



Memorandum

Date: June 25, 2015

To: SOUTHERN NEVADA DISTRICT BOARD OF HEALTH

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

Petitioner: Renae L. Julson and Linda M. Wheeler, 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 129-36-111-034)

BACKGROUND

Renae L. Julson and Linda M. Wheeler, 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 0.07 acre gross, which includes one-half (1/2) 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 4796 Silver Tip Trail legally description is Lot (1) 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 129-36-111-034, Clark County, Nevada (see attached SNHD Public Notice signed by Jacqueline Reszetar on May 21, 2015 and Land Assessor's Map).

The owners of the property, Renae L. Julson and Linda M. Wheeler, obtained the property in April 20 (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). Ms. Renae L. Julson and Ms. Linda M. Wheeler will be permitting an ISDS (See attached Plot Plan). Their 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 May 17, 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 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 also shows 140 Lots with a traceable permit for a septic system within a square mile of APN 129-36-111-034. 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 fifteen (15) feet, which is less than the normal twenty (20) feet minimum required separation, but 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 1,000 gallon septic tank with a proposed deep absorption trench.

June 25, 2015

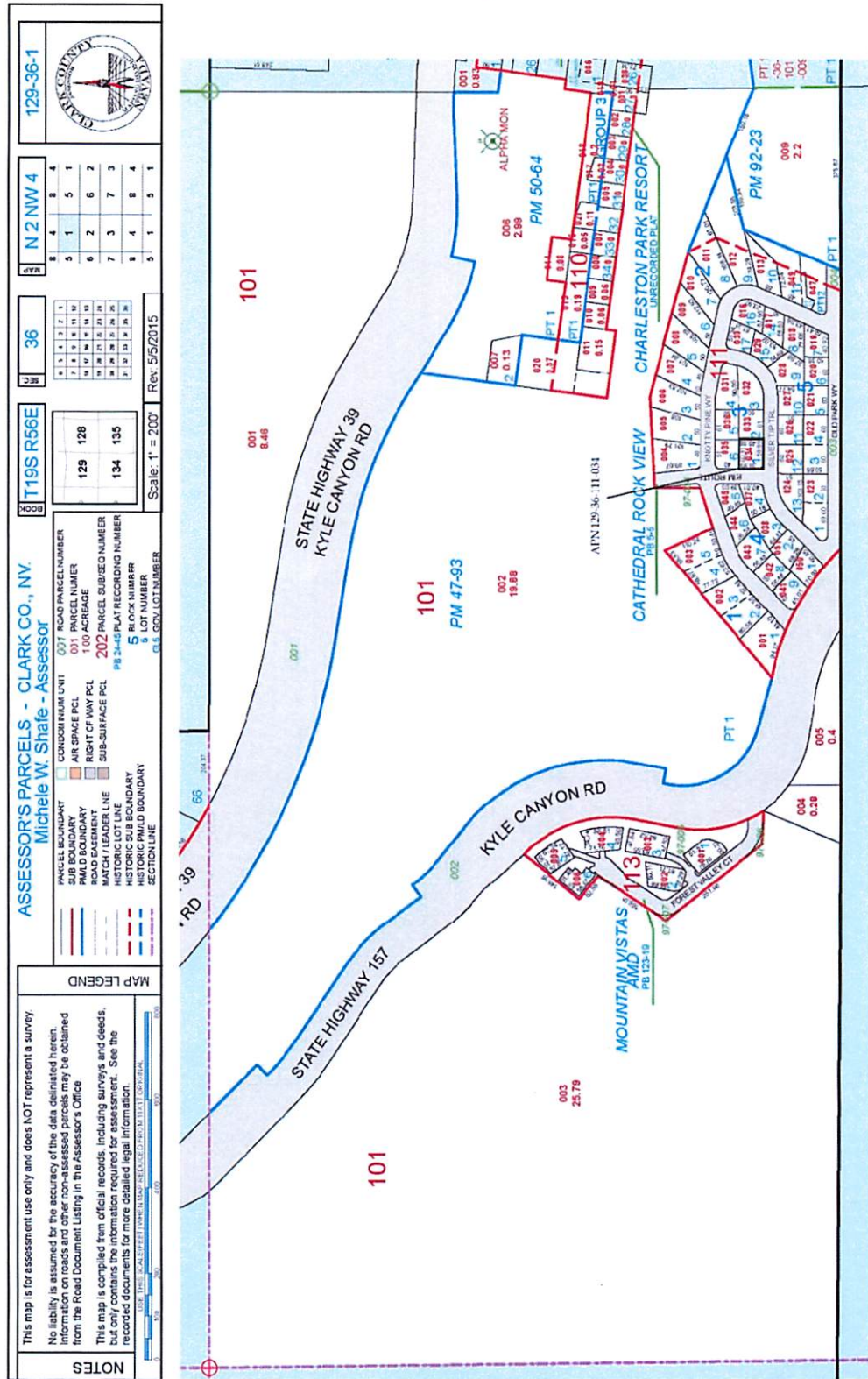
2. The petitioners agree that the ISDS will not be located in an area subject to vehicular traffic, any area to be paved or within ten (10) feet of any tree.
3. The petitioners agree to permit the ISDS within one (1) year of the date hereof. If the permitting has not been commenced within that period 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 their 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 Renae L. Julson and Linda M. Wheeler 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 B: Assessor's Map



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

NOTES
 This map is for assessment use only and does NOT represent a survey. No liability is assumed for the accuracy of the data depicted herein. Information on roads and other recorded 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.

MAP LEGEND

- Parcel Boundary
- Sub Boundary
- PMID Boundary
- Match/Leader Line
- Historic Lot Line
- Historic Sub Boundary
- Historic PMID Boundary
- Section Line

CONVERSION UNIT

- 001 PARCEL NUMBER
- 002 PARCEL SURFACED NUMBER
- 003 PARCEL SURFACED NUMBER
- 004 PARCEL SURFACED NUMBER
- 005 PARCEL SURFACED NUMBER
- 006 PARCEL SURFACED NUMBER
- 007 ROAD PARCEL NUMBER
- 008 PARCEL NUMBER
- 009 PARCEL SURFACED NUMBER
- 010 PARCEL SURFACED NUMBER
- 011 PARCEL SURFACED NUMBER
- 012 PARCEL SURFACED NUMBER
- 013 PARCEL SURFACED NUMBER
- 014 PARCEL SURFACED NUMBER
- 015 PARCEL SURFACED NUMBER
- 016 PARCEL SURFACED NUMBER
- 017 PARCEL SURFACED NUMBER
- 018 PARCEL SURFACED NUMBER
- 019 PARCEL SURFACED NUMBER
- 020 PARCEL SURFACED NUMBER
- 021 PARCEL SURFACED NUMBER
- 022 PARCEL SURFACED NUMBER
- 023 PARCEL SURFACED NUMBER
- 024 PARCEL SURFACED NUMBER
- 025 PARCEL SURFACED NUMBER
- 026 PARCEL SURFACED NUMBER
- 027 PARCEL SURFACED NUMBER
- 028 PARCEL SURFACED NUMBER
- 029 PARCEL SURFACED NUMBER
- 030 PARCEL SURFACED NUMBER
- 031 PARCEL SURFACED NUMBER
- 032 PARCEL SURFACED NUMBER
- 033 PARCEL SURFACED NUMBER
- 034 PARCEL SURFACED NUMBER
- 035 PARCEL SURFACED NUMBER
- 036 PARCEL SURFACED NUMBER
- 037 PARCEL SURFACED NUMBER
- 038 PARCEL SURFACED NUMBER
- 039 PARCEL SURFACED NUMBER
- 040 PARCEL SURFACED NUMBER
- 041 PARCEL SURFACED NUMBER
- 042 PARCEL SURFACED NUMBER
- 043 PARCEL SURFACED NUMBER
- 044 PARCEL SURFACED NUMBER
- 045 PARCEL SURFACED NUMBER
- 046 PARCEL SURFACED NUMBER
- 047 PARCEL SURFACED NUMBER
- 048 PARCEL SURFACED NUMBER
- 049 PARCEL SURFACED NUMBER
- 050 PARCEL SURFACED NUMBER
- 051 PARCEL SURFACED NUMBER
- 052 PARCEL SURFACED NUMBER
- 053 PARCEL SURFACED NUMBER
- 054 PARCEL SURFACED NUMBER
- 055 PARCEL SURFACED NUMBER
- 056 PARCEL SURFACED NUMBER
- 057 PARCEL SURFACED NUMBER
- 058 PARCEL SURFACED NUMBER
- 059 PARCEL SURFACED NUMBER
- 060 PARCEL SURFACED NUMBER
- 061 PARCEL SURFACED NUMBER
- 062 PARCEL SURFACED NUMBER
- 063 PARCEL SURFACED NUMBER
- 064 PARCEL SURFACED NUMBER
- 065 PARCEL SURFACED NUMBER
- 066 PARCEL SURFACED NUMBER
- 067 PARCEL SURFACED NUMBER
- 068 PARCEL SURFACED NUMBER
- 069 PARCEL SURFACED NUMBER
- 070 PARCEL SURFACED NUMBER
- 071 PARCEL SURFACED NUMBER
- 072 PARCEL SURFACED NUMBER
- 073 PARCEL SURFACED NUMBER
- 074 PARCEL SURFACED NUMBER
- 075 PARCEL SURFACED NUMBER
- 076 PARCEL SURFACED NUMBER
- 077 PARCEL SURFACED NUMBER
- 078 PARCEL SURFACED NUMBER
- 079 PARCEL SURFACED NUMBER
- 080 PARCEL SURFACED NUMBER
- 081 PARCEL SURFACED NUMBER
- 082 PARCEL SURFACED NUMBER
- 083 PARCEL SURFACED NUMBER
- 084 PARCEL SURFACED NUMBER
- 085 PARCEL SURFACED NUMBER
- 086 PARCEL SURFACED NUMBER
- 087 PARCEL SURFACED NUMBER
- 088 PARCEL SURFACED NUMBER
- 089 PARCEL SURFACED NUMBER
- 090 PARCEL SURFACED NUMBER
- 091 PARCEL SURFACED NUMBER
- 092 PARCEL SURFACED NUMBER
- 093 PARCEL SURFACED NUMBER
- 094 PARCEL SURFACED NUMBER
- 095 PARCEL SURFACED NUMBER
- 096 PARCEL SURFACED NUMBER
- 097 PARCEL SURFACED NUMBER
- 098 PARCEL SURFACED NUMBER
- 099 PARCEL SURFACED NUMBER
- 100 PARCEL SURFACED NUMBER

Scale: 1" = 200' Rev: 5/5/2015

BOOK T19S R56E

SECTION 36

GRID N 2 NW 4

PARCEL NUMBER 129 128 134 135

129-36-1

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 1 BLOCK 3 |

| CURRENT PARCEL NO. | CURRENT OWNER | % | RECORDED DOCUMENT NO. | RECORDED DATE | VESTING | TAX DIST | EST SIZE | COMMENTS |
|--------------------|-----------------------------------|---|--------------------------------|---------------|---------|----------|----------|----------|
| 129-36-111-034 | JULSON RENAE L WHEELER LINDA M | | 20150421:00214 | 4/21/2015 | JT | 115 | .07 AC | SF195-27 |

| PARCEL NO. | PRIOR OWNER(S) | % | RECORDED DOCUMENT NO. | RECORDED DATE | VESTING | TAX DIST | EST SIZE | COMMENTS |
|----------------|---|------------|--------------------------------|---------------|---------|----------|----------------|---------------|
| 129-36-111-034 | B M V PROPERTIES L L C | | 20131030:04255 | 10/30/2013 | NS | 115 | SUBDIVIDED LOT | |
| 129-36-111-034 | WERNER ROBERT G & DEANNA FAM TR WERNER ROBERT G & DEANNA K TRS | | 19950414:01715 | 04/14/1995 | NS | 115 | SUBDIVIDED LOT | SF 139-97 |
| 460-602-006 | RUDIN RONALD J 1979 PPTY TR ETAL COOPER SHARON CO-TRS ETAL | | 19950201:00869 | 02/01/1995 | NS | 115 | SUBDIVIDED LOT | C-950131:2281 |
| 460-602-006 | HOLLY CHARLES ETAL | | 19950119:00858 | 01/19/1995 | NS | 115 | SUBDIVIDED LOT | |
| 460-602-006 | HOLLY CHARLES ETAL | | 19941227:01057 | 12/27/1994 | NS | 115 | SUBDIVIDED LOT | |
| 460-602-006 | HOLLY CHARLES ETAL | | 19941012:00554 | 10/12/1994 | NS | 115 | SUBDIVIDED LOT | |
| 460-602-006 | BROWN MARJORIE JUNE | | 19880428:00288 | 04/28/1988 | NS | 115 | SUBDIVIDED LOT | |
| 460-602-006 | ALBRECHT SUSANN KOSIBA RONALD J & LINDA | 50% 50% | 2002:1961766 | 10/05/1984 | NJ | 115 | SUBDIVIDED LOT | |
| 460-602-006 | BROWN JUNE M | | 0773:0732869 | 08/09/1977 | NS | 115 | SUBDIVIDED LOT | |
| 460-602-006 | BROWN RONALD B & JUNE M | | 0567:0526049 | 11/03/1975 | | 115 | SUBDIVIDED LOT | |
| 460-602-006 | HAYNES LEONARD L & M M | | 0055:0043631 | 08/14/1970 | | 115 | SUBDIVIDED LOT | |
| 460-602-006 | HAYNES LEONARD L & M 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.

June 25, 2015

Attachment D: Justification Letter from Owners

Justification/Hardship Letter

May 21, 2015

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

From: Renae L Julson
RE: Parcel # 129-36-111-034

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 3,049.20 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# 129-36-111-034, further described as Cathedral Rock View Plat, Plat book 5, Page 5, Lot 1, Block 3.

I have owned the property since April 21, 2015 and wish to apply for this variance.

Thank you for your consideration,



Attachment E: Cone of Influence Letter

DLC Consulting

May 17, 2015

Hardin Excavating
2010 Cheyenne Avenue
Las Vegas, Nevada

*OK
5-20-15
LPC*

Attention: Dale Martin

RE: Cone of Influence Review for Single Family Residence, 4796 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.

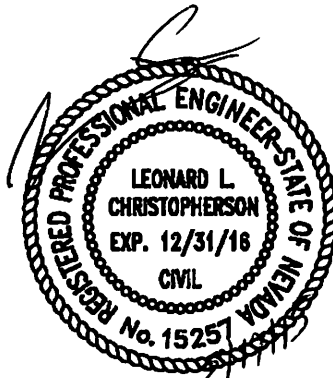
Based on this review, assessment of the building's structural envelope, and septic system data for the subject site, DLC Consulting believes that placement of the septic tank and field at approximately 4 feet from the structure does not impact the structural envelope of the site structure, nor does the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

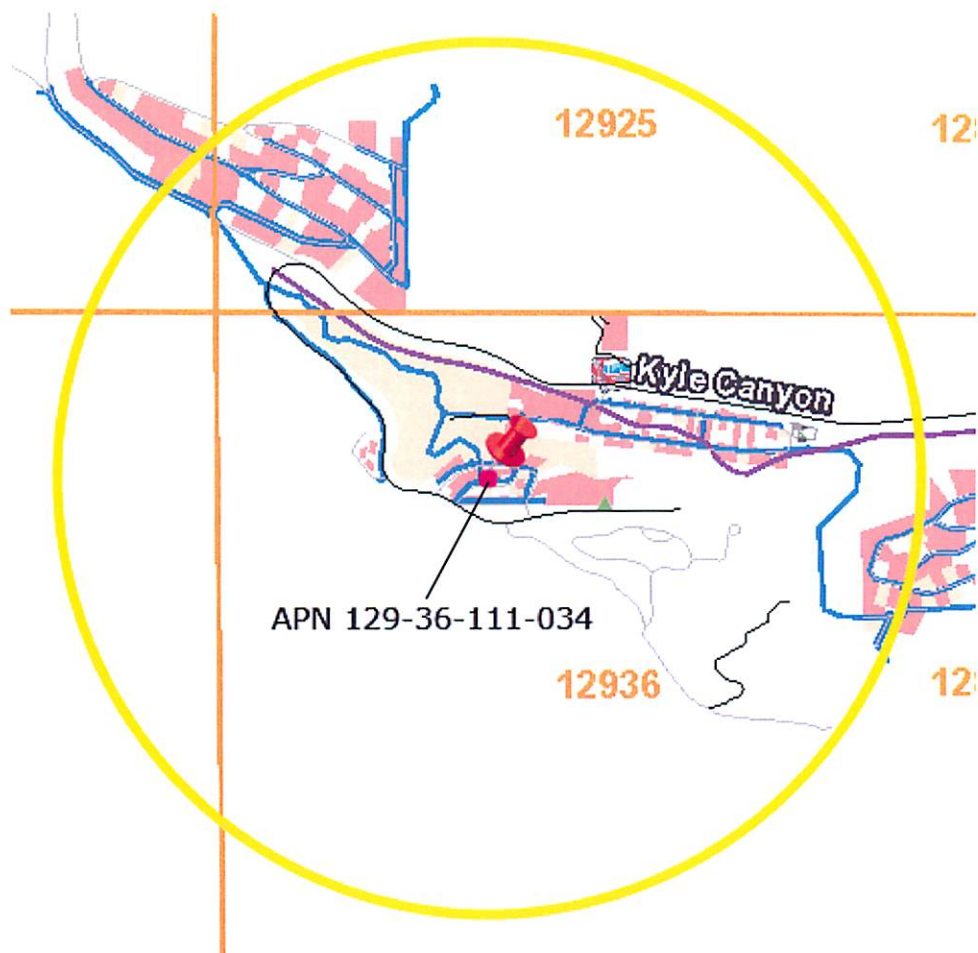


Michael W. Payne, C.E.M.
Principal Scientist



Landon Christopherson, P.E.
Principal Engineer

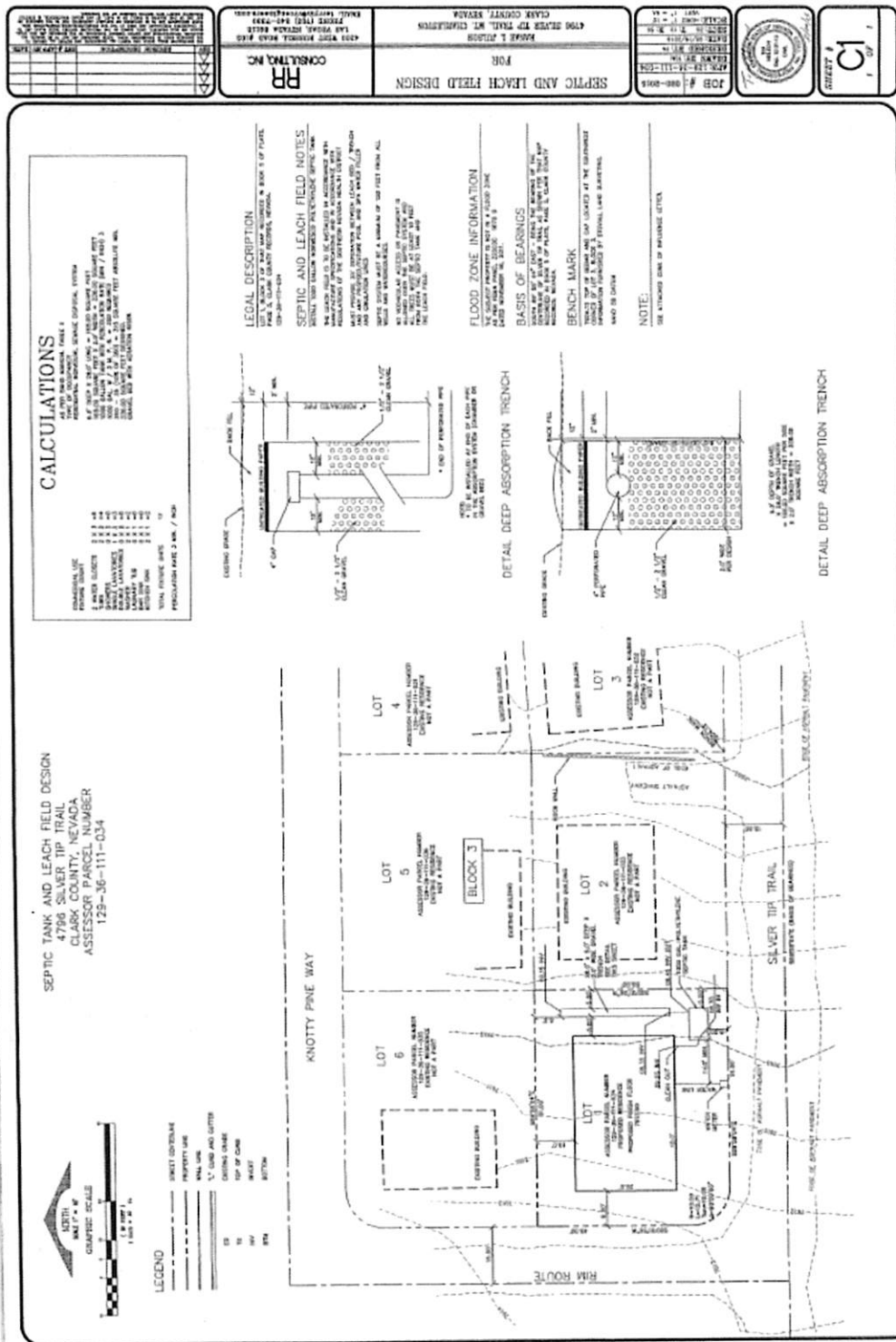
Attachment F: ISDS Density Map



Aerial View of Parcel (APN 129-36-111-034)

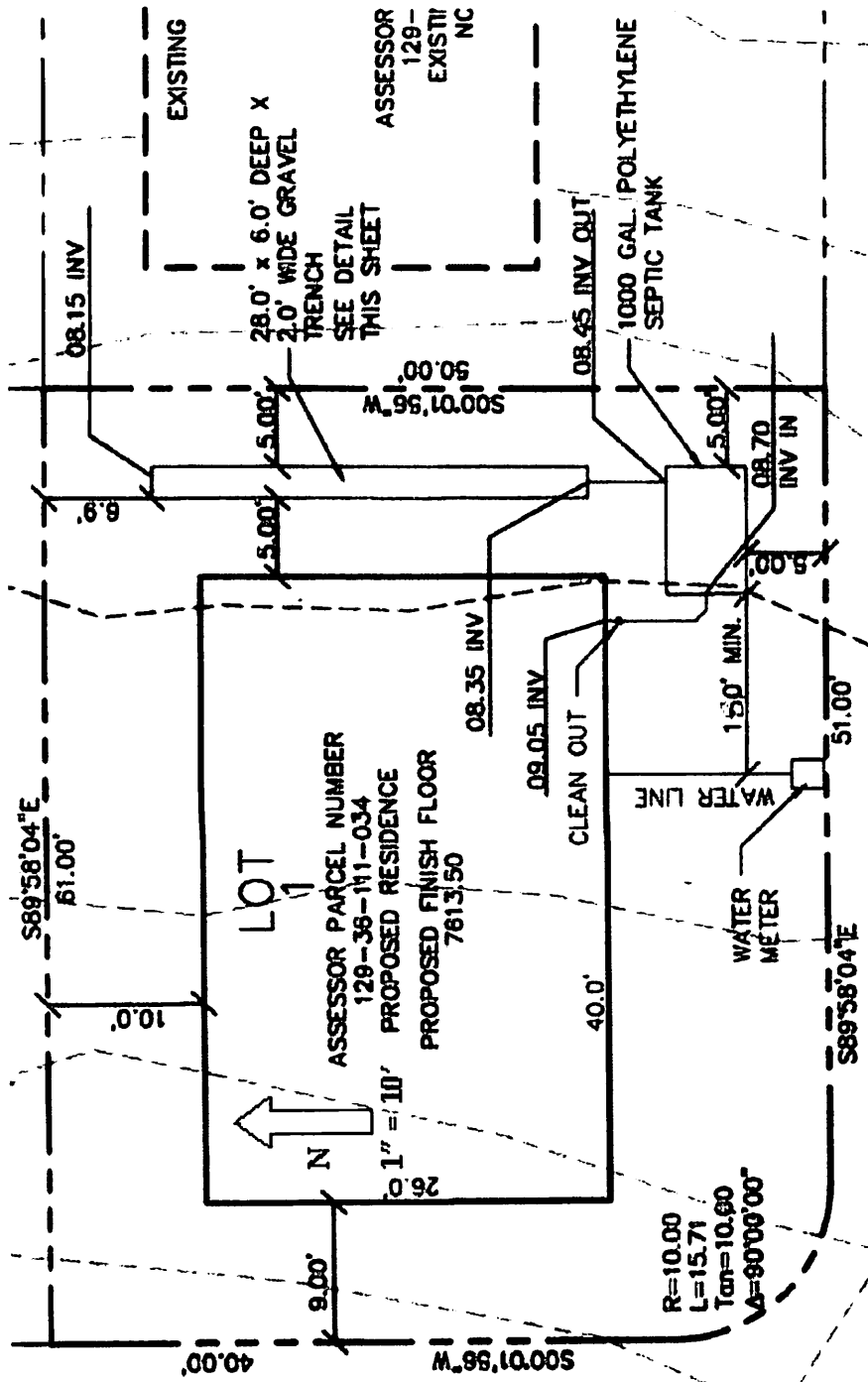
140 Parcels permitted for a septic system within 1 circular square mile of the parcel 129-36-111-034

Attachment G: Plot Plan (Page 1 of 2)



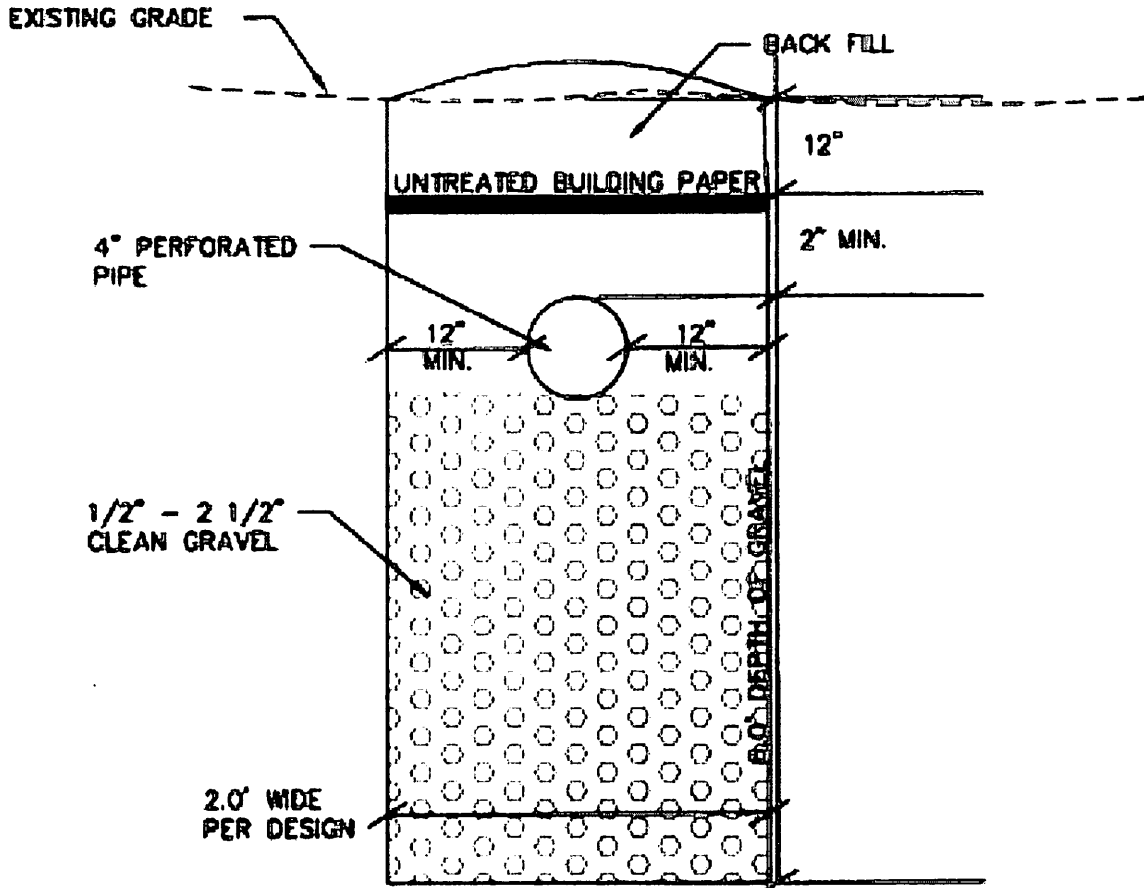
Overall Site Plan

Attachment G: Plot Plan (Page 2 of 2)



Enlarged Plot 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