



Memorandum

Date: June 25, 2015

To: SOUTHERN NEVADA DISTRICT BOARD OF HEALTH

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

Petitioner: Bruce & Jane F. Stofferahn, Joint Owners

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 129-02-410-046)

BACKGROUND

Bruce & Jane F. Stofferahn, Joint owners, are 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 0.12 acre gross, which includes one-half (½) of the adjoining Silver Tip Trail located in Mt. Charleston, Nevada where one quarter (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 3132 Via Dulcedo Street legally description is Lot Four (4) Block Three (3) of Camp Lady of the Snows as shown by Map Thereof on file in Book 5 of Plats, Page 45 in the office of the County Recorder, Clark County, Nevada APN 129-02-410-046, Clark County, Nevada (see attached SNHD Public Notice signed by Jacqueline Reszetar on May 21, 2015 and Assessor's Map).

The owners of the property, Bruce & Jane F. Stofferahn, obtained the property in April 2002 (see attached Clark County Assessor's Ownership History) and now wish to have a septic system permitted to be installed on their lot to be in compliance (See attached justification letter dated May 21, 2015). Mr. Bruce & Mrs. Jane F. Stofferahn 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.

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 5.2 of the *District Board of Health Regulations Governing Individual Sewage Disposal Systems and Liquid Waste Management* requires that the horizontal separation from ...the foundation of a building or structure ... shall be twenty feet (20') from a deep absorption system, unless a Cone of Influence letter is submitted by State of Nevada registered professional engineer".

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.

The ISDS density map shows 47 lots with a traceable permit for a septic system and no documented wells within a square mile of APN 129-02-410-046. 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 twenty (20) feet, equal to the normal twenty (20) feet minimum required separation, and acceptable per attached Cone of Influence Letter dated May 17, 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 petitioners agree to install an ISDS limited to the proposed 1,200 gallon septic tank with a proposed deep absorption trench.
2. The petitioners agree that the ISDS will not be located in an area subject to vehicular

traffic, any area to be paved or within ten (10) feet of any tree.

3. The petitioners agree to permit the ISDS 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 petitioners 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. Justification Letter by Bruce & Jane F Stofferahn dated May 21, 2015
- E. DL Consulting Cone of Influence Letter
- F. ISDS Density Map
- G. Plot Plan
- H. Deep Absorption Trench Detail

DL:hh

Attachment A: SNHD Public Notice



PUBLIC NOTICE

The Southern Nevada District Board of Health will conduct a PUBLIC HEARING on Thursday, June 25, 2015 at 8:30 a.m. during its regular monthly meeting in the Conference Room #2 at the Southern Nevada Health District, Las Vegas, Nevada, to approve or deny a Variance Request filed by Bruce & Jane F Stofferahn, Owners, to construct an individual sewage disposal system on the property 3132 Via Dulcedo Street, Mt. Charleston, Clark County, Nevada, legally described as Lot Four (4) of Block Three (3) of Camp Lady of the Snows as shown by Map Thereof on file in Book 5 of Plats, Page 45 in the office of the County Recorder, Clark County Nevada, Assessor Parcel Number 129-02-410-046.

The District Board of Health Regulations Governing Individual Sewage Disposal Systems and Liquid Waste Management Section 9.1.2 requiring that no septic tank or deep absorption field be located within twenty (20) feet of any building and that no septic tank or deep absorption field shall be located within ten (10) feet of any property line; AND Section 11.20.2 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 requires the Board to consider the relative interest 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.

The variance application request is available for review at the Southern Nevada Health District, 330 South Valley View Blvd., Las Vegas, Nevada. Please contact Heather Hanoff at (702) 759-0660 to schedule an appointment to review the application request during normal business hours of 8:00 a.m. to 4:30 p.m. All interested persons may appear at the hearing and state their positions. Written comments will be considered by the District Board of Health and must be forwarded by June 3, 2015 to:

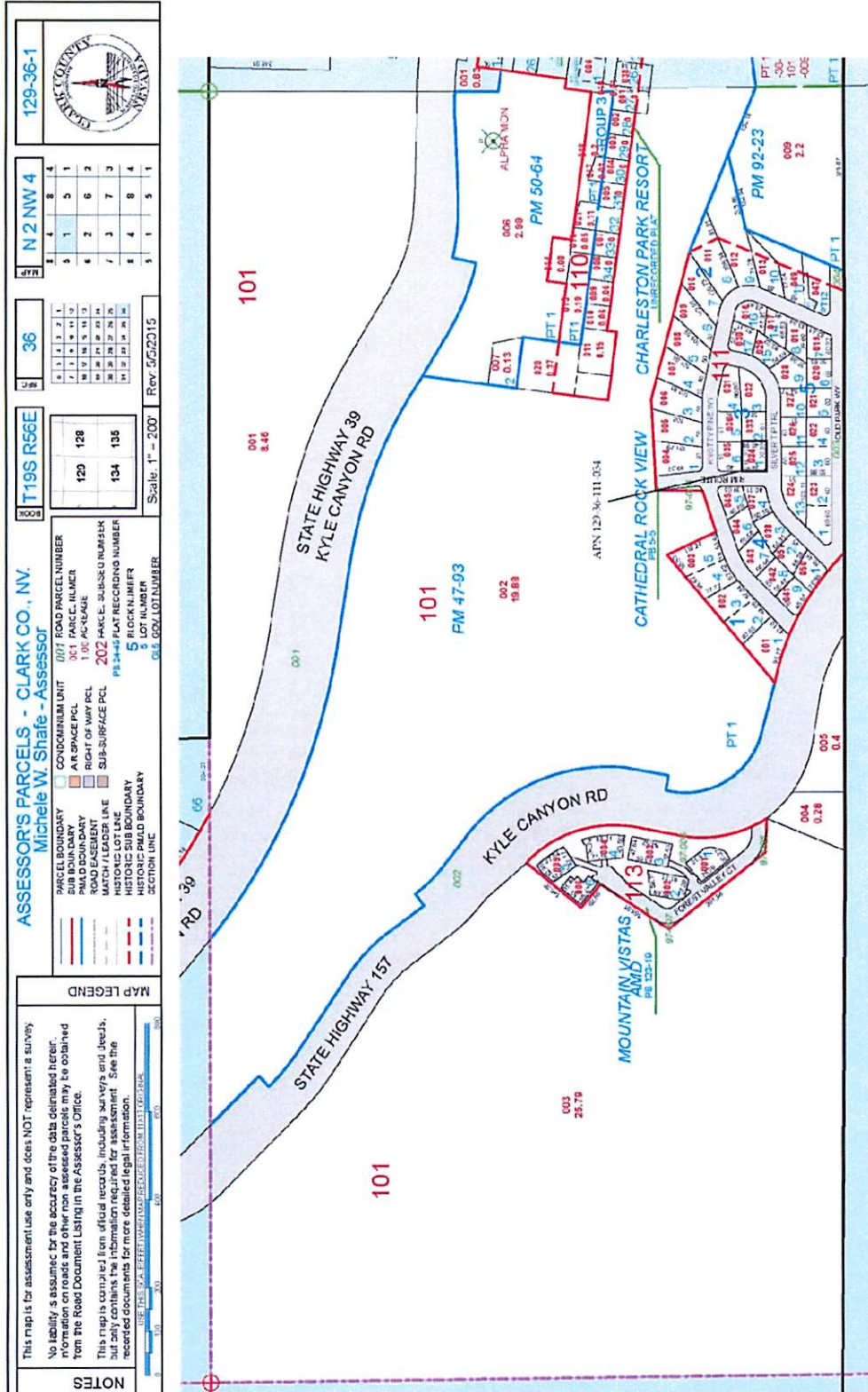
Daniel LaRubio, Jr., Environmental Health Engineer/Supervisor
Southern Nevada Health District
P.O. Box 3902
Las Vegas, Nevada 89127

All written and oral submissions will be considered by the District Board of Health of Clark County.

SIGNED: _____
Jacqueline L. Reszetar, MS, REHS
Environmental Health Director

DATED: _____
5-21-15

Attachment B: Assessor's Map



Attachment C: Clark County Assessor's Ownership History

Michele W. Shafe, Assessor

PARCEL OWNERSHIP HISTORY

ASSESSOR DESCRIPTION
CAMP LADY OF THE SNOWS PLAT BOOK 5 PAGE 45 LOT 4 BLOCK 3

CURRENT PARCEL NO.	CURRENT OWNER	%	RECORDED DOCUMENT NO.	RECORDED DATE	VESTING	TAX DIST	EST SIZE	COMMENTS
129-02-410-046	STOFFERAHN LIVING TRUST STOFFERAHN BRUCE & JANE F TRS		20020412:02271	4/12/2002	NS	110	.12 AC	SF 174-34

PARCEL NO.	PRIOR OWNER(S)	%	RECORDED DOCUMENT NO.	RECORDED DATE	VESTING	TAX DIST	EST SIZE	COMMENTS
129-02-410-046	SPELIC JOHN S		19931216:01452	12/16/1993	NS	114	SUBDIVIDED LOT	
460-091-009	SPELIC JOHN S & SHEILAH G		19911028:00345	10/28/1991	JT	114	SUBDIVIDED LOT	
460-091-009	KAUFIELD JAMES M ETAL		1868:1827526	01/31/1984	NS	110	SUBDIVIDED LOT	CC-P16783
460-091-009	KAUFIELD LOIS M		1663:1622549	12/21/1982	NS	110	SUBDIVIDED LOT	
460-091-009	KAUFIELD C L & LOIS M		0604:0485814	02/04/1965	JT	110	SUBDIVIDED LOT	
460-091-009	KAUFIELD C L & LOIS M					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

Justification/Hardship Letter

May 21, 2015

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

From: Bruce Stofferahn
RE: Parcel # 129-02-410-046

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 5227.20 sq. ft. The septic tank is to be located 5 ft. from the proposed structure and no closer than 5 ft. from the nearest property line.

The legal description of said property is APN# 129-02-410-046, further described as Camp Lady of the Snows, Plat book 5, Page 45, Lot 4, Block 3.

I have owned the property since April 12, 2002 and wish to apply for this variance.

Thank you for your consideration,

A handwritten signature in black ink, appearing to read "Bruce Stofferahn". The signature is written in a cursive, flowing style with large, connected letters.

Attachment E: Cone of Influence Letter

DLC Consulting

May 17, 2015

Hardin Excavating
2010 Cheyenne Avenue
Las Vegas, Nevada

Attention: Dale Martin

RE: Cone of Influence Review for Single Family Residence, 2132 Via Dulcedo,
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.

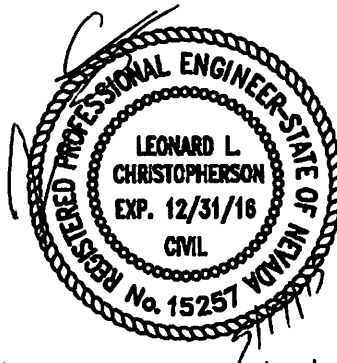
Based on this review, assessment of the building's structural envelope, and septic system data for the subject site, DLConsulting believes that placement of the septic tank and field at approximately 4 feet of the structure does not impact the structural envelope of the site structure, nor does the structural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

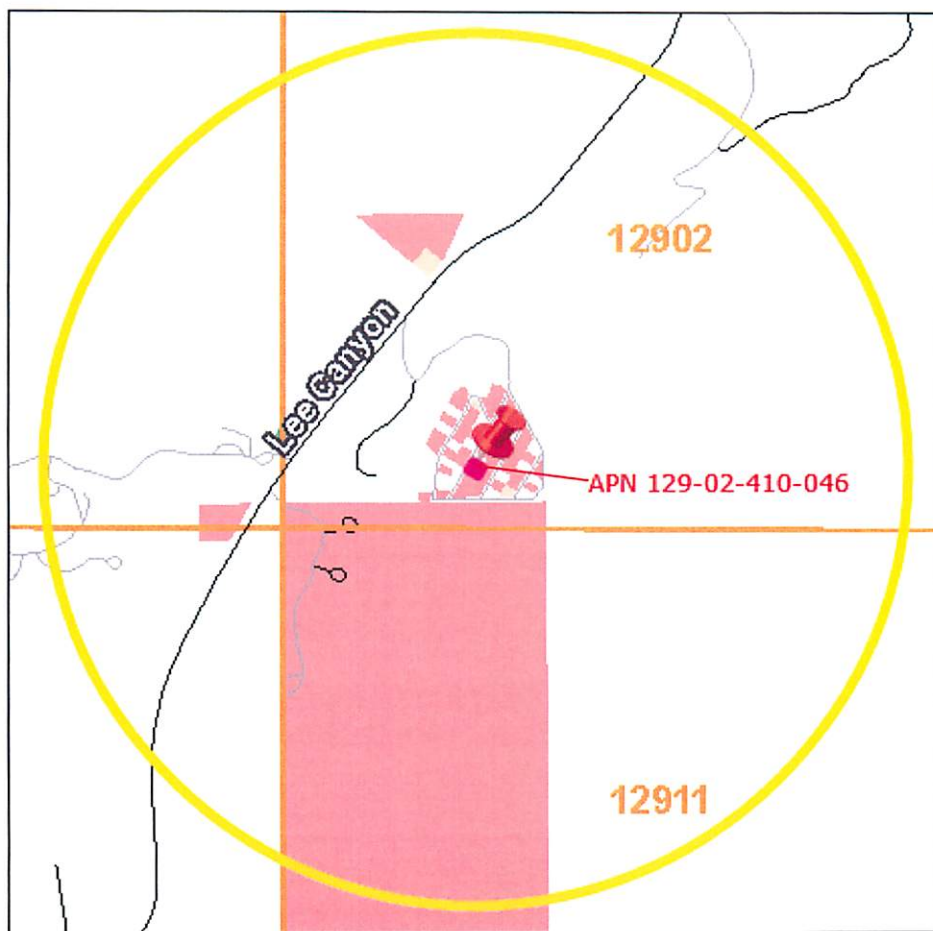


Michael W. Payne, C.E.M.
Principal Scientist



Landon Christopherson, P.E.
Principal Engineer

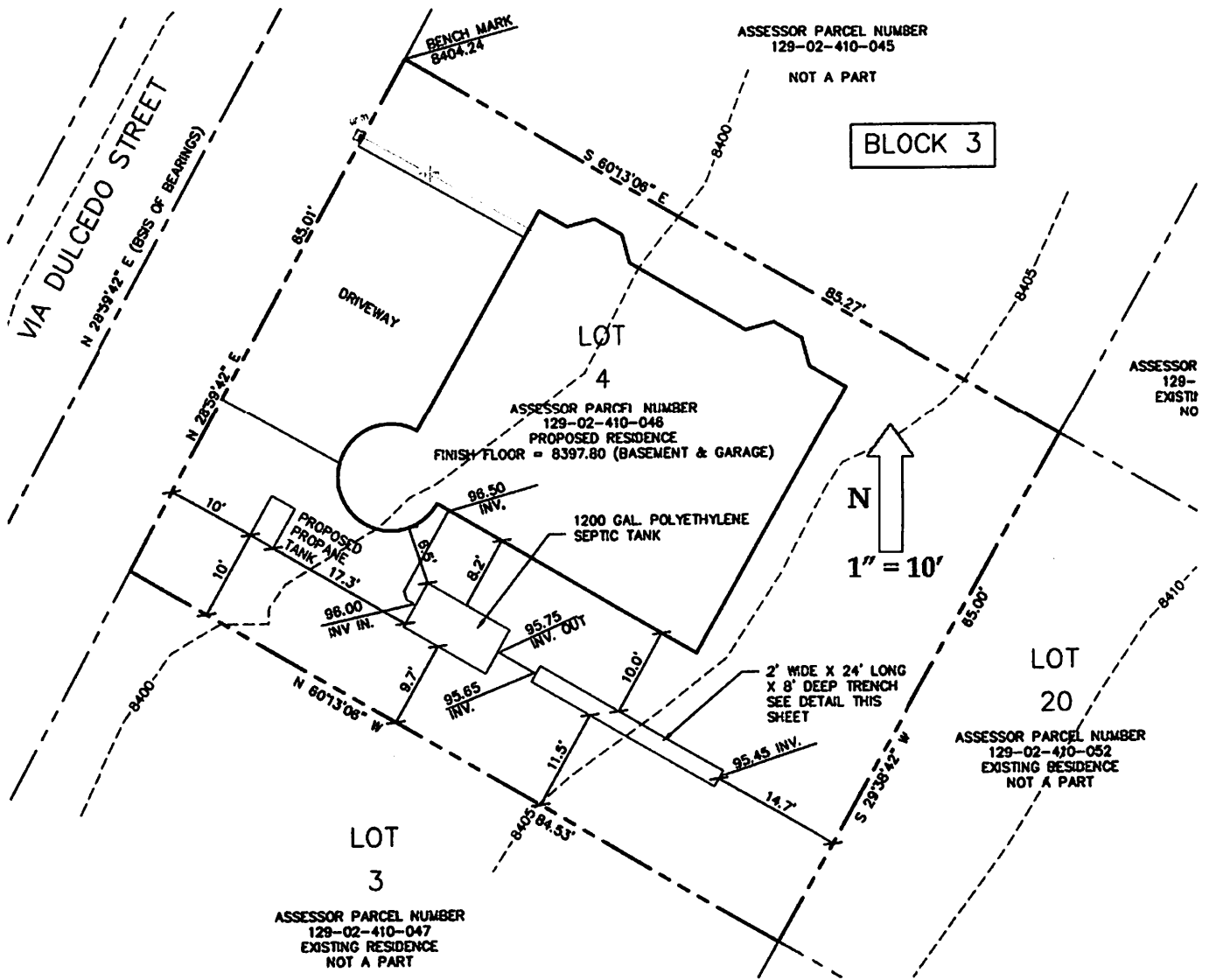
Attachment F: ISDS Density Map



Aerial View of Parcel (APN 129-02-410-046)

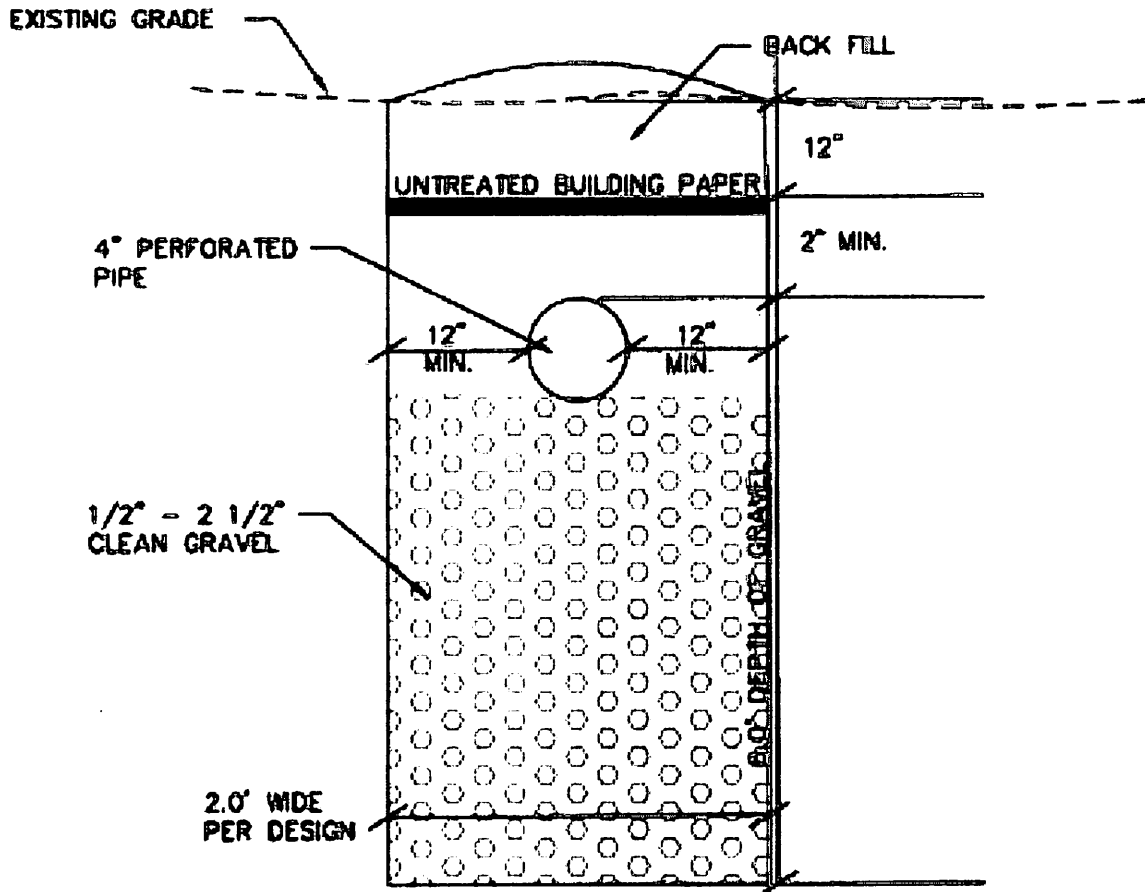
There are 47 Parcels permitted for a septic system within 1 circular square mile of the parcel (APN 129-02-410-046)

Attachment G: Plot Plan (Page 2 of 2)



Enlarged Site Plan

Attachment H: Deep Absorption Trench Detail



6.0' DEPTH OF GRAVEL
X 28.0' TRENCH LENGTH
= 168.00 SQUARE FEET PER SIDE
X 2.0' TRENCH WIDTH = 336.00
SQUARE FEET

DETAIL DEEP ABSORPTION TRENCH