

**CITY OF KERRVILLE, TEXAS
BUILDING BOARD OF ADJUSTMENT & APPEALS**

June 29, 2023

MEMBERS PRESENT:

Bruce Motheral, Chair
Mack Edmiston, Board Member
Jennifer Hyde, Board Member
Daniel Lowery, Board Member

MEMBERS ABSENT:

Bob Rue, Board Member
Mike Asmus, Alternate
Steve Van Patten, Alternate

STAFF PRESENT:

Guillermo Garcia, Executive Director for Innovation
Aaron Barnes, Interim Chief Building Official
Trina Sanchez, Assistant Director of Building Services
Donna Bowyer, Neighborhood Enhancement/Code Enforcement Manager
Dorothy Miller, Recording Secretary

1. CALL TO ORDER:

On June 29, 2023, the Kerrville Building Board of Adjustment and Appeals regular meeting was called to order at 3:00 p.m. in the City Hall council chambers, 701 Main Street.

2. APPROVAL OF MINUTES

2A. Approval of the minutes from the May 25, 2023 meeting.

Jennifer Hyde moved to approve the minutes as presented; motion was seconded by Mack Edmiston and passed 4-0.

3. CONSIDERATION AND ACTION

3A. Recommend adoption of the 2021 International Residential Code

Guillermo Garcia reviewed the codes that the Board has previously discussed and approved. He then announced the following adoption schedule:

- August
 - Property Maintenance Code
 - Administrative Amendments
 - Additional Changes
 - City Council Workshop
- September
 - 1st Reading for Adoption
 - 2nd Reading for Adoption
- October
 - Codes are in effect

Aaron Barnes presented a power point regarding the 2021 International Residential Code amendments and discussed the following:

Major changes:

- Braced wall lines must be placed on a physical wall or placed between multiple walls.

- The rated separation for two-family dwellings is 1 hour whether or not a lot line exists between units.
- Emergency escape and rescue openings require a clear 36-inch-wide path to a public way.
- An engineered design is required for storm shelters.
- A habitable attic is limited to one-half the area of the story below and the dwelling requires sprinklers.
- Updated Wind Speed maps match IBC and ASCE 7 maps.
- Deck design now considers snow load, tributary area for footing and post height, and guard details.
- Specific requirements for deck guardrails were added.
- Component and cladding wind pressures in Table R301.2(2) are updated for new design wind speeds and hip or gable roof profiles. (Does not apply to Kerrville.)
- Minimum footing size tables are revised to more accurately reflect current practice.
- Cripple wall requirements apply only to exterior cripple walls.
- New appendices for cob construction and 3D printed construction are added.
- A 30 percent reduction of airflow is permitted for balanced ventilation systems.
- Commercial gas cooking appliances are prohibited.
- The head pressure for a water test of DWV systems increased to 10 feet.
- Air vacuum testing is now permitted for plastic piping DWV systems.
- Section P2904 for dwelling sprinklers is expanded to more closely align with NFPA 13D.
- An emergency service disconnect is required in a readily accessible outdoor location.
- A surge-protective device (SPD) is now required at the service panel.
- The number of receptacle outlets required for peninsular and island countertops in kitchens is determined by the area of the countertop surface.
- GFCI protection is now required for damp and wet locations not included in the other 10 areas requiring GFCI protection.

Many of these changes can also be found in the electrical, plumbing and/or fuel codes previously presented to this Board.

Amendments:

- The recommended change is to eliminate the requirement that a copy of the IEBC is on file at the City Secretary's Office. After a discussion with the City Secretary, they have not been asked by citizens to see a copy of the I-Codes. They are normally referred to Development Services. It is our intent to make available our code books and provide linkages on our webpage to the digital ICC code web pages.

Appendix AO Automatic Vehicular Gates

- Appendix AO provides requirements for automatic vehicular gates, including a definition of and references to standards that regulate such gates.

Jennifer Hyde moved to recommend adoption of the 2021 International Residential Code as presented; motion was seconded by Daniel Lowery and passed 4-0.

3B. Recommend adoption of the 2021 International Energy Conservation Code

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Aaron Barnes presented a power point regarding the 2021 International Energy Conservation Code amendments and discussed the following:

Major Changes

- Digital Plans
- Climate zone definitions
- Compliance Paths
- Envelope Certificate
- Minimum R-values
- Insulation and fenestration U-Factor criteria
- Roof assembly and insulation
- Air leakage
- Operable openings interlocking
- Automatic start and stop
- Occupant sensor control in warehouse storage areas
- Parking garage lighting control
- Automatic receptacle control
- Energy monitoring (in commercial, not residential)

Amendments:

(b) *Amendments.* The IECC is amended as follows:

(1) Section C105 is amended by adding a new subsection to read as follows:

C105.2.7 Energy efficiency inspections. Commercial inspections shall be made to determine compliance with 4(CE) of the IECC for all occupancies, as amended, and shall include, but not be limited to, inspections for: envelope insulation R- and U-values, fenestration U-value, duct system R-value, and HVAC and water-heating equipment efficiency. ~~For detached one and two-family dwellings and multiple single-family dwellings (townhomes) as well as Group R-2, R-3 and R-4 buildings three stories or less in height above grade plane, an independent certified RESNET energy rater or an alternative approved by the code official using objective, verifiable testing criteria, shall test and inspect the air barrier as per R402.4 Air leakage, of the IECC. The results must be submitted on a form approved by the code official. The form shall show that construction is in compliance with the IECC.~~

R105.2 Required inspections. The code official or his or her designated agent, upon notification, shall make the inspections set forth in R105.2.1 through R105.2.5 ~~and C105.2.1 through C105.2.7.~~

R105.2.7 Energy efficiency inspections. Residential inspections shall be made to determine compliance with 4(~~RE~~) of the IECC for all occupancies, as amended, and shall include, but not be limited to, inspections for: envelope insulation R- and U-values, fenestration U-value, duct system R-value, and HVAC and water-heating equipment efficiency. For detached one and two-family dwellings and multiple single-family dwellings (townhomes) as well as Group R-2, R-3 and R-4 buildings three stories or less in height above grade plane, an independent certified RESNET energy rater or an alternative approved by the code official using objective, verifiable testing criteria, shall test and inspect the air barrier as per R402.4 Air leakage, of the ~~2018~~ IECC. The results must be submitted on a form approved by the code official. The form shall show that construction is in compliance with the ~~2018~~ IECC.

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Bruce Motheral asked about getting a copy of the power points presented to date along with a link to ICC to see all the changes in writing.

Jennifer Hyde moved to recommend adoption of the 2021 International Residential Code as presented; motion was seconded by Mack Edmiston and passed 3-1.

4. PUBLIC HEARING

4A. Unsafe Structure located at 516 W. Water Street

Guillermo Garcia presented the unsafe structure located at 516 W. Water St.

Code Enforcement:

- April 10, 2023 – Complaint
- Investigation
- May 18, 2023 – Chief Building Official Investigation

Chief Building Official Investigation:

- Pictures of front, side, rear, and interior of structure
- Damage from structural fire
- Fire damage through the roof
- Interior damage
- Damage to room with holes
- Beams are burnt
- Damage to roof and side of house

Emergency Order:

- Structure was secured from entry
- Notice placed on structure
- A notice of emergency action was mailed to the property owner.

Notification:

- Notification to all interested parties via newspaper and letter

Recommended Action:

- Order for the structure to be demolished

Daniel Lowery stated the property owner is deceased and asked if other family members were contacted. Guillermo Garcia responded that yes, other family members were notified but they declined interest in the property.

Bruce Motheral opened the public hearing at 3:45 p.m.

Bob Reeves, Kerr County Tax Assessor, spoke, stating he is in the process of initiated litigation for taxes owed on the property. A deferral was removed the first of year, but they were just notified in June. The tax assessor's office will sell the property at the initial bid of taxes owed to include KISD taxes and any city liens.

Hearing no one else speak, Bruce Motheral closed the public hearing at 3:47 p.m.

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Jennifer Hyde asked about the extent of the damage to the home as to whether it is salvageable. Aaron Barnes stated during his inspection, he saw fire and weather damage to areas not just inside the home, but also under the home and in the attic area.

Danny Lowery, who lives in the surrounding area of the subject property, stated the property burned for several hours and said that KFD had to cut holes into the home to get water inside.

Donna Bowyer confirmed that she has in writing that the deceased's daughters do not want anything to do with the estate.

Mack Edmiston moved to recommend the city take whatever steps are necessary to demolish the structure located at 516 W. Water Street and proceed with county and KISD to reclaim any funds that are available; motion was seconded by Danny Lowery and passed 4-0.

5. STAFF REPORT

Guillermo Garcia announced there are two openings for alternates on this board.

Mr. Garcia reported the next thing going before city council is a modification of two things:

- 1) Changing the requirement as to how often BBAA meets. The current ordinance states BBAA is to, at minimum, meet quarterly, but staff has not had anything to present each quarter so staff wants to change the requirement to meet as needed.
- 2) When Covid happened, BBAA members were reappointed for another extended period of time but did not identify the roll off period of each board member so the city attorney's office is working on addressing this to get board members back on a regular schedule where three members' terms would end at a certain point in time and the other two members would roll off at another appointed time.

6. ADJOURNMENT

The meeting adjourned at 3:56 p.m.

ATTEST:


Bruce Motheral, Chair


Dorothy Miller, Recording Secretary

