

proposed safe locations for the tank were discussed. Mr. Cato informed the board they do numerous tests on the lines to make sure there are not any leaks. Mr. Cato volunteered to install an emergency cut-off valve, bollards and a tracer wire.

Gary Marlow, M.D. #18 Timber Creek

Dr. Marlow informed the board he would like to place the propane tank in the middle of the field beside his home so that it would be away from other dwellings. He would like to install an underground 500 gallon propane tank to heat a pool and spa at his residence. The propane tank will not supply the home only the pool/spa.

Dr. Marlow informed the board last week, March 3, 2005, someone from the Texas Railroad Commission was here and he was very adamant about the safety of liquid petroleum gas, the Texas Railroad Commission considers it a safe gas. No energy source is completely without potential risk, whether it is propane, natural gas or electricity, there is always the potential for risks, fire, or backhoes digging up lines, there is not a completely safe energy source.

Phillip Hightower, Fire Marshall

Fire Marshall Hightower stated his concern is for the safety of the city and the firefighters of Sherman. The fire department trains specifically for fighting liquid petroleum gas fires locally and at Texas A&M; because they are dangerous. We have an ordinance in place to protect the citizens of Sherman, but, whatever the board decides today, we will abide by. The board heard a similar request last year, but that gentleman wanted to heat his home, and we turned him down. Now we are meeting to vote on a variance to heat a swimming pool, I think you should give that some thought and consideration.

Chairman Jackson stated his main problem with propane is it does not rise like natural gas. If it was like natural gas and went up, I would not care, he could put it anywhere he wanted, but the Railroad Commission used to be picky about where you installed propane. "I don't think they have changed the make up of it." He asked Mr. Cato if propane isn't pretty much the same product it was.

Mr. Cato responded "it is pretty much the same product, the equipment in the last four or five years makes this a lot safer".

Chairman Jackson stated that he would like to see the tank if approved, be located to the front of the house to keep it further from the closest house, because it is already a long distance from everything else.

Board Member Dutton stated he would like to have a shut off valve installed on the tank.

The board; Jackson, Dutton, Schmidgall and Morgan again reviewed the site plan, as well as Mr. Cato and Dr. Marlow. Chairman Jackson pointed out that if the tank was located where Dr. Marlow wanted it, it would be closer to the neighboring homes, if it were closer to the front, it would be further away. Mr. Dutton asked about the topography. The location of the fences, trees and driveways were discussed. It was noted by Dr. Marlow that there were features not shown on the drawing. Mr. Dutton asked the location of fire hydrants near the proposed location. Mr. Jackson asked the location of electrical lines. Chairman Jackson added he would like to see the location of the tank and heater on the drawing. Mr. Cato stated that the heater is what he would be more concerned about because that is where the fire is going to be. He discussed the safety precautions, testing, anodes, and by law, testing any tank that runs out of propane. Dr. Marlow pointed out proposed locations for the tank, his house was not on the drawing only his garage. It was determined that the drawing was not complete or to scale. Members of the board attempted to determine from the drawing submitted the distance of the proposed tank from the residential structures in the area. Chairman Jackson stated he would like to see a drawing that shows the specifics with the pool location and liquid petroleum tank location and distances from structures, etc. Fire Marshall Hightower stated he thought the drawing and measurements should be specific.

No other citizens appeared before the Construction Board of Adjustments and Appeals to discuss the variance.

Scott Shadden, Secretary informed the board that they have two choices. One to grant the request based on conditions and additional safety measures to be installed, or to deny the request based on the information provided. Reasons need to be included either for or against.

ACTION TAKEN.

Motion by Board Member Dutton to approve the request for no more than a 500 gallon buried liquid petroleum tank based on the evidence presented, more specifically that the distances from the property lines and other structures, uniqueness of the subdivision with 2.5 acre minimum lot size, additional safety measures including the marking of the buried lines, bollards – emergency shut off valve, 100 feet from the dwelling and 100 feet from any other dwelling, 50 feet from the pool, and conditioned upon full compliance with the 2000 International Codes, National Fire Protection Association 58 and all state and federal laws regarding installation, maintenance and safety of propane tank systems, to be used for only pool heating, not to be used for domestic residential heating in dwellings. Second by Board Member Morgan.

VOTING AYE: DUTTON

VOTING NAY: SCHMIDGALL, MORGAN.

CONSTRUCTION BOARD OF ADJUSTMENTS AND APPEALS MINUTES – MARCH 8, 2005

**MOTION FAILED.
THE BOARD FELT THE REQUEST DID NOT CONFORM TO
THE INTENT OF THE ORDINANCE.**

OTHER BUSINESS

No other business came before the board.

ADJOURNMENT

**On Motion duly made and carried, the meeting adjourned at
1:55 p.m.**

OTHER BUSINESS

ADJOURNMENT

CHAIRMAN

SECRETARY