

## **RESOLUTION #11 of 2004**

A RESOLUTION OF THE BOARD OF SUPERVISORS OF MOUNT JOY TOWNSHIP, ADAMS COUNTY, PENNSYLVANIA, AUTHORIZING THE ZONING OFFICER AND THE SOLICITOR TO TAKE SUCH ACTIONS AS ARE NECESSARY TO ABATE A STRUCTURAL HAZARD ON LANDS KNOWN AS 1885 BALTIMORE PIKE.

### **RECITALS**

Whereas, several years prior to this Resolution, a structure known as the Golden Menu Restaurant, 1885 Baltimore Pike (Mount Joy Township, Adams County), Gettysburg, PA 17325 (the "structure") experienced a fire that caused extensive damage.

Whereas, on or about July 20, 2004, at the request of the Township of Mount Joy (hereinafter "Township"), an inspector entered the structure for the purpose of determining whether the structure posed a threat to the health, safety and/or welfare of the public. The inspection occurred in the presence of the owner of the property, Hien Van Bui. The owner chose not to accompany the inspectors into the structure.

Whereas, on July 22, 2004, the inspector rendered a report, a copy of which is attached to this Resolution and made a part hereof.

Whereas, the inspector concluded that the structure was not sound, could not be made sound by any economically feasible method, was uninhabitable, and presented a hazardous condition. The inspector recommended that the structure be demolished and the foundation back filled to grade.

Whereas, at the time that this Resolution is being adopted, no action has been taken by the property owner or anyone on his behalf to correct the hazardous condition of the structure.

**NOW THEREFORE, BE IT RESOLVED** by the Board of Supervisors of Mount Joy Township that:

1. The Recitals stated above are incorporated in this Resolution;
2. The Zoning Officer is hereby authorized, but not required, to use any and all enforcement methods available under the ordinances of the Township and the laws of the Commonwealth of Pennsylvania to cause the structure on the said property to be made safe; and,
3. The Solicitor of the Township is authorized and directed to contact the owner of the said structure and property to request that the owner forthwith demolish the

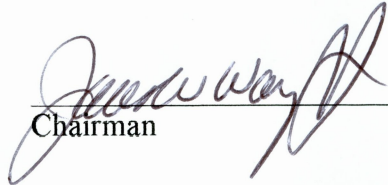
structure and back fill the foundation to grade. The Solicitor is further authorized to pursue such avenues as he deems necessary to cause such demolition and backfilling on the said property if the owner fails to do so, including but not limited to: legal action before the courts of the Commonwealth of Pennsylvania to obtain a decree compelling the desired demolition and backfilling by the owner; and/or court authorization for the Township to perform such acts, and to receive recompense from the owner and/or from the property, by lien or otherwise, for the cost thereof.


**ADOPTED** this 16<sup>th</sup> day of September, 2004.

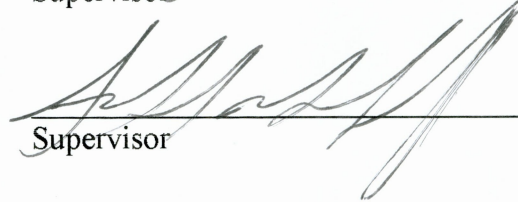
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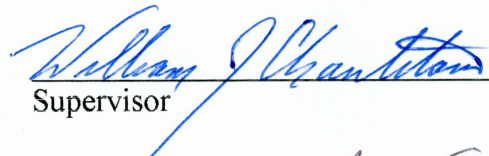
Brenda J. Conotable  
Its Secretary

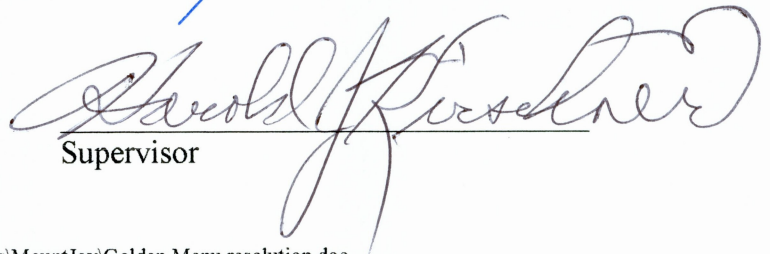
**MOUNT JOY TOWNSHIP**

  
Chairman

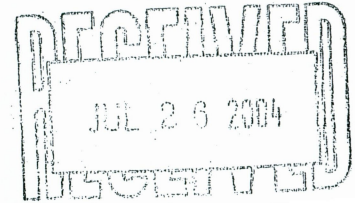
  
Supervisor

  
Supervisor

  
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Supervisor

July 22, 2004



Mr. James W. Waybright, Chairman  
Mount Joy Township Supervisors  
902 Hoffman Road  
Gettysburg, Pennsylvania 17325

Re: Building Structure Inspection  
Golden Menu Restaurant  
1885 Baltimore Pike  
Adams County, Pennsylvania

Dear Mr. Waybright:

At your request, representatives of Herbert, Rowland & Grubic, Inc. (HRG) conducted an inspection of the building structure located at or near 1885 Baltimore Pike, Mount Joy Township, Adams County, Pennsylvania. The inspection was conducted on July 20, 2004, and consisted of a non-invasive, nondestructive visual inspection of exposed structural members. The purpose of the inspection was to determine if the building is so damaged, decayed, dilapidated, or of such faulty construction or foundation so as to be structurally unsafe. Meeting HRG on-site was Mr. Jay D. Little, Sr., Mount Joy Township Zoning Officer, and two representatives of the building's owner. Neither party accompanied HRG representatives inside the structure during the inspection.

The building in question is a two-story frame structure of unknown age with a basement and attic. The building is unoccupied and has obviously been damaged by fire. It is our understanding that the fire occurred approximately 6 to 8 years ago and the building has remained untouched since that time. The structure is in an obvious state of neglect and disrepair, with a significant portion of the roof destroyed by the fire thus exposing the interior to the elements. Windows are broken out, doors are unsecured and heavy vegetation surrounds the perimeter of the building and adjoining parking lot.

Accessing the basement area from the rear of the building (with respect to Baltimore Pike), determined that portions of the building were apparently constructed at two different times. The basement area to the rear of the building appears to be newer, having exterior walls of concrete construction and interior block masonry walls. The first floor level in this area is supported by a concrete slab with stay-in-place forms and steel joists spaced at approximately 18" on center. The floor is a concrete slab and the clear height is approximately 6'- 6" ( $\pm$ ). No noticeable structural deficiencies were noted in this portion of the basement; however, an abundance of debris and trash is scattered throughout the rooms making access difficult. The

front portion of the basement appears to be older, and contains stone masonry exterior and interior walls and a concrete floor. The first floor in this area is supported by 2" x 10" timber joists spaced at 16" to 18" on center and transverse floorboards. The clear height in this section of the basement is approximately 5'-6". The basement walls contain minor to moderate deterioration of the mortar, while random floor joists, although seemingly in fair condition, exhibit minor rot and/or dry rot on their sides. The floorboards appear to be in a similar condition as well.

The first floor consists of a kitchen, bar, two dining rooms, a hallway and men's and women's rest rooms. The walls and ceilings are covered with a plaster finish and the floors in all rooms, except the kitchen and rest rooms, are covered with carpet. As we progressed from the rear to the front of the premises, the amount of plaster remaining intact lessened while the degree and severity of fire and water damage increased. The kitchen and bar areas contain minor to moderate fire, smoke and water damage. However, the first dining room, closest to the rear of the building, exhibits a noticeable sag in the ceiling partially exposing the wooden floor joists above. The wall finish in this dining room is generally intact with isolated areas of minor fire and smoke damage. The front dining room is the most severely damaged room on the first floor. The extent of fire damage is significant with visible charred wall studs, floorboards, and ceiling joists. Also present is a 3' x 3' (+/-) hole in the floor and ceiling directly to the right side of the room as you enter from the rear of the building. The basement and second story levels can be seen through the holes. The holes are approximately in line with one another. The women's restroom, which was in the vicinity of the front dining room, appears to be completely destroyed. However, the men's restroom, located to the right side of the front dining room, is relatively free of fire damage. Also present on the floor is a moderate amount of debris, consisting of dishes, teapots, glasses, broken bottles and trash.

The second level consists of a hallway and three rooms. The damage to this level is consistent with that of the front dining room on the first floor. The interior and exterior wall studs, ceiling joists and floorboards are exposed and moderately to significantly charred. In some areas these elements are completely destroyed exposing the attic area and roof/sky above. The stairway leading up to the second level also contains moderate to severe fire damage on the steps and walls. The last two steps are missing exposing the front dining room below.

The attic area was viewed from the top of the staircase and was also found to be significantly damaged. Again, the level of fire damage is consistent with the second level. The wall studs, floorboards and roof rafters are exposed and significantly damaged by fire. A significant portion of the roof is burned out and the structure has remained open to the weather as a result.

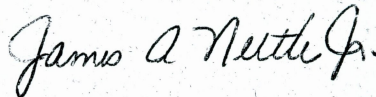
Based on our inspection, it is our conclusion that the building in question is not structurally sound and not suitable for occupancy due to the significant fire damage it has sustained as well as the subsequent years of neglect. Furthermore, it is our opinion that restoration of the building is not practical or feasible due to

the extent of damage. Therefore, we recommend that the building be demolished, and the lower (basement) level be backfilled to grade in order to eliminate the current hazardous conditions.

Attached are several photographs showing some of the specific areas of concern as outlined above. If you have any questions concerning these findings, please do not hesitate to call.

Sincerely,

**Herbert, Rowland & Grubic, Inc.**

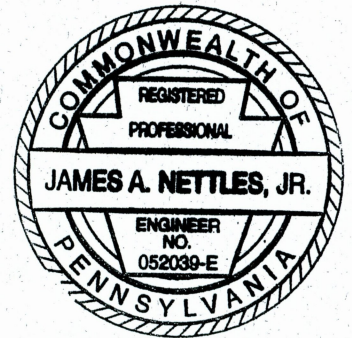


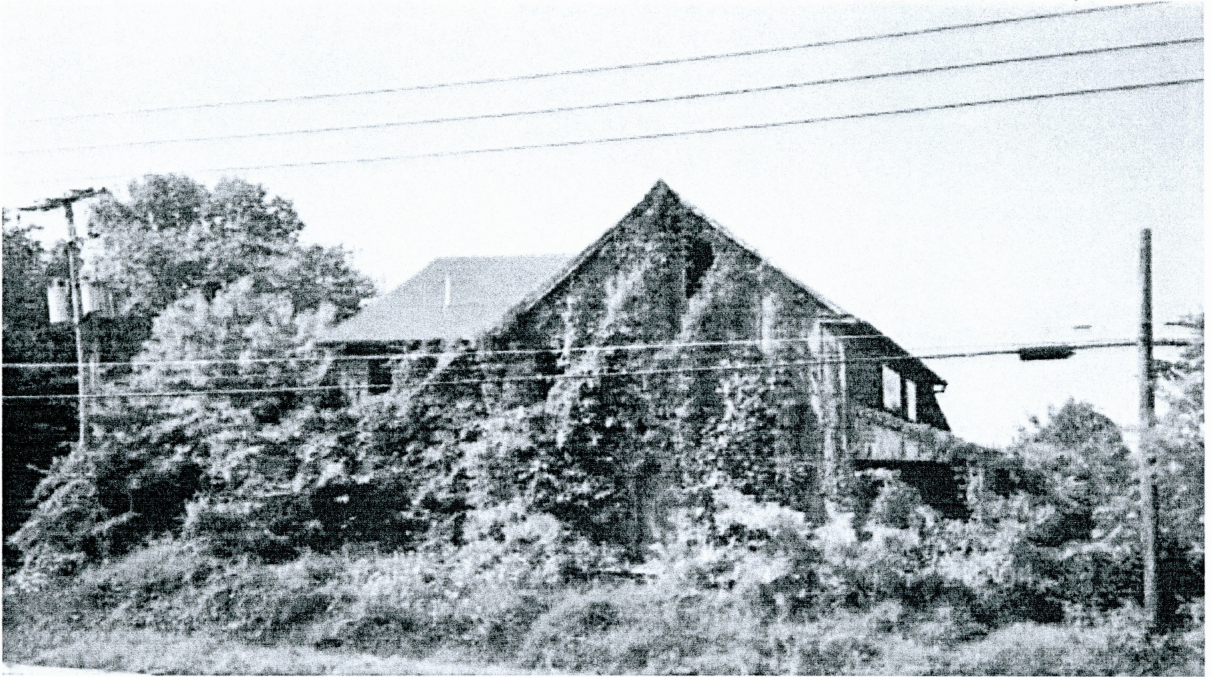
James A. Nettles Jr., P.E.

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Enclosure

c: M. Lewis (w/ Encl.)  
E. Baker (w/ Encl.)  
J. Nettles (w/ Encl.)

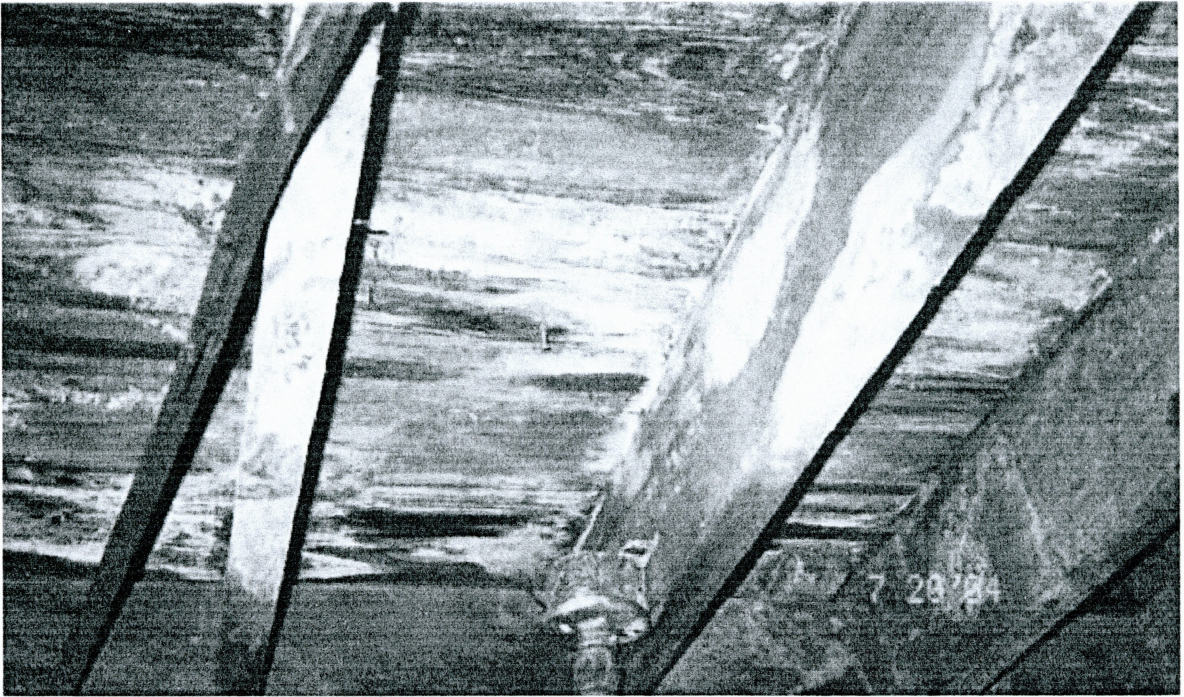




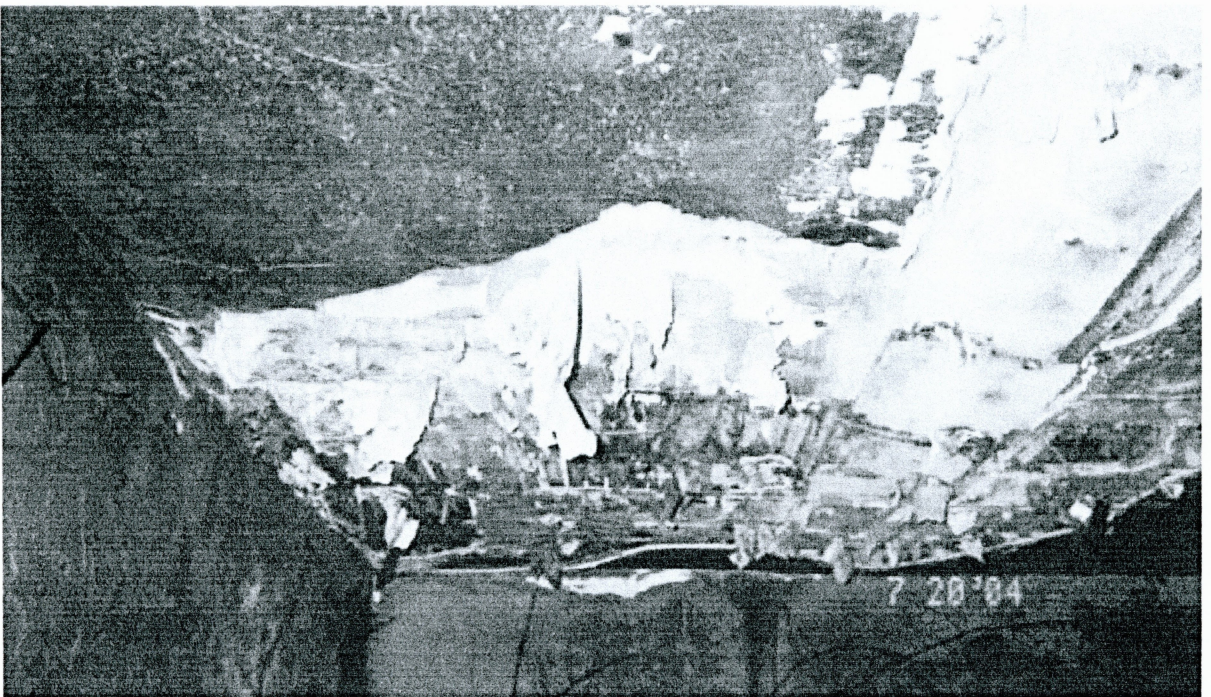
**PHOTO 1 (View of front of building looking from Baltimore Pike)**



**PHOTO 2 (View of rear of building)**



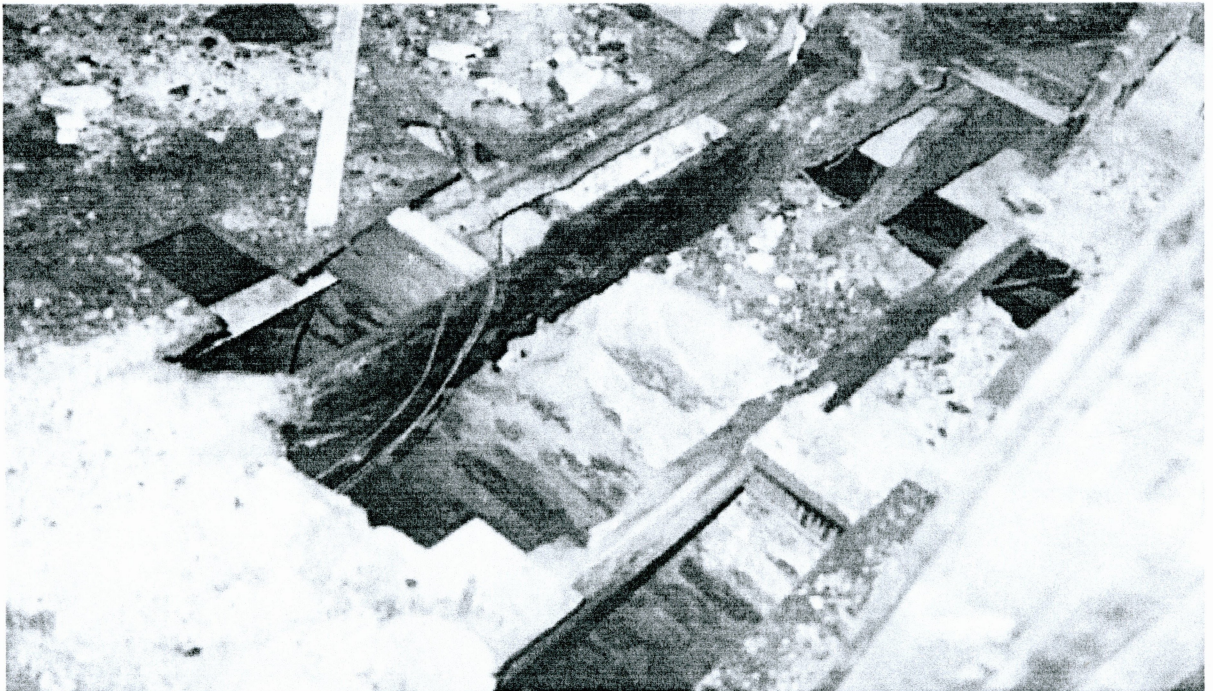
**PHOTO 3 (Basement - Typical timber joist and floor board condition in front section)**



**PHOTO 4 (First Level Rear Dining Room - Ceiling damage and sag)**

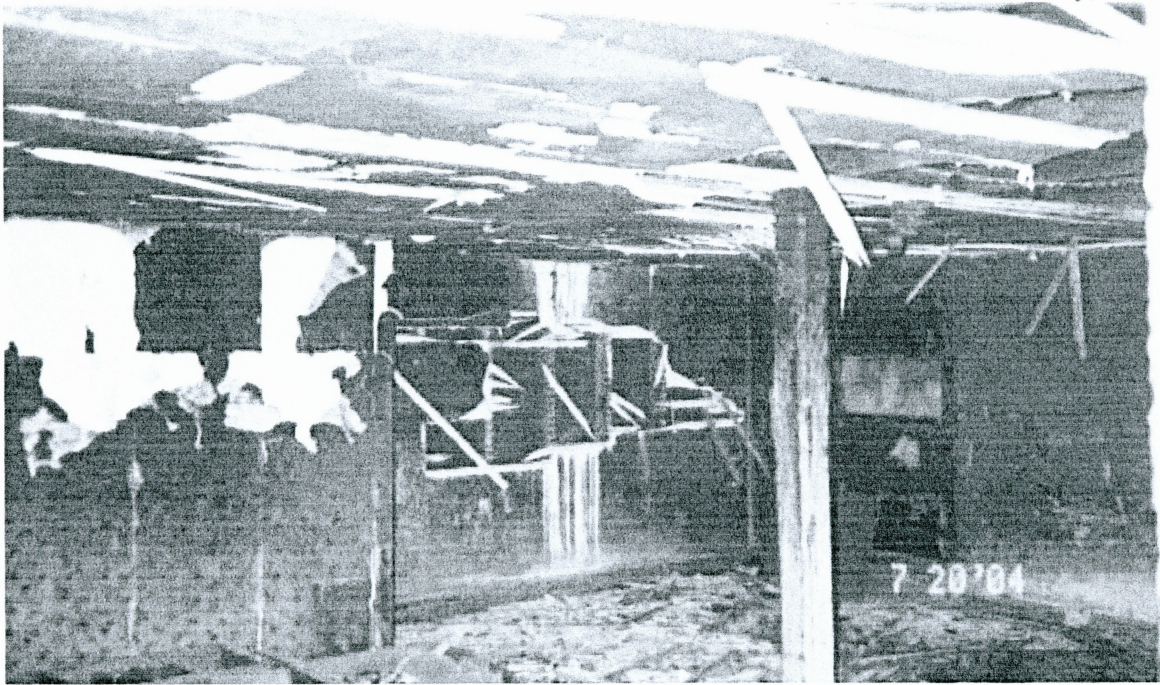


**PHOTO 5 (First Level Front Dining Room - Typical Condition)**

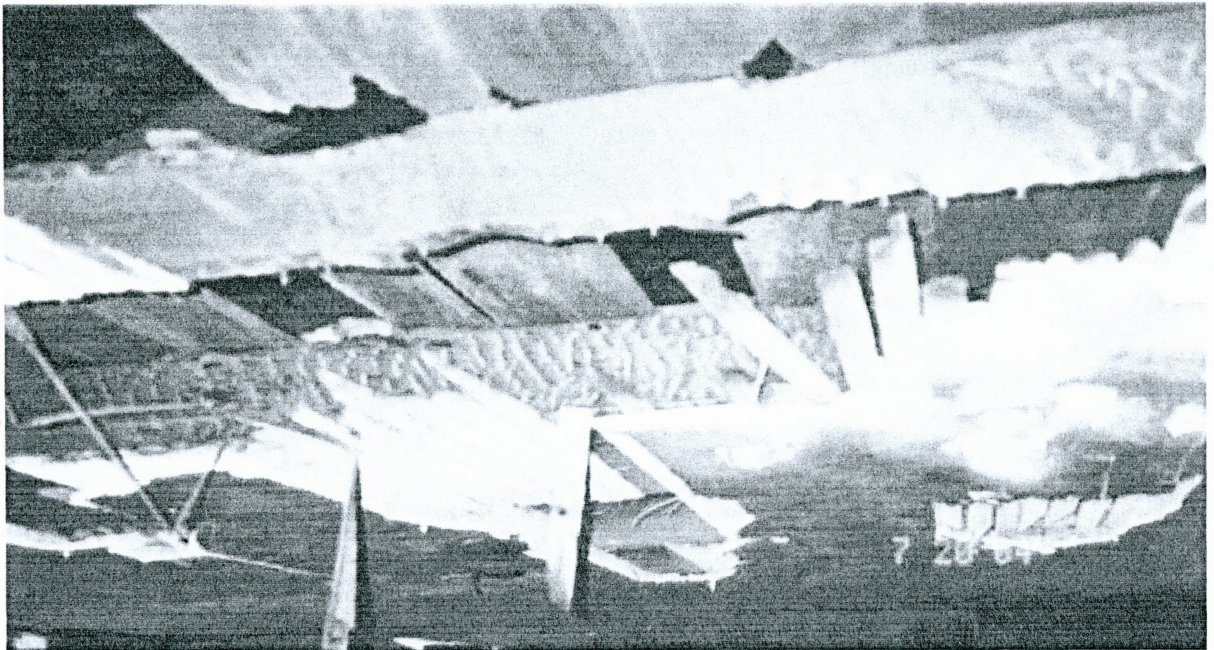


**PHOTO 6 (First Level Front Dining Room - 3'x 3' hole in floor exposing basement below)**

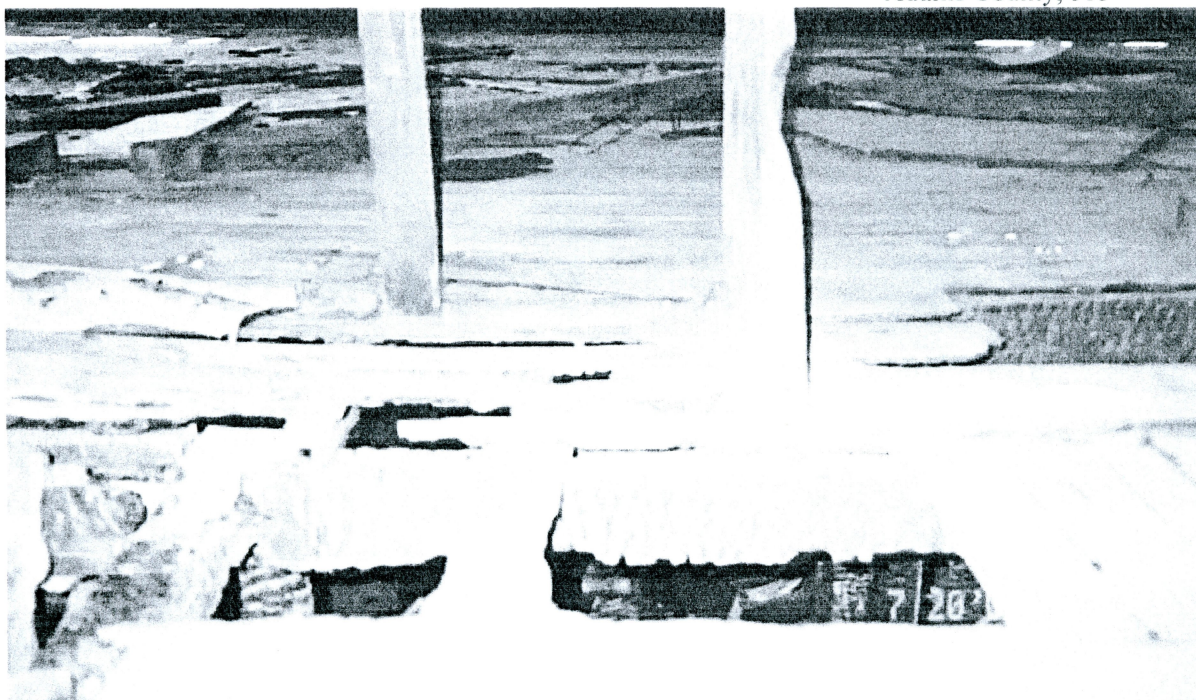




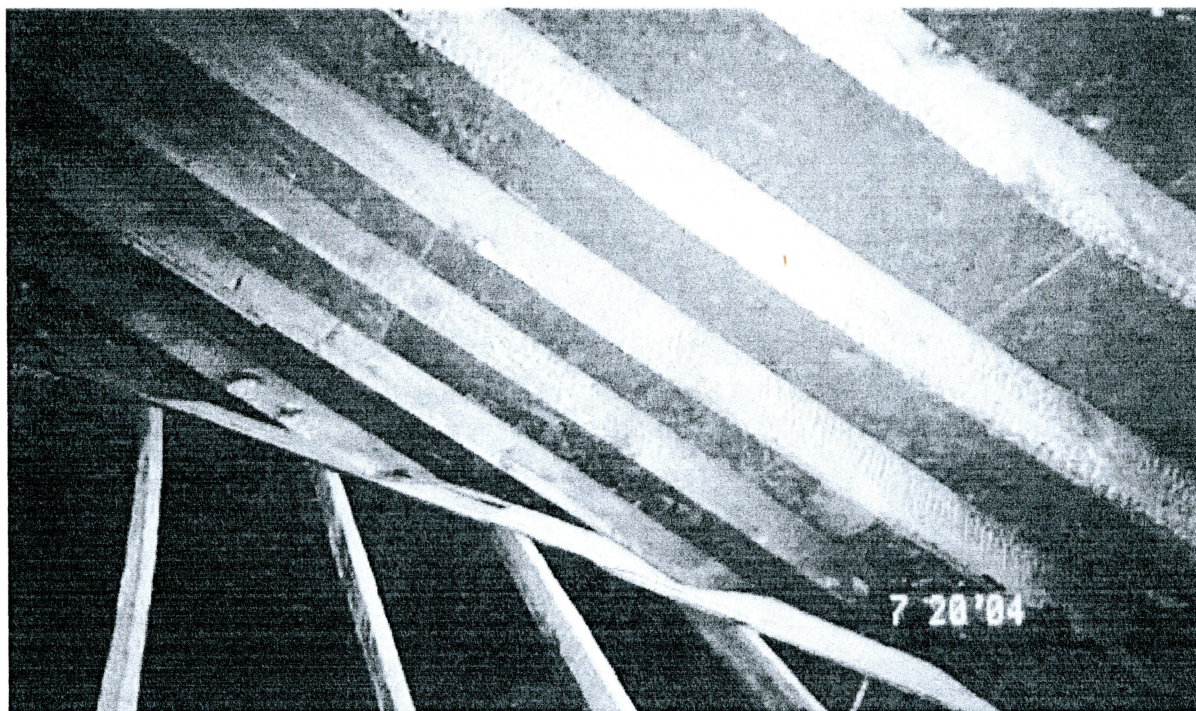
**PHOTO 7 (Second Floor – Typical Wall Condition)**



**PHOTO 8 (Second Floor – Typical Ceiling Condition)**



**PHOTO 9 (Attic – Hole in Floor at top of stairs)**



**PHOTO 10 (Attic – Typical roof rafter condition)**