

Screening materials around the liquefied petroleum gas container may be used in accordance with local liquefied petroleum gas distributors recommendation so long as at least fifty percent (50%) of the screening is clearly marked and legible from a distance of one hundred (100) feet. A placard must be marked with an upper case "P," blue in color with a contrasting background on a sign at least 8" x 11" in size; lettering must be at least 8" in height. Distributors will need to be licensed by the Railroad Commission and inspected. You cannot transfer it from one vehicle to another in the City.

The request today is from Mr. and Mrs. Flores, they have a little over a half acre lot.

Johnny & Jada Flores, 2101 West Moore Street, Sherman, TX

Mr. and Mrs. Flores appeared to represent the request and answer any questions. The property is located at 2101 West Moore Street between Center Street and Park Avenue. Mr. Flores explained they are in the process of constructing an addition to their home and remodeling the kitchen and they would like to convert over to propane from electric to have a stove and tankless water heater. "We would like to have a 250 gallon tank; it won't be maxed out. There is a 200' power line easement to the north of his property, so no one will be building anything next to his property to the north. We don't have a neighbor near us, except my parents, who live next door to the south."

Commission Member Hunter felt there would be a conflict later when someone comes in and says you did it for this one, so you have set a precedent and you are going to have some issues later. "If you had a 250 gallon tank exploding underground, I would imagine you would feel it all over Sherman."

Mrs. Flores explained her neighbor across the street has propane.

Commission Member Dutton asked "how many acres they have."

Mr. Flores explained "me and my parents own a little over an acre; we have divided that, we have a little over a half acre."

Mr. Shadden explained "we have a request before the Planning and Zoning Commission at the January 17, 2017 Meeting, to put in a solar farm on the property to the north of this property."

Mr. Flores explained "we are nowhere near a neighborhood, we don't have natural gas to tap on to; so this is our only source to go with the propane."

Chairman Jackson understood, “that is the same thing everyone runs into. We are in a bind because you don’t have an acre.”

Commission Member Hunter explained “we have always denied the request under an acre.”

Mrs. Flores explained “if I had a house next to me, I don’t think I would be here, I would understand what you are saying, but we are not going to have anything there.”

Commission Member Hunter explained “even though you have the power line, you have your parents that live next door, but what we have to face is the next person coming in and wanting the same thing; it doesn’t matter what is next door to you, you own this amount of property, you take the other out of the equation because it doesn’t go in. They have a legit claim when they come in and say you did it for them and I expect you to do it for me, or I am going to sue the City and they are probably going to win.”

Mr. Flores explained “I see your reasoning, but if you can’t really give a good reason why because we don’t have an acre, you have to see it from both sides, every situation is different.”

Chairman Jackson explained “they just changed the ordinance to allow it on one acre and we have only passed requests for 2 ½ acres or more.”

Mrs. Flores explained “I had a conversation with the Fire Marshal and it was recommended that I proceed with this process given where I live, given where I live, I don’t really fall within the outline here, we should be heard, so based off of that advice has led me here today. It doesn’t make sense based off of where I live. He recommended I follow this appeal process and he felt that you might see outside of the box.”

Chairman Jackson explained “the Fire Marshal now is more neutral on it than some of the others have been.”

Commission Member Hunter explained “we do see outside of the box, we have gone outside of the box.”

Chairman Jackson explained “things change; things grow up around you.”

Mrs. Flores explained “we have been out there twenty years and basically in their area there has been no development because of the power lines. If we had an option of buying more property, we would, but it hasn’t been an option.”

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

ACTION TAKEN.

Motion by Board Member Schmidgall to approve the request to allow a liquid propane tank in excess of 10 gallons inside the city limits of Sherman, Texas to be used for a stove and tankless water heater. The motion died for a lack of a Second.

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

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 2:25 p.m.

ADJOURNMENT





CHAIRMAN

SECRETARY