a detriment to the health, safety and welfare of the neighborhood and is not in keeping with the spirit and intent of the Ordinance.

CONCLUSIONS OF LAW

1. Applicant is Three Girls and Co., a Pennsylvania Limited Liability Company.

2. The Subject Property is located at 1128 Robeson Street, Reading, Berks County, Pennsylvania 19604.

3. The Subject Property is located in the R-3 Zoning District.
4. The specific section of the Zoning Ordinance appealed is Section 600-1603.
5. The Zoning Board is permitted to provide interpretation and grant applications for variances, special exceptions and adaptive reuse as set forth in the relevant sections of the Zoning Ordinance.
6. The Zoning Board incorporates the findings of fact as though fully set forth at length herein.
7. In order to grant the requested relief, Applicant must show it 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 denied the requested relief for a variance and/or special exception because there is unsafe and inadequate off-street parking.

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