

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

October 26, 2023

MEMBERS PRESENT:

Mack Edmiston, Board Member
Jennifer Hyde, Board Member
Daniel Lowery, Board Member
Caleb Mizell, Board Member
Bob Rue, Board Member

MEMBERS ABSENT:

None

STAFF PRESENT:

Guillermo Garcia, Executive Director for Innovation
Aaron Barnes, Interim Chief Building Official
Donna Bowyer, Code Enforcement Manager
Dorothy Miller, Recording Secretary

1. CALL TO ORDER:

On October 26, 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 September 28, 2023 meeting.

Daniel Lowery moved to approve the minutes as presented; motion was seconded by Bob Rue and passed 5-0.

3. PUBLIC HEARING

Guillermo Garcia introduced the cases to be discussed by Aaron Barnes and Donna Bowyer who were involved with the investigations.

3A. Unsafe Structure Located at 516 W. Water Street

Aaron Barnes introduced the case using a power point presentation. On April 10, 2023, a complaint was filed with Code Enforcement and an initial investigation was conducted. After multiple attempts to work with the property owner for compliance, on May 18, 2023, another investigation was conducted by the Chief Building Official who found excessive fire damage to the home. Several pictures were shown to the Board to support the complaint. Emergency action was taken to secure the structure from entry per Sec. 26-233 – Emergency action. A notice of DO NOT ENTER was placed on the structure, notice of emergency action was mailed to the property owner and notification to all interested parties was sent by letter. Staff recommends an order for the structure to be demolished.

Jennifer Hyde opened the public hearing at 3:07 pm. Hearing no one speak, Jennifer Hyde closed the public hearing at 3:07 pm.

Bob Rue moved to recommend demolition of the property located at 516 W. Water Street as presented; motion was seconded by Mack Edmiston and passed 5-0.

3B. Unsafe Structure Located at 608 Stephen Street

Aaron Barnes introduced the case using a power point presentation. On May 5, 2023, a complaint was filed with Code Enforcement and an initial investigation was conducted. After

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

October 26, 2023

multiple attempts to work with the property owner for compliance, on August 29, 2023, another investigation was conducted by the Chief Building Official who found excessive rubbish, trash, and debris, conditions existing that will prevent the suppressing or extinguishing of fires, and an environment that can harbor an infestation of rodents, insects, and other unsanitary pests. Several pictures were shown to the Board to support the complaint. The property conditions violate the minimum standards of Ordinance 58-105 and 50-3. Notification to all interested parties was sent by letter, posted at the home, and a notice of public hearing was posting in the local newspaper. Staff recommends remediation of excessive rubbish, debris, trash, construction materials, and weeds and brush from interior and exterior of property.

Jennifer Hyde opened the public hearing at 3:18 p.m.

Patricia "PJ" Prather spoke, stating she had to call animal control over four times due to animals coming from this property. There are many feral cats being fed by the owners of this property and the cat are using Ms. Prather's front yard as a litter box. She could not say the mice she has had that have destroyed items in her house came from this property, but has spent thousands of dollars trying to eradicate the problem.

Alice Trevino spoke, stating her husband is in hospice and that her son is working on cleaning the property. She stated she has three cats that are not feral. She does not currently live at the property, but people are helping her son to clean the property. She stated the helpers were given two vouchers for the city dump.

Jennifer Hyde closed the public hearing at 3:32 p.m.

Bob Rue asked if the item could be tabled for 30 days. Jennifer Hyde asked what the recommended order entails. Guillermo Garcia responded to Bob Rue saying based on staff's experience with the Trevino's, staff recommends an order. In response to Jennifer Hyde, Guillermo Garcia referred to the agenda bill in the agenda packet.

Mack Edmiston moved to recommend an order to remove/abate all of the excess rubbish, trash, and debris from property both interior and exterior as presented; motion was seconded by Bob Rue and passed 5-0.

3C. Unsafe Structure Located at 421 Fifer Street

Aaron Barnes introduced the case using a power point presentation. On June 30, 2022, a complaint was filed with Code Enforcement and an initial investigation was conducted. After multiple attempts to work with the property owner for compliance, on September 27, 2023, another investigation was conducted by the Chief Building Official who found excessive rubbish, trash, and debris, conditions existing that will prevent the suppressing or extinguishing of fires, and an environment that can harbor an infestation of rodents, insects, and other unsanitary pests. Several pictures were shown to the Board to support the complaint. The property conditions violate the minimum standards of Ordinance 58-105 and 50-3. Notification to all interested parties was sent by letter, posted at the home, and a notice of public hearing was posting in the local newspaper. Staff recommends remediation of excessive rubbish, debris, trash, construction materials, and weeds and brush from interior and exterior of property.

Jennifer Hyde opened the public hearing at 3:38 p.m.

Christopher Irvin spoke stating he had purchased the property and there had been items that were removed and then he moved his possessions in and items compiled again. He is working on cleaning up the property. He did receive trash vouchers but said the landfill does not accept construction debris.

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

October 26, 2023

Jennifer Hyde closed the public hearing at 3:40 p.m.

Caleb Mizell moved to recommend an order to remove/abate all of the excess rubbish, trash, and debris from property both interior and exterior as presented; motion was seconded by Daniel Lowery and passed 5-0.

4. STAFF REPORT

Guillermo Garcia discussed the following:

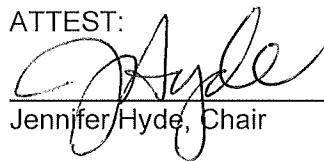
Updates on codes

- Presenting to the city council on the first Tuesday of January. This will be in a workshop setting where staff will communicate all the recommended changes from this Board and give an overview of the codes themselves, with the biggest discussion probably focusing on the Property Maintenance Code.
- First reading to adopt the 2021 Building Codes will be the second meeting in January.
- Part of the recommendation is delayed implementation so once city council approves it, staff will recommend at least 30 to 60 days for staff to provide some education as to what the new codes will be.

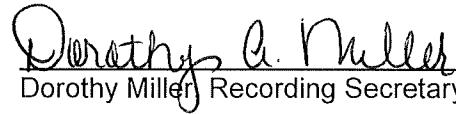
5. ADJOURNMENT

The meeting adjourned at 3:43 p.m.

ATTEST:



Jennifer Hyde, Chair



Dorothy Miller Recording Secretary

