

IN RE: APPEAL OF CHIMIS BAR RESTAURANT LOUNGE & HOTEL, INC., RELATIVE TO A PROPERTY LOCATED AT 338 N. SIXTH STREET, CITY OF READING, BERKS COUNTY, PENNSYLVANIA	: BEFORE THE ZONING HEARING : BOARD OF THE CITY OF READING, : PENNSYLVANIA : : APPEAL NO. 2604-0009 : VARIANCE, INTERPRETATION : AND/OR SPECIAL EXCEPTION
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**DECISION OF THE ZONING HEARING
BOARD OF THE CITY OF READING**

AND NOW, this 10th day of June, 2026, a hearing having been held on May 13, 2026, upon the application of Chimis Bar Restaurant Lounge & Hotel, Inc., 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. Applicant is Chimis Bar Restaurant Lounge & Hotel, Inc., with a principal mailing address of 338 North Sixth Street, City of Reading, Berks County, Pennsylvania 19601 (hereinafter referred to as the “Applicant”).
2. Applicant is the fee simple owner of the property located at 338 N. Sixth Street, City of Reading, Berks County, Pennsylvania 19601 (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 Joan E. London, Esquire, of Kozloff Stoudt, 2640 Westview Drive, Wyomissing, Pennsylvania 19610.

5. Applicant is requesting a variance from Section 600-607.D(1) (nonconforming use exceeding 20% floor and land area) to expand the nonconforming use of the Subject Property by installing an approximate 700 square foot deck and 700 square foot access ramp and a variance from Section 600-804.A. (6' minimum side yard setback and 5' minimum front yard setback) to allow a 3'9" side yard setback for an approximate 350 square foot addition to the kitchen and 0' front and 0' side yard setbacks for the deck addition.

6. The Subject Property is an existing building with a tavern, bar and restaurant and hotel use which is not changing.

7. Zoning Permit No. 2004-349 was issued confirming the nonconforming use of the Subject Property for a tavern, bar, restaurant use in what was then the C-R Zoning District.

8. There are eight single hotel rooms for rent on the upper floors of the existing building.

9. Applicant is constructing a twenty space (including handicap spaces) parking lot at the rear of the Subject Property which does not require zoning relief.

10. The proposed changes would add a deck for outdoor seating to accommodate approximately fifteen to twenty patrons, weather permitting, and an addition to the kitchen.

11. The zoning permits were denied due to dimensional issues, but Applicant has acted to mitigate hardship by the consolidation of four adjacent parcels (338 N Sixth Street, 340 North Sixth Street, 339 Church Street and 341 Church Street) which will resolve the alleged nonconformities in order to allow the requested relief.

12. In the event the consolidation does not resolve the dimensional nonconformities, Applicant requests the granting of the requested variances.

13. Applicant's general hours of operation are Tuesday to Sunday from 6:00 p.m. to 2:00 a.m., prevailing time.

14. The deck will only be used when the weather permits during the summer months from noon to 9:00 p.m., prevailing time.

15. Applicant stated on the record there will be no amplified music on the outdoor patio deck.

16. There will be approximately ten more employees if the deck expansion is allowed.

17. Applicant does have contracted security personnel.

18. If required by the Zoning Administrator, Applicant shall supply additional parking.

19. The deck and kitchen addition will allow the existing restaurant and tavern to remain viable and better serve its customers.

20. The deck and kitchen addition are not expected to significantly increase the use or create increased impacts as the establishment is subject to state licensing regulations which prevent nuisance from operations.

21. There were no objections to the requested relief.

DISCUSSION

Applicant is requesting a variance from Zoning Ordinance Section 600-607.D(1) (nonconforming use exceeding 20% floor and land area) to expand the nonconforming use of the Subject Property by installing an approximate 700 square foot deck and 700 square foot access ramp and a variance from Zoning Ordinance Section 600-804.A. (6' minimum side yard setback and 5' minimum front yard setback) to allow a 3'9" side yard setback for an approximate 350 square foot addition to the kitchen and 0' front and 0' side yard setbacks for the deck addition.

The Board finds the proposed use will not be detrimental to the health, safety or welfare of the neighborhood or the zoning district in general as long as Applicant complies with the conditions set forth below.

CONCLUSIONS OF LAW

1. Applicant is Chimis Bar Restaurant Lounge & Hotel, Inc.
2. The Subject Property is located at 338 North Sixth Street, City of Reading, Berks County, Pennsylvania.
3. The Subject Property is located in the R-3 Residential Zoning District.
4. Applicant is requesting a variance from Section 600-607.D(1) (nonconforming use exceeding 20% floor and land area) to expand the nonconforming use of the Subject Property by installing an approximate 700 square foot deck and 700 square foot access ramp and a variance from Section 600-804.A. (6' minimum side yard setback and 5' minimum front yard setback) to allow a 3'9" side yard setback for an approximate 350 square foot addition to the kitchen and 0' front and 0' side yard setbacks for the deck addition.
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 special exceptions or variances as set forth in the Zoning Ordinance.
7. In order to grant the variances, Applicant must show it has satisfied the relevant sections of the Zoning Ordinance.
8. After reviewing the Applicant's request in detail, the Zoning Board enters the following decision:
 - a. Applicant is hereby granted the requested variances subject to the following conditions:

- i. There shall be no egress from the parking lot on the Subject Property on to North Sixth Street.
- ii. A fence shall shield the open air use from North Sixth Street.
- iii. Applicant is only allowed to rent eight (8) single hotel rooms on the upper floors of the Subject Property.
- iv. Applicant will not allow amplified music on the outdoor patio deck.
- v. All parking stalls reserved for the rental units shall be clearly marked to distinguish them from parking reserved for the restaurant patrons.
- vi. The Land Development Plan currently in progress (SALDO 2403-0002) shall be recorded prior to the issuance of any permits associated with the construction of the deck addition.
- vii. Applicant shall apply for all required building, trades and fire permits and submit to all required inspections deemed necessary.
- viii. All sanitary sewage disposal issues shall be resolved to the satisfaction of the City of Reading, including the reservation, permitting, installation and connection of the required sanitary sewage disposal improvements.
- ix. All water supply issues shall be resolved to the satisfaction of the City of Reading, including the reservation, permitting, installation and connection of the required water supply improvements.
- x. The building shall comply with all fire, safety and accessibility requirements specified by the City of Reading.
- xi. Applicant shall comply with all relevant building and occupancy codes and ordinances as well as the plans and testimony submitted before the Zoning Board.

xii. 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.

xiii. 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/ Jared Barcz

JARED BARCZ, CHAIRMAN

/s/ Philip Rabena

PHILIP RABENA

/s/ Thomas Fox

THOMAS FOX

/s/ Jeffrey Gattone

JEFFREY GATTONE

/s/ Charles Jones

CHARLES JONES