

NEVADA STATE BOARD OF HEALTH
DIVISION OF PUBLIC AND BEHAVIORAL HEALTH
4150 Technology Way, Suite 300
CARSON CITY, NV 89706

APPLICATION FOR VARIANCE

Please check the appropriate box that pertains to the NAC for which you are requesting a variance.

Division Administration
(NAC 439, 441A, 452, 453A, & 629)

Health Care Quality & Compliance
(NAC 449, 457, 459 & 652)

Child, Family & Community Wellness
(NAC 392, 394, 432A, 439, 441A, & 442)

Health Statistics, Planning,
Epidemiology and Response
(NAC 440, 450B, 452, 453, 453A, & 695C)

Public Health & Clinical Services
(NAC 211, 444, 446, 447, 583, & 585)

Date: 10/29/20

Name of Applicant Richard Ripley

Phone: 775 635 2752

Mailing Address: PO Box 869

City: Wells

State: NV

Zip: 89835

We do hereby apply for a variance to
chapter/section Septic Tank of the Nevada
Administrative Code (NAC). (For example: NAC 449.204)

Title of section in
question: Septic Tank

Statement of existing or proposed conditions in violation of the NAC:

The septic tank for this house in Shanty town
NV is under the house. we want to move the
Yank from under the house, which is against code
to in the yard. Before we purchased the house and
property, we believe an addition was done to the
back of the house, but the septic tank was not moved.

Updated May 2020

Note: IF you have questions, please call my
Friend Jim Naverant @ 775 752 0992. He is helping
me with this project and knows more about this stuff than
I do. Thank you

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Date of initial operation (if existing):

1960?

ATTENTION: Please read this section closely. Your request for variance will be examined against these criteria:

Any person who, because of unique circumstances, is unduly burdened by a regulation of the State Board of Health and thereby suffers a hardship and the abridgement of a substantial property right may apply for a variance from a regulation. (NAC 439.200(1))

1. The State Board of Health will grant a variance from a regulation only if it finds from the evidence presented at the hearing that:
 - (a) There are circumstances or conditions which:
 - (1) Are unique to the applicant;
 - (2) Do not generally affect other persons subject to the regulation;
 - (3) Make compliance with the regulation unduly burdensome; and
 - (4) Cause a hardship to and abridge a substantial property right of the applicant; and
 - (b) Granting the variance:
 - (1) Is necessary to render substantial justice to the applicant and enable him to preserve and enjoy his property; and
 - (2) Will not be detrimental or pose a danger to public health and safety.
2. Whenever an applicant for a variance alleges that he suffers or will suffer economic hardship by complying with the regulation, he must submit evidence demonstrating the costs of his compliance with the regulation. The Board will consider the evidence and determine whether those costs are unreasonable. (NAC 439.240)

Therefore, it is important for your variance request to be as complete as possible. It is your responsibility to attach documentation supportive of your variance request.

Statement of degree of risk of health

No risk that I can see.
The problem with all of Shanty Town is most
lots are 1/4 acre. The entire town is on septic.
This particular lot and 11 others are fed water from
a spring which is 1/2 mile away, so well water
pollution is not a problem.

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Please state in detail the circumstances or conditions which demonstrate that:

1. An exceptional and undue hardship results from a strict application of the Regulation:

We are an elderly couple. I am afraid of the possible health issues having a septic directly under my kitchen. I would feel much safer if it was in the yard like it is supposed to be.

2. The variance, if granted, would not:

A. Cause substantial detriment to the public welfare.

No

B. Impair substantially the purpose of the regulation from which the application seeks a variance.

I am trying to address this problem in the open, and legally, instead of sneaking in this tank. The problem, as stated before, my lot is not 1 acre as required by code. Do keep in mind, with the street and alley actually add to the area almost another 1/2 acre.

The bureau may require the following supporting documents to be submitted with and as a part of this application:

1. Legal description of property concerned

Nv. 89833

Spring Creek Rd. Shanty town

2. General area identification map

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- _ 3. Plat map showing locations of all pertinent items and appurtenances *Included*
- _ 4. Well log (if applicable) *NA.*
- _ 5. Applicable lab reports *NA.*
- _ 6. Applicable engineering or construction/remodeling information *NA*
- _ 7. Other items (see following pages)

This application must be accompanied by evidence demonstrating the costs of your compliance with regulations or specific statutory standards. Your request will be placed on the Board of Health agenda 40 days or more after receipt in this office if accompanied by the required fee (NAC 439.210). The application and supporting documentation will form the basis for the Division of Public and Behavioral Health staff report and recommendation(s) to the Board. Failure to respond to the above statements may cause the Board to deny consideration of the application at the requested Board meeting.

Please schedule this hearing during:

The next regularly scheduled Board of Health meeting, regardless of location.

The next scheduled meeting in Carson City.

The next scheduled meeting in Las Vegas.

Signature: Richard Ripley
Printed Name: Richard Ripley
Title: owner
Date: 10/29/20

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**PLEASE SUBMIT YOUR APPLICATION FOR VARIANCE BY USING
ANY OF THE FOLLOWING METHODS:**

MAIL TO:

Lisa Sherych, Administrator
Division of Public and Behavioral Health
4150 Technology Way, Suite 300
Carson City, NV 89706

FAX:

775-687-7570

EMAIL:

DPBH@health.nv.gov

← 93' →



↕ 220' ↕

Retaining wall



Hook to existing

New septic



New pipe to catch house sewage

Existing septic to be abandoned



← 13' →

27'

← 56' →

← 24' →

