



CITY OF KERRVILLE
BUILDING BOARD OF ADJUSTMENT & APPEALS AGENDA
REGULAR MEETING, APRIL 29, 2025 1:30 P.M.
CITY HALL COUNCIL CHAMBERS
701 MAIN STREET, KERRVILLE, TEXAS

1. CALL TO ORDER

2. ELECTION OF OFFICERS

2A. Board to elect Chair and Vice Chair

3. MINUTES

3A. Approval of Meeting Minutes from the March 4, 2025, meeting

4. CONSIDERATION AND ACTION

4A. Recommend to the Kerrville City Council a Building Code Update Policy

5. PUBLIC HEARING, CONSIDERATION AND ACTION

5A. Unsafe Structure located at 111 W. Davis St

6. STAFF REPORT

7. ADJOURNMENT



**TO BE CONSIDERED BY THE BUILDING BOARD OF ADJUSTMENT AND
APPEAL
CITY OF KERRVILLE, TEXAS**

SUBJECT: 3A. Approval of Meeting Minutes from the March 4, 2025, meeting
AGENDA DATE OF: April 29, 2025 **DATE SUBMITTED:** April 25, 2025
SUBMITTED BY: Aaron Barnes, Interim Chief Building Official
EXHIBITS: BBAA Minutes March 4, 2025

MEMBERS PRESENT:

Bob Rue, Board Vice-Chair
Wayne Uecker, Board Member
Caleb Mizell, Board Member

MEMBERS ABSENT:

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

STAFF PRESENT:

Aaron Barnes, Interim Chief Building Official
Drew Paxton, Director of Development Services
Donna Bowyer, Code Enforcement Manager
William Tatsch, Assistant City Attorney
Michael Hornes, Assistant City Manager

1. CALL TO ORDER:

On 3/4/2025, 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. ELECTION OF OFFICERS

2A. Election of Chair and Vice Chair by BBAA members.

No action taken, moved to next BBAA meeting.

3. APPROVAL OF MINUTES

3A. Approval of the minutes from the April 25, 2024 meeting.

Caleb Mizell moved to approve the minutes as presented; the motion was seconded by

Wayne Uecker and passed 3-0.

4. CONSIDERATION AND ACTION

4A. Appeal to BBAA from the owner of 613 Rock Creek Loop

Rick Perry explained the history of the boarding home he currently operates at 617 Rock Creek Loop. Rick Perry presented a timeline and information regarding the 613 Rock Creek Loop boarding home for the elderly. He also explained the request for a variance regarding the fire sprinklers required at 613 Rock Creek Loop.

Aaron Barnes explained the Building codes that require the fire sprinklers.

Drew Paxton explained the boarding home permitting process and stated that normally the boarding home would be permitted before it is occupied.

Aaron explained to BBAA that they would need to approve or deny the appeal. He also explained they have five business days to deliberate on the decision. Aaron also presented the variance section of the ordinance to the BBAA board.

Phione Mayanja, house manager, questioned the need to sprinkle the home when they have had a yearly inspection at 617 Rock Creek Loop.

Drew Paxton explained that 617 Rock Creek Loop is grandfathered because it was licensed and permitted before the building code update. 613 Rock Creek Loop is a new boarding home, and must comply with current codes that require the installation of fire sprinklers. Drew Paxton also explained the variance criteria.

BBAA members had a discussion.

Bob Rue stated that after their discussion, they want to take five business days to do some research.

Steve Caraway stated that his brother lives at 613 Rock Creek Loop, and during holidays and special occasions, they all come together. Steve spoke about the property having two different addresses, however, it is under one owner and one roof line. They have one manager over the facilities and they are wonderful.

Drew Paxton explained that there is a firewall between the two structures and went over the fire sprinkler code.

Jason Lackey explained the different fire sprinkler systems and the licensing requirements.

Brian Bowers is in favor of granting the variance. He explained his concerns regarding the removal of the residents at 613 Rock Creek Loop and working with Mr. Perry on the situation.

Drew Paxton explained that they would work with Mr. Perry.

The board asked if the 613 Rock Creek Loop had a current boarding home permit.

Drew Paxton clarified that 617 Rock Creek Loop is in compliance and has a boarding home permit but is waiting on an inspection. 613 Rock Creek Loop started operating without a boarding home permit.

Caleb Mizell clarified that Mr. Perry purchased the property and began operating it as a group home without obtaining a boarding home permit. He added that Mr. Perry should have known better, as he has previously operated a boarding home.

5. STAFF REPORT

Drew Paxton stated that at the upcoming BBAA meeting, they will review a policy for building code updates and an unsafe structure at 111 E Davis St..

6. ADJOURNMENT

The meeting adjourned at 3:53 p.m.

ATTEST:3:50

Bob Rue, Co-Chair

Trina Sanchez, Recording Secretary



**TO BE CONSIDERED BY THE BUILDING BOARD OF ADJUSTMENT AND
APPEAL
CITY OF KERRVILLE, TEXAS**

SUBJECT: 4A. Recommend to the Kerrville City Council a Building Code Update Policy
AGENDA DATE OF: April 29, 2025 **DATE SUBMITTED:** April 25, 2025
SUBMITTED BY: Drew Paxton
EXHIBITS: Building Code Policy Proposal Power Point

SUMMARY STATEMENT:

Discussion of a policy to periodically update the City's Building Codes

The discussion centers around a proposed policy aimed at ensuring the City's Building Codes remain current, relevant, and aligned with modern construction standards, safety regulations, and environmental considerations. The policy would establish a structured process for reviewing and updating the codes at regular intervals, incorporating best practices, technological advancements, and evolving community needs.

Key topics of discussion include:

1. **Frequency and Scope of Updates** – Determining an appropriate review cycle, such as every three to five years, to balance the need for timely updates with practical implementation challenges. This includes evaluating which sections of the code require periodic revisions and whether updates should be comprehensive or targeted.
2. **Alignment with State and National Standards** – Ensuring that updates reflect changes in state and federal building regulations, as well as industry standards such as those set by the International Code Council (ICC) and National Fire Protection Association (NFPA).
3. **Public and Stakeholder Involvement** – Engaging developers, architects, engineers, business owners, and residents in the review process to gather input and address potential concerns regarding feasibility, costs, and compliance challenges.
4. **Resilience and Sustainability Considerations** – Integrating modern building techniques that enhance energy efficiency, disaster resilience, and environmental sustainability, aligning with climate action goals and sustainability initiatives.
5. **Economic and Compliance Impact** – Assessing the financial implications of updates for builders, property owners, and the local economy, while ensuring that regulatory changes do not create unnecessary burdens or delays in construction and renovation projects.
6. **Implementation and Enforcement** – Discussing mechanisms for enforcing updated codes, including training for city inspectors, clear guidelines for permit applications, and possible grace periods for compliance with new regulations.

The policy discussion aims to strike a balance between advancing safety and efficiency in the built environment while considering economic, environmental, and practical implications for all stakeholders involved.

RECOMMENDED ACTION:

Recommend to the Kerrville City Council to adopt a code update policy.



**TO BE CONSIDERED BY THE BUILDING BOARD OF ADJUSTMENT AND
APPEAL
CITY OF KERRVILLE, TEXAS**

SUBJECT: 5A. Unsafe Structure located at 111 W. Davis

AGENDA DATE OF: April 29, 2025

DATE SUBMITTED: April 25, 2025

SUBMITTED BY: Aaron Barnes, Interim Chief Building Official

EXHIBITS: Findings and Conclusion on 111 W. Davis St.

SUMMARY STATEMENT:

See the attached Survey Report below

RECOMMENDED ACTION:

Recommend the BBAA order the structure(s) at 111 W. Davis to be demolished, abating the unsafe structure

Chief Building Official Structure Survey Report

Case # 2025-164

PROPERTY ADDRESS: 111 West Davis St. Kerrville, TX 78028

SPECIFICATIONS: No. Rooms 6

No. Stories: 1 No. Structures: 1

STRUCTURAL USE

- ☒ Residential/Single Family
- ☐ Mixed Use
- ☐ Commercial
- ☐ Residential/Multi Family
- ☐ Accessory Structure(s)

CONSTRUCTION

- ☐ Box
- ☒ Frame
- ☐ Masonry
- ☐ Mobile/Manufactured Home

OCCUPANCY

- ☐ Occupied
- ☒ Vacant
- ☐ Open

FINDINGS

The Structure is in violation of the following minimum standards set forth in Kerrville City, Texas's Municipal Ordinance number 26-242:

The Board shall use the following standards in determining whether to declare a building unsafe and ordering the building to be vacated, secured, repaired, removed, demolished, and/or the occupants relocated:

....

- (1) The building or any part thereof was constructed or maintained in violation of any provision of the building codes, or any other applicable ordinance or state or federal law.

....

- (5) The non-supporting coverings of walls, ceilings, roofs, or floors are 50 percent or more damaged or deteriorated.

....


- (7) The building or any part thereof has been damaged by fire, water, earthquake, wind, vandalism, or other cause to such an extent that it has become dangerous to the public health, safety, and welfare.

COMMENTS

On January 15, 2025, I performed an exterior and interior inspection of the damage to the home at 111 W. Davis St. The Fire at this address completely destroyed the master bedroom, making its way into adjacent rooms, damaging and charring the interior and exterior wall structures, making them susceptible to collapse. It also made its way into the attic, consuming the entire roof structure, compromising its integrity. The fire has damaged wiring in the Master Bedroom and much of the attic. There is severe smoke damage and other structural damage to all other rooms. The continued presence of large holes in the roof exposes the interior structure to continued weathering and presents a danger to public health, safety, and welfare. Between the structural damage, along with the continued weathering from holes in the roof, and additional smoke damage throughout this building is 51% or more damaged.

DETERMINATION

- ☒ 1. It has been determined upon inspection and investigation that the structure is dangerous, unsafe, or a hazard to public health and must be secured and:
- ☐ Be vacated OR ☒ Remain unoccupied; and
- ☐ Be repaired OR ☒ Be demolished.
- ☐ 2. It has been determined that utilities are currently connected and must be disconnected.
- ☐ 3. It has been determined that the structure is unsecured and must be boarded up or otherwise secured in a manner that will prevent unauthorized entry.

 Aaron Barnes
Signature Printed Name Date 4/21/2025

