

CONSTRUCTION CODE BOARD

OF

ADJUSTMENT AND APPEALS

CALLED MEETING

MARCH 27, 2003

MEMBERS PRESENT:

**James Jackson, Chairman
Chuck Edwards
Stephen Hipps
Danny Dutton
Sid Hunter**

MEMBERS ABSENT:

**Jim Schmidgall
Ronce Morgan**

The meeting was called to order at 4:00 P.M. by James Jackson, Chairman.

The minutes of the February 17, 2000, called meeting were reviewed by the Board. Motion by Dutton with second by Hunter to approve the minutes as presented. The vote was called. All members voted aye and the motion was declared carried.

The Board now considered the appeal of Dana and Angie Wilson for a variance to the Sherman City Code, Section 11, Subsection 11-70, 71, 72 & 73 to allow a liquid propane tank in excess of 10 gallons inside the city limits of Sherman at 2847 Cathleen Lane, being Lot 28, Block 3 of the Wilsonwood Estates Addition.

The request was presented by Dana Wilson. Mr. Wilson told the Board he and his wife are in the process of building a new home on a 1-acre lot in the Wilsonwood Estates Addition west of Sherman. Mr. Wilson stated natural gas is not available in the development and they would like to put in an underground propane tank for use in heating their home and eventually to heat a swimming pool they plan on building. Mr. Wilson stated he did not know before they started the house propane was not allowed for use inside the city limits of Sherman. Mr. Wilson gave the Board copies of research materials regarding propane risk factors, energy savings and uses for propane (which will be made part of these minutes). Mr. Wilson stated there is a 1 in 37 million chance of being hurt by propane.

Mr. Mike Preble, Fortress Homes, contractor for the home, stated he took out the building permit for the home and the building permit states electricity will be the principal type of heating fuel. Mr. Preble stated he always intended the principal type of heating to be gas,

but when he took out the permit he stated electricity would be used to heat the home. The house was piped for gas.

Mr. Hunter stated the problem with propane is the hazard of an explosion; if your propane tank runs out and the owner is not home when the propane truck comes to fill your tank and you don't turn off a small unit in the house, then you come home in the afternoon and smell propane, you start opening doors and windows to get rid of the smell and then you light your appliances, there will be a hazard of some kind. Mr. Wilson stated his appliances are electronic ignition light, there is not a pilot light burning all the time. Mr. Wilson stated he will be using the propane for heating his home and to light the fireplace. Mr. Wilson stated he would be willing to install an alarm that is called a sniffer which detects gas, propane and carbon dioxide if the city wanted him to.

Mr. Edwards asked Mr. Wilson if he was planning on installing a propane tank that has a tank inside a tank, where if one of the tanks leaks the other tank would capture the leak. Mr. Wilson stated he is planning on installing a single tank. Mr. Dutton asked Mr. Wilson if the plumber knew he was planning on installing propane. Mr. Wilson said yes he did. Mr. Preble stated the plumbers for the house are certified licensed State of Texas Plumbers. Mr. Jackson asked Scott Shadden if the house was inspected. Mr. Shadden responded the house was inspected for natural gas. Mr. Wilson stated propane is regulated by the railroad commission. Mr. Wilson said this is the only alternative to electricity in case there is another ice storm like there was in 2000.

Fire Marshall Phillip Hightower stated the reason there is an ordinance in the City of Sherman against propane cylinders is they have inherit dangers. Some of the dangers are: underground tanks have a tendency to shift around during dry conditions verses wet conditions, and eventually causing problems with leaks. The other problem with above ground propane tanks is if the tank is bumped or hit even blown around you could have a possible leak. Mr. Hightower stated we have turned down people before in housing additions and if we open it up to allowing propane cylinders in residential areas we probably shooting our self in the foot, unless you want to change the ordinance then you should live by the code.

The Chairman asked the pleasure of the Board based on the previous discussion. Motion by Hunter with second by Hipps to deny the request because of the liability and also we would be setting a precedent for others. The vote was called. All members voted aye and the motion was denied.

The Board found Mr. Wilson did not present sufficient conditions to justify granting the variance.

Other new business.

There being no further business to come before the Board, on motion the meeting was adjourned at 4:30 p.m.

CHAIRMAN

SECRETARY