

12510 BAIN SCHOOL RD

19702157

5/18/2007

duponbj

Groundwater and Wastewater Services File Imaging Project
May 2007
Barcode Font = IDAutomationHC39M

APPLICATION FOR AN IMPROVEMENT PERMIT

MECKLENBURG COUNTY ENVIRONMENTAL HEALTH
1200 BLYTHE BOULEVARD
CHARLOTTE, NC 28203
PHONE (704) 376-4603

Mecklenburg County services are available without regard to ethnic origin, sex, or disability.

(OFFICE USE ONLY)
FILE: 4395A
TC: 197-021-13 PO
SERIAL: № 15037
☒ L ☐ CRT

JOB LOCATION

① ADDRESS: 12510 (STREET NO.) BAIN SCHOOL RD. (STREET) ② FILE:
③ JURISDICTION: ④ TAX PARCEL NO.:
⑤ SUBDIVISION: R.E. McWHIRTER ⑥ LOT: 1 ⑦ BLOCK:

OWNER

⑧ NAME: JAMES (FIRST) C. (MIDDLE) HANSBROUGH (LAST)
⑨ MAILING ADDRESS: 12510 BAIN SCHOOL Rd.
⑩ CITY: CHARLOTTE ⑪ STATE: N.C. ⑫ ZIP: 28212
⑬ PHONE: (WORK) ⑭ (HOME) 545-2788

REQUEST

This request is for a(n):

⑮ ☒ New permit
⑯ ☐ Repair or alteration permit
⑰ ☐ Authorization for mobile home exchange
⑱ ☐ Other (specify)

DESIGN CRITERIA

System will serve:

⑲ ☒ Residence ⑳ ☐ Mobile home
㉑ ☐ Business or place of public assembly
㉒ Number of bedrooms? 3
㉕ Type?
㉓ Maximum occupancy? 6
㉖ Maximum number of employees?
㉔ Basement? ☐ yes ☒ no
㉗ Maximum number of seats?

WATER SUPPLY

㉘ Water supply from (present or proposed):

A ☒ Individual well
B ☐ Municipal system
C ☐ Community well
D ☐ Community system

㉙ The undersigned, owner of the property described above as the "JOB LOCATION" has read the foregoing application, acknowledges that the contents of same are true, and authorizes agents of the MECKLENBURG COUNTY DEPARTMENT OF ENVIRONMENTAL HEALTH to enter onto the property for the purpose of processing this request.

Signed: James C Hansbrough
Date: 9/12/88

IMPROVEMENT PERMIT

The undersigned, an authorized agent of the MECKLENBURG COUNTY DEPARTMENT OF ENVIRONMENTAL HEALTH, certifies that the Department has approved the Request for the Job Location contained in this document. This approval is granted in accordance with the provisions of Laws And Rules For Sanitary Sewage Collection, Treatment And Disposal in effect at the time of issuance of the permit and is subject to the following provisions:

. . . No work shall be conducted on the septic tank system until an Installation, Construction, Alteration and/or Repair permit is issued by this Department.

. . . This permit is not transferable, and shall become null and void 36 months from the date of issuance.

B. R. Ferguson (Environmentalist) 9-19-88 (Date)
(Director or Authorized Section Head) 9-19-88 (Date)

*This permit must be signed by the Director of Environmental Health or an authorized section head in order to be valid.

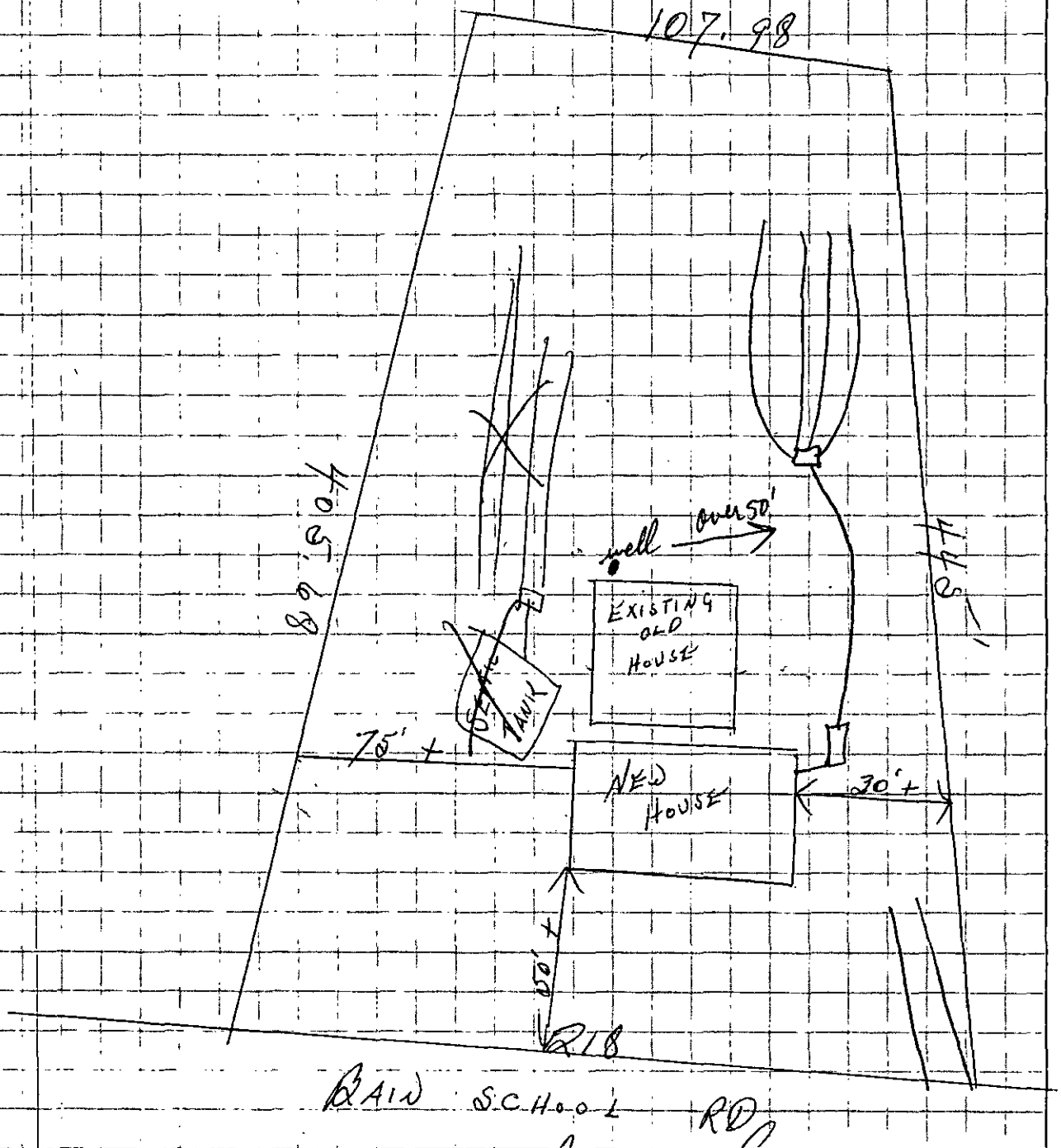
PROPOSED PLOT PLAN

1200 BLYTHE BOULEVARD
CHARLOTTE, NC 28203
PHONE (704) 376-4603

FILE: 4395A

TC: _____

Draw in and name all roads adjoining the property. Draw in and accurately dimension the lot concerned. Accurately indicate property boundaries, proposed and/or existing structures and driveways, underground utilities, and wells and springs within 100 feet of the proposed building or drainfield.



Signed: James C Shumaker

Date: 9/12/88

3/24/88 $60.00 Paid SW 1.66 acres ck # 3669

APPLICATION FOR SOIL INVESTIGATION

1200 BLYTHE BOULEVARD
CHARLOTTE, NC 28203
PHONE (704) 376-4603

(OFFICE USE ONLY)

FILE: 4395A

TC: P.O. 197-021-13

☐ PC ☐ REPT

JOB LOCATION

① ADDRESS: 12510 BAIN SCHOOL Rd.

② SUBDIVISION: _____ ③ LOT: #B ④ BLOCK: _____

⑤ PARCEL REFERENCE: BOOK NO.: _____ PAGE NO.: _____ PARCEL NO.: _____

⑥ DEED REFERENCE: BOOK NO.: _____ PAGE NO.: _____

OWNER

⑦ NAME: RAY (FIRST) EDWARD (MIDDLE) McWHIRTER (LAST)

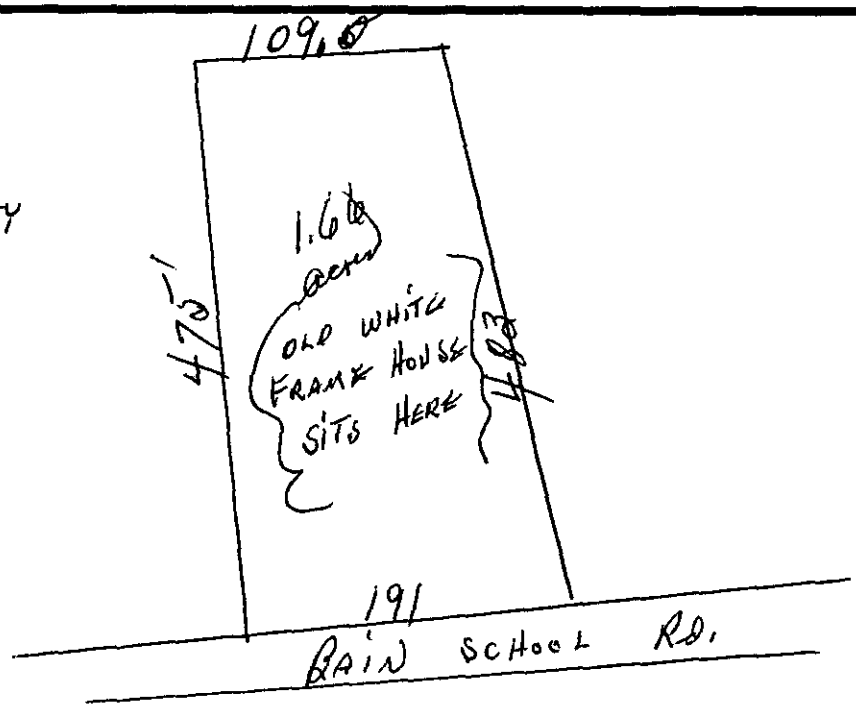
⑧ MAILING ADDRESS: % HANEY REALTY Co. P.O. BOX 25311 CHARLOTTE, N.C.

⑨ CITY: CHARLOTTE ⑩ STATE: N.C. ⑪ ZIP: 28229

⑫ PHONE: (WORK) 536-2100 (HOME) _____

✓ ⑬ Accurately diagram and dimension lot.

WHEN GOING TO TEST CALL
JOE HANEY AT 536-2100
I WILL MEET & SHOW THE PROPERTY
LINES



⑭ The undersigned, owner of the property described above as the "JOB LOCATION" has read the foregoing application, acknowledges that the contents of same are true, and authorizes agents of the MECKLENBURG COUNTY DEPARTMENT OF ENVIRONMENTAL HEALTH to enter onto the property for the purpose of processing this request.

Signed: Mrs. R. E. McWhirter

Date: 3-14-88

Mecklenburg County services are available without regard to ethnic origin, sex, or disability.

WHITE - ENVIRONMENTAL HEALTH DEPARTMENT'S COPY ● CANARY - ENVIRONMENTALIST'S COPY ● PINK - OWNER'S COPY

MECKLENBURG COUNTY

Department of Environmental Health
April 14th, 1988

Ray Edward McWhirter
P. O. Box 25311
Charlotte, NC 28229

RE: Property located at 12510 Bain School Road
FILE: 4395A
PARCEL: 19702113 PO

Dear Sir:

At your request, a field investigation was conducted on the property designated above for the purpose of determining site suitability for the installation of a ground absorption sewage disposal system. Results of the investigation revealed that the lot contains soils which have been classified as PROVISIONALLY SUITABLE in accordance with the provisions of 10 NCAC 10A .1900. A copy of the Site Evaluation Report (Serial Number 15093) deliniating the soil types and their respective classifications is enclosed.

While this classification indicates the site is acceptable for the installation of a septic tank system, no specific system or plans have been approved. The area available for such an installation may impose limitations on the size and/or type construction permitted on the lot. Specific plan approval will be provided upon submission of an Application For An Improvement Permit with an ACCURATELY dimensioned plot plan detailing the location of current and/or proposed buildings, wells and sewage disposal systems and determination that the area is adequate to accomodate the proposed construction.

Please note that this classification may be revoked if any filling, grading or construction (including the drilling of a well) is performed on the lot which in the opinion of this Department renders any area previously designated suitable for system installation, unsuitable. Futhermore, this approval may be revoked should any changes occur in the regulations under which it was granted, if such changes would have prevented its approval had they been in effect on the date of issuance.

If there are any questions concerning this matter, do not hesitate to contact me.

Sincerely,

Sylvia D. Daniel, R.S.
Environmental Health Supervisor
Environmental Resources Division

enclosure

1200 Blythe Boulevard • Charlotte, North Carolina 28203 • (704) 376-4603

MECKLENBURG COUNTY ENVIRONMENTAL HEALTH
SITE EVALUATION REPORT
SERIAL NUMBER 15093

File: 4395A Action 4

Parcel: 19702113 PO ☐ PC

Location: 12510 Bain School Road

Subdivision:

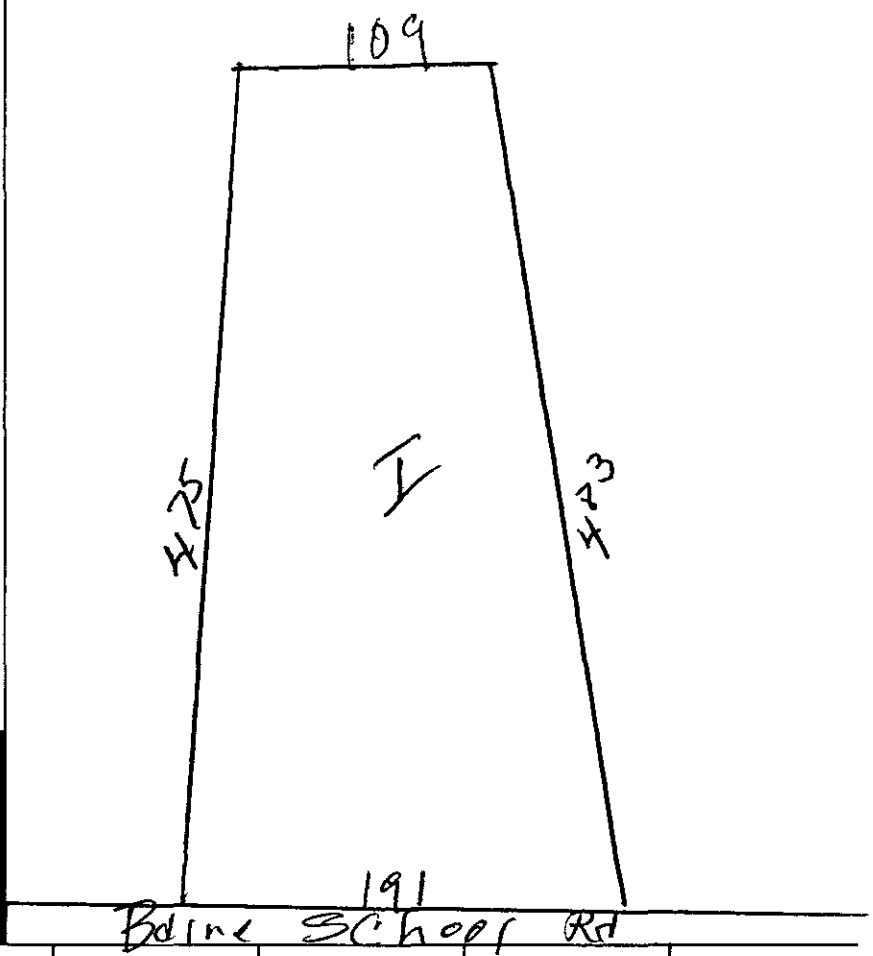
Lot: Block: Acres: 1.66

Owner: Ray Edward McWhirter
Address: P. O. Box 25311
Charlotte, NC 28229

Comments: _____

Described by: W. B. Ramsey

Date: 4-13-88



***** EVALUATION KEY *****

S = Suitable U = Unsuitable
PS = Provisionally Suitable
The "Area Classification" below indicates the suitability of areas in the diagram.

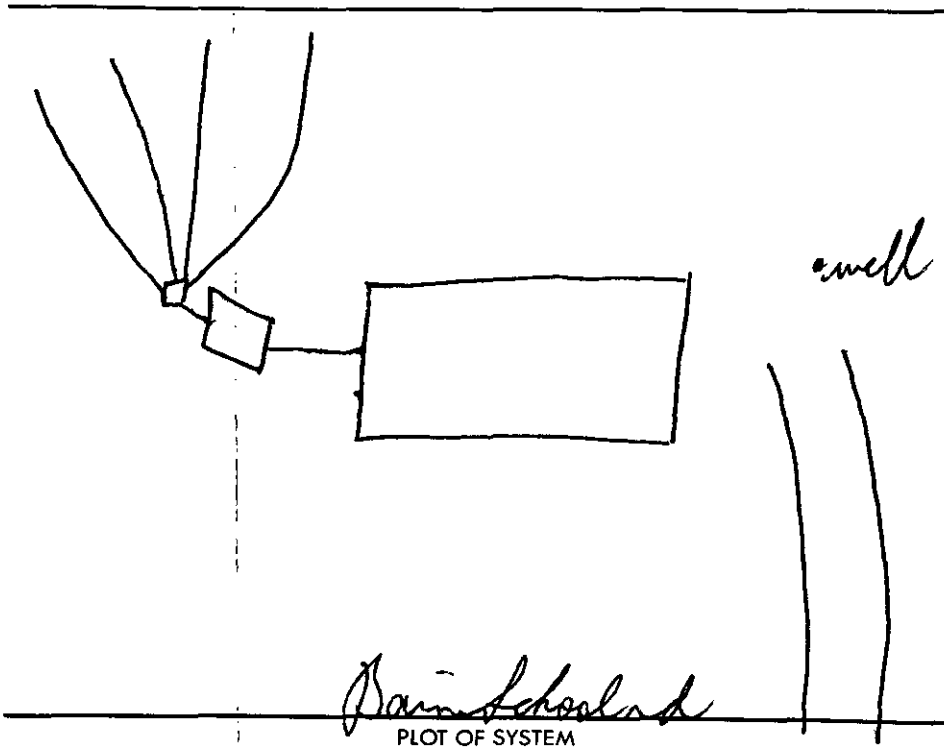
FACTORS	AREA 1	AREA 2	AREA 3	AREA 4	AREA 5	AREA 6
Topography	S (PS) U 2-4	S PS U	S PS U	S PS U	S PS U	S PS U
Texture	S (PS) U	S PS U	S PS U	S PS U	S PS U	S PS U
Structure	S (PS) U	S PS U	S PS U	S PS U	S PS U	S PS U
Drainage	S (PS) U	S PS U	S PS U	S PS U	S PS U	S PS U
Depth	S (PS) U 40+	S PS U	S PS U	S PS U	S PS U	S PS U
Restrictive Horizons	S (PS) U	S PS U	S PS U	S PS U	S PS U	S PS U
Available Space	S (PS) U	S PS U	S PS U	S PS U	S PS U	S PS U
Other (specify)	S PS U	S PS U	S PS U	S PS U	S PS U	S PS U
Soil Group/Series	IVb Cecil					
Area Classification	S (PS) U	S PS U	S PS U	S PS U	S PS U	S PS U

INSTALLATION, CONSTRUCTION, ALTERATION, AND/OR REPAIR PERMIT

1200 BLYTHE BOULEVARD
CHARLOTTE, NC 28203
PHONE (704) 376-4603

FILE: 4395-A DATE: 10-19-88
PO TC: 197-02-13 ☐ L
SERIAL № 12265

Permission is hereby given to ✓ Install or Construct, _____ Alter or Repair the individual septic tank wastewater treatment system with subsurface, soil absorption, effluent discharge as specified herein at the described location. This permit is granted based upon the information supplied in the application dated 9-12-88. All work shall be completed on or before 11-19-88, after which date this permit shall be null and void. The system shall meet all of the construction requirements of 10 NCAC 10A .1900 which are in effect on the date of the granting of this permit. A Certificate of Completion or an Operation Permit must be obtained from the Mecklenburg County Department of Environmental Health before any system can be covered up or placed into service. The issuance of this permit does not in any way guarantee that the system anticipated to be constructed will operate properly, or relieve any person now or hereafter owning, controlling or using such system from any liability resulting from the failure of the system to operate properly.



PLOT OF SYSTEM

Liquid Capacity of Septic Tank 1500 gallons
Liquid Capacity of Dosing Tank _____ gallons
Tank Construction PCC

Absorption and/or Nitrification Lines:
Trench Width 3 feet
Total Line Length 400 feet
Number of Lines 4
Depth of Stone 12 inches
Distance from House 5 feet
Distance from Property Line 10 feet
Distance from Well > 50 feet

NAME OF OWNER James Hansbrough
LOCATION OF PROPERTY 12510 Bain School Rd.
Comments: 4 lines 3'x100'x12" Stone

Jim Ennis
Division or Section Head

B.R. Ferguson
Environmentalist

* If this permit is for the installation or construction of a new system, it must be signed by the division or a section head of the Department of Environmental Health in order to be valid. Only the signature of the Environmentalist is required where an existing system is being altered or repaired.

WHITE - ENVIRONMENTAL HEALTH DEPARTMENT'S COPY ● CANARY - ENVIRONMENTALIST'S COPY ● PINK - OWNER OR AGENTS COPY

CERTIFICATE OF COMPLETION/OPERATION PERMIT

MECKLENBURG COUNTY ENVIRONMENTAL HEALTH
1200 BLYTHE BOULEVARD
CHARLOTTE, NC 28203
PHONE (704) 376-4603

FILE: 4395-A DATE: 10-27-88
PO
TC: 197-021-13 ☐ L ☑ CRT
SERIAL № 11519

Name of Owner James Hansbrough Juris.:
Address of Property 12510 Bain School Rd.

Inspection Data:

Tank Material PVC
Total Length of Drainfield 400'
Number of Lines 4 @ 100'
Cover Depth 18"
Water Supply Source well
Distance to Water Source > 50'
Excavation Inspected 10-27-88
Tank(s) Inspected 10-28-88
Wash Line Inspected
High Water Alarm Inspected

PLOT

Design: 1988, 1500ST, CON, 1200SFT, 12", cecil CTR# 90

The undersigned has inspected the Septic Tank System described above, and certifies it has been
☑ installed or constructed ☐ altered or repaired
☑ in accordance with the permit issued ☐ as detailed in the plot above
and meets the provisions of 10 NCAC 10A .1900, "Laws And Rules For Sanitary Sewage Collection, Treatment, And Disposal" in effect on the date of issuance of the permit. The issuance of this
☑ Certificate of Completion ☐ Operation Permit
does not in any way guarantee that the system will operate properly or relieve any person now or hereafter owning, controlling, or using such system from any liability resulting from the failure of the system to operate properly. This document is issued subject to those restrictions and conditions shown on the permit(s) and the provisions of 10 NCAC 10A .1900 in addition to those listed below under "COMMENTS." This document shall be null and void if any information contained in the application is untrue or if any additions are made to the property which would increase the requirements for said system.

COMMENTS: Installed for 3 bedrooms

B. R. Ferguson
Environmentalist

Mecklenburg County services are available without regard to ethnic origin, sex, or disability.

Mecklenburg County
Health Department

June 12, 1997

Jay Hicks
12510 Bain School Road
Charlotte, North Carolina 28227

RE: Septic permit - file #4395A

Dear Mr. Hicks:

This is to acknowledge receipt of your letter on May 12, 1997. In summary, you indicated that you feel that the county should share in the costs of repairs to your septic tank system. Further, you interpret the information in the file as evidence that the county approved the location of the septic lines and unit and the "liability" rests with Mecklenburg County as they "approved the location."

A careful review of the information in the file indicates that the Installation, Construction, Alteration, and/or Repair Permit specifically states the construction meet the North Carolina Administrative Code requirements and further specifies that the system be located 10 feet from the property line. Further, the Certificate of Completion/Operation Permit clearly states in part: ***"This document shall be null and void if any information contained in the application is untrue or if any additions are made to the property which would increase the requirements for said system."*** Specifically, the owner of the property is responsible for verifying information regarding property lines as required in the permit.

The original owner of the property was responsible for the system installation at 12510 Bain School Road. Based on a field investigation, it appears that one or more of the system nitrification lines encroach upon the adjoining property. If this is the case, there is a violation of the permit issued on October 27, 1988 by this Department. As the current owner of the property, you are now responsible for the system.

As per our conversation of June 10, 1997, it is my understanding that you have contracted with Bobby Howell to make the alterations to your system. Mr. Howell has been in contact with me to arrange an appointment for the permit.

I hope this issue can be resolved to the satisfaction of all parties. Your cooperation in this matter is greatly appreciated.

Sincerely,

Philo S. Walker R.S.

Philo S. Walker, R.S.
Individual Water and Wastewater Systems

PEOPLE • PRIDE • PROGRESS

Environmental Health Division
700 North Tryon Street • Suite 211 • Charlotte, North Carolina 28202-2236

Nationwide Total Loss Unit
PO Box 3049
5150 Merle Rd.
Concord, NC 28025

Phone: 704-782-4400
Fax: 704-784-4809

Date: 5/12/97

To: Phito Walker

Fax:

From: Jay Hicks

Please Advise

Number of pages including cover: 2

5/12/97

Philo Walker,

Dear Philo,

I received the septic permit of 10/19/88 file # 4395-A. The repairs required at my residence will cost $ 1000. inclusive of the required septic repair and re-landscaping my property. Upon review of the permit it is evident the county approved the location of the septic lines and unit.In addition, I am sure the original installation included a prelimenary and final inspection approval.Therefore, it is my opinion the liability rests with Mecklenburg County as they approved the location.The property line was clearly defined and further substaniates the error.

Due to the afforementioned costs and circumstances I am requesting the county share the burden of costs for repairs due to their approval location error .Please advise me of your position on this matter in writing and provide me a date this work needs to be completed and what repairs are required to be in code.Can we not just divert the lines in question in a different direction? It seems this would be easier and more cost effective and reduce the risk of possibly causing a back-up at my residence in the future etc

In closing i appreciate your assistance in this matter,but still feel there is really no physical problem ;however, we must appease the neighor please be advised my work # has changed to (704)-782-4400 I look forward to your reply

THANK YOU,

Jay Hicks

JAY HICKS
12510 BAIN SCHOOL RD
CHARLOTTE NC 28227

Telephoned 5/30 @ 4:40
LM on JM
Notified cobb
V.2 voicemail
5:15 pm

Executive Director
Mecklenburg County Health Department
700 North Tryon Street
Suite 211
Charlotte, North Carolina 28202

5/27/97

Wayne H. Dockery, Jr.
12600 Bain School Road
Charlotte, North Carolina 28227

Re: Request For Action

Dear Mr. Director,

Following is my explanation of an ongoing problem with my neighbor's sewage/septic drain field. My neighbor's name is Jay Hicks and his address is 12510 Bain School Road, Charlotte, NC, 28227. The Hicks' are the current home owners but not the original owners who built the house at #12510.

The septic system drain lines were improperly installed (see diagram). At least one drainage line was installed to extend or encroach well past the Hicks property line onto my property. I do not understand how this could possibly have happened?? The Mecklenburg County Health Dept. has established laws, controls, and inspection & approval procedures. County Environmental Health Specialists are constantly "in the field" and have "Oversight" responsibilities of drainage line construction which must meet appropriate specifications. Approximately 90 days ago I called your office to inform someone of my problem. My first contact was with Lisa B. Mialik, R.S., who came out to the sight the next day. She agreed the Hicks line was indeed extended onto my property. She notified Mr. Philo Walker, who is the field agent for this location in Mecklenburg County. I have had several phone conversations with Mr. Walker. He informed me he placed a Notice on the front door of the Hicks' home telling them they will have to "Cut" or divert the line so it will end at least 10 feet prior to reaching my property line. I feel this is still too close to my property and my water well. The Notice stated the corrective action should be done within a 30 day time frame. The time allotment has expired and no corrective action has taken place. I have had several conversations with Mr. Hicks asking him what his intentions were in this regard and have no confidence he will comply with Mr. Philo's "Notice".

Since my first call to your office after noticing pools of smelly water in the area of the drain line under issue, I have purchased $200 of topsoil and spread the dirt over the low areas which held the pools of water. Yes, it is

true we had a lot of rain during that time period and the ground was saturated. And this month, May 97, has been very dry and I have not seen the "pools" of water. However, the line is still actively perking under my property and that is NOT OK!! I want the line off of my property and made to meet your established specifications.

Mr. Walker now says the ball is in my court and is waiting for me to convince the Hicks that they should make corrections. I disagree! Mr. Philo should do what he has been entrusted to do and exercise his responsibilities as the Environmental Health Specialist in my area of the County.

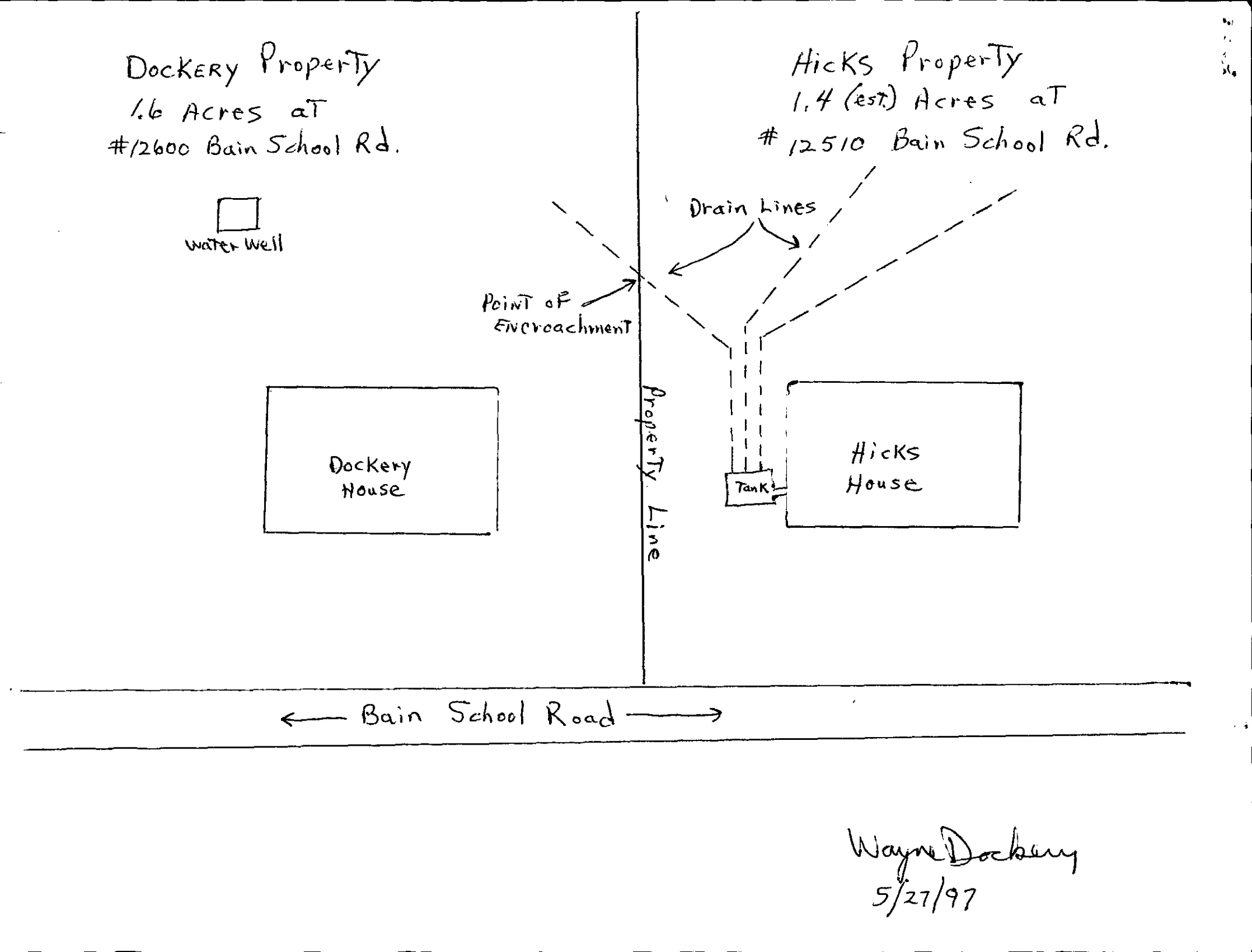
I see this as more than a matter of County Law, I see this as a matter of proper ethics and human rights. The purpose of this communication is to appeal to a higher authority and ask for your help to ensure a satisfactory solution to this issue is reached in a timely fashion.

Please contact me in writing as soon as possible to let me know of the plans and timetable to correct the problem.

Sincerely,

Wayne H. Dockery, Jr.

Wayne H. Dockery, Jr.



Wayne Dockery
5/27/97

MECKLENBURG COUNTY

Department of Environmental Health

April 14th, 1988

Ray Edward McWhirter
P. O. Box 25311
Charlotte, NC 28229

RE: Property located at 12510 Bain School Road
FILE: 4395A
PARCEL: 19702113 PO

Dear Sir:

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If there are any questions concerning this matter, do not hesitate to contact me.

Sincerely,

Sylvia D. Daniel, R.S.
Environmental Health Supervisor
Environmental Resources Division

enclosure

MECKLENBURG COUNTY ENVIRONMENTAL HEALTH
SITE EVALUATION REPORT
SERIAL NUMBER 15093

File:

Action 4

Parcel:

☐ PC

Location:

Subdivision:

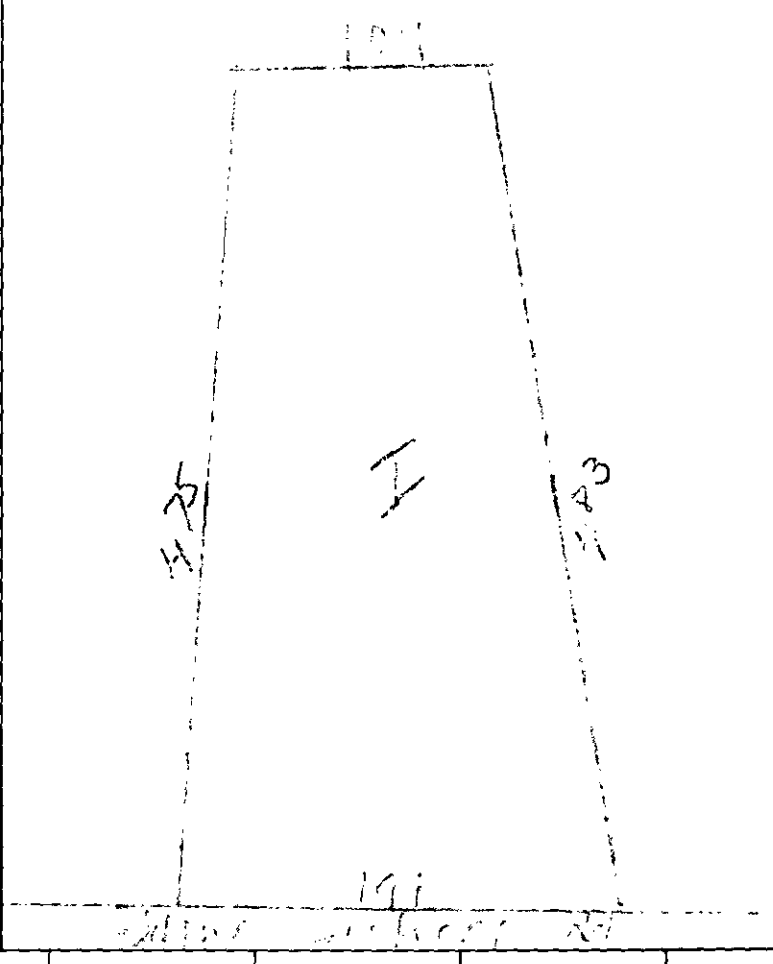
Lot: Block: Acres: 1.64

Owner:
Address:

Comments:

Described by:

Date:



***** EVALUATION KEY *****

S = Suitable U = Unsuitable
PS = *Provisionally* Suitable
The "Area Classification" below indicates the suitability of areas in the diagram.

FACTORS	AREA 1	AREA 2	AREA 3	AREA 4	AREA 5	AREA 6
Topography	S PS U	S PS U	S PS U	S PS U	S PS U	S PS U
Texture	S PS U	S PS U	S PS U	S PS U	S PS U	S PS U
Structure	S PS U	S PS U	S PS U	S PS U	S PS U	S PS U
Drainage	S PS U	S PS U	S PS U	S PS U	S PS U	S PS U
Depth	S PS U	S PS U	S PS U	S PS U	S PS U	S PS U
Restrictive Horizons	S PS U	S PS U	S PS U	S PS U	S PS U	S PS U
Available Space	S PS U	S PS U	S PS U	S PS U	S PS U	S PS U
Other (specify)	S PS U	S PS U	S PS U	S PS U	S PS U	S PS U
Soil Group/Series						
Area Classification	S PS U	S PS U	S PS U	S PS U	S PS U	S PS U

EH

Mecklenburg County
Health Department
249 Billingsley Road
Charlotte, North Carolina 28211

#4395-A

CHARLOTTE
APR 15 '88

U.S. POSTAGE

ATTEMPTED, NOT KNOWN

Ray Edward McWhirter
P. O. Box 25311
Charlotte, N. C. 28229

RETURN TO WRITER UNCLAIMED

CHARLOTTE NC 282
25 APR 1988
PM

MECKLENBURG COUNTY HEALTH DEPARTMENT
ENVIRONMENTAL HEALTH DIVISION

CHARGE SLIP

Date 9/13/88

Name/Company Joe Haney

Sanitation _____

Vector Control _____

O.P.W.D. ✓

Service: Imp/Inst
#4395A

MECKLENBURG COUNTY
HEALTH DEPARTMENT
ENVIRONMENTAL HEALTH DIVISION
PAID

SEP 13 1988

#0447

Fee: $ 150 — 150.00

Completed by

Collected by