

**Environmental Health Services
Staff Report
Board Meeting Date: May 23, 2024**

DATE: May 16, 2024

TO: District Board of Health

FROM: David Kelly, EHS Supervisor
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SUBJECT: Recommendation to uphold the decision of the Sewage, Wastewater & Sanitation (SWS) Hearing Board to approve Variance Case #H24-0001 VARI of the Northern Nevada Public Health Regulations Governing Sewage, Wastewater, and Sanitation for Lacey Rulli and Robert van Looy, owners of 460 Nicole Drive, Washoe County, Nevada, Assessor's Parcel Number 089-561-12.

SUMMARY

This staff report summarizes the Environmental Health Services Division's (EHS) review of the variance request along with the recommendation of the Sewage, Wastewater, and Sanitation Hearing Board (SWS Board) for Variance Case #H24-0001 VARI for Assessor's Parcel Number (APN) 089-561-12 as heard on May 2, 2024.

District Health Strategic Priorities supported by this item:

- 1. Healthy Lives:** Improve the health of our community by empowering individuals to live healthier lives.

PREVIOUS ACTION

The District Board of Health has taken no previous action on this item.

BACKGROUND

This variance case was the result of the septic at 460 Nicole Drive going into failure. Northern Nevada Public Health regulations do not allow for a septic system to be constructed, altered, reconditioned, or replaced if municipal sewer is available within 400' of the building to be served. Municipal sewer is available approximately 180' behind the property in question, on Alena Way.

The property owner requested the variance due to financial hardship associated with connecting to municipal sewer. The property owner provided two quotes to perform the municipal sewer connection that ranged from \$78,000 to \$85,000. They also provided two quotes to construct a repair leach field system that ranged from \$15,000 to \$28,000. The property is served by municipal water.

The property owner has been informed that if this variance is granted all applicable septic regulations will need to be complied with including obtaining a repair permit from EHS and installing a code compliant septic system with all associated inspections.

The case was heard at the May 2, 2024, SWS Board meeting where the SWS Board voted to recommend approval of the variance to the DBOH with no conditions. Attached to this staff report is the SWS Board Report and the variance application packet.

FISCAL IMPACT

There is no fiscal impact should the Board uphold the recommendation of the SWS Board to approve the variance request. All applicable permit fees will be assessed, and permits will not be granted if they are not paid.

RECOMMENDATION

Staff recommends the Board uphold the decision of the SWS Board to approve variance #H24-0001VARI, with no conditions.

ALTERNATIVE

Should the Board wish to consider an alternative to upholding the Staff recommendation, as presented, the item should be pulled from the Consent Agenda for discussion. Possible alternatives are:

1. The Board may decide to not uphold the decision of the SWS Board to approve variance #H24-0001VARI.
2. The Board may decide to modify the decision of the SWS Board to approve variance #H24-0001VARI with the condition that the applicant go through a new test trench and percolation test to determine the appropriate system design.

POSSIBLE MOTION(s)

Should the Board agree with Staff's recommendation, the motion would be:

1. "Move to uphold the decision of the SWS Board to approve variance #H24-0001VARI, with no conditions.

Or, should the Board consider an alternative, the possible motions may be:

2. "Move to modify the decision of the SWS Hearing Board in the following manner:"

Or

3. "Move to reverse the decision of the SWS Hearing Board"

Or

4. "Move to refer the variance back to the SWS Hearing Board for further additional consideration."