



City of Austin

Founded by Congress, Republic of Texas, 1839
Planning and Development Review Department
One Texas Center, 505 Barton Springs Road
P.O. Box 1088, Austin, Texas 78767

October 10, 2012

Nuria Zaragosa
Via Email:

Re: Appeal of issuance of building permit related to the structure known as 1917
David Street for Building Permit # 2012-084972-BP

Dear Ms. Zaragosa:

The Building and Fire Code Board of Appeals (Board) conducted a Public Hearing held on October 9, 2012 to hear your appeal of the issuance of a building permit issued on August 28, 2012. Your appeal declared that the proposed structure is a "rooming house" based on a previous Board decision on May 5, 2010 concerning 1915 David Street. Therefore the property should be reviewed as a commercial property under the 2009 International Building Code (IBC) and not as a residential property under the 2006 International Residential Code (IRC).

The Board found this building permit involves new construction, while the May 4, 2010 decision was a remodel and the appeal was denied due to the remodel exceeding the square footage maximum for remodels per the Land Development Code.

The Board required a majority vote of 4 members to take action. The Board's motion to deny the appeal resulted in a 3/2 vote, resulting in that staff's decision stands. Without an affirmative motion to grant an appeal, and/or overturn the decision, the permit remains valid.

Sincerely,

Dan McNabb, Executive Liaison
Building and Fire Code Board of Appeals

cc: Board Members, Building and Fire Code Board of Appeals
Mike McHone, Owner Agent for Mike Said
Leon Barba, Building Official, Planning & Development Review Dept.
Brent Lloyd, Assistant City Attorney