

**NOTICE OF MEETING
CITY OF SOUTH PADRE ISLAND
BOARD OF ADJUSTMENTS & APPEALS (BUILDING)**

NOTE: One or more members of the City of South Padre Island City Council may attend this meeting; if so, this statement satisfies the requirements of the OPEN MEETINGS ACT.

NOTICE IS HEREBY GIVEN THAT THE BOARD OF ADJUSTMENTS & APPEALS (BUILDING) OF THE CITY OF SOUTH PADRE ISLAND, TEXAS, WILL HOLD A REGULAR MEETING ON:

**TUESDAY, MARCH 3, 2015
9:00 A.M. AT THE MUNICIPAL BUILDING,
CITY COUNCIL CHAMBERS, 2ND FLOOR
4601 PADRE BOULEVARD, SOUTH PADRE ISLAND, TEXAS**

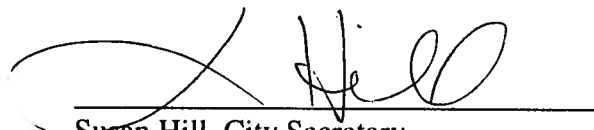
1. Call to Order.
2. Pledge of Allegiance.
3. Public Comments and Announcements: *This is an opportunity for citizens to speak to the Board relating to agenda or non-agenda items. Speakers are required to address the Board at the podium and give their name before addressing their concerns. [Note: State law will not permit the Board of Adjustments & Appeals (Building) to discuss, debate or consider items that are not on the agenda. Citizen Comments may be referred to City Staff or may be placed on the agenda of a future Board of Adjustments & Appeals (Building) meeting]*
4. Approval of Minutes of the November 4, 2014 and December 2, 2014 Regular Meeting.
5. Discussion and action regarding a request by Sam Listi representing Kirana Properties, LLC for a variance from Section 105.5 Expiration from the 2012 International Building Code. Applicant is requesting an extension on an expired Building Permit #6814 for the Kirana project. (1230 Padre Boulevard; Miramar and Lot 2B Block 1 Miramar/Sand Piles Subdivision)
6. Adjourn

DATED THIS THE 25TH DAY OF FEBRUARY 2015


Susan Hill, City Secretary

I, THE UNDERSIGNED AUTHORITY, DO HEREBY CERTIFY THAT THE ABOVE NOTICE OF REGULAR MEETING OF THE BOARD OF ADJUSTMENTS & APPEALS (BUILDING) OF THE CITY OF SOUTH PADRE ISLAND, TEXAS IS A TRUE AND CORRECT COPY OF SAID NOTICE AND THAT I POSTED A TRUE AND CORRECT COPY OF SAID NOTICE ON THE BULLETIN BOARD AT CITY HALL/MUNICIPAL BUILDING ON **FEBRUARY 25, 2015** AT/OR BEFORE **1:00 PM** AND REMAINED SO POSTED CONTINUOUSLY FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULED TIME OF SAID MEETING.




Susan Hill, City Secretary

THIS FACILITY IS WHEELCHAIR ACCESSIBLE, AND ACCESSIBLE PARKING SPACES ARE AVAILABLE. REQUESTS FOR ACCOMMODATIONS OR INTERPRETIVE SERVICES MUST BE MADE 48 HOURS PRIOR TO THIS MEETING. PLEASE CONTACT BUILDING OFFICIAL, JAY MITCHIM; ADA DESIGNATED RESPONSIBLE PARTY AT (956) 761-1025.

BOARD OF ADJUSTMENTS & APPEALS (ZONING and BUILDING)
MEETING MINUTES
NOVEMBER 4, 2014

1. Call to Order.

Roy De los Santos called the meeting to order at 9:00 a.m. in the City Council Chambers on the Second Floor of the Municipal Complex Building: 4601 Padre Boulevard and declared a quorum of members present. Board Members in attendance were: Jerry Pace, Jim Winholtz, Paul Fedigan and Roy De los Santos. Alternate Member present was Stephen Burch. Member with an excused absence was Peter Maheu. Staff Members present were Development Director Sungman Kim, Building Inspector David Travis, Assistant City Manager Darla Jones, and Marta Martinez.

2. Pledge of Allegiance.

Mr. De los Santos led those present in the Pledge of Allegiance.

3. Public comments and Announcements.

None

4. Approval of Minutes:

- a. **August 5, 2014 Zoning Regular Meeting.**
- b. **October 1, 2013 Building Regular Meeting.**

Mr. De los Santos announced the item from the agenda and asked the Board Members if they had any corrections to the August 5, 2014 Zoning Regular Meeting Minutes. Mr. Winholtz made a motion to approve with correction. Mr. Fedigan seconded the motion. The motion carried unanimously.

Mr. De los Santos announced the item from the agenda and asked the Board Members if they had any corrections to the October 1, 2013 Building Regular Meeting Minutes. Mr. Fedigan made a motion to approve as submitted. Mr. Winholtz seconded the motion. The motion carried unanimously.

5. Discussion and action regarding a Zoning request by William Schmidt for a variance from Section 20-7.1 District "B-2" – Residential & Multi-family Dwelling District (D) Area regulations (2) Side Yards and/or Section 20-12 Certain non-conforming uses (D) Continuance of non-conforming use subject to regulations of the City's Code of Ordinance. Applicant is requesting to rebuild the stairs the way they were. (120 E. Esperanza Street; Lot 12 Block 121 Padre Beach Subdivision, Section VIII)

Mr. De los Santos announced the item from the agenda and asked for a staff report. Dr. Kim gave a presentation regarding William Schmidt variance request.

Mr. De los Santos then opened it up for discussion by the Board. The Board expressed their comments/concerns regarding this matter. Mr. Winholtz made a motion to approve as submitted. Mr. Fedigan seconded the motion. The motion carried unanimously.

6. Discussion and action regarding a Building request by Sergio Mendez with Delta Construction representing owner Jorge Trevino for a variance from Section 4-27 (A) Standards for construction from the City's Code of Ordinance. Applicant is requesting a variance for an extension of an 8' – 16'4" foundation engineered design with no pilings. (116 E. Mezquite Street; Lot 10 Block 49 Padre Beach Subdivision, Section IV)

Mr. De los Santos announced the item from the agenda. Mr. Fedigan made a motion to table until applicant showed up. Mr. Winholtz seconded the motion. The motion carried unanimously.

7. Adjourn

Since the Board had no further business to discuss, Mr. Fedigan made a motion to adjourn the meeting. The meeting was adjourned at 9:08 a.m.

Marta Martinez, Secretary

Roy De los Santos, Chairman

BOARD OF ADJUSTMENTS & APPEALS (BUILDING)
MEETING MINUTES
DECEMBER 2, 2014

1. Call to Order.

Roy De los Santos called the meeting to order at 9:00 a.m. in the City Council Chambers on the Second Floor of the Municipal Complex Building: 4601 Padre Boulevard and declared a quorum of members present. Board Members in attendance were: Jerry Pace, Peter Maheu, Roy De los Santos, and Stephen Burch. Member with an excused absence was Jim Winholtz. Member with an unexcused absence was Paul Fedigan. Staff Members present were Building Official Jay Mitchim and Marta Martinez. Also present was Council Member Alex Avalos.

2. Pledge of Allegiance.

Mr. Pace led those present in the Pledge of Allegiance.

3. Public Comments and Announcements.

None

4. Approval of Minutes of the November 4, 2014 Regular Meeting.

Mr. De los Santos announced the item from the agenda and asked the Board Members if they had any corrections to the November 4, 2014 regular Meeting Minutes. Mr. Pace made a motion to approve as submitted. Mr. Maheu seconded the motion. The motion carried unanimously.

5. Discussion and action regarding a request by Miguel Torres representing owner Ricardo Sada for a variance from Section 1009.12 Handrails from the 2009 International Building Code. Applicant is requesting to be allowed to use a single handrail instead of two. (2400 Gulf Boulevard; Lot 4 Block 34 Padre Beach Subdivision Section IV)

Mr. De los Santos announced the item from the agenda and asked if a representative was present. Mr. De los Santos recognized Jeffery Erickson. Mr. Erickson stated that he is requesting approval for a full bath under the stairs/ceiling height.

Mr. De los Santos then opened it up for discussion by the Board Members. The Board Members express their comments/concerns regarding this matter. After some discussion Mr. Pace made a motion to approve as submitted. Mr. Burch seconded the motion. The motion passed on a 3:1 vote. Mr. Maheu voted in opposition.

6. Adjourn

Since the Board had no further business to discuss, Mr. De los Santos made a motion to adjourn; the meeting adjourned at 9:07 a.m.

form furnished by the department of building safety for that purpose. Such application shall:

1. Identify and describe the work to be covered by the *permit* for which application is made.
2. Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.
3. Indicate the use and occupancy for which the proposed work is intended.
4. Be accompanied by *construction documents* and other information as required in Section 107.
5. State the valuation of the proposed work.
6. Be signed by the applicant, or the applicant's authorized agent.
7. Give such other data and information as required by the *building official*.

[A] 105.3.1 Action on application. The *building official* shall examine or cause to be examined applications for *permits* and amendments thereto within a reasonable time after filing. If the application or the *construction documents* do not conform to the requirements of pertinent laws, the *building official* shall reject such application in writing, stating the reasons therefor. If the *building official* is satisfied that the proposed work conforms to the requirements of this code and laws and ordinances applicable thereto, the *building official* shall issue a *permit* therefor as soon as practicable.

[A] 105.3.2 Time limitation of application. An application for a *permit* for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a *permit* has been issued; except that the *building official* is authorized to grant one or more extensions of time for additional periods not exceeding 90 days each. The extension shall be requested in writing and justifiable cause demonstrated.

[A] 105.4 Validity of permit. The issuance or granting of a *permit* shall not be construed to be a *permit* for, or an approval of, any violation of any of the provisions of this code or of any other ordinance of the jurisdiction. *Permits* presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid. The issuance of a *permit* based on *construction documents* and other data shall not prevent the *building official* from requiring the correction of errors in the *construction documents* and other data. The *building official* is also authorized to prevent occupancy or use of a structure where in violation of this code or of any other ordinances of this jurisdiction.

[A] 105.5 Expiration. Every *permit* issued shall become invalid unless the work on the site authorized by such *permit* is commenced within 180 days after its issuance, or if the work authorized on the site by such *permit* is suspended or abandoned for a period of 180 days after the time the work is commenced. The *building official* is authorized to grant, in

writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

[A] 105.6 Suspension or revocation. The *building official* is authorized to suspend or revoke a *permit* issued under the provisions of this code wherever the *permit* is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or regulation or any of the provisions of this code.

[A] 105.7 Placement of permit. The building *permit* or copy shall be kept on the site of the work until the completion of the project.

SECTION 106 FLOOR AND ROOF DESIGN LOADS

[A] 106.1 Live loads posted. Where the live loads for which each floor or portion thereof of a commercial or industrial building is or has been designed to exceed 50 psf (2.40 kN/m²), such design live loads shall be conspicuously posted by the owner in that part of each *story* in which they apply, using durable signs. It shall be unlawful to remove or deface such notices.

[A] 106.2 Issuance of certificate of occupancy. A certificate of occupancy required by Section 111 shall not be issued until the floor load signs, required by Section 106.1, have been installed.

[A] 106.3 Restrictions on loading. It shall be unlawful to place, or cause or permit to be placed, on any floor or roof of a building, structure or portion thereof, a load greater than is permitted by this code.

SECTION 107 SUBMITTAL DOCUMENTS

[A] 107.1 General. Submittal documents consisting of *construction documents*, statement of *special inspections*, geotechnical report and other data shall be submitted in two or more sets with each *permit* application. The *construction documents* shall be prepared by a *registered design professional* where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the *building official* is authorized to require additional *construction documents* to be prepared by a *registered design professional*.

Exception: The *building official* is authorized to waive the submission of *construction documents* and other data not required to be prepared by a *registered design professional* if it is found that the nature of the work applied for is such that review of *construction documents* is not necessary to obtain compliance with this code.

[A] 107.2 Construction documents. *Construction documents* shall be in accordance with Sections 107.2.1 through 107.2.5.

[A] 107.2.1 Information on construction documents. *Construction documents* shall be dimensioned and drawn upon suitable material. Electronic media documents are

required for the testing or servicing of electrical equipment or apparatus.

Gas:

1. Portable heating appliance.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

Mechanical:

1. Portable heating appliance.
2. Portable ventilation equipment.
3. Portable cooling unit.
4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any part that does not alter its approval or make it unsafe.
6. Portable evaporative cooler.
7. Self-contained refrigeration system containing 10 pounds (5 kg) or less of refrigerant and actuated by motors of 1 horsepower (746 W) or less.

Plumbing:

1. The stopping of leaks in drains, water, soil, waste or vent pipe, provided, however, that if any concealed trap, drain pipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a *permit* shall be obtained and inspection made as provided in this code.
2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

105.2.1 Emergency repairs. Where equipment replacements and repairs must be performed in an emergency situation, the *permit* application shall be submitted within the next working business day to the *building official*.

105.2.2 Repairs. Application or notice to the *building official* is not required for ordinary repairs to structures, replacement of lamps or the connection of *approved* portable electrical equipment to *approved* permanently installed receptacles. Such repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load-bearing support, or the removal or change of any required *means of egress*, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include *addition*, *alteration* of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety.

105.2.3 Public service agencies. A *permit* shall not be required for the installation, *alteration* or repair of generation, transmission, distribution or metering or other related

equipment that is under the ownership and control of public service agencies by established right.

105.3 Application for permit. To obtain a *permit*, the applicant shall first file an application therefor in writing on a form furnished by the department of building safety for that purpose. Such application shall:

1. Identify and describe the work to be covered by the *permit* for which application is made.
2. Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.
3. Indicate the use and occupancy for which the proposed work is intended.
4. Be accompanied by *construction documents* and other information as required in Section 107.
5. State the valuation of the proposed work.
6. Be signed by the applicant, or the applicant's authorized agent.
7. Give such other data and information as required by the *building official*.

105.3.1 Action on application. The *building official* shall examine or cause to be examined applications for *permits* and amendments thereto within a reasonable time after filing. If the application or the *construction documents* do not conform to the requirements of pertinent laws, the *building official* shall reject such application in writing, stating the reasons therefor. If the *building official* is satisfied that the proposed work conforms to the requirements of this code and laws and ordinances applicable thereto, the *building official* shall issue a *permit* therefor as soon as practicable.

105.3.2 Time limitation of application. An application for a *permit* for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a *permit* has been issued; except that the *building official* is authorized to grant one or more extensions of time for additional periods not exceeding 90 days each. The extension shall be requested in writing and justifiable cause demonstrated.

105.4 Validity of permit. The issuance or granting of a *permit* shall not be construed to be a *permit* for, or an approval of, any violation of any of the provisions of this code or of any other ordinance of the jurisdiction. *Permits* presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid. The issuance of a *permit* based on *construction documents* and other data shall not prevent the *building official* from requiring the correction of errors in the *construction documents* and other data. The *building official* is also authorized to prevent occupancy or use of a structure where in violation of this code or of any other ordinances of this jurisdiction.

105.5 Expiration. Every *permit* issued shall become invalid unless the work on the site authorized by such *permit* is commenced within 180 days after its issuance, or if the work authorized on the site by such *permit* is suspended or abandoned for a period of 180 days after the time the work is commenced. The

building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

105.6 Suspension or revocation. The *building official* is authorized to suspend or revoke a *permit* issued under the provisions of this code wherever the *permit* is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or regulation or any of the provisions of this code.

105.7 Placement of permit. The building *permit* or copy shall be kept on the site of the work until the completion of the project.

SECTION 106 FLOOR AND ROOF DESIGN LOADS

106.1 Live loads posted. Where the live loads for which each floor or portion thereof of a commercial or industrial building is or has been designed to exceed 50 psf (2.40 kN/m²), such design live loads shall be conspicuously posted by the owner in that part of each *story* in which they apply, using durable signs. It shall be unlawful to remove or deface such notices

106.2 Issuance of certificate of occupancy. A certificate of occupancy required by Section 111 shall not be issued until the floor load signs, required by Section 106.1, have been installed.

106.3 Restrictions on loading. It shall be unlawful to place, or cause or permit to be placed, on any floor or roof of a building, structure or portion thereof, a load greater than is permitted by this code.

SECTION 107 SUBMITTAL DOCUMENTS

107.1 General. Submittal documents consisting of *construction documents*, statement of *special inspections*, geotechnical report and other data shall be submitted in two or more sets with each *permit* application. The *construction documents* shall be prepared by a *registered design professional* where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the *building official* is authorized to require additional *construction documents* to be prepared by a *registered design professional*.

Exception: The *building official* is authorized to waive the submission of *construction documents* and other data not required to be prepared by a *registered design professional* if it is found that the nature of the work applied for is such that review of *construction documents* is not necessary to obtain compliance with this code.

107.2 Construction documents. *Construction documents* shall be in accordance with Sections 107.2.1 through 107.2.5.

107.2.1 Information on construction documents. *Construction documents* shall be dimensioned and drawn upon suitable material. Electronic media documents are permitted to be submitted when *approved* by the *building official*. *Construction documents* shall be of sufficient clarity to indicate the location, nature and extent of the work proposed

and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations, as determined by the *building official*.

107.2.2 Fire protection system shop drawings. Shop drawings for the *fire protection system(s)* shall be submitted to indicate conformance to this code and the *construction documents* and shall be *approved* prior to the start of system installation. Shop drawings shall contain all information as required by the referenced installation standards in Chapter 9.

107.2.3 Means of egress. The *construction documents* shall show in sufficient detail the location, construction, size and character of all portions of the *means of egress* in compliance with the provisions of this code. In other than occupancies in Groups R-2, R-3, and I-1, the *construction documents* shall designate the number of occupants to be accommodated on every floor, and in all rooms and spaces.

107.2.4 Exterior wall envelope. *Construction documents* for all buildings shall describe the *exterior wall envelope* in sufficient detail to determine compliance with this code. The *construction documents* shall provide details of the *exterior wall envelope* as required, including flashing, intersections with dissimilar materials, corners, end details, control joints, intersections at roof, eaves or parapets, means of drainage, water-resistive membrane and details around openings.

The *construction documents* shall include manufacturer's installation instructions that provide supporting documentation that the proposed penetration and opening details described in the *construction documents* maintain the weather resistance of the *exterior wall envelope*. The supporting documentation shall fully describe the *exterior wall* system which was tested, where applicable, as well as the test procedure used.

107.2.5 Site plan. The *construction documents* submitted with the application for *permit* shall be accompanied by a site plan showing to scale the size and location of new construction and existing structures on the site, distances from *lot lines*, the established street grades and the proposed finished grades and, as applicable, flood hazard areas, floodways, and *design flood* elevations; and it shall be drawn in accordance with an accurate boundary line survey. In the case of demolition, the site plan shall show construction to be demolished and the location and size of existing structures and construction that are to remain on the site or plot. The *building official* is authorized to waive or modify the requirement for a site plan when the application for *permit* is for *alteration* or repair or when otherwise warranted.

107.2.5.1 Design flood elevations. Where *design flood* elevations are not specified, they shall be established in accordance with Section 1612.3.1.

107.3 Examination of documents. The *building official* shall examine or cause to be examined the accompanying submittal documents and shall ascertain by such examinations whether the construction indicated and described is in accordance with the requirements of this code and other pertinent laws or ordinances.

Jay Mitchim

From: Jay Mitchim
Sent: Friday, January 16, 2015 1:55 PM
To: Sam A. Listi
Cc: Darla A. Jones; David Travis
Subject: RE: PERMIT EXTENSION REQUEST

Sam,

I will not be able to grant the extension because of the way the code is worded. Things like "every permit" and "shall become invalid". The other issue is the written request has to include "justifiable cause demonstrated". I am afraid that the only avenue of recourse would be to apply to the Building Board of Adjustments and Appeals for a variance from Section [A]105.5 of the 2012 International Building Code.

Jay

Jay Mitchim | Building Official
City of South Padre Island
4601 Padre Blvd. South Padre Island, Texas 78597
Office: 956-761-8103 | Fax: 956-761-3898 | Mobile: 956-433-9899
E-mail: JMitchim@MySPI.org www.MySPI.org



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From: Sam Listi [<mailto:spiarch@yahoo.com>]
Sent: Friday, January 16, 2015 12:54 PM
To: Jay Mitchim
Subject: Fwd: PERMIT EXTENSION REQUEST

Jay, I Just received this from the Kirana folks

Sent from my iPhone

Begin forwarded message:

From: Alex Schwarz <alex@odg.com.mx>
Date: January 16, 2015 at 12:30:13 PM CST
To: Sam Listi <spiarch@yahoo.com>
Subject: PERMIT EXTENSION REQUEST

Sam,

I am resending the letter I sent back in December. No idea what happened. Please talk to Jay and I hope this can get extended. As you know, we are trying to get this going this year, finally.

Best regards my friend. Have a great year.

Alex

Begin forwarded message:

From: Alex Schwarz <alex@odg.com.mx>

Subject: KIRANA PERMIT

Date: December 20, 2014 at 2:51:15 PM CST

To: spiarch@yahoo.com

Sam,

Enclosed is a letter to request an extension for Kirana's construction permit. Please send Jay my regards. Thanks for your help!!!!

Alex

one

DEVELOPMENT
GROUP

THE VALUE OF UNIQUENESS

December 20, 2014

James Mitchim
Building Inspections and Permitting
City of South Padre Island
4601 Padre Blvd
South Padre Island, TX 78597

Dear Jay,

I am writing you to request an extension on construction permit #6814 for the Kirana project on the our land. I appreciate your help and would like to assure you that we are working on getting started sometime in 2015. Hope you have a great holiday and wish you the best in this coming New Year. As always, appreciate your help.

Sincerely yours,


Alex Schwarz



June 23, 2014

TO WHOM IT MAY CONCERN:

This letter is to verify that on June 23, 2014, the "**Kirana**" project was granted a 180 day extension, good from June 26, 2014 through December 22nd, 2014, for commencement of construction authorized by Building Permit #6814.

If you have any questions or if I can be of any further assistance please feel free to contact me at (956)-761-1025 or jmitchim@MYSPI.org, Monday through Friday.

Sincerely,

CITY OF SOUTH PADRE ISLAND

Jay Mitchim
Building Official

"A Certified Retirement Community"

Building Department • 4601 Padre Boulevard • South Padre Island, Texas 78597

•TELEPHONE - 956.761.1025 • Fax 956.761.3898



CITY OF SOUTH PADRE ISLAND BOARD OF ADJUSTMENT & APPEALS APPLICATION

☒ \$250 variance ☐ Special Exception Use (Sec. 20-16.1)
☐ Administrative Appeal

APPLICANT INFORMATION

Name SAM A LISTI
Mailing Address PO Box 2220
City, State, Zip SP1 TX 78597
Phone number 956 345 9940
Fax number _____
E-mail Address SP1ARCH@YAHOO.COM

X OWNER INFORMATION

Name KIRANA PROPERTIES, LLC.
Mailing address 1904 Freight St.
City, State, Zip Lubbock, TX 79411
Phone number 805.753.0033
Fax number _____
E-mail Address alex@odg.com.mx

SITE LOCATION FOR REQUEST:

Physical Address (Street Name & Number): 1230 PADRE BLVD

Legal Description (Lot / Block / Subdivision): Minner Subdivision of Sand Piles Subdivision Plot Lot 28

I hereby request the following from the Board of Adjustment and Appeals:

PAID PERMIT EXTENSION (SEE ATTACHED)

In addition, the application requires the submission of the following:

- ☒ \$250 application fee per variance, special exception, and appeal request.
- ☒ Stamped/Sealed & dated survey of Improvements of the Subject Property.
- ☒ Copy of Floor Plan of structure proposed to be constructed or expanded.
- ☒ Current/recent photographs of the site.
- ☒ And any additional information to more clearly understand the request.

For Internal use only:

Amount Paid: _____
Paid Cash or Check No. _____
Date Received: _____

Note: Applicants are required to fully disclose in the application all information that is necessary for the various bodies to make their determination prior to issuance of any permit. At a minimum, an application for a variance or Special Exception shall contain ten (10) copies of the information outlined above. All information must be submitted no later than twenty (20) days prior to the meeting date.

It is the responsibility of the applicant to ensure that the information provided is accurate and complete. The Board of Adjustment and Appeals reserves the right to request additional information if the information provided is incomplete or inaccurate.

Applicant's Name (Please Print) SAM A. LISTI Owner's Name (Please Print) Alex Schwarz

Applicant's Signature: [Signature]

Owner's Signature: [Signature]

Date: 1/15

Date: January 21, 2015

Listi Architects
PO Box 2220
South Padre Island, Texas 78597

February 3, 2015

MEMO

TO: Board of Adjustments and Appeals

FROM: Sam A. Listi

REF: Permit Fee Extension

On July 6, 2010 a permit was approved and a fee of approximately \$360,000 was paid for a 34 story project to be built at 1230 Padre Blvd.

The project was reviewed and approved by the IBC Code Review officials in Birmingham, Al. and South Padre Island. Unfortunately, the bank had second thoughts on the project and the financing was terminated.

Since that time the owners have been looking at other financing options and concepts for the property. I have work diligently with the owners to develop a reasonable and well-designed project for the property.

The owners have consistently asked the South Padre Island building department for extensions to the permit under Section 105.5 of the International Building Code and the South Padre Island building department has granted extensions.

However, they missed the deadline in December, 2014. They are now requesting an exception to the IBC Section 105.5 and an extension of the Permit #6814. This is a great some of money and want the ability to apply it to a new building permit.