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DATE OF MAILING: October 20, 2022
SENT VIA FIRST CLASS MAIL AND EMAIL
NOTICE OF DECISION

Alfred R. Fuscaldo, Esquire
Fuscaldo Law Group LLC
P.O. Box 147
Valley Forge, PA 19481
al@fuscaldolaw.com

**Re: Upper Merion Township Zoning Hearing Board
Application No. 2022-19
Applicant: Brandywine Operating Partnership, LP
Property: 631 Park Avenue
Parcel No. 58-00-14386-50-5**

Dear Mr. Fuscaldo:

This letter provides notice of the decision of the Upper Merion Township Zoning Hearing Board following the conclusion of the hearing on Wednesday, October 19, 2022.

The Zoning Hearing Board voted to grant the following relief from the Upper Merion Township Zoning Ordinance of 1942, as Amended:

1. a variance from **§ 165-5** to permit to permit parking spaces that are 9 feet wide with an area of 162 square feet where a 9.5 foot width and an area of 180.5 square feet are required;
2. a variance from **§ 165-160.3** to permit a green area of 24.1% where a minimum green area of 35% is required; and
3. a variance from **§ 165-160.3** to permit off-street parking spaces to be located less than the required 10 feet from the rear and side property lines.

This approval is conditioned upon the following:

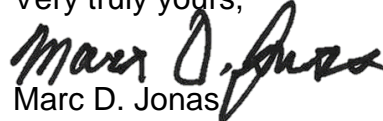
1. the improvements to the property shall conform to the testimony and exhibits presented at the hearing and set forth in the application, including, but not limited to hearing exhibit ZHB-3 entitled "Zoning Plan," 1 sheet, prepared by Bohler, dated August 18, 2022, which accompanies this letter; and
2. the recording of a declaration of covenants against both tax parcels to ensure that 631 and 650 Park Avenue cannot be separately conveyed.

Because this application was granted and not contested, the Zoning Hearing Board will not issue a decision with findings of fact, conclusions of law, and reasons.

The approval is subject to a 30-day appeal period beginning from the date of entry (mailing) of the notice of decision.

The applicant is directed to section 165-257 "Expiration of Special Exceptions or Variances" and applicable statutory provisions governing the expiration of variances.

Very truly yours,


Marc D. Jonas

Enclosure:

- plan entitled "Zoning Plan," 1 sheet, prepared by Bohler, dated August 18, 2022

cc: Mark Zadroga, Director; Chief Building/Zoning Official
Gregory W. Philips, Esq., Upper Merion Township Supervisor
John F. Walko, Esq., Township Solicitor

