



Memorandum

Date: September 24, 2026

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 existing septic system located at APN 129-36-11-108 to serve a single-family residence on the adjacent lot at 4770 Knotty Pine Way, Las Vegas, NV 89124.

I. BACKGROUND:

Amy Pam ("Petitioner") is requesting a variance to obtain approval to pursue an amended final map that will result in properties that do not comply with the requirements of the *Southern Nevada District Board of Health Regulations Governing Individual Sewage Disposal Systems and Liquid Waste Management* ("SNHD ISDS Regulations") and to allow future building permits to be issued for the properties located at Assessor's Parcel Numbers (APN) 129-36-11-107 and 129-36-11-108, also known as 4770 Knotty Pine Way, Las Vegas, NV 89124 (collectively the "Subject Property").

Petitioner requests a variance from Section 11.26 of the SNHD ISDS Regulations, which states that an "ISDS must be constructed on and remain on the same parcel as the structure(s) it serves." The ISDS serves a single-family home that is entirely on APN 129-36-11-107 of the Subject Property. The entire leach field and most of the septic tank were constructed on the western parcel (APN 129-36-11-108), with a small portion of the septic tank located on the eastern parcel (APN 129-36-11-107).

Petitioner further requests a variance from Section 5.1 of the SNHD ISDS Regulations, which states that "No septic tank or soil absorption system shall be located within ten feet (10') of any property line..." The ISDS system is within ten feet of the shared property line between the two parcels.

Petitioner states the following with regards to these requirements:

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

"A parcel map redraw request was submitted December 14, 2022. It was determined that the septic system was located on the parcel APN 126-36-111-008 that serves the house on APN 126-36-111-007. The Clark County Assessor's office would not approve the re-draw, as the vacant parcel would be significantly smaller. On September 26, 2024, Ms. Tina Garrison-Bermudez from Clark County Public Works advised that Ms. Pam would need to obtain approval from SNHD and Nevada Division of Water Resources to adjust the parcel line to jog around the existing septic tank, and still maintain the required 24 foot street frontage, and maintain current lot sizes (even swap between the two parcels), they could accommodate that type of re-draw of the map. On October 10, 2024, SNHD emailed that "a septic cannot be allowed to be located on another parcel from the structure it serves".

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):

"The contract to purchase the house was specifically contingent on Ms. Pam being able to divide the two properties with a re-draw of the parcel map. Because the septic system was installed in the 1980's, Ms. Pam hired Silver State Surveying to determine the exact location of the septic tank and leach field. Relocating the septic system is cost prohibitive and can be solved by a simple re-draw to jog around the current septic tank as suggested by Clark County Public Works. Costs to install a new system range from \$10,000 to \$50,000, depending on complexity, soil conditions, etc."

3. Granting the variance will not be detrimental or pose a danger to 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 variance will not affect public health or safety. The current system is already in use, and a variance to adjust the parcel map would have no effect on neighbors."

The Subject Property is depicted in Attachment C as Lots 4 and 5 of Block 2 of the Cathedral Rock View subdivision, which was approved in 1956. A single-family residence exists on Lot 4 (APN 129-36-111-007) and the septic system for that residence is located on Lot 5 (APN 129-36-111-008). Both parcels are currently owned by Petitioner. The residence and septic system were constructed in 1984. The property has not been improved since the adoption of the current SNHD ISDS Regulations in 2009.

Examination of the Clark County Assessor's records and parcel genealogy show that the Petitioner is the eighth owner of the ISDS and obtained the Subject Property in January 2019. An analysis of the surrounding area shows that there are 193 permitted septic systems and one public water system well within a square mile of the Subject Property.

II. RECOMMENDATION:

Petitioner wishes to adjust the shared property line between the two parcels of the Subject Property through an Amended Final Map. The residence and septic system would remain on separate parcels on the resulting map, which Petitioner contends is necessary to meet the requirements of the Clark County Public Works Map Team.

Staff are of the opinion that granting the variance could endanger public health or safety. Although the parcels currently have the same owner, that may not always be the case. If the Petitioner sells APN 129-36-111-008 to a different owner, the septic system that serves the Petitioner's residence would no longer be under the Petitioner's exclusive control, which is an untenable situation. Additionally, the existence of the septic system on APN 129-36-111-008 would greatly constrain future development of that parcel by future owners. It is staff's opinion that the Petitioner should be required to redraw the lines between the two parcels in such a way that the residence and septic system are located on the same parcel, or the Petitioner should be required to combine the parcels into a single new parcel.

Based on the above, staff recommend DENIAL of the variance as requested by the Petitioner. If the Board of Health approves the variance, staff recommend approval with the following conditions outlined in Section III.

III. CONDITIONS:

1. Petitioner shall record a reciprocal easement for the septic system on parcels APNs 129-36-111-007 and 129-36-111-008 within one year of the date this variance is approved, and before amending the final map or selling either parcel.
2. Petitioner shall record the amended final map within one year of the date this variance is approved.
3. 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 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.
4. Petitioner and their successor(s) will abide by the operation and maintenance requirements of the most current SNHD regulations governing individual sewage disposal systems.

Attachments:

- A. Variance Candidate Application
- B. Justification Letter from the Petitioner
- C. Final Map for Cathedral Rock View
- D. Email from Silver State Surveying
- E. Rejected Amended Final Map
- F. Letter from Hardin & Sons, Inc.
- G. Public Notice

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



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: Amy Pan
Address of Property Owner: 4770 Knotty Pine Way, Mt. Charleston NV 89124
Contact Information of Property Owner:
Office Phone: 702-686-3372 Cell Phone: 702-686-3372
Fax Number: _____ Email Address: soybeanpan@gmail.com

PROPERTY INFORMATION

Property Address: 4770 Knotty Pine Way, Mt. Charleston NV 89124
Assessor's Parcel Number (APN): 129-36-111-007 and 129-36-111-008
Describe location within larger facility (i.e. hotel/casino/resort, etc.): _____
The property was built on two parcels, with a single septic system for the house on one parcel. The other parcel is vacant.
The septic system encroaches onto the vacant parcel, and was installed in the 1980's.

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

Ms. Pam purchased the property in January of 2023, contingent upon a new parcel map that would be re-drawn, dividing the two parcels, with the existing septic system allocated to 4770 Knotty Pine (APN 129-36-111-007.) The septic system runs directly under the driveway.
The SNIID permit is number #ON00015437 for the original installation. In order for the property to be divided into two parcels, a re-draw of the map is required. NRS439.200 allows the State Board of Health to grant a variance from requirements if strict application of the regulation would result in exceptional and undue hardship to the person requesting the variance.

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:

A parcel map redraw request was submitted December 14, 2022. It was determined that the septic system was located on the parcel APN 126-36-111-008 that serves the house on APN 126-36-111-007. The Clark County Assessors office would not approve the re-draw, as the vacant parcel would be significantly smaller. On September 26, 2024, Ms. Tina Garrison-Bermudez from Clark County Public Works advised that Ms. Pam would need to obtain approval from SNHD and Nevada Division of Water Resources to adjust the parcel line to jog around the existing septic tank, and still maintain the required 24 foot street frontage, and maintain current lot sizes (even swap between the two parcels), they could accomodate that type of re-draw of the map. On October 10, 2024, SNHD emailed that "a septic cannot be allowed to be located on another parcel from the structure it serves".

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 incurred by compliance):

The contract to purchase the house was specifically contingent on Ms. Pam being able to divide the two properties with a re-draw of the parcel map. Because the septic system was installed in the 1980's, Ms. Pam hired Silver State Surveying to determine the exact location of the septic tank and leach field. Relocating the septic system is cost prohibitive, and can be solved by a simple re-draw to jog around the current septic tank as suggested by Clark County Public Works. Costs to install a new system range from \$10,000 to \$50,000, depending on complexity, soil conditions, etc.

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 variance will not affect public health or safety. The current system is already in use, and a variance to adjust the parcel map would have no effect on neighbors.

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 the Petitioner

Justification/Hardship Letter

To: Southern Nevada Health District

280 S. Decatur Blvd.

Las Vegas, NV. 89107

From:

Re: Parcel # 129-36-111-007

Date: 7-30-2026

To whom this 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 Section 10 and Nevada Department of Environmental Protection Policy.

This variance request is made to permit the septic system for the cabin 4770 knotty pine way (#129-36-111-007) to sit on a different parcel #129-36-111-008.

than the maximum for a conventional septic system.

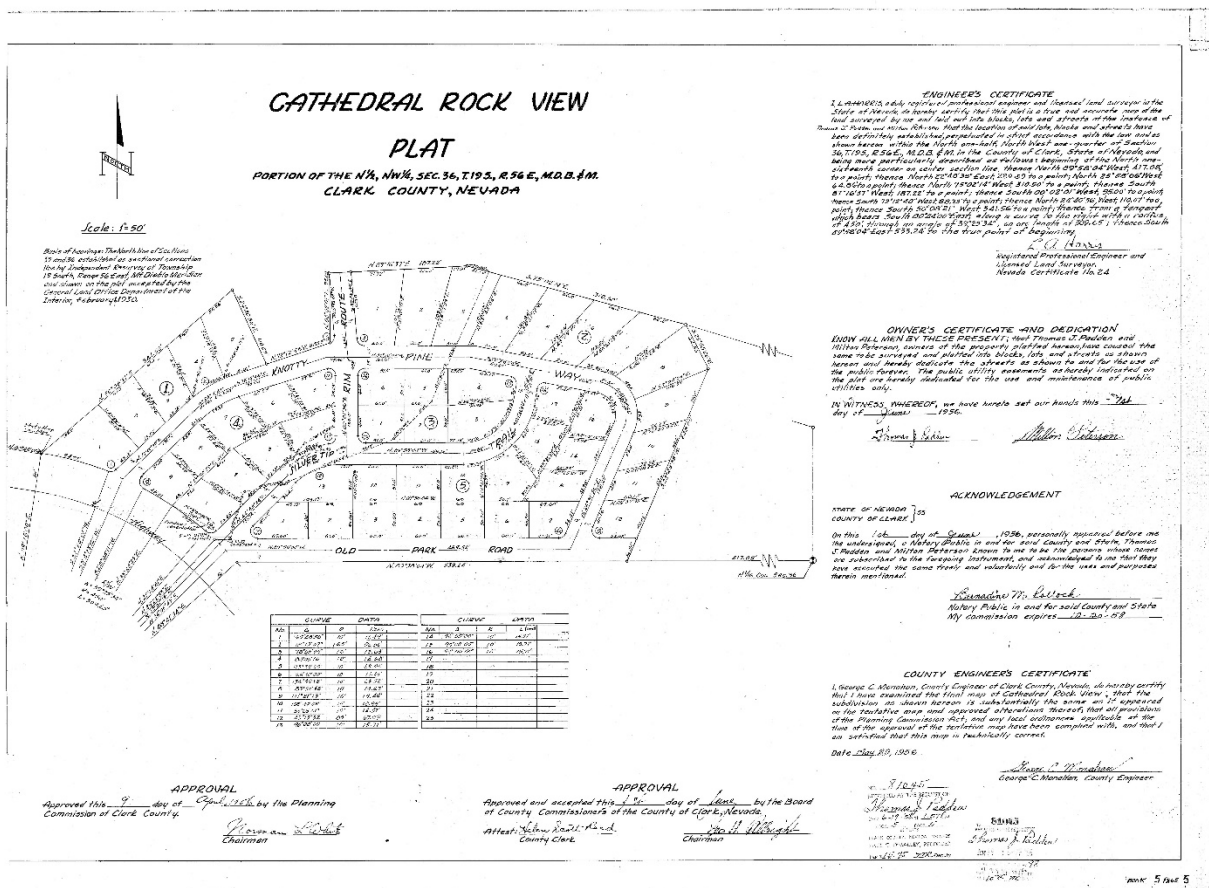
The legal description of said property is APN #129-36-111-007, further described as 4770 knotty pine way, mountain Charleston , NV, 89124

I have owned the property since 2019 and I wish to redraw the property lines for parcel #129-36-111-007 and #129-36-111-008 in order to have the house sits on parcel 129-36-111-007 only and septic system sits on parcel # 129-36-111-008 since the county requires both parcels remains to the same size after the remapping. Therefore, the septic tank system is not able to be included in the parcel 129-36-111-007 where the house sits on

Thank you for your consideration,

A handwritten signature in dark ink, appearing to read 'Amy Pam', is written over a horizontal line.

Amy Pam



Attachment D: Email from Silver State Surveying



A PLUS Personal Care <apluspersonalcarelasvegas@gmail.com>

Fwd: Fwd:

1 message

amy pan <soybeanpan@gmail.com>

Wed, Sep 25, 2024 at 9:17 AM

To: A PLUS Personal Care <apluspersonalcarelasvegas@gmail.com>

----- Forwarded message -----

From: **sss surveying@aol.com** <sss surveying@aol.com>

Date: Thu, Jun 6, 2024 at 7:02 AM

Subject: Re: Fwd:

To: amy pan <soybeanpan@gmail.com>

Amy,

In reviewing the documents from the Clark County Health District and the letter from Hardin and Son, regarding the Septic Tank and Leach Field for the house at 4770 Knotty Pine Way. It appears by the location of the existing cleanout, located about 2' from the home on the East side. Based on the size of the tank and leach field indicated in the information provided by the Clark County Health District. The existing septic system would encroach substantially into Lot 5. This would make it impossible to meet the requirements of both the Clark County Health District and Clark County Mapping for the current configuration of the proposed Amended Final Map for Lots 4 and 5.

Thanks,

Terry D. Carter, P.L.S.
dba Silver State Surveying

On Tuesday, June 4, 2024 at 05:14:23 PM PDT, amy pan <soybeanpan@gmail.com> wrote:

fyi

----- Forwarded message -----

From: **amy pan** <soybeanpan@gmail.com>

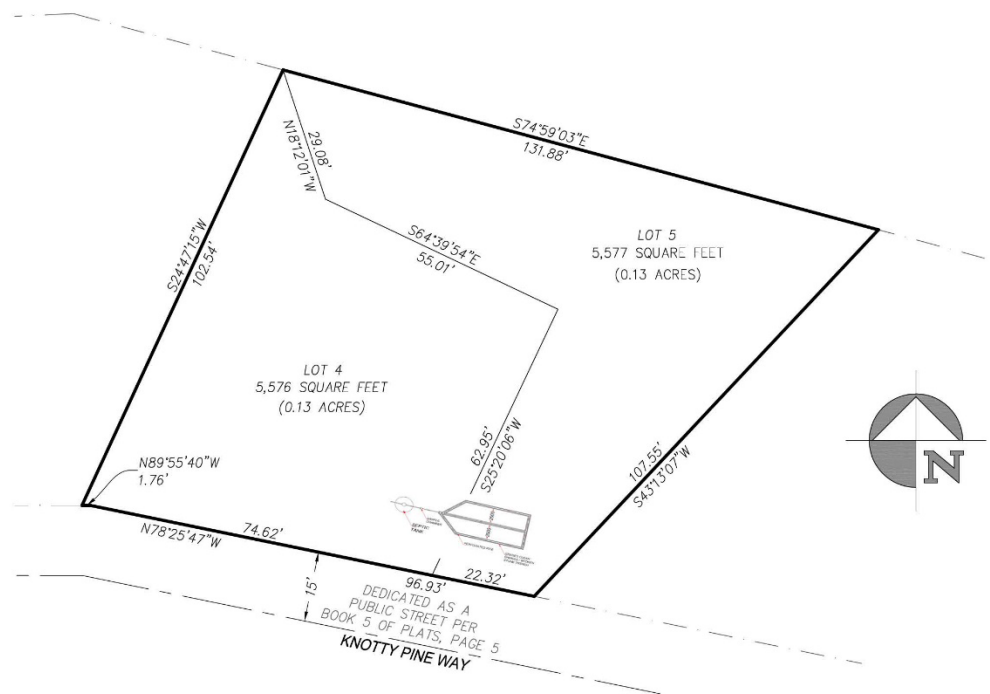
Date: Sat, May 11, 2024 at 8:17 PM

Subject:

To: Fred Page <fpagelawoffices.com>

here you go

Attachment E: Rejected Amended Final Map



Attachment F: Letter from Hardin & Sons, Inc.

HARDIN & SONS, INC.

Custom Excavating

Contractors Lic. #0030813 Monetary Limit \$200,000

Hardin.Sons@gmail.com

201 W. Cheyenne Ave.

North Las Vegas, NV 89030

Tel (702) 399-3878

Fax (702) 399-2032

May 2, 2024

Amy Pan
4770 Knotty Pine Way
Septic System

Phone: 702-686-3372
Email: soybeanpan@gmail.com

This letter is to confirm that I did, indeed, find a SNIID permit on file for your property. The SNIID permit number is S781X-GC and that has been updated to #ON0015437.

The existing system appears to be located on the east side of the house which would definitely be on the other property. The SNHD does not allow a septic to be located on another parcel from the structure it serves. Since both parcels are under the same ownership it is not quite a problem now, however, it is not legal and would always be a problem if you tried to split and/or sell either parcel.

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If you have questions or need additional information, please do not hesitate to contact me.

Attachment G: Public Notice



PUBLIC NOTICE

The Southern Nevada District Board of Health will conduct a PUBLIC HEARING on Thursday, September 24, 2026 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 Amy Pam ("Petitioner"), to allow an existing septic system (SNHD Permit #ON0015437) and the residence it serves to remain on separate parcels located at 4770 Knotty Pine Way, Las Vegas, NV 891246, APNs 129-36-111-007 and -008.

The variance request is made to allow the Petitioner to obtain approval to pursue an Amended Final Map for the properties with a 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 septic system and residence to remain on separate parcels after remapping.

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 September 23, 2026 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 Custodio 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
Director of Environmental Health

September 8, 2026
Date