



Town of Surfside Beach Construction Board of Appeals
Council Chambers, 115 US Highway 17 North, Surfside Beach, SC 29575
843.913.6111 – www.surfsidebeach.org
Thursday, September 6, 2018 • 6:30 p.m.

1. Call to Order.

Chairman Arteaga called the meeting to order at 6:30 p.m. Chairman Arteaga and Members O'Brien, Oslin, and Stewart were present. Three seats are vacant. A quorum was present. Also present: Town Clerk Herrmann, and Building Official Farria.

2. Minutes Approval.

Mr. O'Brien made a motion to approve the minutes of the January 22, 2018 meeting. Mr. Oslin second. All voted in favor. **MOTION CARRIED.**

3. Recital of Appeals #CBA2018-02.

Mr. Farria presented the appeal for a setback variance to bury a gas tank to provide fuel for cooking and fireplace heating.

4. Appellant Recitals.

Mr. Karl Pitts presented his appeal for a setback variance for his property located at 115B 8th Avenue North to allow an underground gas tank to provide fuel for cooking and heating.

5. Rebuttals and/or Exhibits.

i. Town of Surfside Beach.

Mr. Farria presented his case, which can be heard on the meeting audio on file in the clerk's office. The code currently requires all new tanks to be buried underground. The board determined that all other requirements were met, except the required setback of ten feet, and Fire Chief Otte provided a statement saying in his opinion granting the variance "would not create any issues for the fire department." A lengthy discussion ensued regarding options, other homes in the area that have grandfathered tanks above ground and strapped to pylons under the homes, etc. The question was asked about a precedent being set by allowing the variance. The board was reminded that each case must be considered on its merits, regardless of other decisions made in similar cases.

ii. Appellants.

Mr. Pitts explained that since the plans inception he intended to have propane gas to fuel his cook stove and fireplace, and his permit was approved with that in the original plan. He has been in the house for about two months without any way to cook in the house, and implored the board to grant the variance. He was ready to cover whatever costs necessary that the board deemed proper to get the tank buried.

6. Questions to Appellant and/or Town.

The board, Mr. Farria and Mr. Pitts had a lengthy discussion about possible options for the tank location; materials that could be used for fire barriers, and the fact that regardless of the location, the tank would be at least ten feet away from a structure.

7. Deliberations and decision of the Construction Board of Appeals.

After deliberations and consideration of the evidence, Chairman Arteaga moved to approve the variance as requested. All members voted in favor. **MOTION TO APPROVE VARIANCE CARRIED.**

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8. Board Comments. There were no board comments.

9. Adjournment. Chairman Arteaga adjourned the meeting at 7:06 p.m.

Prepared by submitted by,

Approved: _____

Debra E. Herrmann, CMC, Town Clerk

Orlando Arteaga, Chairman

Danny Oslin, Board Member

Shane Stewart, Board Member

John O'Brien, Board Member

Vacant Seat

Vacant Seat

Vacant Seat

Clerk's Note: This document constitutes action minutes of the meeting. In accordance with FOIA §30-4-80 (A) and (E) meeting notice and the agenda were distributed to local media and subscribers on the town's email subscription list. The meeting was posted on the town website calendar, the entry door at Town Council Chambers, also on the Town marquee. The audio recording of the meeting is on file in the clerk's office for reference.