

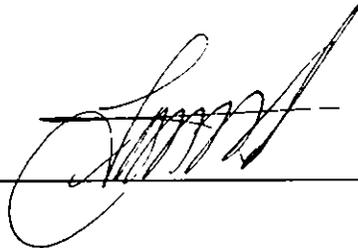
Drafted by	City Clerk
Sponsored by/Referred by	City Council
Introduced on	N/A
Advertised on	N/A

RESOLUTION NO. 58 2015

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 the installation of an air conditioning unit
at 13-15 South 4th Street, for Maria Rodriguez.

Adopted by Council June 8, 2015



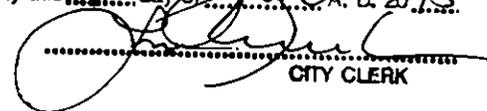
Francis Acosta
President of Council

Attest:



Linda A. Kelleher, 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. 2015. Witness my seal of the
said City this day of A. D. 2015.



CITY CLERK

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

IN THE MATTER OF	§	BEFORE THE
	§	
BERKS COUNTY	§	CITY OF READING
	§	
MARIA RODRIGUEZ	§	CITY COUNCIL
13-15 SOUTH 4th ST.	§	

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

On Wednesday, May 20, 2015 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) on the Certificate of Appropriateness for the following exterior property improvements made by Maria Rodriguez (Respondent), at 13-15 South 4th Street (Subject Property).

1. The installation of a heating/air conditioning unit on the first floor sidewalk.

At their March 17, 2015 meeting, HARB denied:

CERTIFICATE OF APPROPRIATENESS

Resolution No. 23-15

WHEREAS, the Reading Historical Architectural Review Board at its March 17, 2015 meeting reviewed the plans and specifications of Antonio Callesa, applicant for 15 S. 4th St., Reading, Pennsylvania for

1. **THE INSTALLATION OF A DUCTLESS MINI SPLIT HEATING AND AIR CONDITIONING CONDENSER UNIT AT THE FRONT FACADE**

and DENIED the application for a Certificate of Appropriateness for the said work as described in the attached report.

Now, therefore, on the 17th day of March, 2015, I, Amy Woldt Johnson, Historic Preservation Specialist, deny this Certificate of Appropriateness for aforesaid work in the name of the Reading Historical Architectural Review Board.

READING HISTORICAL ARCHITECTURAL REVIEW BOARD

ITEM #8 - RESOLUTION #23-15 - It is proposed install a ductless mini split heating and air conditioning condenser unit at the northern end of the first floor front façade adjacent to the existing dumpster at 15 S. 4th St., Reading, PA

Motion: The Historical Architectural Review Board upon motion by Ms. Weller and seconded by Ms. LaSota DENIED the proposal for a Certificate of Appropriateness for the proposed work described herein:

1. The proposal to install a ductless condenser unit at the northern end of the first floor front façade at 15 S. 4th St. was represented by Antonio Callesa of Callesa Mechanical.
2. The proposal to install the heating and air conditioning condenser unit at the northern end of the first floor front façade on the sidewalk adjacent to the existing dumpster was denied based on the Secretary of the Interior's Standard #9 which states in part: "...new work shall be ... compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment".
3. Other options for the placement of the unit were suggested, including: placing the unit on the roof and running the lines on the interior of the building or placing the unit in an underground ventilation shaft.
4. The applicant will discuss these and other options with the owner of the business.

The motion to DENY the above application was passed unanimously.

Findings of Fact

1. The Historic Architectural Review Board (HARB) is part of the City of Reading Codified Ordinances Chapter 295 Part 1 – Historic and Conservation Districts. The HARB is a board of eleven (11) duly qualified members.
2. The Respondent applied to install a heating/air conditioning unit at the Subject Property.
3. The Respondents attended the March HARB meeting and alternatives to install the unit away from the front of the property were discussed and rejected by the Respondent.
4. At the hearing the Respondent stated that she operates Early Bird Child Care at this location. The daycare is located on the first floor and in the basement of the property. She stated that the basement requires air conditioning and she

believes the most cost efficient method of supplying air conditioning to the basement is to install the required equipment on the sidewalk in front of the property. She described the challenges of locating the equipment in areas that are not within the public view.

5. The Historic Preservation Specialist testified that the HARB Board heard the application to install the air conditioning equipment at this property and they attempted to find a solution that would avoid installing the equipment on the first floor sidewalk. She explained that the Board offered several alternatives but the owner prefers to install the equipment on the sidewalk and provide screening. However, there was no discussion on the type of screening that would be allowed or used. She stated that installing equipment in an area that would not be visible from the cart way would be more costly.

6. Several members of Council noted that installing the unit on the first floor sidewalk could create vandalism and theft opportunities which would create additional liability for the Respondent.

7. The Historic Preservation Specialist was asked if a permit for the dumpster located on the front sidewalk was approved and she offered to follow up with Property Maintenance.

8. The Historic Preservation Specialist stated that HARB did not discuss screening for the unit if the unit is allowed to be installed on the sidewalk.

Conclusions of Law

City Council, after considering all testimony and reviewing all Exhibits, DENIES the appeal of the Certificate of Appropriateness for the installation of a heating/air conditioning unit at 13-15 South 4th Street.

Order and Agreed Resolution

The City of Reading City Council hereby DENIES the appeal of the COA for the installation of a heating/air conditioning unit on the first floor sidewalk at 13-15 South 4th Street and orders the Respondent to install the unit away from the public view or to make a new application with HARB so further alternatives can be explored.

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.