

Murray Waiver, #16-218
October 19, 2016

Benton County Planning Board

Ashley Tucker, Chair
Ron Homeyer, Vice Chair
Terry Maienschein, Member
Jim Cole, Member
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Bob Bracy, Member
Sean Collyge, Member



**Benton County Development Department
Planning Division**

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**WAIVER REVIEW
PLANNER'S PUBLIC HEARING REPORT**

Murray Septic Waiver (Ch. 4, Sect. 6.8.iii)
20545 & 20549 Russell Corner Rd., Gravette

EXECUTIVE SUMMARY

On September 9, 2016 the applicant provided a waiver request for relief from the Sanitary Sewer System requirements.

The waiver request is from: General Requirements of Division and Development of Land – Sanitary Sewer System:

1. Waiver from Chapter 4, Section 4.6, number 8 – Sanitary Sewer System, item iii: only one (1) septic system shall be allowed on any one parcel, tract, or dwelling unit.

The applicant is requesting relief from the County Regulation that limits one septic system per division of land. **The specific request is to allow construction of a second septic system on the 2.5+/- acre parcel for a new residence.**

PROJECT INFORMATION

Owner: Beverly Murray and Jamee Perryman
Applicant: Beverly Murray
Address of subject property: 20545 & 20549 Russell Corner Road, Gravette 72736
Parcel ID: 18-14950-001
Parcel Size: 2.5 +/- acres
Current Land Use/Status: Residential
Proposed Land Use: Residential

Request for a Variance: The applicant is requesting one (1) waiver for the property.

1. Waiver from Chapter 4, Section 4.6, number 8 – Sanitary Sewer System, item iii: only one (1) septic system shall be allowed on any one parcel, tract or dwelling unit. **The specific request is to allow construction of a second septic system on the 2.5+/- acre parcel for a new residence.**

Attachments: The following drawings and documents are attached:

1. Vicinity Graphic
2. Site Graphic
3. Site and ADH Plan

PLANNING ANALYSIS

Description of Property and Surrounding Area

The subject property is located west of Gravette, south of the AR 72 and Russell Corner Road intersection. Access is provided via driveway off of Russell Corner Road. The property contains approximately 2.5 acres, and the current land use is residential/agricultural. Surrounding land uses:

- North – Residential
- East – Residential
- South – Vacant (wooded)
- West – Agricultural

According to Staff research, the property is not located in a FEMA Special Flood Hazard Area (SFHA) – i.e. the ‘100-year floodplain’, or within a County designated MS4 area.

Background information:

On September 9, 2016 the applicant submitted a waiver request. An inter-departmental review form was sent on September 20, 2016 to the following: Planning Division, Health Dept., Road Dept., Building Dept., Fire Marshal, Administrator of General Services, Administrator of Public Safety, GIS Mapping Manger, and Benton County E-911 Administration.

TECHNICAL REVIEW OF SITE PLAN

Parcel Information

The proposed project area consists of a 2.5 +/- acre parcel, and includes:

- 1) Existing residence 20549 Russell Corner Rd | ADH permit number unknown | Existing System
- 2) Proposed mobile home 20545 Russell Corner Rd | ADH #20318917 | Proposed System

Noticing Requirements

On October 4, 2016 the applicant submitted USPS certified mail receipts showing that written notice was sent to surrounding property owners regarding the October 19th Public Hearing.

On October 4, 2016 the applicant submitted the required photographs verifying that the required public hearing notice signage along the property's frontage with Russell Corner Road has been conspicuously posted on site.

Site Services - Drainage/ Stormwater Management Plan

Required: Applicant is required to comply with ADEQ for Stormwater Management if located within the County's Unincorporated Urbanized MS4 area.

Comment: The property is not located in a designated MS4 area.

Site Services - Sewerage Disposal

Required: Regardless of development size, a state-approved septic disposal method is required of all commercial and industrial developments. All disposal system criteria must meet or exceed septic requirements as established by the Arkansas Department of Health in accordance with Act 402 of 1977 as amended.

Comment: ADH had not provided comment at the time of the report. The proposed septic system has been designed and was permitted as ADH #20318917.

Benton County Emergency 911 Administration

Required: Prior to issuance of any additional building permits for the property, the applicant shall file for a new address with Benton County E-911 Administration.

Comment: Benton County E-911 Administration provided the following address for the proposed dwelling – 20545 Russell Corner Rd.

Benton County Fire Marshall

Benton County Fire Marshall provided a ‘No Comment’.

OUTSTANDING ITEMS: None

CONSIDERATION FOR THE BOARD

Decision on the Murray Waiver, #16-218. Finding in favor of the waiver would allow construction of the second septic system—resulting in two (2) total septic systems on the property.

Prepared by: Derek Linn, Senior County Planner

**Reviewed by: Kevin M. Gambrill, AICP – Director of Planning
Taylor Reamer - Planning Division Manager**

WAIVER AND MODIFICATIONS/ VARIANCE REQUEST

In accordance with Chapter 2, § 2.9 of the 'Planning and Development Regulations of Benton County',

Waivers and modifications are applicable to non-dimensional provisions of this Ordinance which, by the scrutiny of the Board and which may be informed by supporting evidence by staff or other experts, can be prudently and judiciously modified or waived to the extent reasonable and necessary to provide relief to the applicant as part of their development request.

Variations: Variations are relief to a dimensional provision of this Ordinance by an affirmative vote of two-thirds (2/3) of the vote of the total membership of the Planning Board.

Confirm with Staff specified language for Request

(WAIVER/MODIFICATION/VARIANCE)

Please specify the provision of the regulations where relief is sought and a justification for the request.

Septic waiver for placement of residential home on
family land parcel of 2.5 acres.

Roxie Murray
Owner/Applicant

9/9/16
090916

***Note that there is an additional \$75.00 fee for each waiver and or variance request.**

STOP



Arkansas Department of Health
Environmental Health Protection

RECEIVED
MAY 20 2016
BENTON CO HEALTH DEPT

Receipt Number
20318917

Individual Onsite Wastewater System Permit Application

Permit Type New Installation
 Alteration / Repair

DR Environmental ID #

7 6 0 2 1 4 7 0 4 7

Fee Schedule for Structures		√
Structures 1500 sq ft or less	\$ 30.00	<input checked="" type="checkbox"/>
Structures more than 1500 sq ft and up to 2000 sq ft	\$ 45.00	<input type="checkbox"/>
Structures more than 2000 sq ft and up to 3000 sq ft	\$ 90.00	<input type="checkbox"/>
Structures more than 3000 sq ft and up to 4000 sq ft	\$120.00	<input type="checkbox"/>
Structures more than 4000 sq ft	\$150.00	<input type="checkbox"/>
Alteration and Repair	\$ 30.00	<input type="checkbox"/>

Part 1 Application

Treatment Type (check one)

Disposal Method (check one)

STD = Standard Septic Tank ATU = Aerobic Treatment Plant STD = Standard Absorption Field LPD = Low Pressure Distribution
 ISF = Intermittent Sand Filter RSF = Re-circulating Sand Filter SUR = Surface Discharge HLD = Holding Tank
 PMF = Proprietary Media Filter RGF = Re-circulating Gravel Filter CPF = Capping Fill SRL = Serial Distribution
 OTH = Other (Describe) HLD = Holding Tank OTH = Other DRP = Drip Irrigation

1. Owner's/Applicant's Name: Beverly Murray and Jamee Perryman
2. Phone Number: 918-314-4933

3. Mailing Address: 20549 Russell Corner Rd., Gravette, AR 72736
4. County: Benton

5. Address of Proposed System (If a 911 address is not available, attach detailed directions or map)
911: 20549 Russell Corner Rd, Gravette see attached vicinity map

6. Subdivision Name: NA
7. Approval Date: NA
8. Date Recorded: NA
9. Lot Number: NA

10. Lot Dimensions: see attached
11. Total Area (Acres): 2.5
12. # Bedrooms # People: 3
13. Daily Flow (GPD): 370

14. Brief Legal Description of Property (Attach a separate sheet of paper, if necessary)
SE 1/4, SW 1/4, Section 10, Township 20 North, Range 33 West

15. Water Supply (Specify supplier, if Public Water): Gravette
16. GPS Coordinates: 36 42.04 94 48.46 36 42.06 94 48.44

17. Loading Rates	(gpd/ft ²)	18. System Specifications					
Primary Area	.49	a. Size of Septic Tank	1,250 comb	gal	f. Trench Depth	18"	inches
Secondary Area	.44	b. Size of Dose Tank	NA	gal	g. Trench Spacing	10'	feet
Percolation Test	(min/in)	c. Absorption Area	800	ft ²	h. Trench Media (List Below)		i. Trench Width
Primary Area Avg	NA	d. Number of Field Lines	4		Pipe and Gravel		24 in
Secondary Area	NA	e. Length of Field Lines	100	ft	EZ Flow		18 in

TO THE OWNER
The permit for construction may be deemed invalid by the local Environmental Health Specialist before the start of construction, if the site and/or soil conditions have changed after approval of this permit, or if the information within this permit is inaccurate or has been found to be misrepresented. Approval for operation does not constitute a guarantee that the system will function properly. The approval states that the system was designed and installed according to the Arkansas Department of Health, Rules and Regulations Pertaining to Onsite Wastewater Systems, unless there are exceptions or deviations noted in the comments. A Permit for Construction is valid for one (1) year from the date of approval. The authorized agent must revalidate a permit more than one (1) year old prior to the start of any construction.

19. Utilization Verification
I hereby attest that item 12, the number of bedrooms (number of persons for commercial) and square footage of the structure that will utilize the designed individual onsite wastewater system in this permit application, is accurate. I have reviewed the permit application and understand the layout, installation, maintenance, operation and expense(s) that may be associated with this system.

Owner/Applicant Signature: see opt A Date: _____

20. I certify that I have conducted the above tests and that the above listed information is in accordance with the latest requirements of the Arkansas Department of Health Rules and Regulations Pertaining to Onsite Wastewater Systems.

Designated Representative: Mark W. Corbitt Title: _____
Soil Certified: Yes No
Print Name: Mark W. Corbitt Date: 05/04/16 Phone Number: 479-466-6183

21. Approval of Health Authority
The information and specifications in the application has been reviewed and found to meet the requirements of the Arkansas Department of Health Rules and Regulations Pertaining To Onsite Wastewater Systems. A PERMIT FOR CONSTRUCTION is hereby issued.
Environmental Specialist Signature: Alison West EHS Number: 824 Date: 6-27-16



0.1 Miles





RUSSELL CORNER RD

20545 RUSSELL CORNER RD

20549 RUSSELL CORNER RD

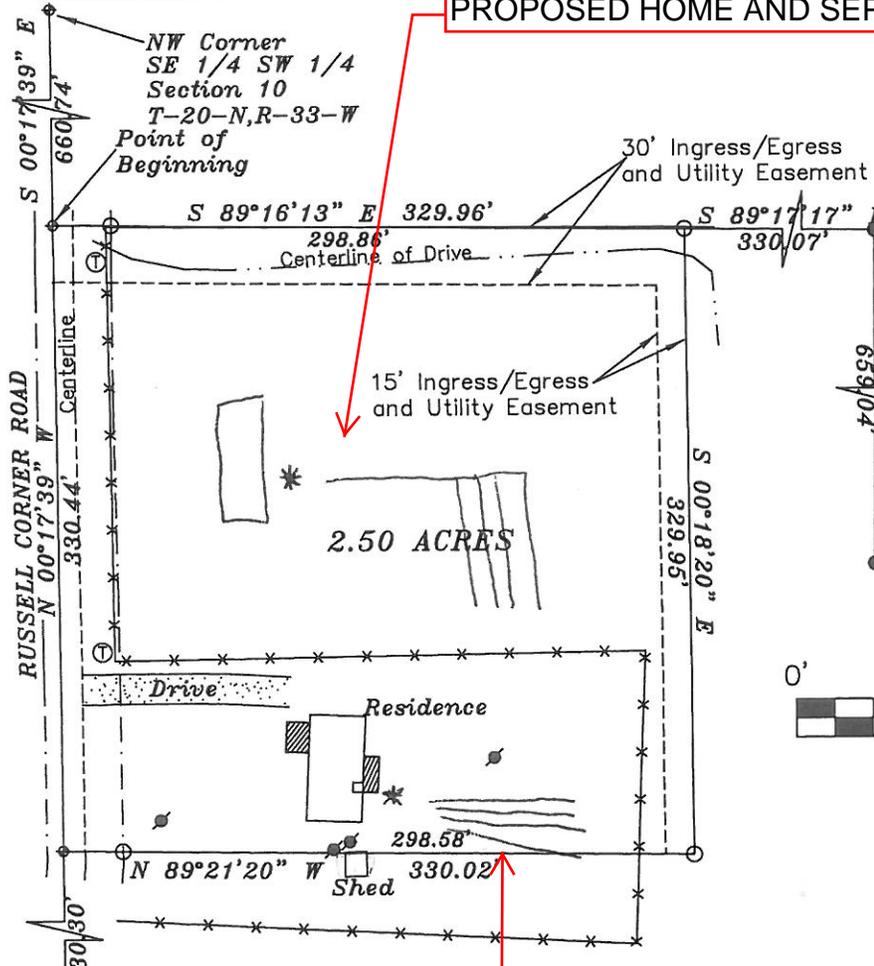
20641 RUSSELL CORNER RD



100

Feet

PROPOSED HOME AND SEPTIC AT 20545 RUSSELL CORNER RD



SURVEY DESCRIPTION

Part of the SE 1/4 of the SW 1/4 of Section 10, T-20-N,R-33-W, Benton County, Arkansas, more particularly described as follows: Beginning at a point 660.74' S 00°17'39" E of the NW corner of said SE 1/4 of the SW 1/4; thence S 89°16'13" E 329.96'; thence S 00°18'20" E 329.95'; thence N 89°21'20" W 330.02'; thence N 00°17'39" W 330.44'; to the point of beginning and containing having an area of 108945.32 square feet, 2.50 acres. Property is subject to the right of way of the county road on the west side and a 30' ingress/egress and utility easement along the north side and a 15' ingress/egress and utility easement along the east side.

- LEGEND**
- FOUND IRON PIN
 - SET IRON PIN
 - ⊗ WATER METER
 - ⚡ POWER POLE
 - ⊕ TELEPHONE PEDESTAL
 - ⊕ COMPUTED CORNER
 - ***** FENCE

EXISTING HOME AND SEPTIC AT 20549 RUSSELL CORNER RD

1. THIS SURVEY IS VALID ONLY IF THE DRAWING INCLUDES THE SEAL AND SIGNATURE OF THE SURVEYOR.
2. BASIS OF BEARINGS: DEED BOOK 2015, PAGE 73776
3. THIS SURVEY MEETS CURRENT MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS AND PLATS FOR THE STATE OF ARKANSAS.
4. NO CURRENT ABSTRACT OR TITLE OPINION WAS FURNISHED TO THE SURVEYOR AT THE TIME OF THIS SURVEY. THEREFORE ALL EASEMENTS, RIGHTS-OF-WAY, OR RESTRICTIONS, OF RECORD, MAY NOT BE SHOWN HEREON.

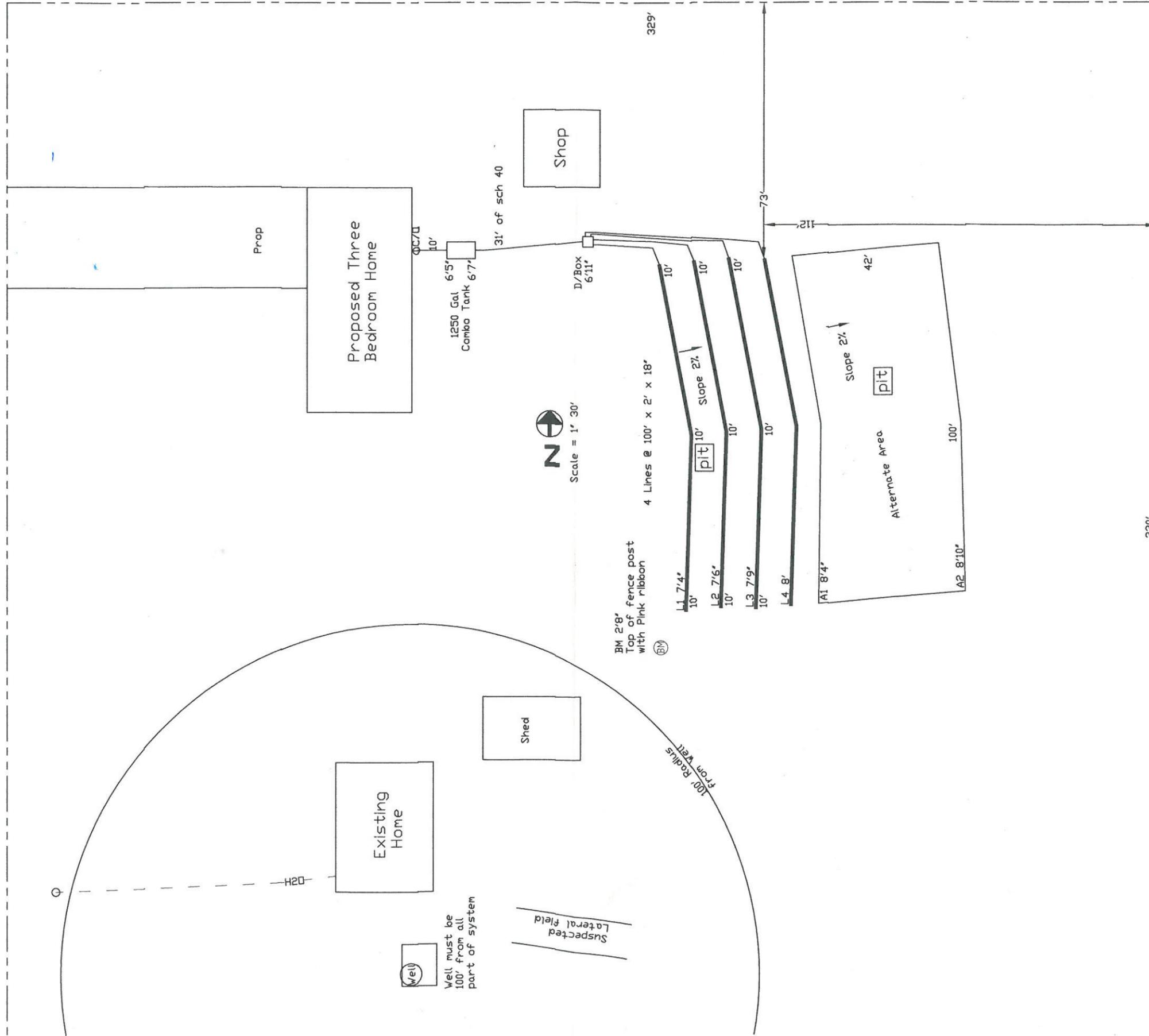
SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY THAT THE HEREON PLATTED AND DESCRIBED SURVEY WAS COMPLETED AND MONUMENTS WERE FOUND OR SET AS SHOWN ON MARCH 22, 2016.

IF THE SIGNATURE ON THIS SEAL IS NOT RED COLORED, THE PLAT IS A COPY THAT SHOULD BE ASSUMED TO CONTAIN UNAUTHORIZED ALTERATIONS. THE CERTIFICATION CONTAINED ON THIS DOCUMENT SHALL NOT APPLY TO ANY COPIES. ALL INFORMATION SHOULD BE DISREGARDED UNLESS VERIFIED BY THE PROFESSIONAL LAND SURVEYOR WHOSE SIGNATURE APPEARS TO THE SIDE.



500-20N-33W-0-10-320-04-985	
SURVEY FOR BEVERLY MURRAY JAMEE PERRYMAN	
PART OF THE SE1/4 OF THE SW1/4 SECTION 10, TOWNSHIP 20 NORTH, RANGE 33 WEST BENTON COUNTY, ARKANSAS	
James Surveying P.O. Box 617 Gentry, Arkansas 72734 (479)736-8416 Fax (479)736-8838	DATE: March 22, 2015 SCALE: 1" = 100' JOB NUMBER: JSI4988A FILE NAME: JSI4988A.DWG



- EHS Notes:**
1. If pipe & gravel will be used in absorption lines, perforated pipe shall be ASTM 2729 PVC or F-810 PE.
 2. Water line must maintain 10 ft. setback from all parts of the septic system.

Alison West
6-27-2016