

MINUTES
CITY OF LIVE OAK
BOARD OF ADJUSTMENT
THURSDAY, MAY 19, 2005

1. **CALL TO ORDER:**

Chairman Hardwick called the meeting of the Board of Adjustment to order at 6:30 p.m.

2. **ROLL CALL**

PRESENT

Ms. Isabelle Siepker
Mr. John Talbot
Chairman Keith Hardwick
Vice-Chairman Robert Perry
Mr. Ed Cimics
Mr. Sonny – Peter Merrell

ABSENT

Mr. Al Hernandez

3. **CITIZENS TO BE HEARD**

None

4. **CONSENT AGENDA**

Approval of Minutes
a. July 8, 2005

Mr. Talbot made a motion for approval; Ms. Siepker second the motion – All Board members voted for approval of the Minutes

5. **OLD BUSINESS**

None

6. **NEW BUSINESS**

- a. **V-05-01** – Brentwood Plaza, Inc – To Consider Variance Request To Allow A Business to Operate With One Restroom. This in a Neighborhood Service District, Located On Lot 48, Block 1, CB 5049G, Otherwise Known 12107 Toepperwein Road, Live Oak, Bexar County, Texas.
Mr. Charles Bonick – Property Manager with Delta Properties – Mr. Bonick stated that

he is seeking a variance for one restroom versus two. The justification was the cost and the size of the business square footage would shrink.

Mr. Wayman stated he had a statement to make that when the applicant made this variance request they were under the Southern Building Code. However, the city is currently using the International Building Code and under this code one restroom is all that is required.

Captain Galindo, Captain, Fire Department Building Inspector provided insight into the International Building Code. He explained that the Florist Shop is currently doing business, as he granted them a Certificate of Occupancy, with the contingency pending the outcome of this Board Meeting. He added that the occupants are following the rules and asking for permission versus forgiveness. Furthermore, he briefly explained that the city changed from the Southern Building Code (1997) to the International Codes (2003). He stated that the International Plumbing Code it now allows a single unisex restroom, or it has an exception to the separation requirement; under the 2003 International Plumbing Code for all mercantile occupancies under 50 total occupant load. He added that the reason the Board is meeting tonight is due to the time of application we were still under the Southern Building Code (1997).

Chairman Hardwick asked why the City changed from the Southern Building Code to the International Building Code. Captain Galindo stated that the Southern Building Code is no longer being written/published, and was replaced by the International Building Code. He added that City Council had approved this changed and an ordinance had been initiated and approved. Chairman Hardwick requested copies of this and future ordinances, to include any changes to the International Building Code.

Chairman Hardwick asked if the new code has any square footage exceptions. Captain Galindo stated that it does not have any exceptions. Captain Galindo briefly explained about the International Building Code concerning restrooms, and does not speculate on square footage or size, and occupant load.

Mr. Perry stated that exceptions could be granted without coming to the Board of Adjustment. Captain Galindo said that this was true and it was at the discretion of the Board.

Mr. Talbot made a motion for approval; Mr. Perry second the motion – All Board members voted for approval of the Minutes

7. CITIZENS TO BE HEARD

None

8. GENERAL DISCUSSIONS AND ANNOUNCEMENTS

Mr. Perry asked about the Springs Apartment, and Mr. Wayman provided a brief update of

this apartment complex.

Mr. Cimics stated that all the current construction/projects ongoing through the City if identified in the City of Live Oak newspaper, and provides the citizens useful information about the city.

Chairman Hardwick asked the status of Bridlewood and the convention facilities. Mr. Wayman stated that they have completed Units 1 & 2, and building permits for four new homes. Currently the city is looking at their entire drainage plan, and this is listed as a wet land. Ms. Seipker briefly discussed the title of the changes of this area (document). Mr. Wayman stated that they must decide to build the dam and make the detention facility small, or leave it low (environmental land).

Chairman Hardwick asked about a variance concerning property on Lookout Road and was drainage (sprinkler system-located by El Dorado Chemical) put into that property. Mr. Cimics briefly discussed this issue with the Board.

Chairman Hardwick asked about the Patel Hotel. Mr. Wayman stated that Patel has continued work, and it is not longer a dangerous structure. They repaired the beams, and have obtained a building permit, however as long as they do minimal work of the hotel their building permit continues to be in effect.

Chairman Hardwick asked about the church and landscape on IH 35, and would it create a problem with drainage that flows down into Martinez area. Mr. Wayman stated that the owners have followed the guidelines of all our ordinances, and the drainage should not leave off the property faster than it left before the church was built and the property was improved.

9. ADJOURNMENT

As there was no further business, it was moved and seconded to adjourn. The meeting adjourned at 6:45 p.m.

APPROVED:



CHAIRMAN, BOARD OF ADJUSTMENT

ATTEST:



BOARD SECRETARY