



Memorandum

Date: April 24, 2025

To: SOUTHERN NEVADA DISTRICT BOARD OF HEALTH

From: Daniel Isler, PE, REHS, *Environmental Health Engineer/Supervisor* *DI*
Daniel Burns, PE, REHS, *Environmental Health Engineer/Manager* *DB*
Chris Saxton, MPH-EH, REHS, *Director of Environmental Health* *CS*
Cassius Lockett, PhD, *District Health Officer* *CL*

Subject: Variance Request for an Application to Construct a Septic System located at 4501 Yellow Pine Ave., Mount Charleston, Nevada with the following provisions: 1) allow installation of a septic system on an undersized lot.

I. BACKGROUND:

Achut Reddy, Owner ("Petitioner"), is requesting a variance to permit and install an individual sewage disposal system (ISDS) on an undersized lot served by municipal water, located at Assessor's Parcel Numbers (APN) 129-36-510-077 and 129-36-510-078 ("Subject Properties"), also known as 4501 Yellow Pine Ave., Mt. Charleston, NV 89124.

Petitioner requests a variance from Section 11.20.2 of the *Southern Nevada District Board of Health Regulations Governing Individual Sewage Disposal Systems and Liquid Waste Management*, which requires a minimum lot size of 0.25 acre for the installation of an ISDS on a lot served by municipal water. The Subject Properties are each roughly 0.1 acres, with a combined area of approximately 0.2 acres.

Petitioner states the following with regards to these requirements:

1. There must be circumstances or conditions which are unique to the petitioner, and do not generally affect other persons subject to the regulation:

"Our lot size falls below allowed requirement and must have a variance."

2. There must be circumstances or conditions which make compliance with the regulation unduly burdensome and cause a hardship to and abridge a substantial property right of

the applicant, and the variance is necessary to render substantial justice to and preserve the property rights of the applicant. Please indicate in what manner compliance with the regulation would be burdensome or cause a hardship on your business or how the free use of your property may be affected (If economic factors are an issue, please include estimates regarding the costs that would be incurred by compliance.):

"We purchased the second parcel for \$106,000 in 2023 to accommodate the space requirement for the tank and leach pit. Our current design shows the septic system will be able to accommodate the use and also meet the setback requirements. Had we not purchased the second parcel this would not have been possible. Our lumber has been purchased and held in storage at the cost of \$800 a month."

3. Granting the variance will not be detrimental or pose a danger to the public health and safety. Please provide evidence that the variance request, if approved, will not adversely affect the safe and sanitary operation of the applicant(s) pool, spa, or food establishment:

"The septic design meets all the requirements. Setbacks are within limits. The tank and leach pit will not cause an issue."

The Subject Properties are depicted in Attachment C as Lots 077 and 078 (highlighted in yellow) on the Assessor's Parcel Map. The properties are not currently part of any recorded subdivision or parcel map. Petitioner has initiated the process with the Clark County Map Team, of combining the Subject Properties into a single lot, which is shown in Attachment D as Parcel 1 of the Proposed Parcel Map MSM-24-600028. A new APN will be issued after the parcel map is recorded by the Map Team.

The Subject Properties have a combined area of approximately 0.2 acres, which is smaller than the minimum lot size of 0.25 acres required by the SNHD ISDS Regulations. Lot size variances have been approved for other properties in the area, many of which are smaller than 0.2 acres. There is one existing public water system well and 210 permitted septic systems within one square mile of the Subject Property.

II. RECOMMENDATION:

Staff are of the opinion that granting the variance would not endanger public health or safety. Staff recommend APPROVAL of the variance. If the Board of Health approves the variance, staff recommends approval with the following conditions outlined in Section III.

III. CONDITIONS:

1. Petitioner will complete the process of combining the existing parcels, APNs 129-36-510-077 and 129-36-510-078, into a single new parcel, and record the parcel map before permitting and installing the proposed ISDS.
2. Petitioner 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 400 feet of the Petitioner's property line when connection can be made by gravity flow and the owner(s) are notified and legally required to do so.

3. Petitioner and their successor(s) will abide by the operation and maintenance requirements of the most current SNHD regulations governing individual sewage disposal systems.
4. Construction of the ISDS must commence within one year of the date of approval of the variance. If construction has not commenced within that period, 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 Petitioner or their successor(s) in interest.

Attachments:

- A. Variance Candidate Application
- B. Justification Letter from Petitioner
- C. Assessor's Parcel Map
- D. Proposed Parcel Map MSM-24-600028
- E. Proposed ISDS Plan
- F. Percolation Test Results for APN 129-36-510-078
- G. Public Notice

Attachment A: Variance Candidate Application (Page 1 of 3)



REVISED
3-25-2025
+
3-26-2025

VARIANCE CANDIDATE WORKSHEET

PART I:

ESTABLISHMENT INFORMATION

Name of Facility/Establishment: _____
Health Permit Number: _____ Date of Inquiry: _____
Name of Operator/Agent: _____
Address of Operator/Agent: _____
Contact Information of Operator/Agent:
Office Phone: _____ Cell Phone: _____
Fax Number: _____ Email Address: _____
If corporation, the name/title of individual to sign for Variance document:
Name: _____
Title: _____

OWNER INFORMATION

Name of Property Owner: ACHUT REDDY
Address of Property Owner: 4501 YELLOW PINE WAY (ADDRESS ESTABLISHED 2024)
Contact Information of Property Owner: ACHUT REDDY
Office Phone: 650-996-2096 Cell Phone: _____
Fax Number: _____ Email Address: _____

PROPERTY INFORMATION

Property Address: 4501 Yellow Pine Way
Assessor's Parcel Number (APN): 129-36-510-078 129-36-510-077
Describe location within larger facility (i.e. hotel/casino/resort, etc.):

MAPPING WILL BE COMBINING THESE (2) PARCELS
WE ARE CURRENTLY WAITING ON RECORDING OF
NEW APN.

Describe Variance Issue (s): (Include sections of the Regulation or Nevada Administrative Code that applies to the request for a variance)

LOT(S) COMBINED STILL FALL BELOW THE MINIMUM
REQUIREMENT OF 0.125 ACRE.

Attachment A: Variance Candidate Application (Page 2 of 3)

PART II:

Nevada Administrative Code 439.240 states in general that certain conditions or circumstances must be shown to exist in order for a Board of Health to approve a request for a Variance from adopted public health regulations. A variance application letter (as noted below in PART III) MUST specifically address each of the following issues:

1. There must be circumstances or conditions which are unique to the applicant, and do not generally affect other persons subject to the regulation. Please indicate how your request is unique to your situation and is, therefore, not likely to affect other persons subject to the regulations:

OUR LOT SIZE FALLS BELOW ALLOWED REQUIREMENT
AND MUST HAVE A VARIANCE.

2. There must be circumstances or conditions which make compliance with the regulation unduly burdensome and cause a hardship to and abridge a substantial property right of the applicant, and the variance is necessary to render substantial justice to and preserve the property rights of the applicant. Please indicate in what manner compliance with the regulation would be burdensome or cause a hardship on your business or how the free use of your property may be affected (if economic factors are an issue, please include estimates regarding the costs that would be incurred by compliance):

WE PURCHASED THE 2ND PARCEL \$406,000 IN 2023
TO ACCOMMODATE THE SPACE REQUIREMENT FOR THE TANK
& LEACH PIT. OUR CURRENT DESIGN SHOWS THE
SEPTIC SYSTEM WILL BE ABLE TO ACCOMMODATE THE USE
& ALSO MEET SETBACK REQUIREMENTS. HAD WE
NOT PURCHASED THE 2ND PARCEL THIS
WOULD NOT HAVE BEEN POSSIBLE.

*OUR LUMBER HAS BEEN PURCHASED AND IN STORAGE
AT THE COST OF \$800/MONTH.

3. Granting the variance will not be detrimental or pose a danger to the public health and safety. Please provide evidence that the variance request, if approved, will not adversely affect the safe and sanitary operation of the applicant(s) pool, spa, or food establishment:

*THE SEPTIC DESIGN MEETS ALL THE REQUIREMENTS.
SETBACKS ARE WITHIN PROPER LIMITS. THE PIT/TANK
WILL NOT CAUSE AN ISSUE.

Attachment A: Variance Candidate Application (Page 3 of 3)

NAC 439.240 Approval by State Board of Health. (NRS 439.150, 439.190, 439.200)

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 the applicant to preserve and enjoy his or her property right; 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 or she suffers or will suffer economic hardship by complying with the regulation, the applicant must submit evidence demonstrating the costs of compliance with the regulation. The Board will consider the evidence and determine whether those costs are unreasonable.
- [Bd. of Health, Variances Reg. §§ 2.7-2.8, eff. 10-16-80; A 2-5-82; 1-19-84]

PART III:

A Variance Application Letter, which includes all information provided by the applicant on his worksheet, must be submitted in writing to the Environmental Health Division (EHD) Director no later than 40 days before the monthly Board of Health Meeting. **The Application letter must be on the owner's letterhead signed by the Owner/Corporate Officer specifically listing which part(s) of the Regulation the proposed Variance covers with this completed Worksheet as an attachment. The written Application Letter must take particular care in providing statements and evidence of circumstances or conditions and reasons why the District Board of Health should grant the Variance as listed in NAC 439.240 as shown at the top of this page. ALL information you have provided in PART I and II of this Worksheet must be included in the body of the letter.** The evidence required may include 8 1/2" x 11" or 11" x 17" detailed drawings and/or photographs.

The Variance process is outlined in Nevada Administrative Code (NAC) 439.200 through 439.260 with the exception that an application fee is payable to SOUTHERN NEVADA HEALTH DISTRICT (SNHD).

This section to be completed by SNHD staff ONLY

Next closing date is: _____ for the _____ BOH Meeting.

Referred by: _____

(Print Name of REHS)

Completed by: _____ Date: _____

(Print Name of REHS if not by supervisor)

Received by: _____ Date: _____

(Owner/Operator/Agent)

Reviewed by: _____ Date: _____

(Signature of SNHD Manager)

Attachment B: Justification Letter from Petitioner (Page 1 of 2)

ACHUT REDDY
9900 COZY GLEN CIR.
LAS VEGAS, NV 89117

March 24, 2025

To whom it May Concern,

I am the property owner of (2) parcels at 4501 Yellow Pine Way, (APN 129-36-510-077 & APN 129-36-510-078). We purchased the second parcel in order to give us an adequate room to accommodate the Septic System and Leech Field for our new Single-Family Residence.

When I owned one parcel SNHD required I applied for a variance so we could install this septic tank and leech field. (Due to the property not meeting the requirement of 0.25 acre)

We began the process with Clark County Map Team to have these 2 parcels combined, we have been told we are approved and have attached the email from the Map Team that these parcels will be allowed to be combined. We have been told that the new APN will not be issued until it is recorded by the Map Team.

The lot will still be below the .25-acre requirement. We are asking for Hardship Variance so that we may move forward with our build.

Here are our reasons for this request:

- 1) The .20-acre combined lot is in Old Town, just off Kyle Canyon Road, this is in a densely populated subdivision. Most of the lots are built on small parcels. This makes it extremely difficult to maintain the setbacks required.
- 2) These lots are extremely small, and my lot is bordered by a public easement which runs parallel between my neighbor and I.
- 3) Our lot is landlocked behind another parcel.

Attachment B: Justification Letter from Petitioner (Page 2 of 2)

Therefore, we respectfully request a variance be allowed to accommodate our septic design. The engineered solution will fit within the available combined parcel and be able to handle the septic capacity requirements.

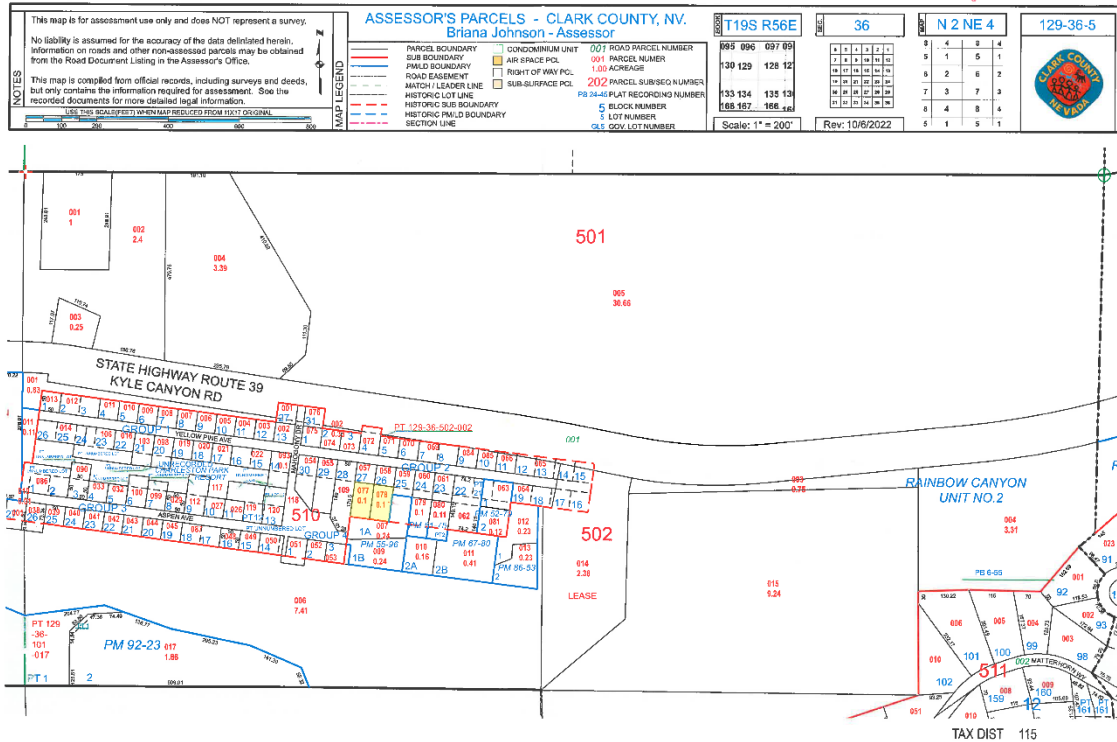
Thanks for your time and for considering our request for our variance due to this hardship,

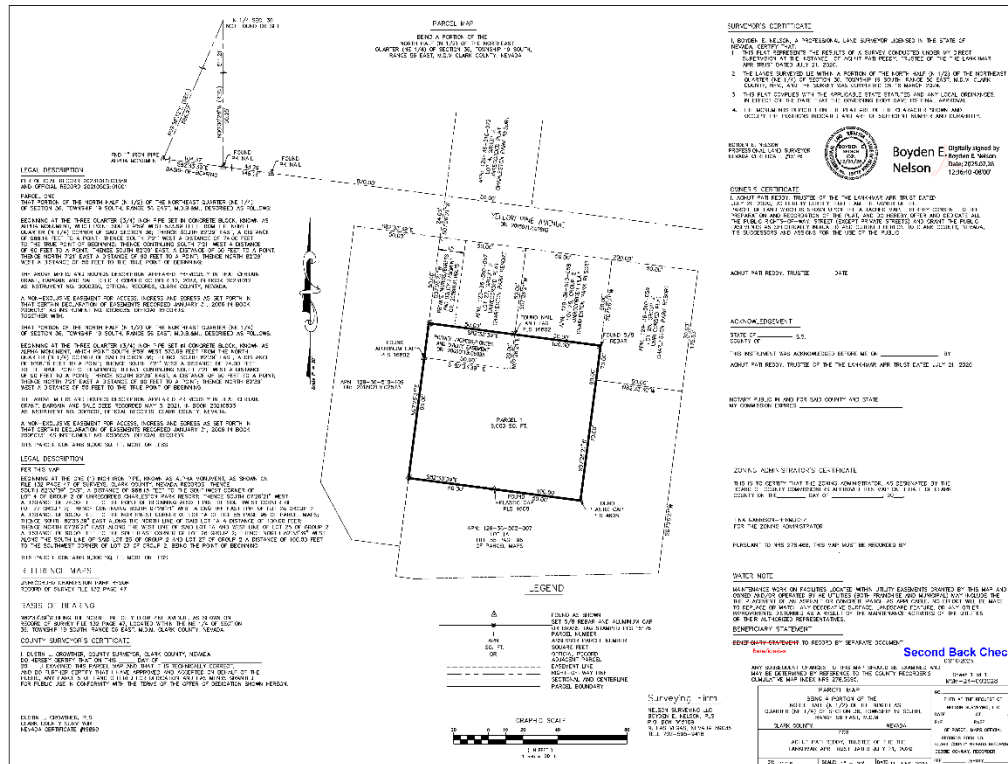
Respectfully,

A handwritten signature in black ink that reads "Achut Reddy". The signature is written in a cursive, flowing style.

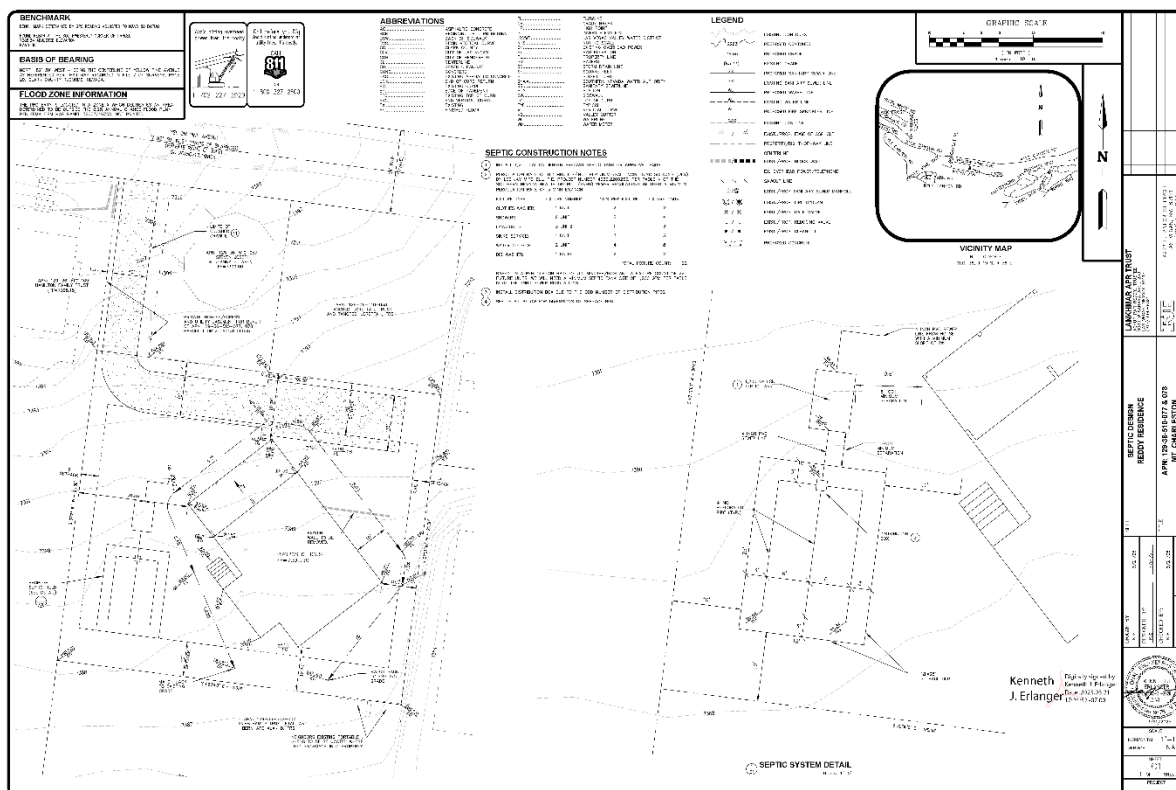
Achut Reddy
9900 Cozy Glen Circle
Las Vegas, NV 89117

Attachment C: Assessor's Parcel Map

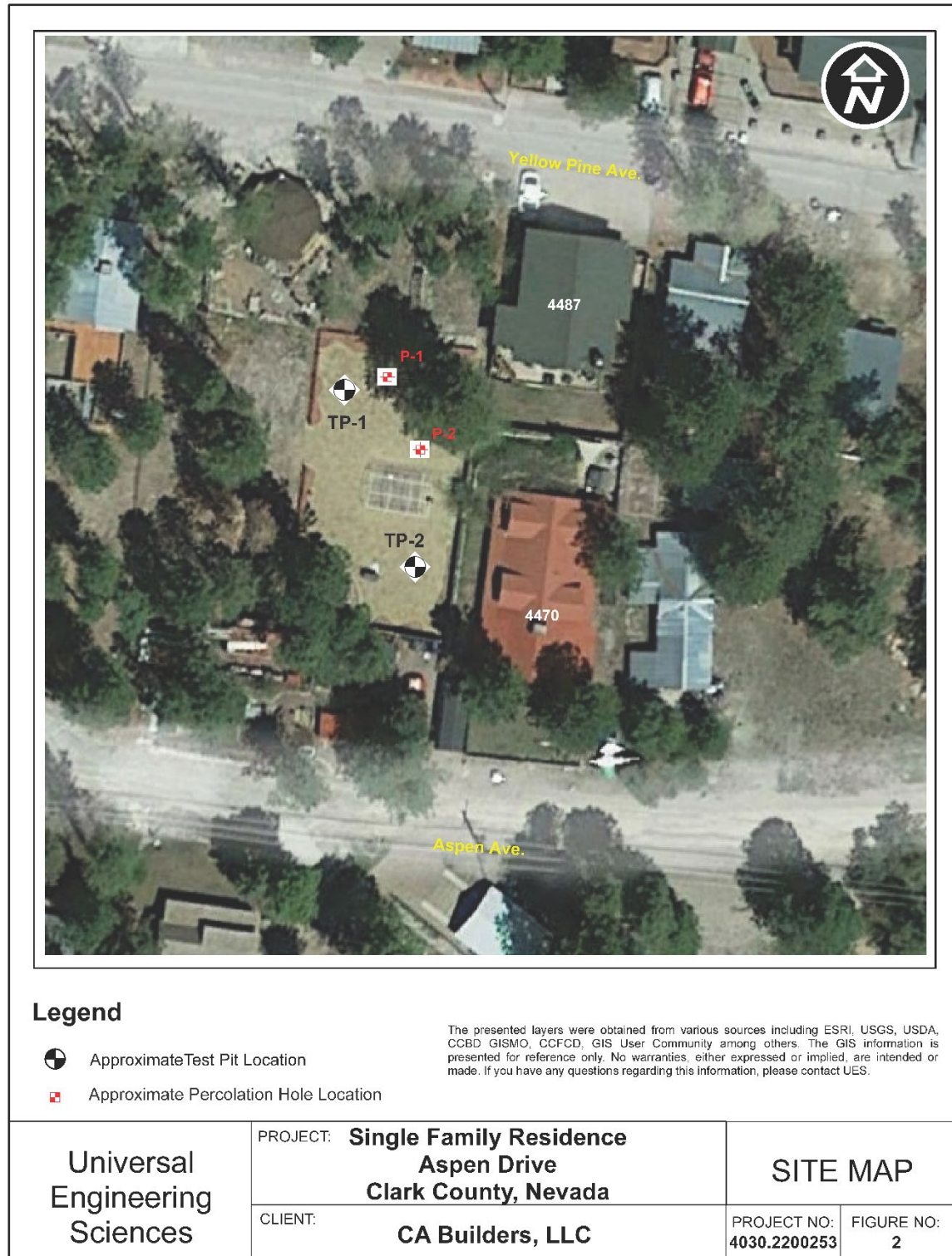




Attachment E: Proposed ISDS Plan



Attachment E: Percolation Test Results for APN 129-36-510-078 (Page 1 of 3)



Attachment E: Percolation Test Results for APN 129-36-510-078 (Page 2 of 3)



Universal Engineering Sciences (UES)
4480 W Hacienda Avenue, Suite 104
Las Vegas, NV 89118
p. 702.873.3478 | TeamUES.com

PERCOLATION TEST RESULTS
TEST NUMBER P-1

Project Name Custom Residence Date Of Test: 10/24/2023
Project Location 1 Yellow Pine Avenue Project No.: 4030.2200253
Test Performed By Erandi Kodikara, E.I. Reviewed By: Lee J. Mitchell, P.E.
Test Location Shown On Figure 1

Test Data

Hole diameter 4 - Inches Test Depth (inches) 58.7 - Inches
(Inches)
Time of presoaking 24 - Hours Depth of water in hole at
(hours) start of test (inches) 6.0 - Inches

TIME OF READING	TIME DIFFERENCE (MINUTES)	DEPTH TO WATER (INCHES)	DEPTH DIFFERENCE (INCHES)	PERCOLATION RATE (MINUTES/INCHES)	COMMENTS
10: 25 AM	-	52.70	-	-	Start test
10:27 AM	2	58.70	6	0.30	The hole was empty. No readings taken.
10:29 AM	-	53.20	-	-	Refill hole
10:30 AM	1	58.70	5.5	0.18	The hole was empty. No readings taken.
10:33 AM	-	53.20	-	-	Refill hole
10:335 AM	0.5	58.70	5.5	0.09	The hole was empty. No readings taken.

SOIL DATA

DESCRIPTION OF SOILS ENCOUNTERED TO A DEPTH OF ELEVEN (11) FEET. INCLUDED DESCRIPTION IN TERMS OF UNIFIED SOIL CLASSIFICATION SYSTEM AND ALSO INFORMATION ON WATER IF ANY: **Soil Profile for Adjacent Test Pit TP-1**

Soil profile

Depth (ft)	USCS	Description
0 – 0.20	FILL	Fill: Pea gravel
0.2 – 11.0	GP-GM	GRAVEL with silt, sand and cobbles, trace organic material
11.0	---	End of test pit - refusal.

Groundwater not encountered within depth drilled.

Attachment E: Percolation Test Results for APN 129-36-510-078 (Page 3 of 3)



Universal Engineering Sciences (UES)
4480 W Hacienda Avenue, Suite 104
Las Vegas, NV 89118
p. 702.873.3478 | TeamUES.com

PERCOLATION TEST RESULTS
TEST NUMBER P-2

Project Name Custom Residence Date Of Test: 10/24/2023
Project Location 1 Yellow Pine Avenue Project No.: 4030.2200253
Test Performed By Erandi Kodikara, E.I. Reviewed By: Lee J. Mitchell, P.E.
Test Location Shown On Figure 1

Test Data

Hole diameter 4 - Inches Test Depth (inches) 59.0 - Inches
Time of presoaking (hours) 24 - Hours Depth of water in hole at start of test (inches) 6.0 - Inches

TIME OF READING	TIME DIFFERENCE (MINUTES)	DEPTH TO WATER (INCHES)	DEPTH DIFFERENCE (INCHES)	PERCOLATION RATE (MINUTES/INCHES)	COMMENTS
11:15 AM	-	53.0	-	-	Start test
11:17 AM	2	59.0	6.0	0.33	The hole was empty. No readings taken.
11:19 AM	-	53.2	-	-	Refill hole
11:20 AM	1	59.0	5.8	0.17	The hole was empty. No readings taken.
11:21 AM	-	53.0	-	-	Refill hole
11:22 AM	0.75	58.0	5.0	0.15	The hole was empty. No readings taken.
11:23 AM	-	53.5	-	-	Refill hole
11:24 AM	0.75	58.0	4.5	0.16	The hole was empty. No readings taken.

SOIL DATA

DESCRIPTION OF SOILS ENCOUNTERED TO A DEPTH OF TEN (10) FEET. INCLUDED DESCRIPTION IN TERMS OF UNIFIED SOIL CLASSIFICATION SYSTEM AND ALSO INFORMATION ON WATER IF ANY: **Soil Profile for Adjacent Test Pit TP-2**

Soil profile

Depth (ft)	USCS	Description
0 - 0.20	FILL	Fill: Pea gravel
0.2 - 10.0	GP-GM	GRAVEL with silt and sand, some cobbles
10.0	---	End of test pit - refusal.

Groundwater not encountered within depth drilled.

Attachment F: Public Notice



PUBLIC NOTICE

The Southern Nevada District Board of Health will conduct a PUBLIC HEARING on Thursday, April 24, 2025 at 9:00 AM during its regular monthly meeting in the Red Rock Conference Room at the Southern Nevada Health District at 280 S. Decatur Blvd., Las Vegas, Nevada, to approve or deny a variance request filed by Achut Reddy ("Petitioner"), to permit and install a new individual sewage disposal system on the property located at 4501 Yellow Pine Ave, Mt. Charleston, NV 89124, APN(s) 129-36-510-077 and 129-36-510-078.

The variance request is made to allow the Petitioner to permit the installation of a conventional septic system not in accordance with the *Southern Nevada District Board of Health Regulations Governing Individual Sewage Disposal Systems and Liquid Waste Management*. The variance will allow the Petitioner to install a septic system on an undersized lot.

All interested persons may appear at the hearing and state their positions. All written and oral submissions will be considered by the Southern Nevada District Board of Health. Written comments must be forwarded by April 23, 2025 to:

Daniel Isler, P.E., REHS
Environmental Health Engineer/Supervisor
Southern Nevada Health District
P.O. Box 3902
Las Vegas, Nevada 89127
isler@snhd.org

The variance application is available for review at the Southern Nevada Health District, 280 S Decatur Blvd, Las Vegas, Nevada 89107. Please contact Cherie Custudio at (702) 759-0660 to schedule an appointment to review the application during the normal business hours of 8:00 AM to 4:30 PM.

- S -
Chris Saxton, MPH-EH, REHS
Environmental Health Director

April 8, 2025
Date