

Permit SPV-____-____

Routing:

Applicant Agent
Township Sheriff
Health Dept. Assessor

ADMINISTRATIVE VARIANCE APPLICATION for SUBSURFACE SEWAGE TREATMENT SYSTEM

Application Fee: \$150 Make Check Payable to: Lake County Auditor

Incomplete Applications will be Returned!

Application shall be complete and shall be accompanied by all necessary documentation supporting the need for the variance along with a map of the property identifying all soil boring locations, which are also physically marked on the property, and a description of the types of systems proposed as alternatives to Type I systems (if applicable).

This form is to be used for two types of Administrative Variance Requests:

1. Per Article V, Section 3.01 of the Lake County SSTS Ordinance #11: The Lake County Environmental Services Department may administratively process variance requests from the provision within Article IV, Section 1.03 SSTS on Lots Created After January 23, 1996.
2. Per Article V, Section 2.01B of the Lake County SSTS Ordinance #11: The setback distance from any component of an SSTS to an unclassified watercourse shall be 50 feet. In cases where a property owner cannot demonstrate sufficient area on a lot to accommodate tank or drainfield placement at 50 feet, the Department Administrator may vary the setback administratively.

A. GENERAL PROPERTY INFORMATION					
PROPERTY OWNERS NAME		DAY PHONE		DESIGNER NAME	
COMPLETE MAILING ADDRESS		PROJECT SITE ADDRESS		DESIGNER ADDRESS	
PROPERTY OWNER EMAIL		DESIGNER PHONE		DESIGNER EMAIL	
B. PROPERTY DESCRIPTION & LAND FEATURES					
Section	Township	Range	Township Name	Acreage	Parcel Number(s)
Quarter Section/Legal Description (attach separate sheet if necessary)					
EXISTING LAND USE: <input type="checkbox"/> Residential <input type="checkbox"/> Commercial <input type="checkbox"/> Seasonal <input type="checkbox"/> Other: _____					
<input type="checkbox"/> Yes	<input type="checkbox"/> No	Property within North Shore Management Zone?		<input type="checkbox"/> Yes	<input type="checkbox"/> No
Bluff Present? (Show on sketch)					
<input type="checkbox"/> Yes	<input type="checkbox"/> No	Steep Slopes Present? (Show on sketch)		<input type="checkbox"/> Yes	<input type="checkbox"/> No
Wetlands Present? (Show on sketch)					
<input type="checkbox"/> Yes	<input type="checkbox"/> No	Property within Shoreland? If yes, name of lake/river: _____			
CLASSIFICATION OF SHORELAND (Check all that apply):					
<input type="checkbox"/> Gen. Development and Lk. Superior (50')		<input type="checkbox"/> Rec. Development (75')		<input type="checkbox"/> Nat. Environment (150')	<input type="checkbox"/> Rem. River (150')
<input type="checkbox"/> Unclassified Watercourse (50')		<input type="checkbox"/> Designated Trout Stream Tributary (75')		<input type="checkbox"/> Designated Trout Stream (100')	
C. SSTS ADMINISTRATIVE VARIANCE DATA					
Type of Administrative Variance Request: <input type="checkbox"/> SSTS Lot Creation Standards <input type="checkbox"/> Unclassified Watercourse Setback					
Describe the request in detail:					
Explain the Justification of the Request:					

D. ADMINISTRATIVE VARIANCE REQUEST SKETCH

MAP OF THE PROPERTY IDENTIFYING ALL SOIL BORING LOCATIONS, WHICH ARE ALSO PHYSICALLY MARKED ON THE PROPERTY, AND A DESCRIPTION OF THE TYPES OF SYSTEMS PROPOSED AS ALTERNATIVES TO TYPE I SYSTEMS (IF APPLICABLE) OR PROPERTY FEATURES WHICH REQUIRE THE ADMINISTRATIVE VARIANCE (IN THE CASE OF UNCLASSIFIED WATERCOURSE SETBACK REQUEST).

- SSTS soil boring locations
- All Structures, Well(s), Easements, & other lot improvements
- Pertinent distance from the proposed ISTS to all required setbacks
- The location of any unsuitable, disturbed, or compacted areas
- Access route for system maintenance

- Property Lines
- Waterbodies (lakes, rivers, drainages/swales)
- Direction and Percent Slope
- Road Access & Property Address
- Wetlands, Bluffs, Steep Slopes

Relevant Ordinance Language:

Article V, Section 3.0 Variances

3.01 Variance Requests A property owner may request a variance from the standards as specified in this Ordinance pursuant to County Land Use Ordinance as described in Article V, Section 3.02 (*Board of Adjustment Variance process*) or the standards established for lot creation in Article IV, Section 1.03.

A. Any violation of the terms and conditions of a variance issued pursuant to this Ordinance, or any violation of any provision of this Ordinance relating to the specific issue of the variance, shall result in immediate revocation of the variance.

B. Any variance granted shall automatically expire if the SSTS is not installed within one year of the date of the variance approval.

C. Administrative Variances: The Lake County Environmental Services Department may administratively process variance requests from the provision within Article IV, Section 1.03 of this Ordinance through the following procedures:

1. Administrative Variance Application shall be filed to the Environmental Services Department on the forms provided by the department.
2. Application shall be complete and shall be accompanied by all necessary documentation supporting the need for the variance along with a map of the property identifying all soil boring locations, which are also physically marked on the property, and a description of the types of systems proposed as alternatives to Type I systems.
3. After the Environmental Services Director has reviewed all the information and conducted a site visit, a decision shall be made by the Director within the timelines established by Minnesota Statute 15.99 and notification of that decision shall be sent to the property owner and respective septic contractor, and shall include written reasons in sufficient detail to demonstrate that the decision was made based on the criteria within this Ordinance.
4. The Environmental Services Director may impose conditions in the granting of the variance to insure compliance and to protect adjacent properties and the public interest.
5. Decisions shall be final except that an aggrieved party may appeal the decision of the Environmental Services Director to the Lake County Board of Adjustment in accordance with Article 25.0 of the Lake County Land Use Ordinance.

Article IV General Requirements: 1.03 SSTS on Lots Created After January 23, 1996

All lots created after January 23, 1996, must have a minimum of two soil treatment and dispersal areas that can support trenches, seepage beds, mounds, and at grades as described in Minnesota Rules, Chapters 7080.2200 through 7080.2230 or site conditions described in 7081.0270 Subp. 3 through 7.

Variances from this specific provision may be processed administratively in accordance with Article V, Section 3.01 C.

If applicable, three soil observations must be located on the contour and at each border of the drainfield media. The drainfield media corners must be identified with highly visible metal stakes. Subdivision soil observation logs must identify each septic site detailing the type of system, depth of suitable soil, and a design flow (gallons per day) based on a standard three bedroom system. Legal non-conforming lots shall adhere to the provisions in Article 28.0 of the Lake County Land Use Ordinance.

Article V, Section 2.0 Amendments to the Adopted Standards

2.01 List of More Restrictive Adopted Standards

B. The setback distance from any component of an SSTS to an unclassified watercourse shall be 50 feet. In cases where a property owner cannot demonstrate sufficient area on a lot to accommodate tank or drainfield placement at 50 feet, the Department Administrator may vary the setback administratively.

3.02 Board of Adjustment

The Board of Adjustment shall have the authority only to consider variances to horizontal setbacks from property lines, rights of way, structures, or buildings and other standards and criteria per Minnesota Rules, Chapter 7082.0300 Subp. 3. Variances shall only be permitted when they are in harmony with the general purposes and intent of this Ordinance where there are practical difficulties in meeting the strict letter of this Ordinance. Variance requests to deviate from the design flow determination procedures in Minnesota Rules, Chapter 7081.0110 if the deviation reduces the average daily estimated flow from greater than 10,000 gallons per day to less than 10,000 gallons per day, or to provisions in 7080.2150, Subp. 2 and 7081.0080, Subp. 2 through 5 regarding the vertical separation required beneath the treatment and dispersal soil system and saturated soil or bedrock from the required three feet of unsaturated soil material (except as provided in 7082.1700, Subp. 4D) must be approved by MPCA. Variances to wells and water supply lines must be approved by the Minnesota Department of Health.