

IN RE: APPEAL OF INGRID V. BARINAS RELATIVE TO A PROPERTY LOCATED AT 119 N. 8TH STREET, CITY OF READING, BERKS COUNTY, PENNSYLVANIA : **BEFORE THE ZONING HEARING BOARD OF THE CITY OF READING, PENNSYLVANIA**
: **APPEAL NO. 2606-0014**
: **VARIANCE, INTERPRETATION AND/OR SPECIAL EXCEPTION**

DECISION OF THE ZONING HEARING BOARD OF THE CITY OF READING

AND NOW, this 12th day of August, 2026, a hearing having been held on July 8, 2026, upon the application of Ingrid V. Barinas, 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 Ingrid V. Barinas, a principal in Sweet Childhood Learning, LLC, and an adult individual with a mailing address of 1017 Perry Street, Reading, Berks County, Pennsylvania 19604 (hereinafter referred to as the “Applicant”).
2. Applicant and Sweet Childhood Learning, LLC, have a leasehold interest in the property located at 119 N. 8th Street, City of Reading, Berks County, Pennsylvania 19601 (hereinafter referred to as the “Subject Property”).
3. The fee simple owner of the Subject Property, Garcia Investment Group, LLC, has granted Applicant permission to seek the requested zoning relief.
4. The Subject Property is located in the C-R Commercial 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”).

5. Applicant was represented by Joan London, Esquire, of Kozloff Stoudt, 2640 Westview Drive, Wyomissing, Pennsylvania 19610.

6. Applicant is requesting a special exception to establish a child day care center under Section 600-808.B(4)(c) which meets the requirements for child day care facilities under Section 600-1202.D(2), and a variance from the requirements for an outdoor play area under Section 1202.D(2)(c) as space is not available on the Subject Property and indoor space is acceptable for state licensure.

7. The child day care center will be located in the building at the rear of the Subject Property.

8. The building at the front of the Subject Property contains four (4) residential dwelling units which require a minimum of six (6) parking spaces to be reserved for use by the residential tenants.

9. The front and rear portions of the Subject Property do abut together but there is no access from one building to the other.

10. Applicant proposes to care for up to sixty (60) children from infants to age 12 with separate spaces for the infants, toddlers, and school-age children and an indoor play area and facilities such as toilet, kitchen, and support staff facilities, and a secure area for the pick-up and drop-off of the children.

11. Applicant will have six (6) employees for the child day care center.

12. The proposed child day care center cannot provide an outdoor play area nor is the Subject Property within 500 feet of a public playground.

13. Applicant is proposing a 540 square foot indoor playground.

14. Applicant's proposed play space will meet the state requirements for area based on the age of the enrollees.

15. Applicant's hours of operation are from 5:00 a.m. to 12-midnight which will support parents that have shifts outside of the usual 9-5 hours, Monday through Friday and possibly on Saturday.

16. At the rear of the building on Cedar Street is an area which will be used for the drop-off and pick-up of the children and the required six (6) spaces for the residential tenants.

17. Applicant understands the required licenses must be obtained from the Pennsylvania Department of Human Services and other agencies before the child day care center can be operational.

18. Applicant understands the number of children being cared for as well as employees depends on the approvals from the State.

19. Applicant is not making any changes to the lot or building height or footprint.

20. Applicant stated the proposed use will not increase traffic congestion along a street or create a traffic safety hazard, will not create an undue concentration of population, will not impair an adequate supply of light and air to adjacent properties, will not create a significant threat to the public's health or safety, will not be detrimental to the appropriate use of adjacent properties and will not generate significant nuisances or hazards.

21. The proposed zoning relief is in keeping with the spirit and intent of the Zoning Ordinance and the ongoing revitalization of downtown Reading.

22. The Board finds the requested relief will not be a detriment to the health, safety and welfare of the neighborhood.

23. There were no objections to the requested relief.

DISCUSSION

Applicant is requesting a special exception to establish a child day care center under Section 600-808.B(4)(c) which meets the requirements for child day care facilities under Section

600-1202.D(2), and a variance from the requirements for an outdoor play area under Section 1202.D(2)(c) as space is not available on the Subject Property and indoor space is acceptable for state licensure. The Subject Property is located in the C-R Commercial Residential Zoning District. Applicant's proposed use complies with the requirements of the Zoning Ordinance and will not be a detriment to the health safety and welfare of the neighborhood as long as Applicant complies with the conditions hereinafter set forth.

CONCLUSIONS OF LAW

1. Applicant is Ingrid V. Barinas.
2. The Subject Property is located at 119 N. 8th Street, City of Reading, Berks County, Pennsylvania 19601.
3. The Subject Property is located in the C-R Zoning District.
4. Applicant is requesting a special exception to establish a child day care center under Section 600-808.B(4)(c) which meets the requirements for child day care facilities under Section 600-1202.D(2), and a variance from the requirements for an outdoor play area under Section 1202.D(2)(c) as space is not available on the Subject Property and indoor space is acceptable for state licensure.
5. In order to grant the requested relief, Applicant must show she has satisfied 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. Applicant understands she must apply for the appropriate licenses and reviews by the Pennsylvania Department of Human Services and other agencies.
8. After reviewing the Applicant's request in detail, the Zoning Hearing Board enters the following decision:

a. Applicant is granted the requested special exception and variance to operate the child day care center at the Subject Property for up to sixty (60) children as set forth in the plans submitted to the Zoning Board.

b. Applicant must submit to the Zoning Administrator a revised parking plan setting forth the exact location for the drop-off and pick-up location.

c. Applicant shall comply with all applicable State requirements for a licensed day care center with sixty (60) children and a copy of the required PA Department of Human Services License shall be provided to the Zoning Administrator immediately upon receipt.

d. Applicant shall provide a narrative to the Department of Public Works to determine if Sewer Planning Modules will be required. If required, modules will need to receive DEP approval prior to the issuance of occupancy permits.

e. Applicant shall attend a One Stop meeting with the Building and Fire Inspectors to ensure compliance with all applicable Building and Fire Code requirements.

f. Applicant shall apply for all required building, trades and fire permits and submit to all required inspections deemed necessary.

g. Total occupancy shall be determined by the City of Reading Building and Trades Division, the Fire Marshall, and the Pennsylvania Department of Human Services.

h. The staff to child ratio shall comply with 55 PA Code Chapter 3270 and the Pennsylvania Department of Human Services requirements.

i. Signage at the Subject Property shall comply with Section 600-1703 of the Zoning Ordinance. If Applicant does not provide sign drawings and specifications, then a separate zoning permit shall be required prior to the installation of the signage.

j. Applicant shall comply with all relevant building and occupancy codes and ordinances as well as the plans and testimony submitted before the Zoning Board.

k. 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.

l. 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 4 to 0 .

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

/s/ Philip Rabena

PHILIP RABENA, ACTING CHAIRMAN

/s/ Thomas Fox

THOMAS FOX

/s/ Jeffrey Gattone

JEFFREY GATTONE

/s/ Charles Jones

CHARLES JONES