

RESOLUTION 94 2007

THE CITY OF READING CITY COUNCIL HEREBY DENIES THE REQUEST TO CONVERT 1140 PERKIOMEN AVENUE TO A THREE UNIT APARTMENT HOUSE

WHEREAS, the applicant John F. Maurer, Jr., seeks conditional zoning approval for a property situate at 1140 Perkiomen Avenue, Reading, PA; and

WHEREAS, the property is located in an R-3 Residential Zoning District; and

WHEREAS, a hearing on this matter was held on June 20, 2007 at approx. 5:00 pm in City Council Chambers, City Hall, Reading, PA; and

WHEREAS, the City Council of the City of Reading specifically finds that applicant John F. Maurer, Jr., failed to provide sufficient evidence of compliance with the City of Reading Zoning Code Section 27-1203 (4) in that: (1) minimum floor area requirements under Section 27-1203 (4) (B) were not met since applicant's plan would reduce square footage from proposed unit 1 for use in proposed unit 3 resulting in unit 1 having square footage below the required amount; (2) parking requirement of 1.5 off-street parking spaces per unit under Section 27-1203 (4) (C) was not met by Hearing Exhibit # 1 Tab 6 which was only a letter of intent dated May 4, 2007, but could not be viewed as a legally binding lease and evidence of applicant's compliance; and (3) documents were lacking which indicated that all plumbing, heating and electrical equipment and facilities were adequate and appropriate for the proposed use as set forth in Section 27-1203 (4) (D); and

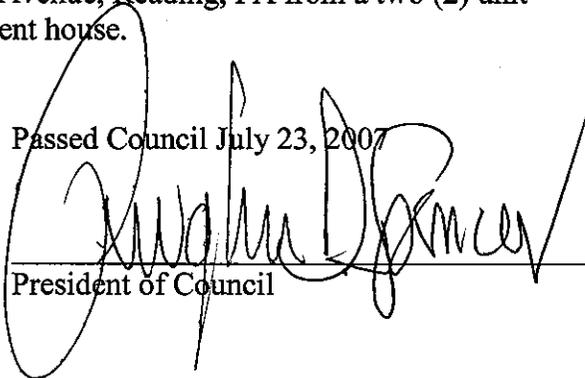
WHEREAS, the City Council of the City of Reading specifically finds that applicant John F. Maurer, Jr.'s proposed additional one (1) dwelling unit does not meet requirements set forth under Zoning Code Section 27-1203 (4) as stated above; and

WHEREAS, the City Council of the City of Reading specifically finds as a conclusion of law that applicant John F. Maurer, Jr., failed to provide sufficient evidence at the June 20, 2007 conditional use hearing to sustain his burden of proof,

NOW THEREFORE, BE IT RESOLVED, that based on the findings of fact and conclusion of law, the City Council of the City of Reading hereby denies the applicant's

requested relief to convert 1140 Perkiomen Avenue, Reading, PA from a two (2) unit apartment house into a three (3) unit apartment house.

Passed Council July 23, 2007



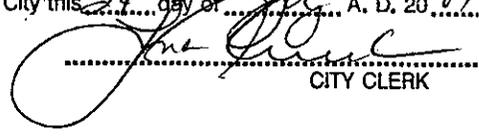
President of Council

Attest:



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 23rd day of July A. D. 2007. Witness my hand and seal of the said City this 24th day of July A. D. 2007.



CITY CLERK