

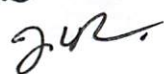
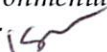




Memorandum

Date: April 23, 2015

To: SOUTHERN NEVADA DISTRICT BOARD OF HEALTH

From: Daniel LaRubio, Jr., P.E., *Environmental Health Engineer/Supervisor* 
Paul L. Klouse, REHS, *Environmental Health Manager* 
Jacqueline L. Reszetar, M.S., REHS, *Director of Environmental Health* 
Joseph P. Iser, M.D., DrPH, MSc, *Chief Health Officer* 

Petitioner: Thomas J. Murphrey, Sole Owner

Subject: Variance Request to Permit and Install a New Individual Sewage Disposal System (ISDS) on an Undersized Lot Served by an Off-Site Public Water Supply with a Deep Absorption Trench within Twenty (20) Feet of a structure and Ten (10) Feet of the Property Lines (APN 129-36-111-032)

BACKGROUND

Thomas J. Murphrey, sole owner, is requesting a variance to permit and install an individual sewage disposal system (ISDS) on an undersized lot served by municipal water. The lot is approximately 0.09 acre gross, which includes one-half ($\frac{1}{2}$) of the adjoining Silver Tip Trail located in Mt. Charleston, Nevada where one quarter ($\frac{1}{4}$) or 0.25 acre gross is required for installation of an ISDS on a lot served by municipal water supply. The lot is located at 4780 Silver Tip Trail legally description is Lot Three (3) Block Three (3) of Cathedral Rock View as shown by Map Thereof on file in Book 5 of Plats, Page 5 in the office of the County Recorder, Clark County, Nevada APN 129-36-111-032, Clark County, Nevada (see attached SNHD Public Notice signed by Jacqueline Reszetar on March 20, 2015 and Assessor's Map).

The owner of the property, Thomas J. Murphrey, obtained the property in July 2014 (see attached Clark County Assessor's Ownership History) and now wishes to have a septic system permitted to be installed on his lot to be in compliance (See attached justification letter dated March 16, 2015.). Mr. Murphrey will be permitting an ISDS (See attached Plot Plan). His letter further states that the new ISDS will be five ft. from any structure or property line and the septic tank is no closer than 5 ft. from any structure or property line. (See attached DL Consulting Cone of Influence Letter dated February 23, 2015).

DISCUSSION

Section 5.1 of the *District Board of Health Regulations Governing Individual Sewage Disposal Systems and Liquid Waste Management* requires that a septic tank or soil absorption system not be located within ten (10) feet of any property line.

Section 11.20.2 of the *District Board of Health Regulations Governing Individual Sewage Disposal Systems and Liquid Waste Management* requires a minimum of one quarter (1/4) acre (10,900 sq. ft. including public streets or easements) for the installation of an ISDS on a lot served by municipal water supply.

Section 19.5 of the *District Board of Health Regulations Governing Individual Sewage Disposal Systems and Liquid Waste Management* requires the Board to consider the relative interests of first, the public; second, other property owners likely to be affected; third, the applicant; in that order. No variance shall be granted in the absence of showing that:

- (1) The variance would not endanger or tend to endanger human health or safety.
- (2) Compliance with regulations from which the variance is sought would produce serious hardship without equal or greater benefit to the public.

Staff is of the opinion that the granting of this variance will not endanger or tend to endanger human health provided the applicant agrees to and complies with the four (4) conditions recommended by staff and subject to Board of Health approval.

There is one existing well located upgradient and within six hundred (600) feet of the proposed shallow absorption system which is in proximity to a high density of existing ISDS's. (See attached ISDS Density Map). The map also shows "147 Lots with a traceable permit for a septic system within a square mile of APN 129-36-111-032." The offsite water quality will not be affected by the proposed septic system. The closest neighboring building to the proposed ISDS is a distance of forty five (45) feet, twenty five (25) feet more than the normal twenty (20) feet minimum required separation, but acceptable per attached Cone of Influence Letter dated February 23, 2015 by Landon Christopherson, P.E. of DL Consulting. The closest property line is five (5) feet from the ISDS where ten (10) feet minimum separation is normally required.

RECOMMENDATIONS

Therefore, staff recommends approval with the following conditions:

1. The ISDS will be limited to the proposed 1,000 gallon septic tank with a proposed deep absorption trench.
2. The ISDS may not be located in an area subject to vehicular traffic, any area to be paved or within ten (10) feet of any tree.

April 23, 2015

3. Permitting of the ISDS must be commenced within one (1) year of the date hereof. If the permitting has not been commenced within that period of time, this variance shall automatically expire and be of no further force and effect, unless application is made and approved for an extension of time prior to the expiration date by the applicant or the applicant's successor(s) in interest.
4. The applicant and his successor(s) in interest shall abide by all local governmental regulations requiring connection to community sewage systems. Use of the ISDS shall be discontinued and the structure it serves shall be connected to any community sewage system constructed in the future to within four hundred (400) feet of the applicant's property line when connection can be made by gravity flow and the owner(s) are notified and legally required to do so by the public entity owning and operating the community sewage system

Attachments:

- A. SNHD Public Notice
- B. Assessor's Map
- C. Clark County Assessor's Ownership History
- D. Thomas J Murphrey letter dated March 16, 2015.
- E. DL Consulting Cone of Influence Letter
- F. ISDS Density Map
- G. Plot Plan
- H. Deep Absorption Trench Detail

Attachment B: Assessor's Map

This map is for assessment use only and does NOT represent a survey.
 No liability is assumed for the accuracy of the data delineated herein.
 Information on roads and other non-assessed parcels may be obtained from the Road Document Listing in the Assessor's Office.

This map is compiled from official records, including surveys and deeds, but only contains the information required for assessment. See the recorded documents for more detailed legal information.

USE THIS SCALE (FEET) WHEN MAP REDUCED FROM TEXT ORIGINAL

0 100 200 400 600 800

MAP LEGEND

—	PARCEL BOUNDARY	□	CONDOMINIUM UNIT	001	ROAD PARCEL NUMBER
---	SUB BOUNDARY	□	AIR SPACE PCL	001	PARCEL NUMBER
---	PMLD BOUNDARY	□	RIGHT OF WAY PCL	1.00	ACREAGE
---	ROAD EASEMENT	□	SUB-SURFACE PCL	202	PARCEL SUB/SEQ NUMBER
---	MATCH / LEADER LINE			PB 24-45	PLAT RECORDING NUMBER
---	HISTORIC LOT LINE			5	BLOCK NUMBER
---	HISTORIC SUB BOUNDARY			5	LOT NUMBER
---	HISTORIC PMLD BOUNDARY			5	GOV LOT NUMBER
---	SECTION LINE				

ASSESSOR'S PARCELS - CLARK CO., NV.
 Michele W. Shafe - Assessor

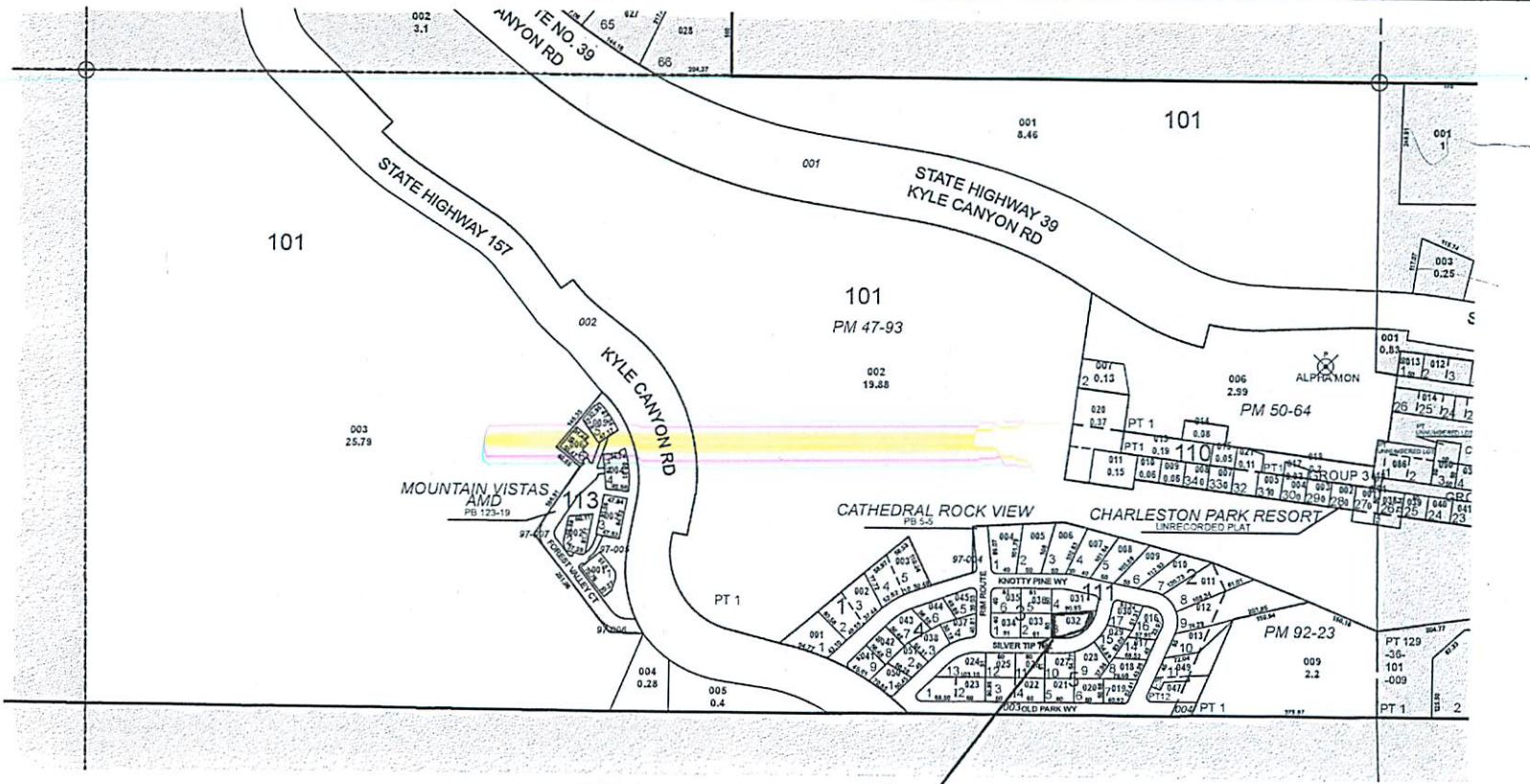
BOOK T19S R56E

SEC 36

TOWNSHIP N 2 NW 4

RANGE 129-36-1

Scale: 1" = 200' Rev: 11/6/2012



SF 183-86

APN 129-36-111-032

TAX DIST 115

Attachment C: Clark County Assessor's Ownership History

Michele W. Shafe, Assessor

PARCEL OWNERSHIP HISTORY

Assessor Map

Aerial View

Comment Codes

Current Ownership

New Search

ASSESSOR DESCRIPTION
CATHEDRAL ROCK VIEW PLAT PLAT BOOK 5 PAGE 5 LOT 3 BLOCK 3

CURRENT PARCEL NO.	CURRENT OWNER	%	RECORDED DOCUMENT NO.	RECORDED DATE	VESTING	TAX DIST	EST SIZE	COMMENTS
129-36-111-032	MURPHREY THOMAS J		20140711:02466	7/11/2014	NS	115	.09 AC	C-20140711:2467

PARCEL NO.	PRIOR OWNER(S)	%	RECORDED DOCUMENT NO.	RECORDED DATE	VESTING	TAX DIST	EST SIZE	COMMENTS
129-36-111-032	L P P MORTGAGE L T D		20140312:03016	03/12/2014	NS	115	SUBDIVIDED LOT	
129-36-111-032	DAVIS PHILIP		20040525:02131	05/25/2004	NS	115	SUBDIVIDED LOT	SF 139-97
129-36-111-032	TRUSTEE CLARK COUNTY TREASURER		20030609:00511	06/09/2003	NS	115	SUBDIVIDED LOT	
129-36-111-032	RUBIN MIRIAM FAMILY TRUST RUBIN MIRIAM TRS		19960307:00849	03/07/1996	NS	115	SUBDIVIDED LOT	
460-602-004	NEVADA PHARMACEUTICAL DISTR INC		19890601:00130	06/01/1989	NS	115	SUBDIVIDED LOT	
460-602-004	MOONEY JOYCE		0993:0952637	01/09/1979	NS	115	SUBDIVIDED LOT	
460-602-004	CLAIBORNE KEITH ETAL		0549:0508823	09/04/1975		115	SUBDIVIDED LOT	
460-602-004	TIMBERS INC		0913:0733118	11/21/1968		115	SUBDIVIDED LOT	
460-602-004	TIMBERS INC					110	SUBDIVIDED LOT	INITIAL

Note: Only documents from September 15, 1999 through present are available for viewing.

NOTE: THIS RECORD IS FOR ASSESSMENT USE ONLY. NO LIABILITY IS ASSUMED AS TO THE ACCURACY OF THE DATA DELINEATED HEREON.

Attachment D: Justification Letter from Owner

March 16, 2015

**To: Southern Nevada Health District
330 S Valley View Blvd.
Las Vegas, NV 89107**

**From: Thomas J Murphrey
RE: Parcel # 129-36-111-032**

To whom it may concern:

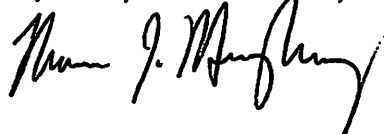
I hereby make application and petition the Southern Nevada District Board of Health for a variance to the Regulations Governing Individual Sewage Disposal and Liquid Waste Management Sections 11.20.2, requiring a minimum of one fourth (1/4) acre (10,900 sq. ft.) for the installation of an individual sewage disposal system (ISDS) on a lot served by an off-site water supply; and Section 5.2, requiring that no septic tank be within 8' of a building or a deep absorption field be located within 20' of a building without a Cone of Influence letter submitted by a State of Nevada registered professional engineer; and Section 5.1, requiring that no septic tank or leach field be within 10' of a property line.

This variance request is made to permit construction of an ISDS on a lot 3,920 sq. ft. The septic tank is to be located 5 ft. from the proposed structure and no closer than 10 ft. from the nearest property line.

The legal description of said property is APN# 129-36-111-032, further described as Cathedral Rock View Plat, Plat book 5, Page 5, Lot 3, Block 3.

I have owned the property since July 11, 2014 and wish to apply for this variance.

Thank you for your consideration,



Attachment E: Cone of Influence Letter

DLConsulting

February 23, 2015

Hardin Excavating
2010 Cheyenne Avenue
Las Vegas, Nevada

Attention: Dale Martin

RE: Cone of Influence Review for Single Family Residence, 4780 Silver Tip Trail,
Mount Charleston, Nevada

Mr. Martin:

The site will be occupied by a single-story residential structure constructed on soils that are free-draining gravelly sands. No cemented materials were encountered in the septic field/tank area.

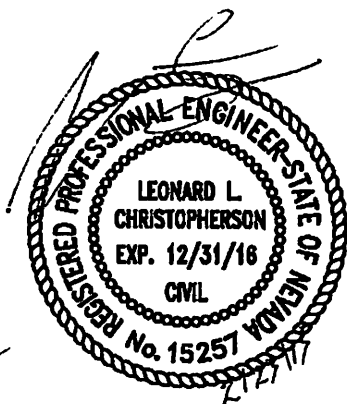
Based on this review, assessment of the building's structural envelope, and septic system data for the subject site, DLConsulting believes that placement of the septic tank and field at approximately 4 feet of the structure does not impact the structural envelope of the site structure, nor does the structural envelope of the site structure, affect the operation of the septic tank and field.

DLC is grateful for the opportunity to provide this report and welcomes any questions or comments regarding this report that may arise.

Sincerely,
DLConsulting,

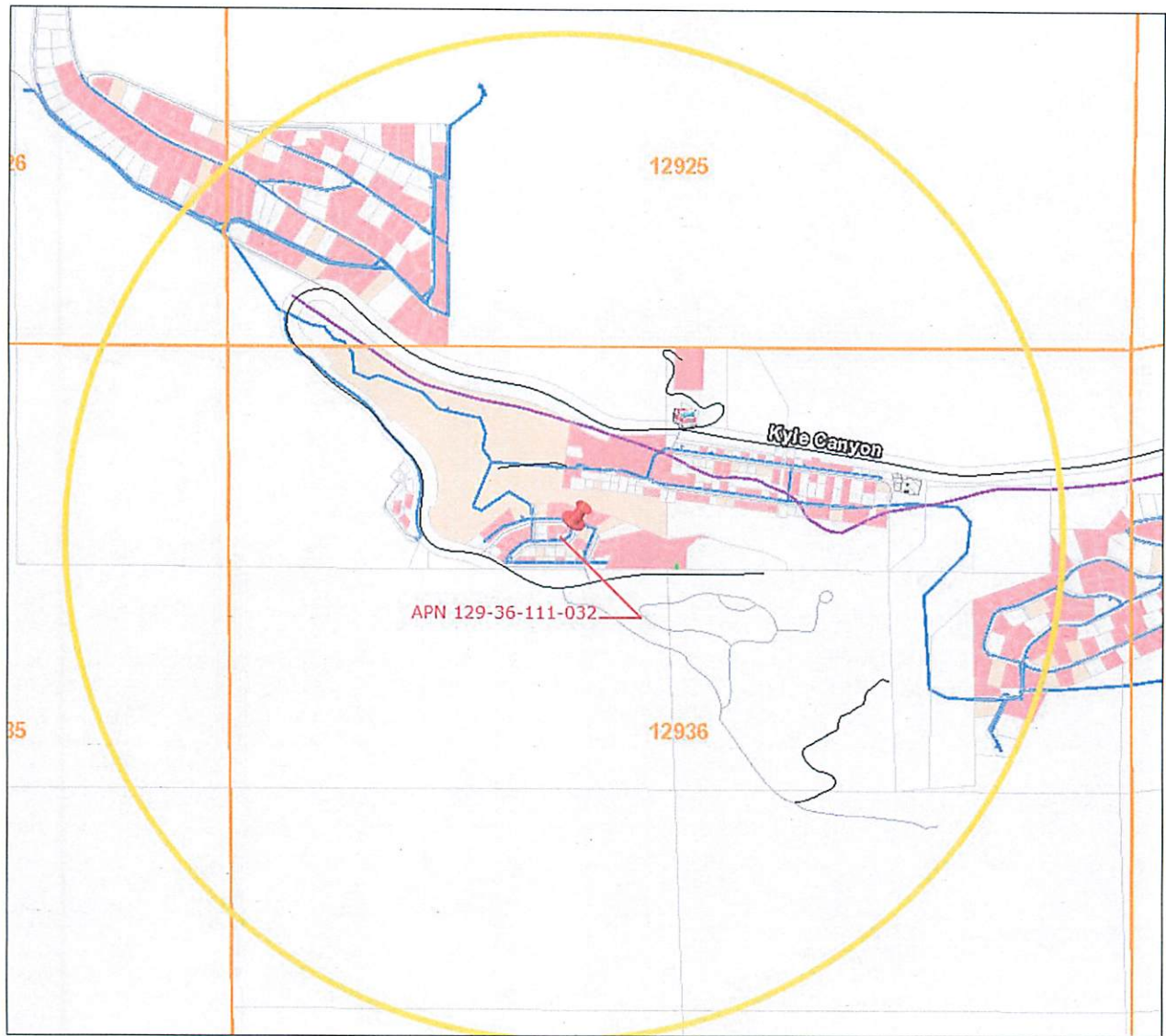


Michael W. Payne, C.E.M.
Principal Scientist



Landon Christopherson, P.E.
Principal Engineer

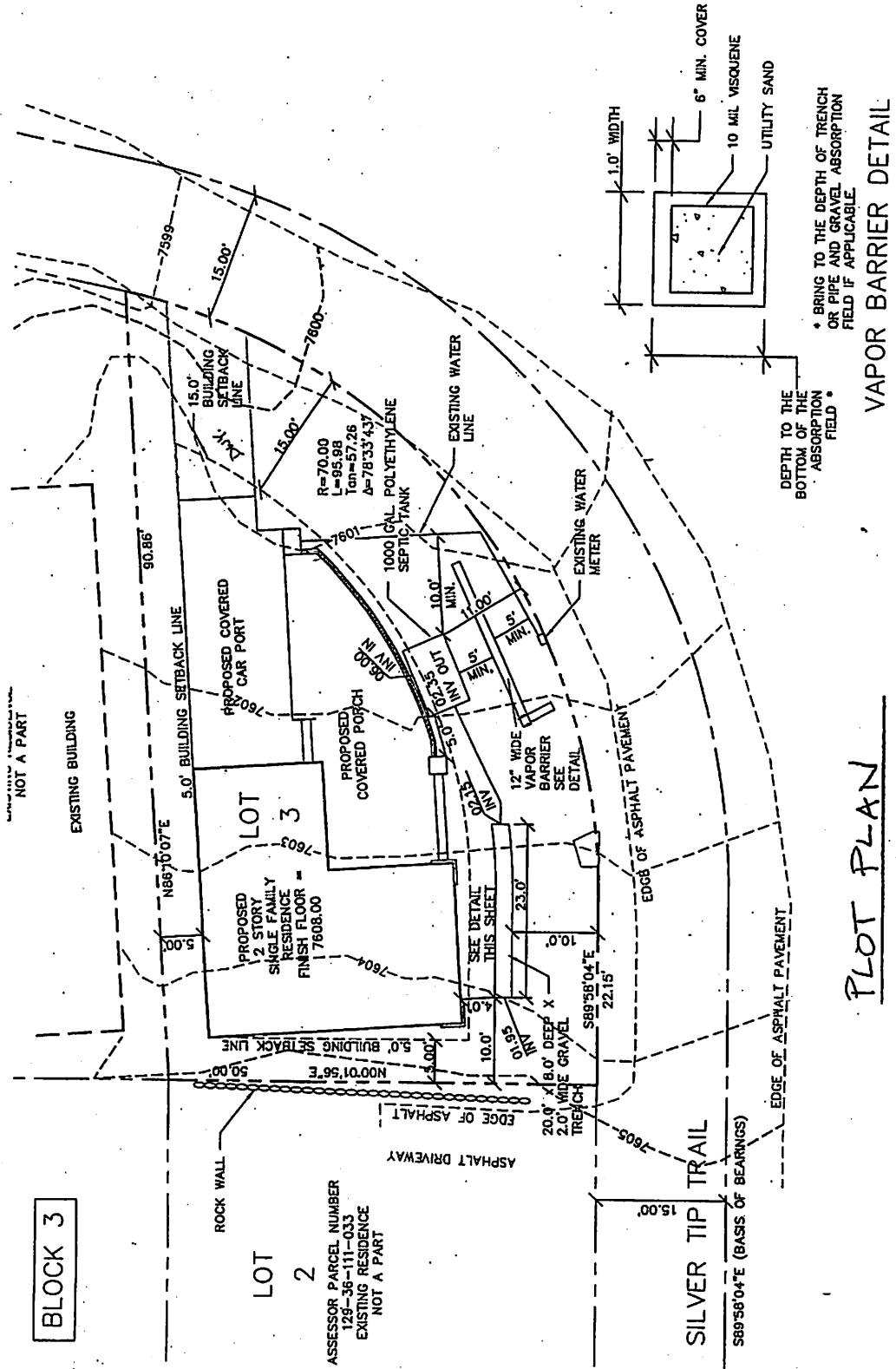
Attachment F: ISDS Density Map



Aerial View of Parcel (APN 129-36-111-032)

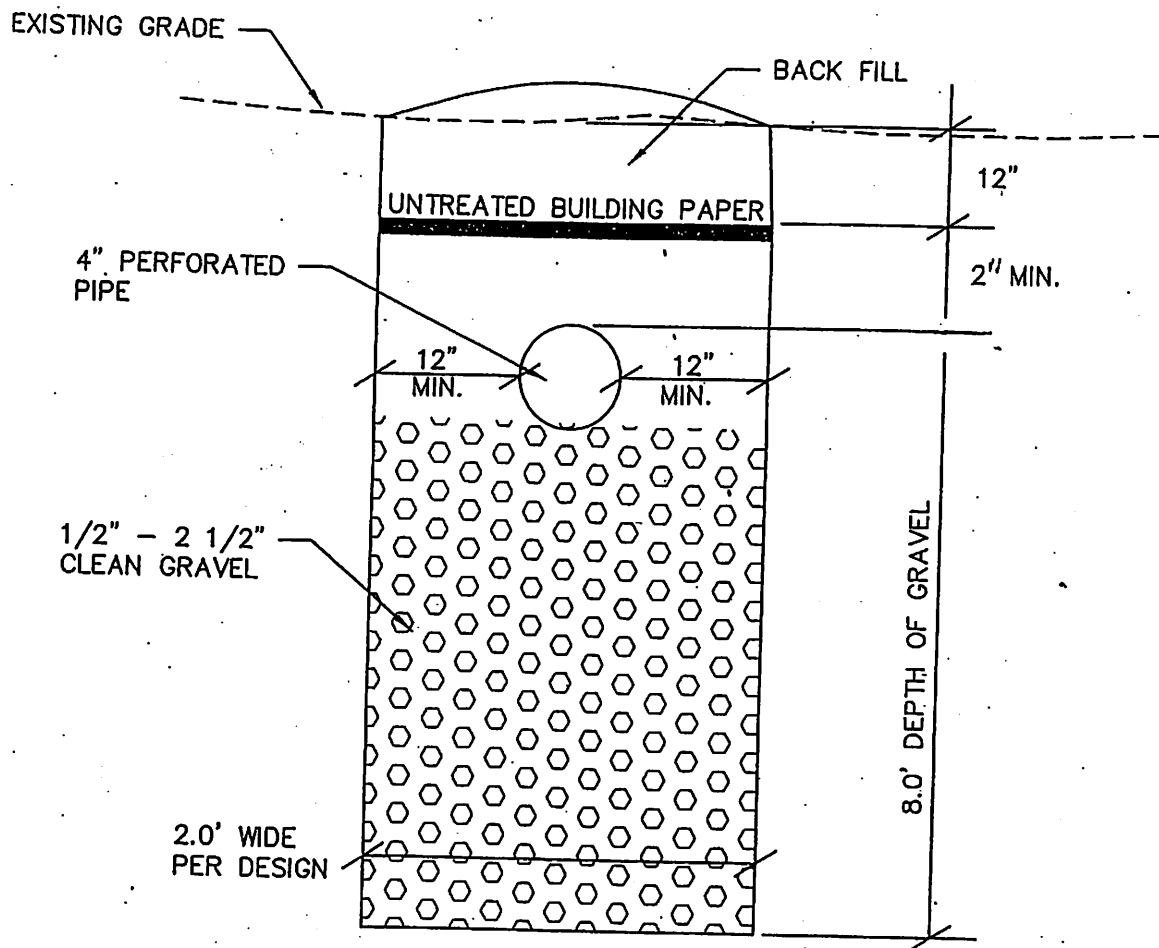
147 Parcels permitted for a septic system within 1 circular square mile of the parcel.
1 well within 600' of the parcel 129-36-111-032

Attachment G: Plot Plan



PLOT PLAN

Attachment H: Deep Absorption Trench Detail



8.0' DEPTH OF GRAVEL
X 20.0' TRENCH LENGTH
= 160.00 SQUARE FEET PER SIDE
X 2.0' TRENCH WIDTH = 320.00
SQUARE FEET

DETAIL DEEP ABSORPTION TRENCH