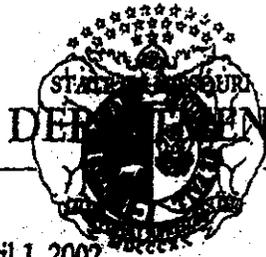


# APPENDIX A



Bob Holden, Governor • Stephen M. Mahood, Director

## DEPARTMENT OF NATURAL RESOURCES

DIVISION OF ENVIRONMENTAL QUALITY  
P.O. Box 176 Jefferson City, MO 65102-0176

April 1, 2002

Mr. Gary Haddock  
Office Manager  
Christian County Planning & Zoning  
100 West Church St.  
Ozark, MO 65721

RE: Wastewater Disposal in a Recreational Development

Dear Mr. Haddock

Before I answer your questions concerning recreational developments and when would they require approval from the department we should review 10 CSR 20-6.030 Disposal of Wastewater in Residential Housing Developments.

Section (1)(A) (2) defines a common promotional plan as; A plan, undertaken by one (1) or more persons, to offer lots for sale or lease; where land is offered for sale by a person or group of persons acting in concert, and the land is contiguous or is known, designated or advertised as a common unit or by a common name or similar names, the land is presumed, without regard to the number of lots covered by each individual offering, as being offered for sale or lease as part of a common promotional plan.

Section (1)(A) (5) defines lot as; Any portion, piece, division, unit or undivided interest in real estate, if the interest includes the right to the exclusive use of a specific portion of real estate, whether for a specific term or in perpetuity.

Section (1)(A) (6) defines a residential housing development as; Any land which is divided or proposed to be divided into three (3) or more lots, whether contiguous or not, for the purpose of sale or lease as part of a common promotional plan.

Section (1)(C) (6) states;

(C) The following subdivisions or residential housing developments are exempted:

(6) If a developer proposes a centralized wastewater collection and treatment system, the requirements of this rule shall be considered met, provided that all other requirements of the Missouri Clean Water Law and regulations can be satisfied and continuing authority, in accordance with 10 CSR 20-6.010, will be established prior to the sale or lease of lots or the commencement of construction of residences; and

Mr. Gary Haddock  
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Section (1)(D) (2) states;

**(D) Unless exempted in this rule, the developer of any residential housing development shall obtain approval from the department for the method of sewage treatment and disposal to be used in the development prior to the sale or lease of any lot, or the commencement of construction on any lot by the developer or any person. To obtain approval the developer must submit to the appropriate DNR office a copy of the geohydrologic evaluation, the soils report and the plat map as described in this rule.**

**(2) Only residential housing developments with seven (7) or more lots must receive approval for the method of sewage treatment and disposal prior to the sale or lease of any lots**

**Section (5)(A) states; A development is considered recreational when land is sold or leased for the purpose of camping in recreational vehicles. In order to be considered a recreational development, restrictive covenants must prohibit continuous year round living on the lot and no cabins or other structures will be allowed that could be used for year round residential purposes.**

**Section (5)(A) (1) states; The minimum lot size for a recreational development that will use individual on-site wastewater treatment facilities is twenty thousand (20,000) square feet. No reduction will be allowed from the minimum lot size determined by the geohydrologic evaluation. A one-half (1/2) reduction in minimum lot size as indicated by the soils report may be allowed.**

**Question 1:**

**If a developer proposes a recreational development with seven- (7) or more sites utilizing individual on-site wastewater disposal system would it require approval from the department.**

**Answer:**

**Yes, using the above scenario, each site would be considered a lot as part of a common promotional plan within a residential housing development and it would require approval from the department?**

**If the department approves the development for on-site systems then the MO Dept. of Health or local authorities would be responsible for the specific design and permitting.**

**Question 2:**

**If a developer proposes a recreational development with seven- (7) or more sites, but only six- (6) sites will utilize an on-site system with a 2,000-gallon septic tank and an acceptable amount of lateral line. All other sites would utilize holding tanks. Would this development require approval from the department?**

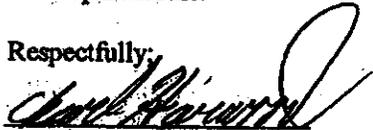
**Answer:**

**No, using the above scenario, if only six- (6) sites utilized the on-site wastewater disposal system it would not require department approval, but the MO Dept. of Health or local authorities would still be responsible for the specific design and permitting of the system.**

**As I repeatedly say it is not the department's objective to stand in the way of any development by imposing unrealistic or unachievable conditions. What we do want to do is to ensure that developments are done in a manner that do not abuse a vital natural resource and reduce the potential for surface or groundwater contamination.**

**Please contact me if you have any question regarding the residential housing development rule.**

**Respectfully,**



**Charles Harwood  
Soil Scientist III  
Water Pollution Control Program  
(573) 751-9155**

**RC: chl**