

**Housing Advisory and Appeals Board
Staff Reports
May 10, 2017**

Exhibit A:

Non-Profit Building Permit Fee Waiver Request at 610 South 200 East

(Case No. HAZ2016-03094; SL County Health Department) City Council District 4 – Derek Kitchen

Exhibit B:

Request for Demolition and Consideration of Housing Mitigation at 183 East Fourth Avenue

(Case No. HAZ2017-00522; Steve DeBois) City Council District 3 – Stan Penfold

1. Address: 183 East Fourth Avenue. The property owner is proposing to demolish a single-family dwelling. This lot in the Avenues Local Historic District includes two single-family dwellings, a primary single-family dwelling located along the street frontage on 4th Avenue (181 E 4th Avenue) and a much smaller secondary single-family located to the rear of the lot (183 E 4th Avenue). The property owner is proposing to demolish the dwelling at 183 E 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.

Exhibit C:

Request for Demolition and Consideration of Housing Mitigation at 143 West 800 South

(Case No. HAZ2017-00523; Arthur Morais) City Council District 4 – Derek Kitchen

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: None.

Exhibit D:

Consideration of Residential Housing Code violations at 703 South 600 East

(Case No. HAZ2016-02935) Represented by Nate Whitney. City Council District 4 – Derek Kitchen

A) Appeal: Deficient means of natural or mechanical ventilation in the kitchens of the apartments located on the main floor (1st story above grade). At the time of the original construction, the walls of the rear entry porches were open which allowed for natural light and ventilation. Sometime between now and the time of original construction, the open walls were closed in and as a result the kitchen window would no longer be considered an exterior wall opening for the purpose of meeting the standards for natural light and ventilation that is required for habitable rooms used as living space. Except as provided in subsection B1b of this section, all habitable rooms shall be provided with natural ventilation by means of openings to the exterior which have the capability of being closed to the weather. Total openings shall have an area at least one-twentieth ($\frac{1}{20}$) of the floor area of the room or three and one-half ($3\frac{1}{2}$) square feet, whichever is greater.

Subsection B1b: A mechanical ventilation system shall be allowed in lieu of openings for natural ventilation. Such system shall create a positive pressure in the room and the air intake shall be connected directly to the outside and be capable of two (2) air exchanges per hour. In kitchens, the ventilation system may create negative pressure. The air intake/exhaust source shall be located at least three feet (3') above any opening which is within ten feet (10') of the air intake/exhaust.

Exhibit E:

Consideration of Residential Housing Code violations at 776 West North Temple St.

(Case No. HAZ2016-02995) Owner: Mason Land, LLC. City Council District 2 – Andrew Johnston

A) Appeal: Deficient headroom height above water closet in bathroom. The sloped ceiling encroaches into the required ceiling height of the bathroom above the water closet of unit #A. The stairway leading to the 2nd (second) level encroaches into the ceiling of the bathroom of the unit below it. The bottom side of the stairway is the finished ceiling above the water closet and it's sloped to a height of 4' (four feet) at the wall directly behind it. At the point 2' (two feet) out from the back wall the ceiling height measured 5'4" (five feet four inches). Bathrooms and toilet rooms shall have a minimum ceiling height of 6'0" (six feet zero inches) with no projections below the 6'0" (six feet zero inches) minimum. The bathroom ceiling height at the back of a sink, toilet or tub without shower may be sloped to a minimum height of 5'0" (five feet zero inches) at the wall when the ceiling height is no less than 6'0" (six feet zero inches) at a point 2'0" (two feet zero inches) from the wall adjacent to the bathroom plumbing fixture.

Exhibit F:

Consideration of Residential Housing Code violations at 382 North Wall St.

(Case No. HAZ2017-00215) Represented by Rebecca Brown. City Council District 3 – Stan Penfold

A) Appeal: Deficient size for net openable area of the window for the required emergency egress and/or rescue in the basement bedroom. The bedroom in the basement was not part of the original construction. The original window has been replaced with one constructed of a vinyl frame and double pane insulated glass. It has a slider that reduces the net openable area by 50% (fifty percent) leaving a net openable area of 14" x 18" (fourteen inches by eighteen inches).

B) Appeal: Deficient sill height exceeds the maximum height permitted for openings required to provide emergency egress and/or rescue. The window sill height measured from the top of the floor to the sill is 55" (fifty five inches). Every room used for sleeping located below the 4th floor requires at least 1 opening to the exterior for emergency egress and/or rescue. The clear unobstructed openable area of the required opening can be no less than 20" x 24" with a sill height of no greater than 48".

C) Appeal: Deficient headroom in the stairway leading to the bedroom in the basement. The headroom height measured along the plane line of the nose of the treads to the lowest point is 5'11" (five feet eleven inches). Stairs in the interior or exterior of an existing building where stair jacks are replaced or fifty percent (50%) of the tread or risers are replaced shall meet the requirements of the UBC, except that the minimum stair width shall be thirty inches (30") and the minimum headroom height shall be six feet four inches (6'4").

Exhibit G:

Consideration of Residential Housing Code violations at 303 East 600 South

(Case No. HAZ2017-00317) Represented by Vicki Fields. Council District 4 – Derek Kitchen

A) Appeal: Deficient clearance in front of the water closet. The wall behind the bathtub has been built out so that it encroaches into the space in front of the water closet. The clearance space from the front of the water closet to the wall is only 9" (nine inches). The unobstructed clearance for the width at a water closet meets the minimum standards and is maintained to the ceiling. A space without obstruction from floor to ceiling of not less than twelve inches (12") shall be in front of all toilets. Toilets shall be located in a space without obstruction from floor to ceiling of not less than twenty two inches (22") in width. No encroachments of these dimensions are permitted.

Exhibit H:

Consideration of Residential Housing Code violations at 1350 East Downington Ave.

(Case No. HAZ2017-00442) Represented by Bruce Nelson. City Council District 7 – Lisa Adams

A) Appeal: This property is used as a duplex. The bedroom windows in the basement unit are deficient in the required size for providing emergency egress and rescue. There are 2 (two) bedrooms and a total of 3 (three) windows. All 3 (three) are identical in size and construction. There are 2 (two) windows for 1 (one) bedroom and 1 (one) for the other.

The original windows have been replaced with no record of any permits. The new windows are constructed with double pane insulated glass and a vinyl frame. The overall dimension of the entire window opening is 36" (thirty six inches) wide and 16" (sixteen inches) tall. The openable section of the window is a slider that is only half of the window width and not big enough to meet the standards for providing an exterior opening that can be used as emergency egress/rescue from the bedroom. Both halves of the window can be removed but it takes some effort. The intent for the removable sections appears to be more for cleaning than for providing any required emergency egress. The clear unobstructed openable area of the required opening can be no less than 20" x 24" with a sill height of no greater than 48".

B) Appeal: Deficient sill height exceeds the maximum height permitted for openings required to provide emergency egress and/or rescue. The window sill height measured from the top of the floor to the sill is 50" (fifty inches). Every room used for sleeping located below the 4th floor requires at least 1 opening to the exterior for emergency egress and/or rescue. The clear unobstructed openable area of the required opening can be no less than 20" x 24" with a sill height of no greater than 48".

C) Appeal: Deficient headroom in the stairway leading to the basement unit. The headroom height measured along the plane line of the nose of the treads to the lowest point is 5'5" (five feet five inches). Stairs in the interior or exterior of an existing building where stair jacks are replaced or fifty percent (50%) of the tread or risers are replaced shall meet the requirements of the UBC, except that the minimum stair width shall be thirty inches (30") and the minimum headroom height shall be six feet four inches (6'4").

Exhibit I:

Consideration of Residential Housing Code violations at 807 South 500 East

(Case No. HAZ2017-00487) Owner: Scott Jolley. City Council District 4 – Derek Kitchen

A) Appeal: Deficient stair rise at top step of stairway inside unit #1. The stairway has been constructed with a total of 4 (four) risers. Starting from the bottom of the stairway the 1st (first) 3 (three) risers are approximately 7½" (seven one half inches) to 8" (eight inches). The 4th (fourth) and top riser is less than 5½" (five one half inches) exceeding the permitted variation allowed for a top riser. Stairs shall have a maximum riser height of eight inches (8") and a minimum step run of nine inches (9"). Existing stair flights may have a maximum variation in rise and run of two inches (2") at the top and bottom of the flight. A maximum of one inch (1") variation of rise and run shall be allowed for all intermediate risers and treads. Stairs shall be level and shall comply with life safety standards as defined herein.