



**MEETING OF  
UNIVERSITY PARK MAYOR AND COMMON COUNCIL  
WILL BE HELD AT  
UNIVERSITY PARK ELEMENTARY SCHOOL  
4315 UNDERWOOD STREET  
7:30 p.m.  
January 8, 2018  
REGULAR SESSION**

**1. CALL TO ORDER: *Mayor Carey***

<b>Present:</b>	Thompson	<b>Absent:</b>	Thompson
	Schultz		Schultz
	Hess		Hess
	Verrill		Verrill
	Caskey		Caskey
	Wells		Wells
	Alvarez		Alvarez

**2. PLEDGE OF ALLEGIANCE**

**3. APPROVAL OF THE AGENDA**

<b>Moved by:</b>	<b>Seconded by:</b>		
<b>Yea:</b>	<b>Nay:</b>	<b>Abstain:</b>	

**4. CONSENT AGENDA**

**Motion:** To approve the following consent agenda items.

<b>Moved by:</b>	<b>Seconded by:</b>		
<b>Yea:</b>	<b>Nay:</b>	<b>Abstain:</b>	

**BUILDING PERMIT APPLICATION TO REMOVE AND REPLACE EXISTING DRIVEWAY**

**(David Caskey and Mary Engler of 6800 Pineway) Ward 5**

*To remove and replace 35'x 10' driveway located on Lot 6, 7 & 8 and Block E at 6800 Pineway.*

**5. PUBLIC HEARING - APPEALS OF RENTAL HOUSING CODE VIOLATION NOTICE (PER TOWN CODE SECTION 13-210)**

***Excerpt from Town Code Article 2 – Rental Housing Code, Section 13-210. Right to appeal.***

*Any person affected by any notice which has been issued in connection with the enforcement of any provision of this article, or of any rule or regulation adopted pursuant thereto, may request and shall be granted a hearing on the matter before the Town Council or its designated committee.*

**A. APPEAL OF VIOLATION NOTICE - BASEMENT CEILING HEIGHT**  
**(Vilma Vieras, 4103 Underwood Street, Ward 6)**

**Public Hearing**

An appeal of the requirement of Town Code Section 13-204 (a) that habitable space shall have a clear ceiling height of not less than seven (7) feet for at least one-half (1/2) of the space. Owner requests a variance of two (2) inches, resulting in a basement ceiling with the height of six (6) feet, ten (10) inches.

**Excerpt from Town Code Article 2 - Rental Housing Code.**

**Section 13-204 Occupancy requirements**

No person shall rent or lease to another for occupancy any non-owner occupied premises, or any premises which is occupied by the owner and rented to more than one other person, including any dwelling and rooming units or portions thereof, which does not comply with the following requirements.

- (a) Minimum ceiling heights – Habitable space, including all space that will be used for habitation, shall have a clear ceiling height of not less than seven feet for at least one-half (1/2) of the space. In attics or top half stories the ceiling height shall be not less than seven (7) feet for at least one-third (1/3) of the area of such space when used for habitation. In calculating the floor area for any habitable space, only those portions of the floor area of the rooms having a clear ceiling height of five (5) feet or more may be included.

**Motion:**

**Moved by:**

**Seconded by:**

**Yea:**

**Nay:**

**Abstain:**

**B. APPEAL OF VIOLATION NOTICE - EGRESS WINDOWS**  
**(Vilma Vieras, 4103 Underwood Street, Ward 6)**

**Public Hearing**

An appeal of the requirement to comply with International Residential Code section R310 that the bottom of egress windows in every sleeping room cannot exceed forty-four (44) inches above the floor and that egress windows must have a minimum net clear opening height of twenty-four (24) inches. Owner requests a variance to retain the current height of the window.

**Excerpt from International Residential Code – Section R310, Emergency Escape and Rescue Openings.**

**R310.1** Emergency escape and rescue required. Basements and every sleeping room shall have at least one operable emergency escape and rescue opening. Such opening shall open directly into a public street, public alley, yard or court. Where basements contain one or more sleeping rooms, emergency egress and rescue openings shall be required in each sleeping room, but shall not be required in adjoining areas of the basement. Where emergency escape and rescue openings are provided they shall have a sill height of not more than 44 inches (1118 mm) above the floor. Where a door opening having a threshold below the adjacent ground elevation serves as an emergency escape and rescue opening and is provided with a bulkhead enclosure, the bulkhead enclosure shall comply with Section R310.3. The net clear opening dimensions required by this section shall be obtained by the normal operation of the emergency escape and rescue opening from the inside. Emergency escape and rescue openings with a finished sill height below the adjacent ground elevation shall be provided with a window well in accordance with Section R310.2. Emergency escape and rescue openings shall open directly into a public way, or to a yard or court that opens to a public way.

**R310.1.1 Minimum opening area.** All emergency escape and rescue openings shall have a minimum net clear opening of 5.7 square feet (0.530 m<sup>2</sup>).

**R310.1.2 Minimum opening height.** The minimum net clear opening height shall be 24 inches (610 mm).

**R310.1.4 Operational constraints.** Emergency escape and rescue openings shall be operational from the inside of the room without the use of keys, tools or special knowledge.

**Motion:**

**Moved by:**

**Seconded by:**

**Yea:**

**Nay:**

**Abstain:**

**6. PUBLIC COMMENT**

**7. NEW BUSINESS**

**A. INTRODUCTION OF LEGISLATIVE RESOLUTION 18-O-01: AMENDING FY 2018 BUDGET FOR EVALUATION OF STORMWATER PLANS FOR THE LANDY PROPERTY (*Introduction*)**

**Motion:** To introduce LR 2018-O-01 to transfer \$10,000 from Unreserved Undesignated to General Government Line Item G12, Engineering, to cover the cost of an engineering evaluation of stormwater plans associated with a proposal for redevelopment of the Landy Property, Preliminary Plan of Subdivision 4-17007, along the headwaters of Wells Run upstream from University Park, as recommended by the Development Overview Committee.

*The earliest this resolution may be considered is at the February 5, 2018 Council meeting.*

**Moved by:**

**Seconded by:**

**Yea:**

**Nay:**

**Abstain:**

**B. POLL HOURS AND DATE FOR THE NEXT TOWN ELECTION**

**Motion:** Per Section 504(a) of the Charter of the Town of University Park, to set a May 1, 2018 date for General Election in the Town — for the Offices of Mayor and Councilmembers for Ward 1, Ward 3, and Ward 7 — and to approve the poll hours of operation from 8 a.m. to 8 p.m.

**Moved by:**

**Seconded by:**

**Yea:**

**Nay:**

**Abstain:**

**8. APPROVAL OF MINUTES: *December 18, 2017***

**Moved by:**

**Seconded by:**

**Yea:**

**Nay:**

**Abstain:**

**9. MAYOR AND COUNCIL REPORTS**

**A. MAYOR'S REPORT**

**B. COUNCIL AND COMMITTEE REPORTS**

**10. ADJOURNMENT**

**\*\* A Closed Session may be called \*\***