

**IN RE: APPEAL OF READING AREA : BEFORE THE ZONING HEARING
COMMUNITY COLLEGE RELATIVE TO : BOARD OF THE CITY OF READING,
A PROPERTY LOCATED AT 25 SOUTH : PENNSYLVANIA
FRONT STREET, CITY OF READING, :
BERKS COUNTY, PENNSYLVANIA : APPEAL NO. 2501-0005
:
: VARIANCE, INTERPRETATION
: AND/OR SPECIAL EXCEPTION**

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

AND NOW, this 10th day of September, 2025, a hearing having been held on August 13, 2025, 2025, upon the application of Reading Area Community College, 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 Reading Area Community College with a principal mailing address of 10 South Second Street, Reading, Pennsylvania 19602 (hereinafter referred to as the “Applicant”).
2. Applicant is the fee simple owner of property located at 25 S. Front Street, in the City of Reading, Berks County, Pennsylvania (hereinafter referred to as the “Subject Property”).
3. The Subject Property is located in the CC – Commercial Core and FP – Flood Plain Overlay Zoning Districts as those terms and districts are defined by the Zoning Ordinance of the City of Reading, as amended (hereinafter referred to as the “Zoning Ordinance”).
4. Applicant was represented by Joan E. London, Esquire, of Kozloff Stoudt, 2640 Westview Drive, Wyomissing, Pennsylvania 19610.
5. Applicant is seeking a variance from the Floodplain Overlay Zoning District requirements in order to expand and update the existing Gust Zogas Student Union Building (hereinafter referred to as “SUB”).
6. Prior relief was granted to the Applicant by the Zoning Board on March 12, 2025, but

additional relief is requested from Section 600-1823.B.(4), which requires any nonresidential structure or part thereof to floodproof in accordance with the W1 or W2 which is dry or essentially dry floodproofing.

7. Section 600-1823.B.(4) reads as follows: Any nonresidential structure, or part thereof, made watertight below the BFE shall be floodproofed in accordance with the W1 or W2 space classification standards contained in the publication entitled "Flood-Proofing Regulations" published by the U.S. Army Corps. of Engineers (June 1972, as amended March 1992) or with some other equivalent standard. All plans and specifications for such floodproofing shall be accompanied by a statement certified by a registered professional engineer or architect which states the proposed design and methods of construction are in conformance with the above-referenced standards.

8. Applicant is requesting the right to utilize wet floodproofing.

9. Applicant believes it is the equivalent or greater in safety and that there would be a great deal of hardship if the SUB were forced to utilize the dry floodproofing, which is the literal reading of the Zoning Ordinance.

10. The dry floodproofing required in the Army Corp. of Engineer's regulation, the W1 or W2 standard, which is a dry or essentially dry to make the building watertight, would be prohibitively expensive and require the demolition and rebuilding of the building.

11. The SUB is a one-story building that pre-existed Applicant's acquisition of the Subject Property in 1994 and it was renovated in 1995, but there have been no changes to the building since 1995.

12. The building pre-exists the Zoning Ordinance and the floodplain regulations contained in Part 18.

13. Past flooding events have caused minimal damage to the building.

14. The proposed plan of wet floodproofing would mitigate the risks at a far more reasonable cost, especially since two-thirds of the new area is on the second story which is above the base flood elevation.

15. Testimony presented on behalf of the Applicant set forth the many measures Applicant will be following in order to mitigate any potential exposure to flooding.

16. It is Applicant's position that locating many items above the base flood elevation as well as most of the renovations and use of wet floodproofing for the areas below the base flood elevation will avoid any increase in base flood elevation and limit damage not only to the SUB in the unlikely event of serious flooding but also protect other structures.

17. Applicant stated there will be no negative safety impacts if the relief is granted.

18. Applicant understands it is building at its own risk, is doing whatever it can to mitigate any potential harm, and understands it might cost more for insurance.

19. The grant of the requested variance from floodplain regulations would not create any public nuisance, fraud or expense, or conflict with any applicable law, ordinances or regulations.

20. There were no objections presented at the hearing.

DISCUSSION

Applicant is seeking a variance from the Floodplain Overlay Zoning District requirements in order to expand and update the existing SUB under Section 600-1823.B.(4).

The Zoning Board finds that the requested relief will not be detrimental to the health, safety and welfare of the neighborhood. The proposed use is in keeping with the spirit and intent of the Zoning Ordinance.

CONCLUSIONS OF LAW

1. Applicant is Reading Area Community College.

2. The Subject Property is located at 25 S. Front Street, City of Reading, Berks County, Pennsylvania.

3. The Subject Property is located in the CC-Commercial Core and FP-Floodplain Overlay Zoning Districts.

4. Applicant is seeking a variance from the Floodplain Overlay Zoning District requirements in order to expand and update the SUB under Section 600-1823.B.(4).

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 as set forth in the Zoning Ordinance.

7. After reviewing the Applicant's request in detail, the Zoning Hearing Board enters the following Decision:

- a. Applicant is granted all of the requested zoning relief.
- b. Applicant shall obtain final approval for the Floodplain Permit from the City Engineer.
- c. Applicant shall comply with relevant federal rules and regulations.
- d. Applicant shall comply with all relevant building and occupancy codes and ordinances as well as the plans and testimony submitted before the Zoning Board.
- 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/ Jared Barcz

JARED BARCZ

/s/ Charles Jones

CHARLES JONES