

IN RE: APPEAL OF JPRO : BEFORE THE ZONING HEARING
PROPERTIES, LLC, AND REDEEMED : BOARD OF THE CITY OF READING,
PROPERTIES, LLC, RELATIVE TO A : PENNSYLVANIA
PROPERTY LOCATED AT 1900 HILL :
ROAD, CITY OF READING, BERKS : APPEAL NO. 2404-0011
COUNTY, 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 JPRO Properties, LLC, and Redeemed Properties, LLC, 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. Applicants are JPRO Properties, LLC, and Redeemed Properties, LLC, with a mailing address of 1900 Hill Road, Apt. 1, Reading, Pennsylvania 19602 (hereinafter referred to as the “Applicant”).
2. The Zoning Board finds Applicant is the fee simple owner of the real property located at 1900 Hill Road, City of Reading, Berks County, Pennsylvania 19602, hereinafter referred to as the “Subject Property”).
3. The Subject Property is located in the R-1 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 Joel A. Ready, Esquire.
5. Applicant is seeking a variance for approval of a fourth dwelling unit at the Subject Property or, in the alternative, a special exception for the fourth dwelling unit as nonconforming.
6. Pursuant to Zoning Ordinance Section 600-607.D.6., a multi-unit dwelling is not a permitted use in the R-1 Zoning District.
7. Applicant stated it purchased the Subject Property on February 21, 2020, and it was advertised by Zillow and on MLS as a four (4) unit apartment complex.
8. Applicant stated it has made no changes to the Subject Property and the four (4) dwelling units existed at the time of Applicant's purchase of the Subject Property.
9. The Zoning Board finds the Subject Property is approved for three (3) dwelling units by Zoning Permit 2008-2901 dated September 29, 2008, submitted by the previous owners.
10. The Subject Property is established by Zoning Permit 2008-2901 as a nonconforming three (3) unit dwelling.
11. Applicant stated the Subject Property has been inspected by the city for a least the last six (6) years as a four (4) unit dwelling.
12. Applicant stated several utility companies also had the Subject Property listed as four (4) units and have separate accounts for each of the four (4) units.
13. Applicant stated that discussions with the Zoning Office indicated their records show it is a three (3) unit apartment building.
14. Applicant stated that two (2) apartments are currently owner occupied and the other apartments are vacant.

15. Applicant did not demonstrate any hardship at the Subject Property to support the addition of a fourth dwelling unit.

16. The Board finds the Subject Property can be used in accordance with the strict terms of the Ordinance without granting the requested relief.

17. There were no objections presented at the hearing.

18. The Board finds the approval of a fourth dwelling unit would 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.

DISCUSSION

Applicant is seeking a variance for approval of a fourth dwelling unit at the Subject Property or, in the alternative, a special exception for the fourth dwelling unit as nonconforming. The addition of a fourth dwelling unit at the Subject Property 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 JPRO Properties, LLC, and Redeemed Properties, LLC.
2. The Subject Property is located at 1900 Hill Road, City of Reading, Berks County, Pennsylvania.
3. The Subject Property is located in the R-1 Residential Zoning District.
4. The Zoning Board is permitted to provide interpretation and grant applications for variances and/or special exceptions as set forth in the relevant sections of the Zoning Ordinance.
5. The Zoning Board incorporates the findings of fact as though fully set forth at length herein.

6. In order to grant the requested variance and/or special exception, Applicant must show it 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 denied approval for a fourth dwelling unit at the Subject Property because the Subject Property can be used in strict conformity with the terms of the Zoning Ordinance as a three (3) unit apartment building.

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