

BUILDING STANDARDS BOARD MINUTES

**PANEL B
Thursday, February 9, 2023**

The Building Standards Board Panel B convened in a regular meeting on Thursday, February 9, 2023, at the One Stop Center, located at 1901 S. Alamo Street, San Antonio, TX 78204.

Chairman Dewayne Nelson called the meeting to order at 9:07 a.m.

Board Members Present: Dewayne Nelson, Chair; Fred Andis, Vice Chair; Joel Solis, Dr. Erlinda Lopez-Rodriguez, Kayla Miranda, Celencia Hayes, Ms. Brown (Panel A Board Member), and Robert Tapia (Panel A Board Member).

Staff Support: Michael Shannon, Director of Development Services; Jenny Ramirez, Code Enforcement Manager, Development Services Department, Code Enforcement Section; Alice Guajardo, Development Services Manager, Code Enforcement Section; Judy Croom, Sr. Administrative Assistant, Development Services Department, Code Enforcement Section; Esther Ortiz, Development Services Specialist, Development Services Department, Code Enforcement Section; Jennifer Martinez, Administrative Assistant II, Development Services Department, Code Enforcement Section

Legal Representation: Eric Burns

Sepro-Tec Representative: Jean Ruffini and Dina Perez

Approval of Minutes

The minutes from the meeting of January 26, 2023, were approved by Fred Andis. Robert Tapia seconds the motion. The minutes were approved.

8-0-0 vote.

Motion carries unanimously

***Item #2 –Emergency Demolition # INV-DPE-INV23-2910000082
Owner: City of San Antonio***

5010 Castroville Rd.

5010 Castroville Rd., Emergency Demolition was read into the record. Alice Guajardo, Development Services Manager, presented to the board.

***Item #3 – SAPMC Case #INV-STE-22-2640033721,
#INV-STE-22-2640033722, #INV-STE-22-2640033723, #INV-STE-22-2640033724,
#INV- STI-22-2650033727, #INV-STI-22-2650033729, #INV- STI-22-2650033730,
#INV -STI-22-2650033731, #INV- STI-22-2650033732
Owner: Acord Dian M. & Joseph G***

7507 Dell Oak Dr.

7507 Dell Oak Dr. is a residential single-family structure. Bexar County Appraisal District shows that Acord Dian M. & Joseph G are the title owners. The owners were not present to provide testimony. Dale Russell, Code Enforcement Supervisor, with the City of San Antonio Code Enforcement Section found that the property is in violation of the San Antonio Property Maintenance Code Sections; 302.5 Rodent harborage, 304.6 Exterior walls, 304.7 Roof and drainage, 304.13.2 Openable windows, 305.3 Interior surfaces, 504.1 General, 506.2 Maintenance, 605.1 Installation, and 702.1 General. All notices were issued as required, with the first notice issued on November 1, 2022. Staff recommends, maintain property clear of any rodent or other pest infestations. Vacate property. Repair all exterior walls to a condition free of holes and deterioration, repair roof to a condition where no water leaks through, ensure all windows, except for fixed windows, are openable, ensure all interior surfaces are maintained in a good, sanitary condition, ensure all plumbing fixtures are properly installed and are clear of leaks, ensure all sewer systems are properly installed and draining, ensure all electrical systems are properly installed, and ensure there is adequate fire egress from all areas of the home.

The Board found the property to be in violation of Sections; 302.5, 304.6, 304.7, 304.13.2, 305.3, 504.1, 506.2, 605.1, and 702.1. A motion was made by Celencia Hayes for a 60-day repair. It is further ordered, the property be secured, vacated, and all utilities disconnected. It is also ordered, all required permits must be pulled for repairs. Ms. Brown seconds the motion.
8-0-0 vote.

Motion carries unanimously

***Item #4 – Dilapidated Structure # INV-BSB-INV21-2900000069 2107 San Fernando St.
Owner: Tovar, Francisca***

2107 San Fernando St. is a residential single-family structure. Bexar County Appraisal District shows that Tovar, Francisca, is the title owner. The owner's husband, Ruben Zapata, lienholder, Harry Liu, foundation contractor, Edgar R. Garcia, the co-chair for District 5 Historic Westside Residents Association, Leticia Sanchez, and citizen, Blanca Rivera provided testimony. Lienholder, Jeanne Liu, signed up to speak, but did not provide testimony. Khrystal Towne, Dangerous Premises Officer, with the City of San Antonio Code Enforcement Section found that the property is a public nuisance meeting the definitions of a dangerous building found in City Code Article VIII, Section 6-157, for the main structure, sub-sections 1, 2, 8, 11, 12, 15 and 17. All notices were issued as required with the first notice issued on October 26, 2021. Staff recommends repair for the main structure.

The Board found the property to be a public nuisance. A motion was made by Kayla Miranda to repair the structure in 6 months. It is also ordered the property be secured, remain vacated, and all required permits be pulled for repairs. It is further ordered progress reports be furnished to the code officer every 30 days. Ms. Brown seconds the motion.
8-0-0 vote.

Motion carries unanimously

Item #5 – Dilapidated Structure # INV-BSB-INV22-2900000919
Owner: Suarez, Felix R.

107 Harwood Dr.

107 Harwood Dr. is a residential single-family structure. Bexar County Appraisal District shows that Suarez, Felix R., is the title owner. The owner's representative, Attorney, Jaay Neal, was present and provided testimony. SAPD Officer, Ejinio Flores, also provided testimony. Josh Martinez, Dangerous Premises Officer, with the City of San Antonio Code Enforcement Section found that the property is a public nuisance meeting the definitions of a dangerous building found in City Code Article VIII, Section 6-157, for the main structure #1, sub-sections 1, 2, 7, 8, 11, 12 and 15, for the main structure #2 sub-sections, 2, 5, 7, 8, 12, and 15, for accessory structure #1, sub-sections, 1, 2, 5, 7, 8, 11, 12 and 15, for accessory structure #2, sub-sections 7, 8, 12 and 15, for accessory structure #3, sub-sections, 1, 2, 7, 8, 11, 12, and 15, for accessory structure #4, sub-sections, 2, 7, 8, 11, 12, and 15, for the accessory structure #5, sub-sections, 1, 2, 5, 7, 8, 11, 12, and 15, and for accessory structure #6, sub-sections, 1, 2, 7, 8, 11, 12, and 15. All notices were issued as required with the first notice issued on November 17, 2022. Staff recommends demolition for the main and accessory structures.

The Board found the property to be a public nuisance. A motion was made by Celencia Hayes to demolish the main and accessory structures in 30 days. It is also ordered the property be secured, vacated, and all utilities disconnected. It is further ordered the City of San Antonio provide services for the families. Robert Tapia seconds the motion.

8-0-0 vote.

Motion carries

BSB Guidelines, Policies and Procedures
Administrative Items

Chairman, Dewayne Nelson, addressed the timing of permits and whether a permit is allowed to be pulled when a property is under consideration as a dilapidated structure.

Jenny Ramirez, Code Enforcement Manager, stated the key item to determine whether a permit is allowed to be pulled is whether the property is recommended for repair or demolition. If a recommendation is for demolition, a permit hold shall be placed on the property once the property has been through executive review. SAPMC or properties with a recommendation for repair, are permitted to have a permit pulled up until the day of the Building Standards Board hearing.

Jenny Ramirez, Code Enforcement Manager, also stated the board has the discretion to order a change of recommendation from repair to demolition for a property. The owner takes a risk, when a permit is pulled, due to the board having a final determination for a property.

Fred Andis, stated allowing an owner to pull a permit will cause confusion for the owner.

Ms. Brown, Panel A Board Member, stated allowing an owner to pull a permit prior to the Building Standards Board hearing, is not the right course of action.

Michael Shannon, Director of Development Services, supports how Development Services conducts their business, which allows an owner to pull required permits, and is focused on working with property owners. Property owners are also given options, such as receiving a refund for permits pulled.

Kayla Miranda stated it's the board's job to uphold the code and allowing an owner to pull a permit for a property with a recommendation for repair is feasible.

Ms. Brown, Panel A Board Member, inquired about her previous recommendation for a program to assist an owner with a repair order, to sell their properties when they are unable to repair the structure themselves.

Chairman, Dewayne Nelson, suggested to write a proposal for the program Ms. Brown is recommending. The proposal would be sent to legal for review from a resident of the City of San Antonio's perspective.

Kayla Miranda suggested the program proposal go hand in hand with the City of San Antonio's Demolition Diversion program.

Eric Burns, legal representative, reminded the board that the Building Standards Board is the only board to hold quasi-judicial power and bringing properties before the board is the last resort. The board is tasked with making a determination for all cases.

The board is adjourned by unanimous consent.

Meeting Adjourned at 11:39 a.m.