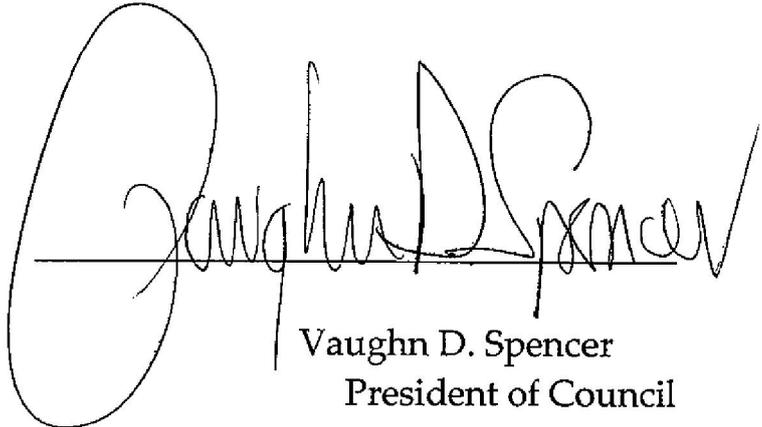


RESOLUTION NO. 124 2009

THE COUNCIL OF THE CITY OF READING HEREBY RESOLVES
AS FOLLOWS:

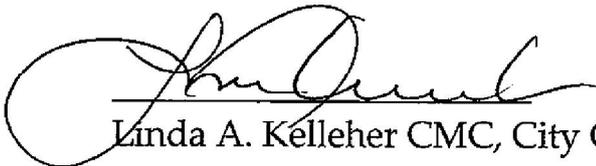
Denying the appeal of the Certificate of Appropriateness, as
attached in the findings of fact, for 47 South Sixth Street,
owned by Allegheny East Conference of Seventh Day
Adventist, ordering the removal of the vinyl siding as stated
in HARB Resolution 65-09.

Adopted by Council Nov 9, 2009

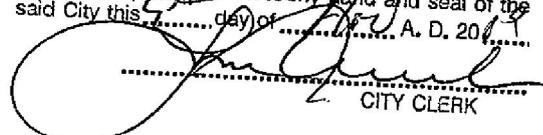


Vaughn D. Spencer
President of Council

Attest:



Linda A. Kelleher CMC, City Clerk

I, LINDA A. KELLEHER, City Clerk of the City
of Reading, Pa., do hereby certify, that the fore-
going is a true and correct copy of the original
..... passed by the Council of the City of
Reading, on the day of
A. D. 20..... Witness my hand and seal of the
said City this day of A. D. 20.....

CITY CLERK

**Appeal of Historic Architectural Review Board
Certificate of Appropriateness**

IN THE MATTER OF	§	BEFORE THE
	§	
47 SOUTH SIXTH ST	§	CITY OF READING
	§	
OWNED BY	§	CITY COUNCIL
ALLEGHENY EAST	§	
CONFERENCE	§	
OF SEVENTH DAY	§	
ADVENTIST	§	
READING, PA	§	
	§	

**FINDINGS OF FACT, CONCLUSIONS OF LAW,
ORDER, AND AGREED RESOLUTION**

On Wednesday, October 28, 2009 the City of Reading City Council (Council) met to hear testimony on the appeal of the decision made by the Historic Architectural Review Board (HARB) at their May 19, 2009 meeting on the Certificate of Appropriateness for the installation of vinyl siding on the building located at 47 South Sixth Street, owned by Allegheny East Conference of Seventh Day Adventist (Respondent) located in the Callowhill Historic District. By strong majority vote, the HARB voted to approve the installation of siding on the first floor of the building around the storefront and deny the application to install vinyl siding on the upper floors of the building, due to the standards set by the U.S. Secretary of the Interior's Standards for Rehabilitation.

Findings of Fact

1. The Historic Architectural Review Board (HARB) is a Board authorized by the City of Reading Codified Ordinances Chapter 4 Part 1 – Historic Districts. The HARB is a Board of 7 duly qualified members.
2. The Historic Preservation Ordinance mandates that the Preservation Specialist, the HARB, and City Council shall be guided by the United States Secretary of the Interior's Standards for Rehabilitation.
3. The vinyl siding was installed without building permits or a Certificate of Appropriateness. After receiving a verbal complaint, the Historic Preservation Specialist issued a violation letter on April 28, 2009.

4. The Respondent appeared at the May 19, 2009 HARB meeting and requested that the Board issue a Certificate of Appropriateness to allow the installation of vinyl siding on the front and both sides of all floors of this building. The work was already completed without the necessary building permit of Certificate of Appropriateness. HARB approved the Certificate of Appropriateness for vinyl siding on the first floor because the property previously had a metal-type siding on the old store front area. However, HARB denied the installation of vinyl siding on the upper floors because this portion of the façade has never been covered and the siding as installed does not comply with the Secretary of the Interior's Standards for Rehabilitation.

4. The Respondent requested an appeal hearing before City Council and was provided with the hearing date by the City Clerk and the Historic Preservation Specialist.

5. City Council took testimony from the respondent and the Historic Preservation Specialist at the hearing held on Wednesday, October 28, 2009.

6. The Historic Preservation Specialist stated that the building is circa 1930s storefront with glass display windows flanking the center entry doors.

7. The Respondent stated that they were unaware that the property was located within the Callowhill Historic District and thought that the contractor they retained had obtained the proper City building permits before undertaking the project.

8. The Respondent explained that HARB offered several alternatives to siding that would be permissible; however, cost is a factor. The Respondent stated that covering the "soft" brick with siding would ease the maintenance needs of the building and provide insulation.

9. The Historic Preservation Specialist described alternatives that would comply with the Secretary of the Interior's Standards for Rehabilitation.

10. The Historic Preservation Specialist and the Respondent entered photographs of 47 South Sixth Street into the record and Legal Specialist T. Butler entered the agenda and its attachments into the record.

Conclusions of Law

The Historic Preservation Part of the Codified Ordinances of the City of Reading, Pennsylvania, regulates and restricts the construction, reconstruction, alteration, restoration, demolition or razing of any building, structure, site or object within a designated historic district, in whole or in part, and prescribes certain procedures relating to the issuance of permits for such properties. Until a certificate of appropriateness is issued no construction shall be undertaken, and any construction which has occurred prior to the issuance of the permit shall, if ordered by the Historic Architectural Review Board or City Council, be removed. The project at 47 South Sixth Street was completed without the required permits. The Codified Ordinances require the Historic Preservation Specialist, the

Historical Architectural Review Board and City Council to uphold the standards issued by the U.S. Secretary of the Interior.

Order and Agreed Resolution

The City of Reading City Council hereby denies the appeal of the Certificate of Appropriateness for 47 South Sixth Street, owned by Allegheny East Conference of Seventh Day Adventist and upholds the decision of the Historical Architectural Review Board, as adopted in Resolution 65-09. The City of Reading City Council further orders that the vinyl siding installed be removed within sixty (60) days.

Right to Appeal

If you disagree with the decision of City Council you may file an appeal with the Court of Common Pleas of Berks County within 30 days after notice of the decision has been made. Your failure to file the appeal within such 30 days shall preclude an appeal from such decision.