

✓ 9-11-06

OK

Entitled - 5/27/03 - OK

VARIANCE REQUEST

Iowa Department of Natural Resources

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|----------------------|------------------------------|---------------|----------|
| 1. Date: | April 21, 2003 | 13. Decision: | Approved |
| 2. Review Engineer: | Billy Chen | Date: | 4/29/03 |
| 3. Date Received: | March 30, 2003 | | 5/5/03 |
| 4. County Number: | 39 Guthrie | 14. Appeal: | |
| 5. Facility Name: | Promontory Point Subdivision | Date: | |
| 6. Program Area: | CP (Wastewater) | | |
| 7. Facility Type: | CO5 | | |
| 8. Subject Area: | 308 - Site Separation | | |
| 9. Rule Reference: | 900-64.2(9)a | | |
| 10. Design Stds Ref: | 14.2.3 | | |
| 11. Consulting Engr: | Steve Jones | | |
| 12. Variance Rule: | 900-64.2(9)c | | |

15. Description of Variance Request:

Rule 567 Chapter 64.2(3) requires that 1000 feet of separation distance from treatment to nearest inhabitable residence shall apply. The developer of Promontory Point Subdivision is proposing to construct a treatment system within 1000 feet of twelve (12) residences. The developer has a signed waiver from eight (8) residences, but is unable to obtain a waiver from the other four (4) residences.

16. Consulting Engineer's Justifications

1. The proposed septic tank and soil adsorption system is a subsurface type of installation. The system is completely buried and does not generate odors.
2. Each of 12 homes within 1,000 feet separation distance has a septic tank and soil adsorption system in its backyard. The proposed system is identical to their own system.
3. The easement area for the proposed system was granted and set aside by the Lake Panorama Association as part of local platting process and was in place prior to the time of those 12 homes were constructed.
4. Those four home owners have no opposition to the location or type of the proposed system. The only opposition is the requirement for the written agreement and its subsequent filing for record with the property deed..

17. Department's Justifications

I am recommending that this variance request be approved for the reasons of:



1. All wastewater treatment systems in the Lake Panorama area are septic tank and soil adsorption systems. This system is the only system subject to 1,000 feet separation distance requirement because it serves more

than 15 persons.

2. Eight home owners have already signed a waiver, the four home owners, that have not signed a waiver, ~~are~~ object to the requirement of filing for record with the property deed.
3. There is no other site located within reasonable distance available to this subdivision.
4. If the proposed system is divided into four separated septic tank and adsorption systems and located at the same site. This site will not be subjected to our 1,000 feet separation distance.

18. Precedents Used

None

19.	Staff Reviewer: Billy Chen	Date: April 21, 2003
20.	Supervisor: 	Date: 5/5/03
21.	Authorized by: 	Date: 4/29/03