

HOUSING ADVISORY AND APPEALS BOARD
City and County Building
451 South State Street, Room 118
POLICY MEETING
May 10, 2017

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

183 East 4th Avenue
1350 East Downington Avenue
703 South 600 East
807 South 500 East
303 East 600 South
143 West 800 South
776 West North Temple Street
382 North Wall Street

Justin Neville was not in attendance at the on-site inspections.

The following members participated at the panel hearings: Marlene Jennings, DJ Jones, John Morgan, Justine Neville and Jim Schwing

Staff members: Orion Goff, Building Services Director; Katherine Lewis, Senior City Attorney; Darby Whipple, Civil Enforcement Manager; Scott Mikkelsen, Housing/Zoning Supervisor; Craig Weinheimer, Legal Investigator and Diana Hansen, Secretary

[1:01:41 PM](#) Jim Schwing, Chair, opened the meeting at 1:01 p.m.

[1:01:54 PM](#) **Non-profit Fee Waiver - Case Number HAZ2016-03094 @ 610 South 200 East**

City Council District 4

Construction Permit Fee Waiver was withdrawn, since it was not associated with low income housing and is outside of HAAB's purview.

[1:02:05 PM](#) Welcome to DJ Jones, newest board member.

[1:02:12 PM](#) **Approval of November 9, 2016 Minutes**

Marlene Jennings motioned to approve the minutes for November 9, 2016 with one change. John Morgan seconded the motion and the motion passed. Marlene Jennings, DJ Jones, John Morgan and Justin Neville voted in favor of approval of the minutes with one change.

[1:03:26 PM](#) **Proposed Demolition and Housing Mitigation @ 183 East 4th Avenue**

City Council District Three

1. Address: 183 East Fourth Avenue. The property owner is proposing to demolish a single-family dwelling. This lot is in the Avenues Local Historic District and includes two single-family dwellings, a primary single-family dwelling located along the street frontage on 4th Avenue (181 East 4th Avenue) and a much smaller secondary single-family dwelling located to the rear of the lot (183 East 4th Avenue). The property owner is proposing to demolish the dwelling at 183 East 4th Avenue to make room for the construction of a detached garage. The property owner is proposing to mitigate the loss of one housing unit by calculating the difference between housing value and replacement cost.
2. Description of property and structure: The property is .21 acres in size. The structure is not occupied.
3. Description of area: The property is zoned SR-1A.
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 one.
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 in favor of.

Steve DeBois, owner of the property and Wayne Gordon, architect were present, representing the property. Mr. Gordon explained that the property does not have plumbing or heat. He feels it is a residence in name only.

Christian Fønnesbeck, residing at 215 North 'A' Street, stated he was concerned with the existing retaining wall between the two properties and the installation of a future retaining wall. He did not make any statement concerning the demolition.

Bonnie Athas, residing at 209 North 'A' Street, stated she would like to make sure when all is done that the water will be draining away from the property.

John Morgan motioned to approve the demolition and mitigation. Marlene Jennings seconded the motion and the motion passed. Material provided did not contain a recommendation from the Director of Community and Neighborhoods. No fee was charged. Marlene Jennings, DJ Jones, John Morgan and Justin Neville voted in favor of the demolition and mitigation.

1:15:21 PM Proposed Demolition and Housing Mitigation @ 143 West 800 South
City Council District Four

1. Address: 143 West 800 South. The structure to be demolished is a single-family dwelling. The owner of the above property, Arthur Morais, has made application to Salt Lake City Building Services Division to demolish a structure that contains a single family residential dwelling unit and the proposed reuse of the property is to develop the property into a youth hostel. The property owner is proposing to mitigate the loss of one housing unit by calculating the difference between housing value and replacement cost.
2. Description of property and structure: The property is .10 acres in size. It appears to currently be occupied as a single family home.
3. Description of area: The property is zoned FB-UN2. The area consists of a mix of both 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 one.
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: 1 (one) in favor of but requesting 90 (ninety) day hold.

Arthur and Karla Morais, owners, were present, representing the property. Mr. Morais stated the plan is to build a hostel.

Marlene Jennings motioned to approve the demolition and mitigation. John Morgan seconded the motion and the motion passed. Material provided did not contain a recommendation from the Director of Community and Neighborhoods. No fee was charged. Marlene Jennings, DJ Jones, John Morgan and Justin Neville voted in favor of the demolition and mitigation.

Jim Schwing, Chair

Diana Hansen, Secretary

HOUSING ADVISORY AND APPEALS BOARD
City and County Building
451 South State Street, Room 118
Appeals Hearing
May 10, 2017

Appeals Hearing of the Housing Advisory and Appeals Board, Salt Lake City, Utah was held on Wednesday, May 10, 2017, in Room 118 of the City and County Building.

Board members present: Marlene Jennings, DJ Jones, John Morgan, Justin Neville and Jim Schwing

Staff members present: Orion Goff, Katherine Lewis, Darby Whipple, Scott Mikkelsen, Craig Weinheimer and Diana Hansen

1:23:17 PM Case Number HAZ2016-02935 @ 703 South 600 East
City Council District Four

Nate Whitney was present, representing the property. He explained they plan to use the outside door, just off of the kitchen for ventilation.

1. Deficient means of natural or mechanical ventilation in the kitchens of the apartments located on the main floor (1st story above grade).

John Morgan motioned to approve the appeal for insufficient natural or mechanical ventilation in the kitchens of the apartments located on the main floor. DJ Jones seconded the motion and the motion passed. Marlene Jennings, DJ Jones, John Morgan and Justin Neville voted in favor of the appeal.

1:25:45 PM Case Number HAZ2016-02995 @ 776 West North Temple Street
City Council District Two

Paul Christensen, one of the owners of Mason Land and Chris Brim, from Brim Property Management, were present, representing the property. Mr. Christensen advised that the toilet was situated the way it is when he purchased the property and the building is historical and over a hundred years old.

1. The sloped ceiling encroaches into the required ceiling height of the bathroom above the water closet of Unit A.

John Morgan motioned to approve the appeal for insufficient ceiling height of the bathroom above the water closet of Unit A. Justin Neville seconded the motion and the motion passed. Marlene Jennings, DJ Jones, John Morgan and Justin Neville voted in favor of the appeal.

1:29:02 PM Case Number HAZ2017-00215 @ 382 North Wall Street
City Council District Three

Rebecca Brown and Ray Ferguson were present, representing the property. Ms. Brown stated that the window was this way when she bought the property three years ago. She also explained that the historical desk stated that the headroom could not be remedied without effecting the integrity of the house because of the age of the home.

1. The net openable area of the window for the required emergency egress in the basement bedroom is insufficient in size.

Marlene Jennings motioned to deny the appeal for insufficient dimension and net openable area for emergency egress of the basement bedroom window. John Morgan seconded the motion and the motion passed. Marlene Jennings, DJ Jones, John Morgan and Justin Neville voted against the appeal.

2. The sill height of the same window exceeds the allowed maximum height permitted for openings required to provide emergency egress.

John Morgan motioned to approve the appeal for excessive sill height provided a permanent step or ladder is installed below the window. Justin Neville seconded the motion and the motion passed. Marlene Jennings, DJ Jones, John Morgan and Justin Neville voted in favor of the appeal.

3. The headroom in the stairway leading to the bedroom in the basement is deficient in height.

Marlene Jennings motioned to approve the appeal for insufficient headroom height of the stairway leading to the bedroom in the basement. DJ Jones seconded the motion and the motion passed. Marlene Jennings, DJ Jones, John Morgan and Justin Neville voted in favor of the appeal.

1:37:36 PM Case Number HAZ2017-00317 @ 303 East 600 South
City Council District Four

Vicki Fields, was present, representing the property. She stated the building is over 50 years old and the water closet is located on the third floor, therefore moving the toilet and pipes would present a problem.

1. The clearance in front of the water closet in the bathroom does not provide enough space to meet the minimum standards required by Salt Lake City.

Marlene Jennings motioned to deny the appeal for insufficient front clearance of the water closet in the bathroom on the third floor. Justin Neville seconded the motion. DJ Jones and John Morgan voted against the motion, creating a tie. Jim Schwing as chair, broke the tie, by voting to deny the appeal. Marlene Jennings, Justin Neville and Jim Schwing voted against the appeal. DJ Jones and John Morgan voted in favor of the appeal.

1:45:31 PM Case Number HAZ2017-00442 @ 1350 East Downington Avenue
City Council District Seven

Bruce & Debbie Nelson, owners, were present representing the property. Mr. Nelson stated that they changed the windows out last year and didn't realize the new windows were not large enough for emergency egress and rescue.

1. This property is used as a duplex. The bedroom windows in the basement unit are deficient in the required size for providing emergency egress.

John Morgan motioned to approve the appeal for insufficient dimension and net openable area for emergency egress of the bedroom windows in the basement unit. DJ Jones seconded the motion and the motion passed. Marlene Jennings, DJ Jones and John Morgan voted in favor of the appeal. Justin Neville voted against the appeal.

2. Window opening required for emergency egress in the basement unit bedrooms exceeds the maximum sill height allowed.

Marlene Jennings motioned to approve the appeal for excessive sill height provided a permanent step or ladder is installed below the window. Justin Neville seconded the motion and the motion passed. Marlene Jennings, DJ Jones, John Morgan and Justin Neville voted in favor of the appeal.

3. The headroom at the stairway leading to the main entry for the basement apartment is deficient in height.

Marlene Jennings motioned to deny the appeal for insufficient headroom height of the stairway leading to the main entry for the basement apartment. Justin Neville seconded the motion. John Morgan voted in favor of the

appeal. DJ Jones abstained from voting. The motion passed. Marlene Jennings and Justin Neville voted against the appeal. John Morgan voted in favor of the appeal and DJ Jones abstained from voting.

1:57:26 PM Case Number HAZ2017-00481 @ 807 South 500 East
City Council District Four

1. The riser of the top step varies more than the permitted variation between risers of the same stairway.

Marlene Jennings motioned to approve the appeal for excessive variation in rise of the stairway. DJ Jones seconded the motion and the motion passed. Marlene Jennings, DJ Jones, John Morgan and Justin Neville voted in favor of the appeal.

Other Business

1:58:32 PM Proposed Changes to Salt Lake City Code 18.97.030: Demolition and Mitigation of Housing Loss

Marlene Jennings submitted a handout and gave clarification to the board concerning the revisions she was proposing to Salt Lake City Code 18.97.030.

Marlene Jennings motioned to forward the proposed revisions concerning the mitigation of the demolition of residential housing loss to City Council for consideration. Justin Neville seconded the motion and the motion passed. Marlene Jennings, DJ Jones, John Morgan and Justin Neville voted in favor of forwarding the revisions concerning the demolition of residential housing to City Council.

2:05:18 PM Chair and Vice Chair nominations for 2017

Marlene Jennings nominated Jim Schwing to be the chair of the Housing Advisory & Appeals Board for the year 2017. John Morgan seconded the motion and the motion passed. Marlene Jennings, DJ Jones, John Morgan and Justin Neville voted in favor of the nomination.

Marlene Jennings nominated John Morgan to be vice chair of the Housing Advisory & Appeals Board for the year 2017. Justin Neville seconded the motion and the motion passed. Marlene Jennings, DJ Jones, John Morgan and Justin Neville voted in favor of the nomination.

2:06:36 PM The on-site committee for June 14, 2017 will be: Marlene Jennings, DJ Jones, John Morgan, Justin Neville and Jim Schwing

2:07:29 PM As there wasn't any further business to be brought before the Board, Justin Neville motioned to adjourn the meeting at 2:07 p.m. John Morgan seconded the motion and the motion passed. Marlene Jennings, DJ Jones, John Morgan and Justin Neville voted in favor of adjournment.

Jim Schwing, Chair

Diana Hansen, Secretary