

LAKE COUNTY WASTEWATER TREATMENT SYSTEM VARIANCE REQUEST

Lake County
Environmental Health Department
106 4th Avenue East
Polson, Montana 59860

Phone: 406-883-7236
Fax: 406-883-7205
Email: envhealth@lakemt.gov

Remit \$250.00 Fee with Request
(Payable to Lake County Environmental Health Department)

Property Owner(s): _____

Mailing Address: _____

Property Address: _____

Phone Number(s): _____

E-Mail: _____

Legal Description:
Section: _____ Township: _____ Range: _____

Subdivision Name: _____

Lot: _____ **Block:** _____ **Geo:** _____

Variance Request: *(Provide separate page for each requested variance.)*

Property Owner Signature(s): _____

Date: _____

In order to accommodate any required legal notices and/or preparation of a staff report, applications must be received a minimum of 30 days prior to the scheduled Board of Health meeting date unless otherwise approved by the Lake County Environmental Health Department.

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ADDITIONAL INFORMATION REQUIRED

Applicant must address the following variance criteria in a letter, presentation or submittal to the Lake County Board of Health (ARM 17.36.922):

The local board of health may grant a variance from a requirement only if it finds that all of the following criteria are met:

- (a) granting the variance will not:
 - (i) contaminate any actual or potential drinking water supply;
 - (ii) cause a public health hazard as a result of access to insects, rodents, or other possible carriers of disease to humans;
 - (iii) cause a public health hazard by being accessible to persons or animals;
 - (iv) violate any law or regulation governing water pollution or wastewater treatment and disposal, including the rules contained in this subchapter except for the rule that the variance is requested from;
 - (v) pollute or contaminate state waters, in violation of 75-5-605, MCA;
 - (vi) degrade state waters unless authorized pursuant to 75-5-303, MCA; or
 - (vii) cause a nuisance due to odor, unsightly appearance, or other aesthetic consideration;
- (b) compliance with the requirement from which the variance is requested would result in undue hardship to the applicant;
- (c) the variance is necessary to address extraordinary conditions that the applicant could not reasonably have prevented;
- (d) no alternatives that comply with the requirement are reasonably feasible; and
- (e) the variance requested is not more than the minimum needed to address the extraordinary conditions.

Applicant must provide a layout of the property for which the variance is requested. The layout must include:

1. Property lines and easements
2. Existing and proposed structures on property
3. Existing or proposed wells and/or domestic water sources within 100 feet of the property lines
4. All streams, lakes, springs, ponds, irrigation ditches, and other surface water sources on property and within 100 feet of the property lines
5. Driveways, parking areas, utility lines
6. Existing and proposed sewage disposal facilities
7. A scale (for example: 1 inch = 20 feet)
8. Direction of the slope of the property
9. A north directional arrow

For wastewater treatment system variances, the applicant must provide soil profile information in the area of the proposed wastewater treatment system and any design specifications of the proposed wastewater treatment system. It is recommended and may be required that the lot layout and/or wastewater system design be prepared by a Montana licensed professional engineer or Montana Registered Sanitarian in private practice.

Additional information may be requested at the discretion of the Lake County Environmental Health Department or the Lake County Board of Health.