

Conditional Use Hearing
918 Lancaster Ave
Council Chambers
Tuesday, December 17, 2013
6 p.m.

Mr. Acosta called the Conditional Use Hearing to order and explained the purpose of the hearing.

The City of Reading is divided into zoning districts which regulate the use of property. Certain types of uses may impact surrounding properties or their neighborhoods. Each zone is designated with certain permitted, conditional and prohibited uses. A "conditional use permit" provides special consideration of certain specified uses which may or may not be compatible with an area depending on the specifics of the particular project.

The City uses the Conditional Use Public Hearing to evaluate whether a proposed use is appropriate for a particular property and neighborhood. The property is located within a Commercial Highway zoning district. The applicant wishes to convert the first floor commercial space to residential rental.

Attending: City Councilors Acosta, Goodman-Hinnershitz, Reed, City Clerk Kelleher, City Solicitor Younger Esq., Zoning Administrator Peiffer and City Planner Miller

A copy of the agenda packet and copies of the recommendations from the Zoning Administrator were provided to the applicant and made a part of the record.

I. Testimony from Applicant

Peter Anthony, owner/applicant, 150 W 38th St, Exeter, 19606

Mr. Acosta asked Mr. Anthony to step forward. The court reporter administered the oath to Mr. Anthony.

Mr. Anthony stated that the property is located next to Wendy's restaurant and that he purchased the property in 1992 and used it as his real estate office. After he closed his real estate office, he then attempted to rent the space to other businesses. However, he stated that with the overabundance of empty commercial space available, it is impossible for him to find a commercial tenant. He stated that the second floor is rented to a relative and he decided to apply to convert this space for rental purposes after his difficulty in attracting a commercial use. He described the layout of the interior and stated that he made no changes, other than to remove the commercial counter space.

Testimony from City Staff

Mr. Acosta asked the City Planner to step forward. The court reporter administered the oath to the Mr. Miller, City Planner.

Mr. Miller stated that the Planning Commission reviewed the application at the November 26th meeting. He stated that the Commercial Highway district allows residential uses. He stated that the property was originally a residential space and was later converted to a commercial space. He stated that the Planning Commission recommends approving the application with the condition requiring an inspection from Building/Trades.

Mr. Acosta asked the Zoning Administrator to step forward. The court reporter administered the oath to the Mr. Peiffer, Zoning Administrator.

Mr. Peiffer's report and recommendation was distributed to all. The report states that this property is located within the Commercial Highway zoning district. He stated that the property was converted to a commercial retail space in 1982 and to a real estate space in 1992. He stated that there is 670 sq. ft. of living space which is in compliance with the Zoning Ordinance. He stated that the property has three (3) off street parking spaces, which is in compliance with the Zoning Ordinance. He recommended approving the application.

Public Comment

There was no public comment from anyone attending the hearing.

Applicant's Rebuttal

There was no rebuttal offered by the property owner.

Mr. Acosta stated that City Council is required to approve or deny the application within 45 days of the hearing. He stated that the decision will be made by resolution at Council's regular business meeting on either January 13th or 27th.

The hearing adjourned at approximately 6:10 pm.

Respectfully submitted by Linda A. Kelleher CMC, City Clerk