

HOUSING ADVISORY AND APPEALS BOARD

City and County Building
451 South State Street, Room 126
November 12, 2008

Appeals Hearing of the Housing Advisory Board, Salt Lake City, Utah was held on Wednesday, November 12, 2008, in Room 126 of the City and County Building.

- ♦ The following members attended the on-site inspection to the properties in question and/or participated at the panel hearings: David Brach, Kate Bradshaw, Billy Cruz, Susan Fleming, Jim Guilkey & Jerry Stanger.
- ♦ Staff members: LuAnn Clark, Director of Housing and Neighborhood Development; Craig Spangenberg, Housing/Zoning Administrator; Randy Isbell, Housing Specialist; Craig Weinheimer, Legal Investigator; and Diana Hansen, Secretary.

Jim Guilkey, Chair, opened the meeting at 12:36 p.m.

ITEMS DISCUSSED

ACTION TAKEN

Case Number HAZ2008-1567 @ 227 North Center Street

By: Randy Isbell
Dan Maughan, Housing/Zoning Officer
Council District 3

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| A. The spacing of the intermediate rails for the guardrail exceeds the maximum allowed. | A. Denied appeal for the spacing of the intermediate rails of the guardrail because the intermediate rails exceed the City's maximum allowed by 7 inches. Billy Cruz motioned to deny the appeal. Susan Fleming seconded the motion and the motion passed. |
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Case Number HAZ2008-192716 @ 164 North 'C' Street

Craig Richardson, Housing/Zoning Officer
Council District 3

- | | |
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| A. The risers of the exterior stairway are excessive in height and variation in rise. | A. Denied appeal for excessive riser height and variation in rise of the stairway because the stairway is constructed of wood and in disrepair and reconstruction of the stairway would resolve the deficiencies. Billy Cruz motioned to deny the appeal. Jerry Stanger seconded the motion and the motion passed. |
| B. The awning over the top landing of the exterior stairway is deficient in headroom. | B. Withdrawn by appellant. |
| C. The treads of the winding stairs of the stairway that lead to the 2 nd floor of Unit #166 are deficient in run. | C. Granted appeal for the deficiency in run of the stairway because it would require total reconstruction of the stairway and the deficiency is minimal, provided a code complying handrail is installed at the outside radius of the stairway. Kate Bradshaw motioned to |

D. The headroom for the same stairway is deficient in height.

E. The second floor bedroom is deficient as to minimum room dimension and room size.

The following appeal was initiated by the Board members.

F. The stairway handrail leading to the 2nd floor lacks intermediate railing.

- ♦ The on-site committee for December 10th will be: David Brach, Kate Bradshaw, Bryan Case, Billy Cruz, Susan Fleming & Jerry Stanger.

Seeing no further business to be brought before the Board, Kate Bradshaw motioned to adjourn the meeting at 2:15 p.m. Billy Cruz seconded the motion and the motion passed.

Jim Guilkey, Chair

Diana Hansen, Secretary

approve the appeal. Susan Fleming seconded the motion and the motion passed.

D. Granted appeal for low headroom height because to gain an additional 3 inches would require structural changes and loss of floor area, provided the low point is posted with reflective tape. Billy Cruz motioned to approve the appeal. Jerry Stanger seconded the motion and the motion passed.

E. Granted appeal for insufficient dimension and room size because the window in the bedroom is more than sufficient to meet the requirements for egress, light and ventilation, even though the room is deficient in meeting code requirements for size and dimension. Billy Cruz motioned to approve the appeal. Jerry Stanger seconded the motion and the motion passed.

F. Withdrawn because appellant agreed to install intermediate railing.

**HOUSING ADVISORY AND APPEALS BOARD
POLICY MEETING
November 12, 2008**

Board members present: David Brach, Kate Bradshaw, Billy Cruz, Susan Fleming, Jim Guilkey & Jerry Stanger.

Staff members present: LuAnn Clark, Craig Spangenberg, Randy Isbell, Craig Weinheimer, and Diana Hansen.

The meeting was called to order at 12:23 & 1:08 p.m.

Approval of October 8, 2008 Minutes

Kate Bradshaw motioned to approve the October 8th minutes. Billy Cruz seconded the motion and the motion passed.

Other Business

LuAnn Clark, H.A.N.D. Director & Jim Guilkey met with Mayor Becker and his Chief of Staff, Matt Lyons, on October 30, 2008. Some of the issues that were discussed were:

- Board members receiving notice of appeals to the mayor from the decisions made by HAAB.
- Board members receiving semi-annual reports of the appeals, demolitions and landscape waiver cases heard by HAAB and the resultant procedure so members could see the impact of the board's decisions.
- Providing information to real estate agents and/or on the website of the city ordinances covering housing deficiencies for anyone considering buying an apartment building.
- Mayor asked if the HAAB would be interested in having more of an advisory roll in the city. HAAB members were in favor of having more of an advisory roll.

**Emergency Demolition - Case Number HAZ2008-01707 @ 136 South 700 East
Council District 4**

Salt Lake City Building Official has declared the building to be in imminent danger of collapse. The structure to be demolished is a rooming house. The owners of the property, Evelyn G. Llewellyn & Mark Maxfield, are requesting demolition approval. The proposed post-demolition use of the property has not been determined at this time. The structure has been severely damaged by fire with sections of the roof structure in imminent danger of collapsing. The building is a two story brick structure and the property is .19 of an acre in size. The property is zoned RMF-35 (Moderate Density Multi-Family Residential District) and the area consists of residential and commercial uses. The demolition of the structure will impact Salt Lake City's housing stock by reducing the number of residential housing units by one. Mark Maxfield, representing the owner, stated that the structure has been broken into multiple times. Cindy Cromer, citizen, stated she would like to see an amendment to the zoning ordinance concerning the density of homes built within the RMF-35 and RMF-30 zones. Comments from the community have not been solicited due to a declared emergency demolition. City staff recommends demolition with no delay. Kate Bradshaw motioned to approve the demolition. Billy Cruz seconded the motion and the motion passed. David Brach opposed the demolition.

**Proposed Demolition - Case Number HAZ2008-01519 @ 256 South 700 East
Council District 4**

The structure to be demolished is a single family dwelling. The owner of the property, Everest Builders, LLC, is requesting demolition approval. The proposed post-demolition use of the property is to build townhouses as part of an approved Planned Development. The structure is in relatively good condition. The dwelling is a single story frame structure and the property is .21 of an acre in size. The property is zoned RMF-45 (Moderate/High Density Multi-Family Residential District) and the area consists of residential and commercial uses. The demolition of the structure will impact Salt Lake City's housing stock by reducing the number of residential units by one. Eric Saxey was present, representing the owner. Thomas Mutter, Central City Community Council Chair, commented that he was representing the community council when he said that they did not want the demolition to be granted before the building

permits were secured. Cindy Cromer, citizen, was concerned that replacement housing may not be completed in a timely manner. Comments have been mixed with the majority recommending immediate demolition. City staff recommends demolition with no delay.

Billy Cruz motioned to approve the demolition. Jerry Stanger seconded the motion and the motion passed. Kate Bradshaw opposed the demolition.

Proposed Demolition - Case Number HAZ2008-01520 @ 262 South 700 East

Council District 4

The structure to be demolished is a two-family dwelling. The owner of the property, Everest Builders, LLC, is requesting demolition approval. The proposed post-demolition use of the property is to build townhouses as part of an approved Planned Development. The structure is in good condition. The dwelling is a single story frame structure and the property is .34 of an acre in size. The property is zoned RMF-45 (Moderate/High Density Multi-Family Residential District) and the area consists of residential and commercial uses. The demolition of the structure will impact Salt Lake City's housing stock by reducing the number of residential units by two. Eric Saxey was present, representing the owner. Thomas Mutter, Central City Community Council Chair, commented that he was representing the community council when he said that they did not want the demolition to be granted before the building permits were secured. Cindy Cromer, citizen, was concerned that replacement housing may not be completed in a timely manner. Comments have been mixed with the majority recommending immediate demolition. City staff recommends demolition with no delay.

Billy Cruz motioned to approve the demolition. Jerry Stanger seconded the motion and the motion passed. Kate Bradshaw opposed the demolition.

Proposed Demolition - Case Number HAZ2008-01517 @ 1163 South West Temple Street

Council District 5

The structure to be demolished is a single family dwelling. The owner of the property, Deanna Williams, is requesting demolition approval. The proposed post-demolition use of the property has not been determined at this time. The structure has been damaged by fire. The dwelling is a single story frame structure and the property is .17 of an acre in size. The property is zoned CC (Commercial Corridor District) and the area consists of residential and community uses. The demolition of the structure will impact Salt Lake City's housing stock by reducing the number of residential units by one. Deanna Williams, owner of the property stated that the house had been damaged by fire several times. Comments have not been received from the community. City staff recommends demolition with no delay.

Susan Fleming motioned to approve the demolition. Jerry Stanger seconded the motion and the motion passed.

Proposed Demolition - Case Number HAZ2008-01518 @ 2800 North 2200 West

Council District 1

The structures to be demolished are two single family dwellings. The owner of the property, Utah Animal Adoption Center, is requesting demolition approval. The proposed post-demolition use of the properties is to provide open space with agricultural use. The structures are in disrepair. The dwellings are single story frame structures and the property is 8.75 of an acre in size. The property is zoned AG-2 (Agriculture District) and the area consists of agricultural uses. The demolition of the structures will impact Salt Lake City's housing stock by reducing the number of residential units by two. Walter Jarman, owner, stated he plans on leasing the property to Utah Animal Adoption Center to place horses on the property that are available for adoption. There have been no comments received from the community. City staff recommends demolition with no delay.

Billy Cruz motioned to approve the demolition. Susan Fleming seconded the motion and the motion passed.

Post Demolition Landscape Waiver - Case Number HAZ2008-01522 @ 256 South 700 East

Council District 4

In determining whether to wave the post-demolition use landscaping requirements, the board may consider the effects on surrounding properties, the character of the neighborhood, the master plan for the area, future plans for the property and similar factors.

1. **Effects on Surrounding Properties:** The property fronts on 700 East. The adjacent property to the north is developed and landscaped. The property to the south has not been developed or landscaped.
2. **Character of the Neighborhood:** The property is zoned RMF-45 (Moderate/High Density Multi-Family Residential District) and the surrounding area is a mix of residential and commercial uses.
3. **Master Plan for the Area:** The future master plan for this property is for moderate/high density development.
4. **Post Demolition Use:** The property owner, Everest Builders, LLC, has proposed to construct townhouses.

Thomas Mutter, Central City Community Council Chair, wanted a bond to be required for the landscape waiver. Cindy Cromer, citizen, was opposed to the landscape waiver. Jerry Stanger motioned to deny the landscape waiver. Kate Bradshaw seconded the motion and the motion passed.

Post Demolition Landscape Waiver - Case Number HAZ2008-01521 @ 262 South 700 East Council District 4

In determining whether to wave the post-demolition use landscaping requirements, the board may consider the effects on surrounding properties, the character of the neighborhood, the master plan for the area, future plans for the property and similar factors.

1. **Effects on Surrounding Properties:** The property fronts on 700 East. The adjacent property to the north is developed and landscaped. The property to the south has not been developed or landscaped.
2. **Character of the Neighborhood:** The property is zoned RMF-45 (Moderate/High Density Multi-Family Residential District) and the surrounding area is a mix of residential and commercial uses.
3. **Master Plan for the Area:** The future master plan for this property is for moderate/high density development.
5. **Post Demolition Use:** The property owner, Everest Builders, LLC, has proposed to construct townhouses.

Thomas Mutter, Central City Community Council Chair, wanted a bond to be required for the landscape waiver. Cindy Cromer, citizen, was opposed to the landscape waiver. Jerry Stanger motioned to deny the landscape waiver. Kate Bradshaw seconded the motion and the motion passed.

Residential Condominium Conversions:

Zoning Text Amendment - Petition No. PLNPCM2008-00409

Nole Walkingshaw from the Planning Department proposed a text amendment concerning the conversion of apartment buildings to condominiums. This would involve a conversion of the zoning ordinance pertaining to the building codes and introduction of the residential housing code. What is being proposed is that as part of the building report, the engineer/architect that prepares the building report also inspects the building to confirm that it is consistent with the housing code. If there are violations found, there may be new cases created that will come before the HAAB for consideration.

Billy Cruz was in favor of the zoning text amendment. Kate Bradshaw seconded the motion and the motion passed.

Jim Guilkey, Chair

Diana Hansen, Secretary