



Uniform Construction Code Board of Appeals

2016 Appeal Hearing & Organizational Meeting Minutes

January 21, 2016 - 7:00 PM at the Municipal Office Building

Members Present:

**Keith Good, Associate AIA - Chairperson
Steven Kelley, AIA
Barbara Bieganski
James Mehaffey, AIA**

Absent:

Maryann Marotta, AIA

Others Present:

**Ben Stoltzfus, Owner and Appellant
Michelle Solt, Registered Architect representing Appellant
Alan S. Blank, RMR Court Reporter
Donald C. Forry, Secretary to the Board**

UCC Board of Appeals Hearing (Permit no. B-0001)

See the attachments: (1) Application for Appeal Uniform Construction Code Board of Appeals, (2) Calabrese Good Architects Board of Appeals Variance Request and, (3) the Transcript of Proceedings for the Application of Appeal.

Michele Solt and Keith Good represented the appellant Mr. Ben Stoltzfus of ISI Partners, LLC. The board of appeals did not have a quorum, but the appellant decided not to postpone the appeal hearing. In summary, Jimmy Johns is a restaurant that is being proposed in an existing 1200 square foot building at 1835 Oregon Pike. It is classified as a business occupancy because it is an A-2 restaurant, which has less than 50 occupants. The 2009 IBC and IPC require a separate toilet facilities with the occupancy exceeds 15 including both customers and employees. Based on the square footage calculation, the occupancy load is 31 with an employee area of 4 for total 35 occupants. Also, there are 12 additional seats outside for seasonal dining. Based on the owner's experience from the current facility at 1601 Manheim Pike, two separate restrooms are not necessary to serve the public needs.

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Keith Good recused himself from the board deliberation and vote. After deliberation by the board, they voted unanimously (3 to 0) to deny the variance request. The appellant or appellant's representatives have the right to appeal the UCC Board of Appeals decision to the Lancaster County Court within 30 days of January 21, 2016 in accordance with 2 PA CSA Subsection 752.

2016 Annual Organizational Meeting:

1. Welcome new board member Jim Mahaffey.
2. Updated the 2016 Board of Appeals (BOA) Directory (See attachment).
3. Elected Steven Kelley as chairperson. Motion made by Barbara Bieganski and seconded by Keith Good. Motion passed unanimously. Elected Maryann Marotta as vice chairperson. Motion made by Keith Good and seconded by Steve Kelley. Motion passed unanimously.
4. Reviewed 2016 UCC BOA meeting and hearing dates:

All meetings and hearings will be held at the Municipal Office Building bimonthly on the third Thursday at 7 p.m. in accordance with official advertisement in the Lancaster Newspaper. Single family home and townhouse appeals must be heard within 30 days of receipt of appeal.

2016 Meeting and Hearing schedule:

- January 21 – Appeal Hearing and Organizational Meeting
- March 17
- May 19
- July 21
- September 15
- November 17

5. Reviewed *Manheim Township UCC Application for Appeal* form.
6. Discussed UCC Review & Advisory Council 2015 code adoption process. A limited number of 2015 I-Codes were adopted December 31, 2015.
7. There was no additional business
8. Meeting adjourned at 8:35 p.m.

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Please let me know if there are any corrections which need to be made to these minutes, or if you have any questions.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'D. C. Forry', written in a cursive style.

Donald C. Forry, Secretary to the UCC Board of Appeals

EC: UCC Board of Appeals Members (5)
Township Commissioners, Sam Mecum and Ian Hodge
Sean Molchany, Township Manager
UCC Board of Appeals file (paper copy)