

HOUSING ADVISORY AND APPEALS BOARD
City and County Building
451 South State Street, Room 118
POLICY MEETING
October 12, 2016

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

623 East 100 South
1018 East 800 South
1381 South Lincoln Street

1158 East Westminster Avenue
1964 South 900 East
1499 South Main Street

Chris Atkin was excused.

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

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

1:00:02 PM Jim Schwing, Chair, opened the meeting at 1:00 p.m.

1:00:20 PM **Approval of June 8th Minutes**

Marlene Jennings motioned to approve the minutes for June 8, 2016 with suggested corrections. John Morgan seconded the motion and the motion passed. Marlene Jennings, John Morgan and Justin Neville voted in favor of approval of the minutes with suggested corrections.

1:04:46 PM **Emergency Demolition @ 1499 South Main Street**

1. Address: 1499 South Main Street. The structure to be demolished is a vacant commercial/retail building. The property is owned by Frank Woo.
2. Description of property and structure: The cinderblock, wood framing and steel structure have been damaged beyond repair as a result of a fire in November 2015. The property has become a nuisance to the community. The structure has been declared by Salt Lake City's Building Official to be a threat and hazard to the health and safety of the citizenry of Salt Lake City. The property is 0.48 of an acre in size.
3. Description of area: The property is zoned CC (Commercial Corridor District). The surrounding area is made up of commercial uses.
4. Probable effect of the proposed demolition: The demolition will abate a neighborhood hazard and nuisance.

Patrick Wong was present, representing the property. He is the general contractor for Patrick Wong Remodeling. He commented that the roof was destroyed in the fire and the asbestos has been removed. Also, squatters are breaking through the fence surrounding the property and leaving syringe needles and human feces.

1:08:50 PM **Discussion on ordinances that give HAAB the authorization to hear commercial demolition cases.**

John Morgan motioned to approve the emergency demolition. Justin Neville seconded the motion and the motion passed. Marlene Jennings, John Morgan and Justin Neville voted in favor of the demolition.

Jim Schwing, Chair

Diana Hansen, Secretary

HOUSING ADVISORY AND APPEALS BOARD
City and County Building
451 South State Street, Room 118
Appeals Hearing
October 12, 2016

Appeals Hearing of the Housing Advisory and Appeals Board, Salt Lake City, Utah was held on Wednesday, October 12, 2016, in Room 118 of the City and County Building.

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

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

1:12:29 PM Jim Schwing, Chair, opened the meeting at 1:12 p.m.

1:12:35 PM Case Number HAZ2016-01837 @ 1018 East 800 South
City Council District Four

Laurie Roberts, one of the owners was present, representing the property. She stated that it has been a tremendously long process to this point.

A. The top and bottom steps for the main entry exceed the allowable variation in rise.

Marlene Jennings motioned to approve the appeal for excessive variation in rise of the top and bottom stairs of the main entry. John Morgan seconded the motion and the motion passed. Marlene Jennings, John Morgan and Justin Neville voted in favor of the appeal.

1:16:27 PM Case Number HAZ2015-00333 @ 1158 East Westminster Avenue
City Council District Seven

Kenny Ho, was present, representing the property. He stated that the way he understood city code was that since he had installed hardwired smoke detectors, he should not have to change the window to meet emergency egress requirements.

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

A. The bedroom window of the top level apartment of Unit #1158 is insufficient in window dimension and net openable area for emergency egress.

Marlene Jennings motioned to deny the appeal for insufficient window dimension and net openable area for emergency egress of the bedroom in the top level apartment of Unit #1158. John Morgan seconded the motion and the motion passed. Marlene Jennings, John Morgan and Justin Neville voted against the appeal.

B. The bedroom window of the bottom level apartment in Unit #1158 is insufficient in dimension and net openable area for emergency egress.

Marlene Jennings motioned to approve the appeal for insufficient window dimension and net openable area for emergency egress of the bedroom in the bottom level apartment of Unit #1158. John Morgan seconded the motion and the motion passed. Marlene Jennings, John Morgan and Justin Neville voted in favor of the appeal.

1:27:19 PM Case Number HAZ2016-02264 @ 1381 South Lincoln Street
City Council District Five

Pete Wankier was present, representing the property. He commented that the replacement windows that were installed a few years ago do not meet emergency egress requirements in two of the bedrooms. He also stated that research has been done and found that a cutout in the masonry wall will need to be done to install fully conforming windows. Smoke detectors and escape ladders have been installed for the tenants.

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

A. The bedroom windows in Unit #1385 are insufficient in dimension and net openable area for emergency egress.

Marlene Jennings motioned to approve the appeal for insufficient window dimension and net openable area for emergency egress in the bedroom windows of Unit #1385. Justin Neville seconded the motion and the motion passed. Marlene Jennings, John Morgan and Justin Neville voted in favor of the appeal.

B. Appeal withdrawn by appellant. Deficiency has been rectified.

C. The bedroom windows in Unit #1387 are insufficient in dimension and net openable area for emergency egress.

Justin Neville motioned to approve the appeal for insufficient dimension and net openable area of the bedroom windows in Unit #1387. John Morgan seconded the motion and the motion passed. Marlene Jennings, John Morgan and Justin Neville voted in favor of the appeal.

D. Appeal withdrawn by appellant. Deficiency has been rectified.

1:32:07 PM Case Number HAZ2016-01395 @ 623 East 100 South

City Council District Four

Jennifer and John Anderson were present, representing the property. Jennifer Anderson commented that they are successors of the appeal from the late John B Anderson. The property is the historic Bamberger Building and has been on the National Register for historic places from the inventory nomination form, which was entered on May 30, 1975. It is from the State Historic Preservation officer certification program, certifying the property and it is included in the National Register. Jennifer Anderson has the original blueprints of the winding staircase. The home was purchased after several other owners by John B Anderson after modifications had been made, but this is the original staircase. She stated it is not used as a primary staircase.

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

A. The interior winding stairway leading to the apartment on the top floor is insufficient in width.

Marlene Jennings motioned to approve the appeal for insufficient width of the interior winding stairway, leading to the apartment on the top floor. John Morgan seconded the motion and the motion passed. Marlene Jennings, John Morgan and Justin Neville voted in favor of the appeal.

B. The depth of the stair treads of the same stairway is insufficient.

Marlene Jennings motioned to approve the appeal for insufficient stair tread depth of the same stairway. John Morgan seconded the motion and the motion passed. Marlene Jennings, John Morgan and Justin Neville voted in favor of the appeal.

1:37:40 PM Case Number HAZ2016-01838 @ 1964 South 900 East

City Council District Five

Elaine Thornton was present, representing the property. She stated she had the buildings inspected when she bought them 7 years ago to see if there was anything she needed to do to have it meet code and none of the deficiencies that have recently been pointed out by the city inspector were mentioned at that time. Also, in the past one of the city employees had inspected the buildings and did not mention any deficiencies at that time.

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

A. All bedroom windows located on the back of the property are insufficient in dimension and net openable area for emergency egress.

Marlene Jennings motioned to approve the bedroom windows with 21" x 21.5" dimensions, located in Units #10 and #16, and to deny bedroom windows in the rest of the units in the rear building with 18.5" x 20.5" dimensions. John Morgan seconded the motion and the motion passed. Marlene Jennings, John Morgan and Justin Neville voted in favor of the windows that are 21" x 21.5" in dimension and against the windows that are 18.5" x 20.5" in dimension.

B. The stairway in Unit #17 is insufficient in headroom height.

John Morgan motioned to approve the appeal for insufficient headroom height of the stairway in Unit #17, provided the low headroom is posted with reflective tape. Justin Neville seconded the motion and the motion passed. Marlene Jennings, John Morgan and Justin Neville voted in favor of the appeal.

C. The window in the basement bedroom of Unit #17 is insufficient in dimension and net openable area for emergency egress.

Marlene Jennings motioned to approve the appeal for insufficient dimension and net openable area for emergency egress of the basement bedroom window in Unit #17. John Morgan seconded the motion and the motion passed. Marlene Jennings, John Morgan and Justin Neville voted in favor of the appeal.

CONSENT AGENDA

1:48:52 PM Case Number HAZ2016-01836 @ 949 East Laird Avenue

A. Appealed deficiency: Headroom projection is less than 6'4" in path of circulation. The ceiling height throughout the entire apartment is less than the required minimum of seven feet six inches (7'6") but greater than six feet four inches (6'4"). As a result the property owner has installed hardwired smoke detectors in each habitable room and all are interconnected. In one of the bedrooms the HVAC ducting is located just inside the doorway. The ceiling has been furred down around the ducting to allow for supporting wall board and a finished surface. The headroom height below the ducting is six feet two and one half inches (6'2.5") and because it's located next to the door it's considered to be within the path of circulation.

John Morgan motioned to approve the appeal. Marlene Jennings seconded the motion and the motion passed. Marlene Jennings, John Morgan and Justin Neville voted in favor of the appeal.

B. Appealed deficiency: The windows providing the required emergency egress and rescue in both bedrooms is less than the required minimum of twenty inches (20") by twenty four inches (24") in any direction. There are two (2) bedrooms with two (2) window openings in one bedroom and only (1) window opening in the other. All three (3) windows are identical in size and have the same sill height of forty two inches (42"). The unobstructed net openable area exceeds the three and one half square feet (3.5 sq ft) minimum. It exceeds twenty four inches (24") in height but is only seventeen inches (17") in width. The bedrooms and the living room adjacent to them have hardwired smoke detectors mounted on the ceilings and they are interconnected.

Marlene Jennings motioned to approve the appeal. John Morgan seconded the motion and the motion passed. Marlene Jennings, John Morgan and Justin Neville voted in favor of the appeal.

1:59:25 PM A request was made to add the mitigation of housing demolition to the November 9, 2016 agenda for discussion.

2:03:10 PM The on-site committee for November 9, 2016 will be: Marlene Jennings, John Morgan and Jim Schwing - Justin Neville will not be able to attend.

2:03:50 PM As there wasn't any further business to be brought before the Board, Marlene Jennings motioned to adjourn the meeting at 2:04 p.m. John Morgan seconded the motion and the motion passed. Marlene Jennings, John Morgan and Justin Neville voted in favor of adjournment.

Jim Schwing, Chair

Diana Hansen, Secretary