

**Housing Advisory and Appeals Board
Staff Reports
November 9, 2016**

Exhibit A:

Non-Profit Fee Waiver Request at 322 East 300 South

(Case No. HAZ2016-02853: YWCA Utah) City Council District 4 – Derek Kitchen

Exhibit B:

Consideration of Residential Housing Code Violations at: 338 North 300 West

(Case No. HAZ2016-02527; BMG Rentals) Council District 3 – Stan Penfold

Unit #1 (basement)

Appealed deficiency: 1) The window in the bedroom located in the basement is deficient in size for providing emergency egress and rescue. The overall dimension of the window opening is twenty three inches (23”) by thirty five inches (35”). Only half of the window is openable and the dimensions of that area when fully opened is twenty one inches (21”) by fifteen inches (15”).

Appealed deficiency: 2) The sill height of the same window exceeds the minimum standard required for openings providing emergency egress and rescue from rooms used for sleeping. The window sill height measured from the floor measures forty nine and one half inches (49’5”).

Appealed deficiency: 3) The clearance in front of the net openable area for emergency egress/rescue is less than eighteen inches (18”). The clearance to the side of the concrete steps that partially obstruct the net openable area of the opening for emergency egress/rescue in the basement bedroom is only eleven inches (11”).

Appealed deficiency: 4) The window openings of both the basement living room and the basement bedroom aren’t big enough for providing a means of natural light or ventilation. The square footage of the living room is approximately two hundred ninety seven (297) square feet. The dimensions for the entire window allow for just over five (5) square feet for providing natural light. The clear openable area of the window that allows for natural ventilation is just shy of two and one quarter (2.25) square feet. To meet the housing code standard the dimensions of the window and the openable area needs to be just shy of twelve (12) square feet. The square footage of the bedroom is approximately one hundred twenty six (126) square feet. The bedroom window is the same size as the living room window and it meets the standard for providing natural light. To meet the standard for natural ventilation the dimensions of the openable area needs to be just over five (5) square feet.

Appealed deficiency: 5) Headroom in the stairway leading to the basement is deficient in height. The headroom height measured from the bottom treads to the lowest point is five feet nine and one half inches (5’9.5”).

Unit #8 (basement)

Appealed deficiency: 1) The basement in this unit is all one room and is currently being used for sleeping. There are two (2) windows and both are deficient in size for providing emergency egress/rescue. The overall dimension of the window openings is twenty three inches (23”) by thirty five inches (35”). Only half of each window is openable and the dimensions of the net openable area when fully opened is twenty one inches (21”) by fifteen inches (15”).

Appealed deficiency: 2) The sill height of the same window exceeds the minimum standard required for openings providing emergency egress and rescue from rooms used for sleeping. The window sill height measured from the floor measures fifty one inches (51”).

Appealed deficiency: 3) Both window openings combined aren't big enough for providing a means of natural light or ventilation. The square footage of the room is approximately two hundred forty seven (247) square feet. The dimensions of both window openings combined allow just over ten (10) square feet for providing natural light. The clear openable area of both windows that allows for natural ventilation is roughly four and one half (4.5) square feet. To meet the housing code standard the dimensions of both windows and the openable areas need to be no less than twelve (12) square feet.

Appealed deficiency: 4) Headroom in the stairway leading to the basement is deficient in height. The headroom height measured from the bottom treads to the lowest point is five feet nine inches (5'9").

Exhibit C:

Consideration of Residential Housing Code Violations at: 1722 West 400 North

(Case No. HAZ2016-02658; Maria Diaz) Council District 2 – Andrew Johnston

Appealed deficiency: 1) There are multiple bedroom windows that are deficient in size for providing emergency egress/rescue. Some of the bedroom windows have been replaced throughout the entire apartment complex without building permits. The original windows were double hung with a slider that opened and closed by sliding up and down. Some of the double hung windows have been replaced with windows that have sliders which open by sliding sideways. The net openable area for providing emergency egress/rescue has been reduced to seventeen inches (17") in one direction.

Appealed deficiency: 2) The closet housing both the hot water heater and the furnace has access through the wall of the bedroom closet. The hot water heater and the furnace for the six (6) units on the east end and the six (6) units on the west end are located in the same closet located in the hallway near the doorway for the bedrooms. The mechanical equipment closets are adjacent to the bedroom closets and the location appears to be the original construction. Access openings have been created in the wall that separates the two (2) closets. It's my understanding that the building was constructed in the mid 1970's and it can be presumed that both appliances have been replaced at least once by now. The access opening created in the closet appears to have been created to allow for a hot water heater replacement without having to remove the furnace.