

**Housing Advisory and Appeals Board**  
**Staff Reports**  
**May 13, 2009**

Exhibit A:

Consideration of Proposed Demolition at 1111 South 1300 East

(Case No. HAZE2009-00706; Scott McCagno) City Council District Five

1. Address: 1111 South 1300 East. The structure to be demolished is a single family dwelling. The owner of the property, Scott McCagno, is requesting demolition approval. The proposed post demolition use of the property has not been determined at this time.
2. Description of property and structure: The structure has been severely damaged by fire and is structurally unsound. The dwelling is a two story frame and stucco structure and the property is .31 of an acre in size.
3. Description of area: The property is zoned R-1-7000 (Single Family Residential District) and the area consist of residential uses.
4. Probable effect of the proposed demolition: The demolition of the structure will impact Salt Lake City's housing stock by reducing the number of residential units by one.
5. Comments from the public on the impact of proposed demolition: Comments from the community are to approve demolition with no delay.
6. Staff Recommendations: City staff recommends demolition with no delay.

Exhibit B:

Consent of Residential Housing Code Appeals at: 2551 South Highland Drive

(Case HAZ2009-00826; Peter & Alexandria Clark) Council District Seven

Appealed deficiency: the beam and mechanical duct encroach into the required ceiling height.

The basement unit for the duplex has a beam and mechanical chase that runs the length of the living area. To the bottom of the beam and duct the height is 5 feet 10 inches. The ceiling measures 6 feet 5 inches in height. The beam is the structural support for the main floor. To raise the beam and mechanical duct would require considerable structural and mechanical changes. Findings: staff recommends approval of the appeal provided that the leading edge of the beam/mechanical duct is posted with reflective tape. Hardwired smoke detectors are also required in all habitable rooms in which ceiling heights are less than 7 feet 6 inches.

Routine Consent of Residential Housing Code Appeals at: 2003 & 2003 ½ South 1000 East

(Case HAZ2009-00599; Eric Hasebi) Council District Seven

Appealed deficiency: the headroom for the stairway leading to the basement of 2003 South 1100 East is deficient in height. The headroom height for the stairway to the basement measures 6 feet 2 ¾ inches, 1 ¼ inches shy of meeting housing code requirements. To gain additional headroom would require total reconstruction of the structural beams and supports. The mechanical duct has been raised. The property is owner occupied. Findings: The Administrative Hearing Officer approves the appeal.

Appealed deficiency: the headroom for the stairway leading to the basement of 2003 ½ South 1100 East is deficient in headroom. The headroom at the bottom of the stairway measures 6 feet 2 ½ inches due to the overhead structural floor members. The property is owner occupied. To increase the headroom of the stairway would require considerable structural changes. Findings: The Administrative Hearing Officer approves the appeal.

Appealed deficiency: the treads of the same stairway are deficient in run. The run of the treads are consistent each measuring 8 ½ inches. To increase the run would further reduce the headroom at the bottom of the stairway. Findings: The Administrative Hearing Officer approves the appeal.

Exhibit C:

1. Consideration of Housing Code Violations at: 517 South 500 East (Case HAZ2009-00072; Ketch Desert, LLC) Council District Four *Tabled from March 11<sup>th</sup> 2009 HAAB meeting. Additional information below*
  - A. Appealed deficiency: the windows located in the loft bedroom/living room/office space of Unit 517-3 are deficient as to emergency egress. The 2<sup>nd</sup> floor apartment has a converted attic loft. The loft area is being used for sleeping along with office and living space. The dormer in the loft has 3 windows and each measure 21 inches by 22 inches. Two windows are sliders and open to an area of 1.6 square feet. If a fully openable window were installed, it would provide an opening of 3.2 square feet; .3 square feet shy of meeting code requirements for egress. Due to the excessive deficiency in ventilation coupled with deficient window size for egress, staff recommends denial of the appeal.

B. Appealed deficiency: the loft bedroom/living room/office space of Unit 517-3 is deficient in natural ventilation. The room measures 21 feet 6 inches by 18 feet 6 inches and contains 398 square feet of floor area. Natural ventilation requirements for the room are, 15.9 square feet however the existing windows only provided 3.2 square feet of openings. A central air conditioning system has been installed. Staff recommends denial of the appeal.

C. Appealed deficiency: the ceiling in the loft is deficient in headroom.

Located at the top of the stairway is a wall that separates the loft into two areas, the headroom is deficient in height. The ceiling is the underside of the roof structure. Measuring at the brick wall the headroom is 6 feet 5 inches and when measuring 30 inches (width of hallways required by code) from the wall, the headroom measures 5 feet 6 inches. Because of the functionality of the space and more than 50% of the rooms ceiling height meets code; staff recommends approval of the appeal provided the low headroom is posted with reflective tape.

The property owner has appealed the deficiency in emergency egress and natural ventilation. The HAAB recommended several options and requested additional information to base their recommendations and final decisions on.

The property is located in a Historic Landmark District and requires a Certificate of Appropriateness for any exterior changes to the building. The Historic Preservation Planner has indicated that any changes to the windows at the front facade could be approved administratively.

*Additional information*

A. Appealed deficiency: emergency egress for the attic/loft

*Ventilation should also be considered during discussion for window changes.*

1. There are three windows in a dormer of the attic/loft. If the three windows were changed out to 1 slider type window, the window would provide a net openable area of 5.4 square feet, nearly meeting egress requirements for new construction. There are structural concerns in removing the two structural supports for the header. Engineering may be required for the window change.

2. If the three windows were changed out to three casement type windows, the net openable area for each window would be 3.2 square feet, shy of meeting housing code requirements of 3.5 square feet.

B. Appealed deficiency: natural ventilation for the attic/loft

1. Code allows mechanical ventilation in lieu of natural ventilation.

If the property owner prefers to install a mechanical ventilation system, the requirement for ventilation would be met. The HAAB would then consider the appeal for emergency egress only.

2. Natural ventilation requirements for the room are 16 square feet. If the three windows were changed out to be fully openable, 9.6 square feet of ventilation would be provided.

There are two skylights in the room. If the larger skylight, 21 inches by 45 inches, was changed out to an openable skylight and the three windows were made fully openable, ventilation requirements would be met. Although not permissible by code, the openable skylight could be used as an alternate means of egress.

2. Consideration of Housing Code Violations at: 764 East Garfield Avenue (HAZ2009-00798; BNY Investments LLC) City Council District Seven

A. Appealed deficiency: the bedroom in the main floor unit lacks adequate window size and dimension for emergency egress.

The egress window is single hung and measures 21 inches by 34 inches. The window opens halfway to provide an opening of 2.3 square feet; 1.2 square feet shy of meeting code requirements. Staff recommends denial of the appeal and that a fully openable window is installed and hard wired smoke detectors are installed in the bedroom and room giving access to the bedroom.

B. Appealed deficiency: the doorway leading into the same bedroom is deficient in width and headroom height.

The bedroom door measures 28 inches in width, deficient in width by 2 inches. The headroom for the doorway measures 6 feet 3 ½ inches at the high point for 9 inches. The headroom then tapered down to 5 feet. Because the doorway can not be altered to meet the requirements of the Housing Code, staff recommends approval of the appeal.

3. Consideration of Housing Code Violations at: 1551 South Richards Street (HAZ2009-00267; Richards Street Investments) City Council District Five

A. Appealed deficiency: the top step of the main entrance into building 1583 South Richards St. exceeds the maximum allowance in rise.

The risers of the stairway leading to 1583 measure 8 inches, the top step however measures 10 ½ inches due to a new landing being added to the existing deteriorating landing. The stairway and landing were in good repair. Because it would require reconstruction to the stairway and landing; staff recommends approval of the appeal.

B. Appealed deficiency: the openings in the guardrail at the top of the same stairway exceed the maximum allowed. Prior to 1985 the maximum allowed spacing for intermediate baluster/openings was 9 inches. The two 4-unit apartment buildings were built in 1946. The openings for the existing guardrail were 14 inches. Staff recommends denial of the appeal.

C. Appealed deficiency: the guardrail for the same stairway is deficient in height.

The landing is more than 30 inches from grade which requires a guardrail. Because a new concrete cap was added to the landing, the guardrail measured 31 inches, 5 inches deficient from current code requirements. Staff recommends approval of the appeal.

D. Appealed deficiency: the baluster/openings for the handrail/guardrail for the units exceed the maximum allowed. All of the exterior stairways leading to the 2<sup>nd</sup> level have handrail/guardrails that do not meet city requirements for intermediate rail spacing. The spacing for the stairway guardrails is approximately 14 inches. Because of the excessive spacing of the intermediate rails staff recommends denial of the appeal.

E. Appealed deficiency: The guardrails for the same stairways are deficient in height. The top of the railings from the landings measure between 30 and 33 inches. At the time of construction the code required a 36 inch high guardrail. Staff's recommendation is to allow the guardrail height as they exist.

F. Appealed deficiency: the stairways leading to the basement units lack handrails.

All of the stairways to the basement units lack handrails. The width of the stairwells measure 38 inches exceeding code requirements by 2 inches. The property manager stated that a handrail would make moving furniture in and out of the units difficult. Because the housing code does not make allowances for lack of handrails, staff recommends denial of the appeal.