RESOLUTION NO. 25 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 exterior property improvements at 1031 Madison Avenue, Usrsula Rodriguez, applicant, at 1031 Madison Avenue owned by Claribel A Jorge.

Adopted by Council Feb 23, 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 foregoing is a true and correct copy of the original Resolution passed by the Council of the City of Reading, on the 23 day of Feb A. D. 2015. Witness my hand and seal of the said City this 24 day of Feb 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
	§	
USRSULA RODRIGUEZ	§	CITY COUNCIL
1031 MADISON AVE.	§	

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

On Wednesday, February 4, 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 Usrsula Rodriguez (Respondent), at 1031 Madison Avenue (Subject Property), owned by Claribel A Jorge.

1. The installation of a metal railing is being appealed. The applicant agreed to remove the tiled flooring on the front porch and install wooden decking.

At their November 2014 meeting, HARB unanimously approved:

CERTIFICATE OF APPROPRIATENESS
Resolution No. 80B-14

WHEREAS, the Reading Historical Architectural Review Board at its November 18, 2014 meeting reviewed the plans and specifications of Usrsula Rodriguez for 1031 Madison Ave., Reading, Pennsylvania for the retention of a metal porch railing and ceramic tile installed at the first floor front porch deck (violation) and denied a Certificate of Appropriateness for said work as described in the attached report.

Now, therefore, on the 18th day of November, 2014, I, Amy Woldt Johnson, Historic Preservation Specialist, hereby deny a Certificate of Appropriateness for aforesaid work in the name of the Reading Historical Architectural Review Board.

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 nine (9) duly qualified members.
2. At the October 2013 meeting the applicant requested permission to retain the metal railing and the tile porch flooring at the Subject Property. After consideration, the HARB board denied the request and ordered the Respondent to replace the tile flooring with wooden decking and to replace the metal railing with a wooden railing with square spindles, which matched the style of the railing used at a neighboring property.
3. At the hearing the Respondent testified that she was aware that the property was located within a Historic District and that she consulted with HARB prior to making the improvements.
4. The Respondent testified that she believed that the metal railing should be approved as there are numerous metal railings at other properties within this block.
5. The Respondent testified that a wooden railing in deteriorated condition was on the front porch when she moved into the Subject Property.
6. The Respondent testified that she cannot afford to make the changes requested by HARB without saving money for a period of time.
7. The Historic Preservation Specialist circulated photographs of the Subject Property and the other properties in this neighborhood. The photographs were taken in 1978 when the appearance of properties was being documented in preparation for the approval of historic districts within Reading.
8. The Historic Preservation Specialist agreed that a number of metal railings exist in this neighborhood; however, the majority of properties have wooden railings.
9. The Historic Preservation Specialist testified that the HARB Board offered a compromise to allow square wooden spindles at the Subject Property to lower the cost of the correction and to match the railing at a neighboring property.

Conclusions of Law

City Council, after considering all testimony and reviewing all Exhibits, denies the appeal of the Certificate of Appropriateness, due to the fact that the Respondent failed to follow the instructions and order issued at the October 2013 HARB meeting and that the HARB Board offered a reasonable compromise.

Order and Agreed Resolution

The City of Reading City Council hereby denies the appeal of the COA to retain the metal railing at 1031 Madison Avenue and orders the Respondent to replace the metal railing with the wooden railing as stated in the Certificate of Appropriateness, Resolution 80B-14 (attached) by August 23, 2015.

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.

CERTIFICATE OF APPROPRIATENESS
Resolution No. 80B-14

WHEREAS, the Reading Historical Architectural Review Board at its November 18, 2014 meeting reviewed the plans and specifications of Usrsula Rodriguez for 1031 Madison Ave., Reading, Pennsylvania for the retention of a metal porch railing and ceramic tile installed at the first floor front porch deck (violation) and denied a Certificate of Appropriateness for said work as described in the attached report.

Now, therefore, on the 18th day of November, 2014, I, Amy Woldt Johnson, Historic Preservation Specialist, hereby deny a Certificate of Appropriateness for aforesaid work in the name of the Reading Historical Architectural Review Board.

Amy Woldt Johnson
Historic Preservation Specialist