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DATE OF MAILING: June 8, 2023
NOTICE OF DECISION

VIA EMAIL (jegbert@egbertbarnes.com)

James E. Egbert, Esq.

Egbert & Barnes, PC

349 York Road, Suite 100

Willow Grove, PA 19090

**Re: Upper Merion Township Zoning Hearing Board
Application No. 2023-07
Applicant: Bark U LLC
Property: 333 S. Henderson Road
Parcel No. 58-00-10117-00-4**

Dear Mr. Egbert:

This letter provides notice of the decision of the Upper Merion Township Zoning Hearing Board following the conclusion of the hearing on Wednesday, June 7, 2023.

The Zoning Hearing Board voted to grant a variance from section 165-208 of the Upper Merion Township Zoning Ordinance of 1942, as Amended, to construct a 6-foot high solid black metal fence within the required front yard setback.

This approval is conditioned upon the following:

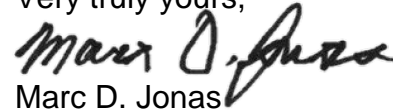
1. The construction and the placement of the fence shall be in accordance with the testimony and evidence presented at the hearing including applicant's exhibits A-1 and A-2, photographs of the existing building and proposed fence and sketch plan showing the current and proposed fence, copies of which are enclosed with this notice of decision; and
2. upon the cessation of the dog boarding business, the six-foot high fence shall be removed.

Since this application was not contested, the Zoning Hearing Board will not issue a written 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

Enclosures:

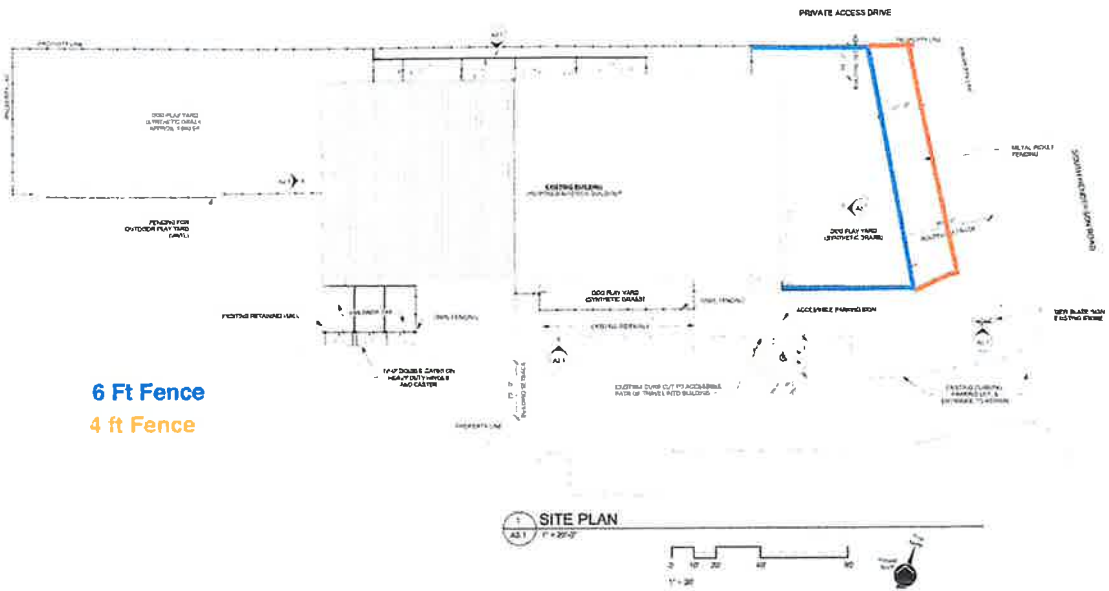
- Exhibit A-1 – photographs of the existing building and proposed fence
- Exhibit A-2 – sketch plan showing permitted and proposed fence

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



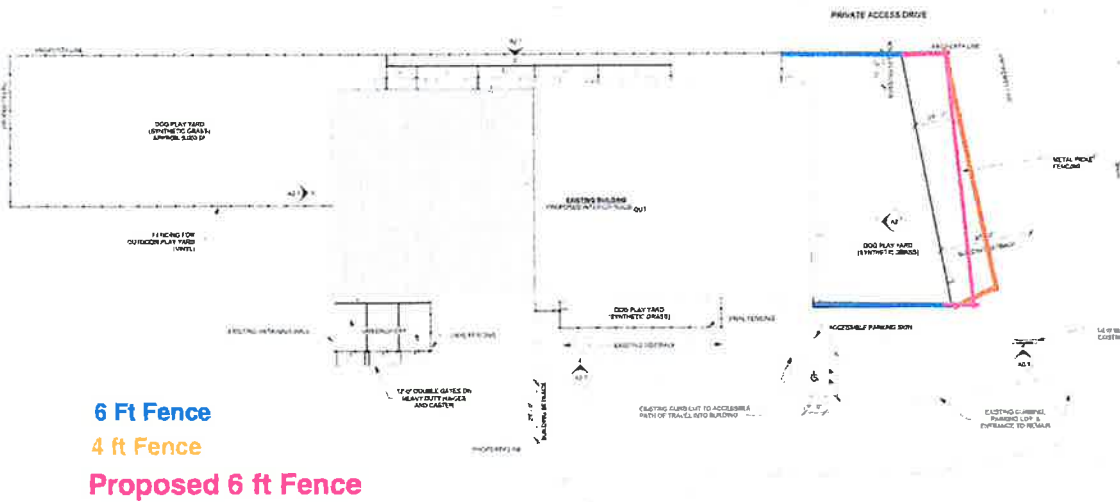
A-1

Current Fence Allowance



6 Ft Fence
4 ft Fence

Proposed Fence Allowance



6 Ft Fence
4 ft Fence
Proposed 6 ft Fence

A-2