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DATE OF MAILING: November 6, 2014

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mark C. Clemm, Esq.
527 Plymouth Road, Suite 416
Plymouth Meeting, PA 19462

Re: Upper Merion Township Zoning Hearing Board
Applicant: Tri-Murti Associates, LLC
Application No.: 2014-22
Property: 625 W. DeKalb Pike

Dear Mr. Clemm:

This letter provides notice of the decision of the Upper Merion Township Zoning Hearing Board at the conclusion of the hearing on November 5, 2014.

The Zoning Hearing Board voted to sustain Tri-Murti Associates, LLC's appeal of the enforcement notice dated August 12, 2014.

The Zoning Hearing Board also voted to grant the request to modify condition # 4 of the December 20, 2006 decision of the Zoning Hearing Board.

Finally, the Zoning Hearing Board voted to grant a variance from section 165-103 of the Upper Merion Township Zoning Ordinance of 1942, as amended, to permit installation of exterior trash enclosures constructed of PVC material with a height of 52".

Condition # 4 of the December 20, 2006 decision of the Zoning Hearing Board is amended, and the variance from section 165-103 is conditioned, as follows:

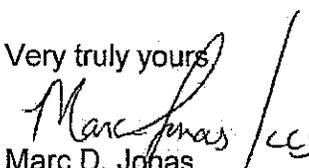
1. A combined total and maximum of 4 enclosures and 8 trash cans shall be permitted outside of the building, 2 trash cans to be stored within each enclosure.
2. All enclosures and trash cans shall be kept in good condition and good repair at all times.
3. This grant shall expire upon any change in tenancy, whether in use or identity of tenant, if the change in tenancy will result in the necessity of more than the 4 enclosures and 8 trash cans set forth in condition # 1.
4. The trash cans can be removed from the enclosures and placed along the street only on trash pick-up days as designated by the trash company or companies responsible for servicing the Property. The trash cans shall be placed on the street for pick-up on the morning of the day designated for pick-up and must be removed from the street on the same day and within a reasonable amount of time after pick-up.
5. The trash enclosures must be kept closed at all times, unless the trash cans are being actively filled with trash. Trash must be kept within the trash cans at all times after removal from the buildings, and the trash cans must be kept within the enclosures at all times except as provided in condition # 4 for trash pick-up.
6. All enclosures and trash cans will be placed and installed on the property as testified to at the hearing and as set forth in the application and exhibits, and will be of the same type, material, size and color as the enclosure depicted in exhibit A-1, attached hereto.

Since this application was granted and not contested, the Zoning Hearing Board will not issue an opinion with findings of fact and conclusions of law.

This decision is subject to a 30-day appeal period beginning on the date of entry (mailing) of this notice of decision.

The applicants are directed to section 165-257 "Expiration of Special Exceptions or Variances" and applicable statutory provisions governing the expiration of special exceptions and variances.

Very truly yours


Marc D. Jonas

MDJ:mep

cc: Mark Zadroga, Zoning Officer
Gregory W. Philips, Esquire