

VARIANCE REQUEST APPLICATION

Water Quality Program

Ohio Administrative Code 3701-29

Household Sewage Treatment Systems

William & Erika Fischer

8631 Hayden Run Road

April 11, 2023

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Franklin County Public Health
280 East Broad Street
Columbus, Ohio 43215-4562
(614) 525-3160
www.myfcph.org

Variance Application

Water Quality Program

Directions:

1. Complete all sections of the attached application. Please either type or neatly print.
2. Attach a drawing (to scale) or a plot plan showing lot lines, easements, house and other structures; well, septic tank and leach field or aeration system where applicable.
3. If you have questions regarding the variance request form, please call the Water Quality program.
4. Mail the completed variance request to:

Franklin County Public Health
Director of Environmental Health
280 E. Broad Street, 2nd Floor
Columbus, OH 43215-4562

PLEASE NOTE:

All variance requests must be heard by the Franklin County Board of Health which meets on the second Tuesday of every month at 9:30 a.m. If you are requesting a variance you are strongly urged to attend the Board meeting.

All completed variance request forms must be received by Franklin County Public Health before the close of business (5:00 p.m.) on the Friday three (3) weeks prior to the Board meeting, in order to be included on the Board agenda.

Requests received after the deadline will be held over until the next available Board of Health meeting.

A variance request is heard by the Franklin County Board of Health. This hearing is considered a legal proceeding; therefore, only the property owner or those individuals licensed to practice law in the State of Ohio may represent the applicant during this hearing.



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Variance Application

Water Quality Program

Information required for a variance request must be completed by the property owner(s) or designated representative.

Property owner information (Email: Billyfischer@gmail.com)

Property Owner's Name: William A. Fischer & Erika M. Fischer			Date 03/10/2023
Mailing Address: 3615 Walker Road	City: Hilliard	State: OH	Zip Code 43026
Daytime phone(s): Residence (614) 256-6993	Business	Cell (614)256-6993	

Name of person(s) making request and their title & relationship to owner (if other than owner)

Requestor's Name As above	Title/Relationship		
Mailing Address	City	State	Zip Code
Daytime phone(s): Residence	Business	Cell	

Address of property where the variance request is applicable

Mailing Address 8631 Hayden Run Road	City Plain City	State OH	Zip Code 43064
Township Brown	Tax District: 120	Parcel Number: 001319	

Type of construction

New Construction <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Alteration <input type="checkbox"/> Yes <input type="checkbox"/> No REPLACEMENT
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Variance request

OAC 3701-29 (Household Sewage Treatment Systems).

A newly constructed home at 8631 Hayden Run Road; Brown Township is nearing completion. Property owners must take occupancy in the near future. Because of inclement weather, soil conditions are not suitable to complete the home sewage treatment system (HSTS). However, a 500-gallon aeration tank was installed, inspected, and approved by FCPH on February 9, 2023. Property owners propose using the aeration tank as temporary holding tank until the soil-based component of the HSTS can be completed—roughly in 2 months.

OAC 3701-29 (Household Sewage Treatment Systems) prohibits the use of holding tanks as home sewage treatment systems (HSTS).

However, OAC 3701-29-18(C) does permit the use of holding tanks "On a temporary basis during inclement weather and/or during the non-installation season when the property owner must take occupancy until soil conditions are suitable for complete system installation" when a variance has been granted by the Board of Health.

Property owners request a variance by the Franklin County Board of Health from OAC-3701-29 to permit the temporary use of hold tanks as a HSTS. This variance will allow occupancy of the residence until the soil-based component of the HSTS can be completed.

Variance justification

Sewage treatment systems –

The application shall show just cause for the variance by demonstrating that:

1. Due to practical difficulties, or other special conditions, compliance with this chapter will cause unusual and unnecessary hardship.
2. The variance would not defeat the spirit and general intent of OAC 3701-29 or be otherwise contrary to the public interest, adversely affect the public health, cause contamination of the environment, or not comply with the requirements of Chapter 3718. of the Revised Code.

Comments:

A provision in OAC 3701-29-18(C) allows for a variance permitting the use of temporary holding tanks under the circumstances described.

Homeowners were hoping to occupy their new home at the end of March, 2023. Because of inclement weather, the HSTS cannot be completed for another few months. However, an aeration tank has been installed, inspected, and approved by FCPH. Property owners propose utilizing the aeration tank as holding tank TEMPORARILY until the HSTS can be completed. Unless this variance request is granted, homeowners will be forced to delay occupancy for another few months and incur significant additional costs.

Homeowners have installed an alarm system warning when the tank need to be pumped and have signed a contract with a registered sanitary waste hauler. Sanitary waste will be pumped from the holding tanks as needed and taken to a wastewater treatment facility.

This variance would not be contrary to the public's best interest or to the spirit or intent of OAC 3701-29. It would not cause any type of contamination to the environment. This variance request is supported by FCPH's Water Quality Department and is permitted according of OAC 3701-19-18(C).



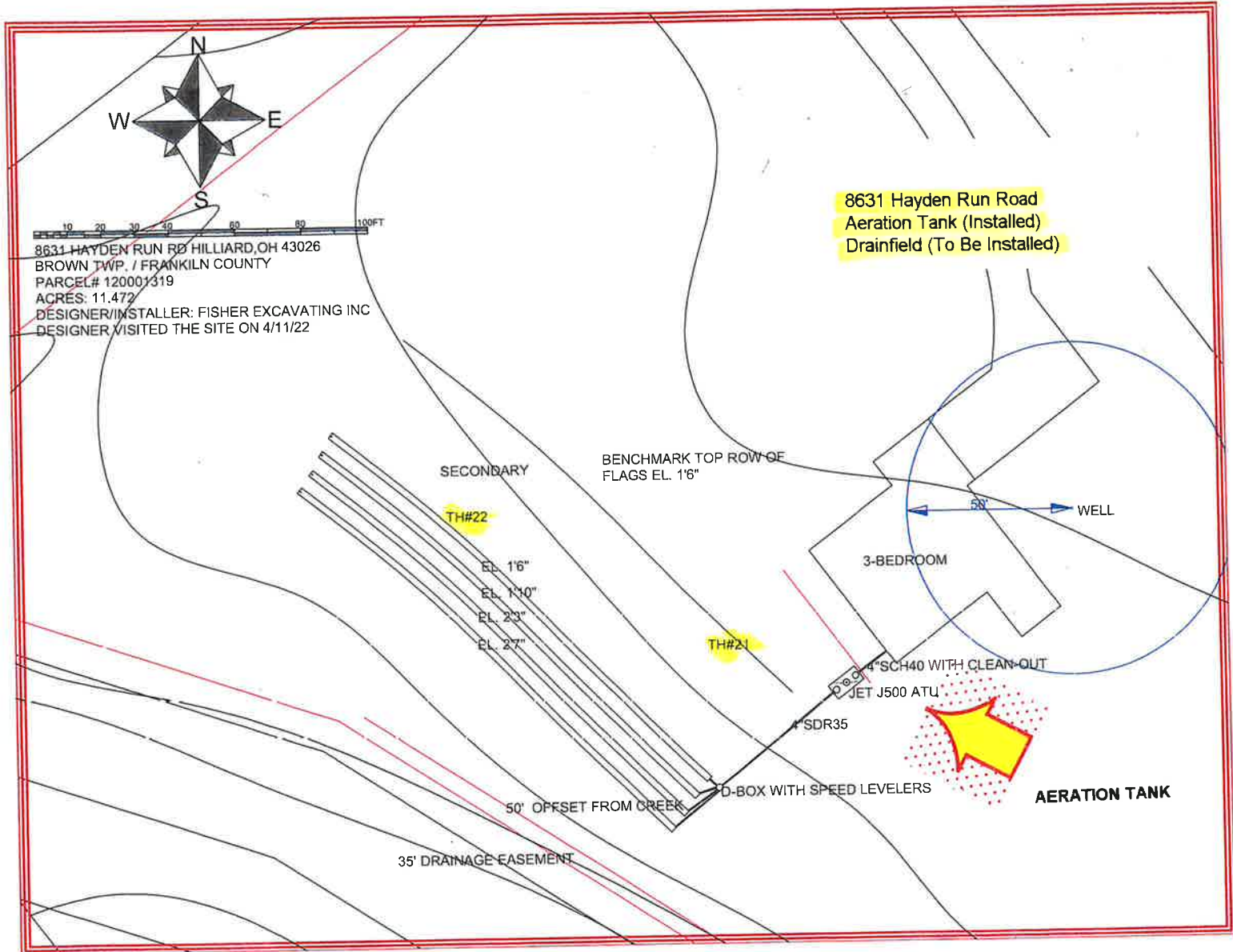
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Variance Application

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Description

Enclose a to-scale drawing or plot plan showing lot lines, easements, house and other structures (well, septic tank and leach field, or aeration system where applicable).



March 13, 2023

Franklin County Board of Health
280 East Broad Street
Columbus, Ohio 43125-4562

RE: Variance Request from OAC 3701-29 for
8631 Hayden Run Road, 11.75 acres, Brown Township, Tax ID #: 120-001319

Dear Franklin County Board of Health Members:

We are nearing completion a new home at 8631 Hayden Run Road. Although our septic system has been partially completed (the aeration tank has been installed), our contractor cannot complete installation of the leachfield lines because soil conditions are simply too wet. These wet conditions will probably continue for another month or possibly two months.

We hope to take occupancy of our home in the very near future. However, because our septic system has not been completed, this is not possible. We propose using the aeration tank— that has already been installed— as holding tank until the rest of our septic system can be completed. This will allow occupancy of our home as we wait for drier conditions to complete the septic system.

Use of this holding tank will only be temporary. An alarm system will be installed alerting us when the tank needs to be pumped. We also have a contract with a registered septic tank cleaning service to pump our tank as needed.

A variance from OAC 3701-29 is hereby requested to allow the use of a temporary holding tank. This will allow us to take occupancy of our new home. We appreciate your considering this request.

Sincerely,

William Fischer

A handwritten signature in black ink that reads "William Fischer". The signature is written in a cursive style with a long horizontal flourish at the end.

Ericson Environmental Services Quote
 (614) 874-7585 No. MAR 2023
 PO Box 266 Galloway, OH 43119 Terms:

Serving Columbus Since 1987

Septic <> Grease Trap <> Sewer <> Excavation <> Solutions
 ericsonenv.com facebook.com/ericsonenv

Customer Fischer Date: 3/6/23
 Address 8631 Hayden Run Road
 City Hilliard State OH Zip _____
 Phone billyfischer@gmail.com Contact _____

Description	Amount
Pump out holding tank during construction 1200 gallons as needed until septic system is complete	\$ 450.00
*price is for each pumping For questions regarding this invoice please call Rick (614) 929-0161	
Total	\$ 450.00



Signature X

Sewage Treatment Systems Permit to Install or Alter
ADMINISTRATIVE SUMMARY

Permit #
 2022029

Health Department Use Only

I. Soil Evaluation

Date of Evaluation 3/25/21	Soil Evaluator Steve Miller
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II. Design

Worksheet Attached <input type="checkbox"/> Yes <input type="checkbox"/> No		
Designed by Bob Fischer Excav	Reviewed by James May	Date Reviewed 5/23/22
Comments:		

III. On-site Evaluation

Date of Evaluation 5/23/22	Performed by James May
Comments:	

IV. Site Review Application

<input checked="" type="checkbox"/> Approved <input type="checkbox"/> Disapproved	Date of Approval/Disapproval 5/23/22	Date Site Review Approval Expires 5/23/27
Comments (if disapproved)		

V. Inspection(s)

1	<input checked="" type="checkbox"/> Rough <input type="checkbox"/> Final	Date of Inspection 2/9/23	Performed by James May	Worksheet Attached <input type="checkbox"/> Yes <input type="checkbox"/> No
2	<input type="checkbox"/> Rough <input type="checkbox"/> Final	Date of Inspection	Performed by	Worksheet Attached <input type="checkbox"/> Yes <input type="checkbox"/> No
Comments ATW 500g Jet installed - trenches @ later date				

VI. Variance(s) Attach the variance request and the Board of Health decision letter. All variances must comply with the requirements in rule 3701-29-22 of the Administrative Code.

1	<input type="checkbox"/> Pre-installation <input type="checkbox"/> Post Installation	OAC Rule(s):	BOH Review Date	Decision <input type="checkbox"/> Approved <input type="checkbox"/> Denied
2	<input type="checkbox"/> Pre-installation <input type="checkbox"/> Post installation	OAC Rule(s):	BOH Review Date	Decision <input type="checkbox"/> Approved <input type="checkbox"/> Denied
Comments				

VII. Approval/Disapproval of Installation, Replacement, Alteration, or Abandonment

<input type="checkbox"/> Approved	Date of Approval	Sanitarian Signature
<input type="checkbox"/> Disapproved	Date of Disapproval	Sanitarian Signature
Reason for Disapproval		
Enforcement action taken		

VIII 12 Month Inspection

Date of assessment	Performed by	<input type="checkbox"/> Operating properly <input type="checkbox"/> Not operating properly <input type="checkbox"/> Creating a Public Health Nuisance
List the conditions and actions taken for systems not operating properly or creating a public health nuisance.		



Certified Mail: #7007-3020-0000-5478-5356

March 28, 2023

William A. Fischer & Erika M. Fischer
3615 Walker Road
Hilliard, Ohio 43026

Re: Notice of Hearing

Dear William A. Fischer & Erika M. Fischer,

The Franklin County District Board of Health will hear your appeal pursuant to Ohio Administrative Code Chapter 3701-29-18 (C), for 8631 Hayden Run Road, Brown Township, OH 43064 (tax district 120, parcel #001319) at their next regularly scheduled meeting.

This meeting will be held on Tuesday, April 11th, 2023 at Memorial Hall, 280 East Broad Street, South conference room, Columbus, Ohio, and will begin promptly at 8:00 am. You and/or your legal representative are invited and encouraged to attend.

If you have any questions, please contact Nathan Ralph at (614) 525-3909.

Sincerely,

Sarah Jensen

Sarah Jensen MPA, REHS, CP-FS
Assistant Health Commissioner
Environmental Health Director

cc: Nathan Ralph, RS