

IN RE: APPEAL OF YLUMINADA DEL PILAR ARIAS TINEO RELATIVE TO A PROPERTY LOCATED AT 383 SCHUYLKILL AVENUE, CITY OF READING, BERKS COUNTY, PENNSYLVANIA	: BEFORE THE ZONING HEARING : BOARD OF THE CITY OF READING, : PENNSYLVANIA : : APPEAL NO. 2606-0015 : VARIANCE, INTERPRETATION : AND/OR SPECIAL EXCEPTION
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**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 Yluminada del Pilar Arias Tineo, 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 Yluminada del Pilar Arias Tineo, an adult individual residing at 1506 N. 13th Street, Reading, Berks County, Pennsylvania 19604 (hereinafter referred to as the “Applicant”).
2. Applicant has a leasehold interest in the property located at 383 Schuylkill Avenue, City of Reading, Berks County, Pennsylvania 19601 (hereinafter referred to as the “Subject Property”).
3. The fee simple owner of the Subject Property, E & J Rehab Properties, LLC, has granted Applicant permission to seek the requested zoning relief.
4. 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”).

5. Applicant is seeking a special exception to establish a daycare center for up to twenty (20) children from infant to preschool age on the first floor of the Subject Property and any other relief required to use the Subject Property for the proposed use.

6. The Subject Property is located across from the Fine Fare Supermarket located at 200 W. Buttonwood Street.

7. Applicant stated a daycare had previously been operating in the Subject Property but closed in approximately 2020.

8. Applicant will not be making any structural changes to the Subject Property.

9. Applicant's hours of operation would be Monday through Friday from 6:00 a.m. until 6:00 p.m., prevailing time.

10. Applicant will have four (4) employees.

11. Applicant will be providing meals for the children.

12. Applicant has previously cared for children in her home.

13. Applicant understands she must first receive the required licenses from the Pennsylvania Department of Human Services and other agencies before she can operate the daycare center.

14. Applicant understands the number of children she will be caring for as well as employees depends on the approvals from the State.

15. In addition to the playroom set forth on the floor plans submitted by Applicant, an outdoor play area is available in Barbey Park which is located behind the Fine Fare Supermarket which is close to from the Subject Property.

16. Since the Subject Property is within 500 feet of a playground, Applicant is not obligated to provide an outdoor play area.

17. Applicant has entered into a six-month Agreement with Community Alliance & Reinvestment Endeavor, Inc., to use its parking area which is located at the rear of the property known as 130 West Buttonwood Street for four (4) parking spaces.

18. The leased parking area will be used for the drop-off and pick up of the children.

19. There were no objections to the requested relief.

DISCUSSION

Applicant is seeking a special exception to establish a daycare center for up to twenty (20) children from infant to preschool age on the first floor of the Subject Property and any other relief required to use the Subject Property for the proposed use. 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. Applicant's proposed use will enhance the neighborhood.

CONCLUSIONS OF LAW

1. Applicant is Yluminada del Pilar Arias Tineo.

2. The Subject Property is located at 383 Schuylkill Avenue, City of Reading, Berks County, Pennsylvania 19601.

3. The Subject Property is located in the R-3 Residential Zoning District.

4. Applicant is seeking a special exception to establish a daycare center for up to twenty (20) children from infant to preschool age on the first floor of the Subject Property and any other relief required to use the Subject Property for the proposed use.

5. The Board incorporates the findings of fact as though fully set forth at length herein.

6. In order to grant the requested relief, Applicant must show she has satisfied the relevant sections of the Zoning Ordinance.

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 hereby granted a special exception to operate a daycare center at the Subject Property for up to twenty (20) children from infants to preschool age.

b. Applicant shall comply with all applicable State requirements for a licensed day care center with twenty (20) children and a copy of the required PA Department of Human Services license shall be provided to the Zoning Administrator immediately upon receipt.

c. Applicant and the Subject Property owner shall provide the Zoning Office with a copy of the Lease Agreement with Community Alliance & Reinvestment Endeavor, Inc. indicating the continued use of a portion of its property for a parking area for the pick-up and drop-off of the children.

d. Applicant shall also provide proof to the Zoning Office that clear signage is posted in the parking area to identify the spaces for the pick-up/drop-off of the children.

e. Applicant's hours of operation shall be limited to 6:00 a.m. to 6:00 p.m., prevailing time, Monday through Friday.

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

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

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

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

j. 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.

k. Applicant must submit a narrative of proposed sewer and water flows to the Engineering Division of the Department of Public Works.

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

m. 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.

n. 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