



From: Anisa Schell anisaschell@gmail.com

Subject: Fwd: Re: [EXTERNAL] BOA Appeal

Date: July 18, 2019 at 8:39 AM

To: Ricki Kushner fpkushner1@yahoo.com, Michael Cepek mlcepek@hotmail.com, Malcolm Hartman mhartman@tycoonflats.net, Larkin O'Hern larkin.ohern.85@gmail.com, Cody Doege codydoege819@hotmail.com, Blayne Tucker blayne.scott.tucker@gmail.com

Cc: Ben Olivo ben@saheron.com, Charlotte-Anne Lucas calucas@nowcastsa.org, Stephen Fonzo fonzo.stephen@gmail.com

Bcc: cynthiaspielman@gmail.com, rschellthca@gmail.com

I'm not sure why she didn't copy our Board on her response.

See below from Cat.

Here is the link to that section of the code: https://library.municode.com/tx/san_antonio/codes/unified_development_code?nodemd=ARTVIIIADAG_S35-801BOAD

I'm not sure how Cat is interpreting this section of code to mean that we can't appeal a demolition permit.

Note that it states:

"The board of adjustment shall have the following powers and duties which must be exercised in accordance with this chapter:

• To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by an administrative official in the enforcement of this chapter."

Also - note that I have copied Ben Olivo from the San Antonio Heron and Charlotte-Anne Lucas from NOWCastSA on this email. Charlotte-Anne is covering what has been going on at Evergreen. Ben is covering other issues happening at DSD, including how interpretations of the UDC are happening. I think they should both be aware of this decision.

Anisa

Begin forwarded message:

From: "Catherine J Hernandez (DSD)" <Catherine.Hernandez@sanantonio.gov>
Date: July 18, 2019 at 8:19:21 AM CDT
To: 'Anisa Schell' <anisaschell@gmail.com>, "INFO@TOBINHILL.ORG" <INFO@tobinhill.org>
Cc: "Michael Shannon (DSD)" <Michael.Shannon@sanantonio.gov>, "Melissa Ramirez (DSD)" <Melissa.Ramirez@sanantonio.gov>, "Zenon Solis (DSD)" <Zenon.Solis@sanantonio.gov>
Subject: RE: [EXTERNAL] Re: BOA Appeal

Good morning, Anisa.

The Board of Adjustment does not have oversight of all decisions made by any official in the City of San Antonio. The authority of the Board can be found in City Code Section 35-801. In addition, no board or commission has authority to hear an appeal from a decision of the City Council.

If you have any questions, please let me know. Cat

From: Anisa Schell [<mailto:anisaschell@gmail.com>]
Sent: Wednesday, July 17, 2019 6:05 PM
To: Catherine J Hernandez (DSD)
Cc: INFO@TOBINHILL.ORG; Michael Shannon (DSD); Melissa Ramirez (DSD); Zenon Solis (DSD); Cody Doege; blayne.scott.tucker@gmail.com; Malcolm Hartman; larkin.ohern.85@gmail.com; Ricki Kushner; mlcepek@hotmail.com; ben@saheron.com; Charlotte-Anne Lucas; Stephen Fonzo
Subject: [EXTERNAL] Re: BOA Appeal

Hello Cat,

Isn't it the job of the Board of Adjustment to determine the validity of our case at the hearing?

Please advise.

Anisa Schell
Secretary of the Board
Tobin Hill Community Association

On Jul 17, 2019, at 3:06 PM, Catherine J Hernandez (DSD)
<Catherine.Hernandez@sanantonio.gov> wrote:

Development Services Department has reviewed your application for appeal to the Board of Adjustment in accordance with City Code. The application has failed to state the basis for a valid appeal to the Board of Adjustment. Additionally, the Board of Adjustment does not have authority to hear or decide appeals regarding City Council decisions. Demolition permits are governed by Chapter 10. As such, your application fee will be refunded.

If you have any questions, please let me know.

Catherine Hernandez

Development Services Administrator
Land Development Division
Development Services Department
City of San Antonio
210.207.5085 – Direct
210.207.4459 – Fax
210.207.1111 – Customer Service
catherine.hernandez@sanantonio.gov

<http://www.sanantonio.gov>

Please take a moment and tell us how we are doing by taking our survey:

<http://www.sanantonio.gov/dsd/survey.asp>

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