

HOUSING ADVISORY AND APPEALS BOARD
City and County Building
451 South State Street, Room 126
POLICY MEETING
January 13, 2016

Chris Atkin, Marlene Jennings, John Morgan and Jim Schwing attended the on-site inspections to:

- 1747 South 1700 East
- 1713-1719 South 600 East
- 1721-1727 South 600 East
- 74 West 200 North

The following members participated at the panel hearings: Chris Atkin, Marlene Jennings, John Morgan, Justin Neville and Jim Schwing

- ♦ Staff members: Katherine Lewis, Senior City Attorney; Randy Isbell, Civil Enforcement Manager; Craig Weinheimer, Legal Investigator and Diana Hansen, Secretary

Jim Schwing, Chair, opened the meeting at 1:00 p.m.

Approval of October 14th Minutes

Marlene Jennings motioned to approve the minutes for October 14, 2015. Chris Atkin seconded the motion and the motion passed. Chris Atkin, Marlene Jennings, John Morgan and Justin Neville voted in favor of approval of the minutes.

Proposed Demolition and Housing Mitigation @ 122 East Williams Avenue
City Council District Five

1. Address: 122 East Williams Avenue. The structure to be demolished is a duplex. The owner of the property, David Strong, has made application to Salt Lake City Building Services Division to demolish a structure that contains two residential dwelling units. The proposed reuse of the property is to develop the site as a Private Landscaped Open Space. The property owner is proposing to mitigate the loss of two housing units by calculating the difference between housing value and replacement cost.
2. Description of property and structure: The property is .11 acres in size. The structure is in disrepair.
3. Description of area: The property is zoned R-1/5000 (Single Family Residential). The area consists of residential and commercial uses.
4. Probable effect of the proposed demolition: The demolition of the structure will affect Salt Lake City's housing stock by reducing the number of residential units by two.
5. Proposed housing mitigation option: Fee based on the difference between housing value and replacement cost.
6. Comments from the public on the impact of proposed demolition: One comment received is for denial of the demolition.

Norm Kester, Blake Strong and Brad Strong were present, representing the property. It was stated that the property is a duplex and will be used for Private Landscaped Open Space, mirroring the property across the street.

Marlene Jennings stated her objections to current ordinance 18.97.030 for mitigating residential housing loss. She commented that her understanding of the ordinance is that the owners of this project would have to pay the difference between the market value and the replacement value, which would be \$71,000.00. She asked the owners if that would be prohibitive to the project. The owners stated it would be. Marlene then asked if Katherine Lewis, Senior City Attorney could take that information to City Council and Katherine agreed to do so. Katherine also stated that the previous revisions HAAB has requested to the current ordinance have been submitted to City Council for consideration. Katherine clarified that the ordinance would still allow the owners to petition the Community and Economic Director to make the number smaller so there would not be such a gap.

Jim Schwing felt that for consistency sake this case should be handled with the same interpretation as previous cases.

Justin Neville voiced his concern about the current interpretation of the ordinance making it too easy to demolish housing in Salt Lake City. He was inclined to table the proposal until further direction from City Council.

Katherine Lewis stated that since there is no time table for the ordinance change to be heard by City Council, it would be better for HAAB to move forward with cases to be heard, so as to not create a back log in cases and problems for project timelines.

Marlene Jennings motioned to approve the demolition and mitigation. John Morgan seconded the motion and the motion passed. Chris Atkin, Marlene Jennings and John Morgan voted in favor of approval of the demolition and mitigation. Justin Neville voted in opposition.

Other Business

Marlene Jennings requested a discussion on Ordinance 18.97.030 at the next HAAB meeting.

The on-site committee for February 10, 2016 will be: Chris Atkin, Marlene Jennings, Justin Neville, Jim Schwing and possibly John Morgan.

As there wasn't any further business to be brought before the Board, Justin Neville motioned to adjourn the meeting at 1:54 p.m. Chris Atkin seconded the motion and the motion passed. Chris Atkin, Marlene Jennings, John Morgan and Justin Neville voted in favor of adjournment.

Jim Schwing, Chair

Diana Hansen, Secretary

HOUSING ADVISORY AND APPEALS BOARD
City and County Building
451 South State Street, Room 126
Appeals Hearing
January 13, 2016

Appeals Hearing of the Housing Advisory Board, Salt Lake City, Utah was held on Wednesday, January 13, 2016, in Room 126 of the City and County Building.

Board members present: Chris Atkin, Marlene Jennings, John Morgan, Justin Neville and Jim Schwing

Staff members present: Katherine Lewis, Randy Isbell, Craig Weinheimer and Diana Hansen

Jim Schwing, chair, opened the meeting at 1:13 p.m.

ITEMS DISCUSSED

ACTION TAKEN

Case Number HAZ2015-03032 @ 1747 South 1700 East

Carol Gent, Housing/Zoning Officer

City Council District Six

Erin Shupe was present, representing the property. She stated the owner has considered raising the doorway into a second bedroom closet. He is willing to cooperate with the City's decision in this matter.

Carol Gent, Housing/Zoning Officer for Salt Lake City was present.

- A. The headroom for the stairway that leads to the basement is insufficient in height.

- A. Chris Atkin motioned to approve the appeal for insufficient headroom height of the stairway leading to the basement, provided the leading edge is posted with reflective tape. John Morgan seconded the motion. Chris Atkin & John Morgan voted in favor of the appeal. Marlene Jennings and Justin Neville voted to deny the appeal. Jim Schwing, chair, voted in favor of the appeal, breaking the tie and the motion passed.

Case Number HAZ2015-03199 @ 1713-1719 South 600 East

Antonio Padilla, Housing/Zoning Officer

City Council District Five

Gilbert Salinas was present, representing the property.

Antonio Padilla, Housing/Zoning Officer for Salt Lake City was present.

- A. The south bedroom window used for emergency egress in the upper north Unit #1713 is deficient in dimension.

- A. Marlene Jennings motioned to approve the appeal for insufficient window dimension for emergency egress in the south window, upper north Unit #1713. Justin Neville seconded the motion and the motion passed. Chris Atkin, Marlene

- E. The emergency egress window in the north bedroom of Unit #1717 is deficient in dimension.

- Jennings, John Morgan and Justin Neville voted in favor of the appeal.
- E. Marlene Jennings motioned to approve the appeal for insufficient window dimension for emergency egress in the north bedroom of Unit #1717. Justin Neville seconded the motion and the motion passed. Chris Atkin, Marlene Jennings, John Morgan and Justin Neville voted in favor of the appeal.

Chris Atkin motioned to combine items B, C, D and F.

Chris Atkin motioned to approve the appeals for insufficient window dimension at all windows with openings that are 15 inches by 34 inches. John Morgan seconded the motion and the motion passed. Chris Atkin, Marlene Jennings, John Morgan and Justin Neville voted in favor of the appeal. These windows are listed individually as follows:

- B. The emergency egress window in the north bedroom of Unit #1713 is deficient in dimension.

- B. Chris Atkin motioned to approve the appeal for insufficient dimension of the north bedroom window in Unit #1713, provided a hardwired smoke detector is installed in the room. John Morgan seconded the motion and the motion passed. Chris Atkin, Marlene Jennings, John Morgan and Justin Neville voted in favor of the appeal.

- C. The emergency egress window in the north bedroom of Unit #1715 is deficient in dimension.

- C. Chris Atkin motioned to approve the appeal for insufficient dimension of the north bedroom window in Unit #1715, provided a hardwired smoke detector is installed in the room. John Morgan seconded the motion and the motion passed. Chris Atkin, Marlene Jennings, John Morgan and Justin Neville voted in favor of the appeal.

- D. The emergency egress window in the south bedroom of Unit #1717 is deficient in dimension.

- D. Chris Atkin motioned to approve the appeal for insufficient dimension of the emergency egress window in the south bedroom window in Unit #1717, provided a hardwired smoke detector is installed in the room. John Morgan seconded the motion and the motion passed. Chris Atkin, Marlene Jennings, John Morgan and Justin Neville voted in favor of the appeal.

- F. The emergency egress window in the south bedroom of Unit #1719 is deficient in dimension.

- F. Chris Atkin motioned to approve the appeal for insufficient dimension of the emergency egress window in the south bedroom window in Unit #1719, provided a hardwired smoke detector is installed in the room. John Morgan seconded the motion and the motion passed. Chris Atkin, Marlene

Jennings, John Morgan and Justin Neville voted in favor of the appeal.

Case Number HAZ2015-03198 @ 1721-1727 South 600 East

Antonio Padilla, Housing/Zoning Officer

City Council District Five

Gilbert Salinas was present, representing the property.

Antonio Padilla, Housing/Zoning Officer for Salt Lake City was present.

Since this property is the same as 1713-1719 South 600 East, John Morgan motioned to give the same rulings, including stipulations, for the same window sizes as 1713-1719 South 600 East. Marlene Jennings seconded the motion and the motion passed. Chris Atkin, Marlene Jennings, John Morgan and Justin Neville voted in favor of the appeal. These windows are listed individually as follows:

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| <p>A. The window used for emergency egress in the south Unit #1721 is deficient in dimension.</p> <p>B. The window used for emergency egress in the north Unit #1721 is deficient in dimension.</p> <p>C. The window used for emergency egress in the north Unit #1723 is deficient in dimension</p> <p>D. The emergency egress window in the south bedroom of Unit #1725 is deficient in dimension.</p> <p>E. The emergency egress window in the north bedroom of Unit #1725 is deficient in dimension.</p> | <p>A. John Morgan motioned to approve the appeal for insufficient dimension for the emergency egress window in the south bedroom window in Unit #1721. Marlene Jennings seconded the motion and the motion passed. Chris Atkin, Marlene Jennings, John Morgan and Justin Neville voted in favor of the appeal.</p> <p>B. John Morgan motioned to approve the appeal for insufficient dimension of the north bedroom window in Unit #1721, provided a hardwired smoke detector is installed. Marlene Jennings seconded the motion and the motion passed. Chris Atkin, Marlene Jennings, John Morgan and Justin Neville voted in favor of the appeal.</p> <p>C. John Morgan motioned to approve the appeal for insufficient dimension of the north bedroom window in Unit #1723, provided a hardwired smoke detector is installed in the room. Marlene Jennings seconded the motion and the motion passed. Chris Atkin, Marlene Jennings, John Morgan and Justin Neville voted in favor of the appeal.</p> <p>D. John Morgan motioned to approve the appeal for insufficient dimension for emergency egress for the south bedroom window in Unit #1725, provided a hardwired smoke detector is installed in the room. Marlene Jennings seconded the motion and the motion passed. Chris Atkin, Marlene Jennings, John Morgan and Justin Neville voted in favor of the appeal.</p> <p>E. John Morgan motioned to approve the appeal for insufficient dimension of the north bedroom emergency egress</p> |
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- F. The emergency egress window in the south bedroom of Unit #1727 is deficient in dimension.

window in Unit #1725. Marlene Jennings seconded the motion and the motion passed. Chris Atkin, Marlene Jennings, John Morgan and Justin Neville voted in favor of the appeal.

- F. John Morgan motioned to approve the appeal for insufficient dimension for emergency egress in the south bedroom window in Unit #1727, provided a hardwired smoke detector is installed. Marlene Jennings seconded the motion and the motion passed. Chris Atkin, Marlene Jennings, John Morgan and Justin Neville voted in favor of the appeal.

Case Number HAZ2015-03167 @ 74 West 200 North

Dan Maughan, Housing/Zoning Officer
City Council District Three

Roger Anderson, current owner, Peter Netka, former owner and Tory Christensen, attorney at law were present.

Peter Netka explained that the Engineer's report clarifies that although it is physically possible to open the area to meet the sill height, depth and net openable area, replacement of the window is very difficult, not very safe and is not structurally or physically feasible.

- A. The window used for emergency egress is deficient in dimension and net openable area.

- B. The window sill exceeds the maximum allowed height.

- A. Marlene Jennings motioned to deny the appeal for insufficient dimension and net openable area of the window used for emergency egress. Chris Atkin seconded the motion and the motion passed. Chris Atkin, Marlene Jennings and John Morgan voted to deny the appeal. Justin Neville voted in favor of the appeal.
- B. Chris Atkin motioned to deny the appeal for excessive window sill height of the emergency egress window. Marlene Jennings seconded the motion and the motion passed. Chris Atkin, Marlene Jennings, John Morgan and Justin Neville voted to deny the appeal.

Case Number HAZ2015-00881 @ 672 North 200 West

Dan Maughan, Housing/Zoning Officer
City Council District Three

Postponed by appellant

Jim Schwing, Chair

Diana Hansen, Secretary