



January 22, 2004

Marilyn R. Berger
Berger Real Estate Inc.
1659 Lititz Pike
Lancaster, PA 17601

Re: Board of Appeals Decision - Appeal Denied

1659 Lititz Pike (tenant space)

Dear Ms. Berger:

The Manheim Township Board of Appeals heard your appeal on January 20, 2003 at the Township Municipal Office as related to item number one of Attachment II as part of the Notice of Violation dated September 24, 2003. The violation read,

"The restroom is not handicapped accessible in accordance with Code requirements. (3401.1, 3405.1, 3804.1, 3804.2.5, 1102.1, 1110.3) "

The above referenced code sections are found in the 1996 BOCA National Building Code as adopted by Township Ordinance 1998-4.

The basis of your appeal was that the provisions of the code do not fully apply as explained in your letter dated December 17, 2003.

After presentation and discussion, the motion was made by Dave Lobb and seconded by Lori Dropik to deny the appeal. Subsequently, the Board of Appeals voted 5 to 0 to approve the motion.

The Board found that the Code was correctly applied and gave you 90 days to submit a plan and obtain a permit to construct and install a unisex handicapped restroom conforming to the Township Code.

You do have the right to appeal this decision within 30 days of the hearing date to the Court of Common Pleas of Lancaster County pursuant to the rules governing administrative appeals.

1840 MUNICIPAL DRIVE • LANCASTER, PA 17601-4105

Marilyn Berger
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If you have any questions, please contact me at 569-6406, ext. 117.

Sincerely,
Manheim Township Commissioners

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

Donald C. Forry
Secretary to the Board of Appeals

PC: Board of Appeals Members
Joel Cox, Federal Realty Investment Trust (owner/property manger)
Harry Ritter and Carole Simpson, Public Safety Commissioners
James Martin, Township Manager
Don Clifford, Township Code Official
Appeals Board File and Property Files