


6620 AMOS SMITH RD

11308101

5/30/2007

duponbj

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

113-0232

MICHAEL F. EASLEY
ATTORNEY GENERAL

State of North Carolina
Department of Justice
P. O. BOX 629
RALEIGH
27602-0629

**TELECOPIER TRANSMITTAL SHEET**
**TO FAX NUMBER: (704-336-6894**

**IN THE EVENT OF TRANSMISSION PROBLEMS, PLEASE CALL (919) 733-4618**
**ATTENTION** Dianne Spacek

**TO:** Sylvia Daniel

**FROM:** John P. Barkley - Attorney General's Office

**DATE:** 6/29/94

**SUBJECT:**

**COMMENTS:** Sylvia, if you get any calls from the press refer them to me at (919)733-4618.

**NUMBER OF PAGES (INCLUDING THIS TRANSMITTAL MEMO):** 5
**PLEASE CONFIRM RECEIPT IF THIS LINE IS CHECKED:** _____
**SENDER'S FAX NUMBER:** (919) 715-3849

**CONFIDENTIALITY NOTE**

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS LEGALLY PRIVILEGED AND CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPY OF THIS TELECOPY IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS TELECOPY IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ADDRESS ABOVE VIA THE UNITED STATES POSTAL SERVICE. THANK YOU.

STATE OF NORTH CAROLINA

COUNTY OF MECKLENBURG

IN THE OFFICE OF
ADMINISTRATIVE HEARINGS
93 EHR 1017

RON D. GRAHAM
SUZANNE C. GRAHAM,
Petitioners,

v.

ROBERT COBB
MECKLENBURG CO. HEALTH DEPT.
DEHNR,
Respondents.

RECOMMENDED DECISION

Barkley
RECEIVED
JUN 2 1994
N. C. DEPT. OF JUSTICE
HEALTH/PUBLIC ASSISTANCE

This matter was heard before Brenda B. Becton, Administrative Law Judge, on April 29, 1994, in Charlotte, North Carolina.

## APPEARANCES

Petitioners: Pro se.

Respondents: John P. Barkley, Assistant Attorney General, N.C. Department of Justice, Raleigh, North Carolina.

## ISSUE

Whether the Respondent properly approved connection of the replacement mobile home to the existing sewage system at 6609 Amos Road.

## EXHIBITS

The following exhibits offered by the Petitioners were received in evidence:

P1 -6. Photographs.

P7. Page 3 of the transcription of the testimony of Cleo Screws.

P8. Survey of Lot 32, Amos Smith Road.

P10. Survey of property of Ronald d. & Suzanne C. Graham.

P11. Page 17 of the transcription of the testimony of Cleo Screws.

The following exhibits offered by the Respondents were received in evidence:

R1. Memorandum from Sylvia Daniel, R.S. to Betty Snow, Health Director dated June 20, 1991.

R2. Letter to Susanne Graham from Sylvia D. Daniel and Judy Kiser dated May 20, 1992.

R3. Memorandum from Judy Kiser regarding 6609 Amos Smith Road dated June 23, 1992.

R4. Proposed Plot Plan for 6609 Amos Smith Road.

R5. Letter to James A. McCorkle from Judy J. Kiser dated June 10, 1993.

R6. Memorandum from Judy Kiser regarding 6609 Amos Smith Road dated August 16, 1993.

R7. Memorandum from Judy Kiser regarding 6609 Amos Smith Road dated February 15, 1994.

R8. Memorandum from Toni Newell, R.S., regarding 6609 Amos Smith Road dated March 24, 1994.

R9. Microbiological Analyses.

From official documents in the file, sworn testimony of the witnesses, and other competent and admissible evidence, the undersigned makes the following:

## FINDINGS OF FACT

### Stipulated Facts

1. On April 6, 1993, Mr. James McCorkle requested an improvement permit to connect a replacement mobile home to an existing ground absorption sewage system at a lot at 6609 Amos Road in Charlotte, North Carolina. Judy Kiser, Environmental Health Specialist, Mecklenburg County Health Department, conducted an investigation of the site and determined that it met the requirements for approval of connection of the replacement mobile home. By letter dated June 10, 1993, she advised Mr. McCorkle of this approval.

2. Since June of 1989, Petitioners have made numerous complaints to the Mecklenburg County Health Department regarding the sewage system at 6609 Amos Road. The health department has made numerous inspections of the

property and has not found any violations of the sewage rules.

3. The health department has no record of the original improvement permit for the existing sewage system.

## Adjudicated Facts

4. In June of 1989, Ms. Kiser visited the property located at 6609 Amos Road in response to a complaint from the Petitioners about a child falling into a septic system on the property. On that visit, Ms. Kiser noticed that the lid was missing from the septic system. She covered the hole with a piece of plywood. As a result of her inspection, the owner of the property, Mr. Cleo Screws, was issued a notice of violation in which he was given thirty days to make the necessary repairs.

5. Mr. Screws did not make the repairs or contact the health department during the thirty day period. Ms. Kiser was in the process of taking the steps necessary to have a criminal summons issued, when Mr. Screws finally contacted the health department and made an appointment to meet with Ms. Kiser on the site.

6. When Mr. Screws and Ms. Kiser met on the property, a septic tank contractor installed a new lid cover on the septic tank.

7. Although, Ms. Kiser has made numerous trips to the property in question, she has never located the entire septic system. It is her belief, based upon her knowledge of septic tanks and what she has observed at 6609 Amos Road, that the septic system is installed so that the inlet end of the tank is near the Pe[illegible] property line and the outlet end of the tank i[illegible] from the Petitioners' property, back towards the center of Mr. Screws' property.

8. The Mecklenburg Health Department never received any complaints from the various tenants who have occupied the mobile home on 6609 Amos Road.

9. Mr. James McCorkle currently owns the property located at 6609 Amos Road. The mobile home was apparently damaged by fire and Mr. McCorkle applied for a permit to allow him to replace the damaged mobile home with another one.

10. The property was inspected on 6/6/93 to determine whether the septic was functioning properly, and it was determined that the system was functioning properly at that time.

Notwithstanding the foregoing provisions of .1962 of this section, if, for any reason, a sewage treatment and disposal system falls into disrepair or has been disconnected, such system shall not be used again unless it meets all of the provisions of this section or unless the local health department determines such reuse will not create a public health hazard.

Based on the foregoing Findings of Fact, the undersigned Administrative Law Judge makes the following:

## CONCLUSIONS OF LAW

1. The burden of proof is on the Petitioners to show by the greater weight of the evidence that the Respondents erred in issuing an Improvement Permit to connect a replacement mobile home to an existing ground absorption sewage system adjacent to the Petitioners' property.

2. The Petitioners contend that septic system on the neighboring property does not function properly and that the system does not meet the standards set by current regulations regarding ground absorption sewage systems. Furthermore, the Petitioners contend that Rule .1962, known as the grandfather clause, should not apply because the mobile home has been replaced at least two times.

3. The Respondents are authorized pursuant to the provisions of Chapter 130A, Article 1, Part 2 of the North Carolina General Statutes to pursue certain remedies to protect the public health and maintain an unpolluted environment.

4. Pursuant to the statutory authority granted by the provisions of North Carolina General Statutes section, DEHNR has promulgated rules regarding the installation and maintenance of ground absorption sewage systems. The regulations promulgated include a provision that septic systems in place prior to 1977 do not have to meet the standards currently applicable to property owners seeking improvement permits. This so called grandfather clause is applicable so long as the existing septic system is properly functioning.

5. Although the evidence presented tends to establish that the septic system at 6609 Amos Road would not meet todays standards, until such time as it is established that the system is malfunctioning, or until such time

as there is a change in the sewage flow or characteristics, the property falls under the exception created by the grandfather clause.

6. Even though the property in question is covered by the grandfather clause, that provision does not prevent the application of Rule .1961 regarding the maintenance of sewage systems. Although the Petitioners have reported a foul order on several occasions and what appeared to them to be effluent discharging into the abutting water, none of the inspections conducted by the Respondents have substantiated that the septic system is not functioning properly. Thus any rules regarding repair or maintenance have not been called into play.

7. Prior to 1988, there was a provision in the Administrative Code that provided that notwithstanding the provisions of the grandfather clause, "if, for any reason, a sewage treatment and disposal system falls into disrepair or has been disconnected, such system shall not be used again unless it meets all of the provisions of this section or unless the local health department determines such reuse will not create a public health hazard." (10 NCAC 10A .1963, now 15A NCAC 18A .1963) This provision, Rule .1963, would have addressed the issue the Petitioners have raised about the mobile home on the property having been replaced on at least two occasions. Rule .1963 was, however, repealed on August 1, 1988 and is no longer applicable.

8. Until such time as the Respondent has evidence that the septic system at 6609 Amos Road is malfunctioning and cannot be repaired, the Respondent has done all it can legally do regarding the enforcement of laws and regulations affecting septic systems.

9. The Respondent used proper procedure an acted as required by law in approving the connection of a replacement mobile home to the existing sewage system at 6609 Amos Road.

10. The Respondent's decision to approve the connection of a replacement mobile home to the existing sewage system at 6609 Amos Road was not arbitrary or capricious.

## RECOMMENDED DECISION

The North Carolina Department of Environment, Health, and Natural Resources will make the Final Decision in this contested case. It is recommended that the agency adopt the Findings of Fact and Conclusions of Law set forth above and deny the relief sought by the Petitioners on the basis that

the Respondent's decision was in accordance with the applicable laws and rules.

## ADDENDUM

In an effort to locate the source of the problems the Petitioners have experienced over the years, the Petitioners could request the health department test their own water for pollutants and run a dye test to determine if effluent from the septic system at 6609 Amos Road is running over on to their property.

## ORDER

It is hereby ordered that the agency serve a copy of the Final Decision on the Office of Administrative Hearings, P.O. Drawer 27447, Raleigh, N.C. 27611-7447, in accordance with North Carolina General Statutes section 150B-36(b).

## NOTICE

Before the agency makes the FINAL DECISION, it is required by North Carolina General Statutes section 150B-36(a) to give each party an opportunity to file exceptions to this RECOMMENDED DECISION, and to present written arguments to those in the agency who will make the final decision.

The agency is required by North Carolina General Statutes section 150B-36(b) to serve a copy of the Final Decision on all parties and to furnish a copy to the Parties' attorney of record.

This the 31st day of May, 1994.

Brenda B. Becton
Administrative Law Judge

A copy of the following was mailed to:

Ron D. Graham
Suzanne C. Graham
6620 Amos Smith Road
Charlotte, NC 28214
PETITIONER

John P. Barkley
Associate Attorney General
NC Department of Justice
PO Box 629
Raleigh, NC 27602-0629
ATTORNEY FOR RESPONDENT

This the 31st day of May, 1994.

Office of Administrative Hearings
PO Drawer 27447
Raleigh, NC 27611-7447
919/733-2698

LR400

# CERTIFICATE OF COMPLETION/OPERATION PERMIT

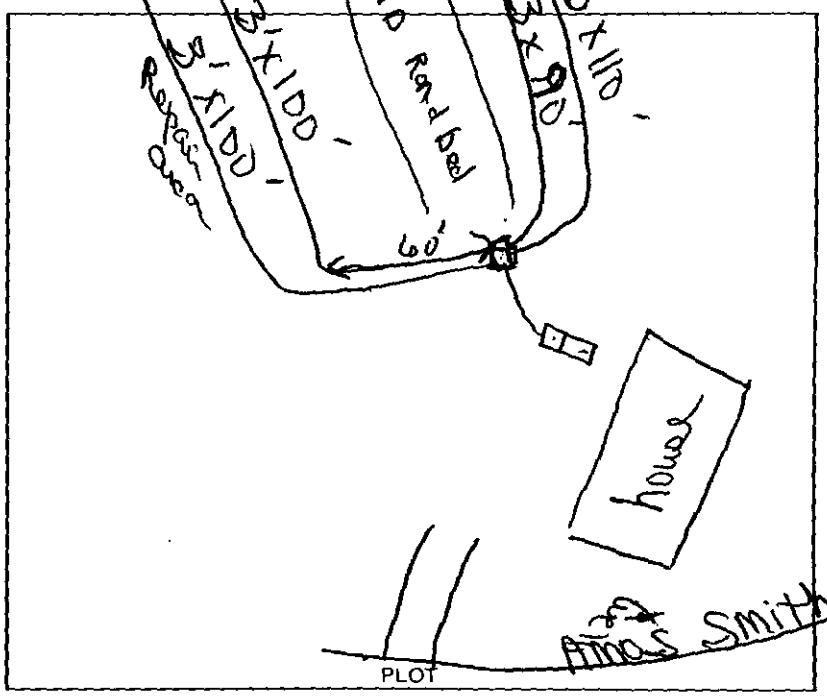
MECKLENBURG COUNTY ENVIRONMENTAL HEALTH
1200 BLYTHE BOULEVARD
CHARLOTTE, NC 28203
PHONE (704) 376-4603

FILE: 5173A DATE: 5/6/92
TC: 113-081-01 ☐ L ☑ CRT
SERIAL № 12854

Name of Owner Ronald D. Dratrom
Address of Property 6620 Amos Smith Rd
Juris.:

**Inspection Data:**

Tank Material PCC
Total Length of Drainfield 400'
Number of Lines 4 @ VARIOUS See diagram
Cover Depth 12"-24"
Water Supply Source Well
Distance to Water Source 250'
Excavation Inspected 5/4, 5/6
Tank(s) Inspected 5/6
Wash Line Inspected
High Water Alarm Inspected




Design: 1992, 1500 St Con, 1200SF+, 12" 6, Serie CTR# 5

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: System designed for 3 bedroom

Judy J. Kuin R.S.
Environmentalist

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

# INSTALLATION, CONSTRUCTION, ALTERATION, AND/OR REPAIR PERMIT

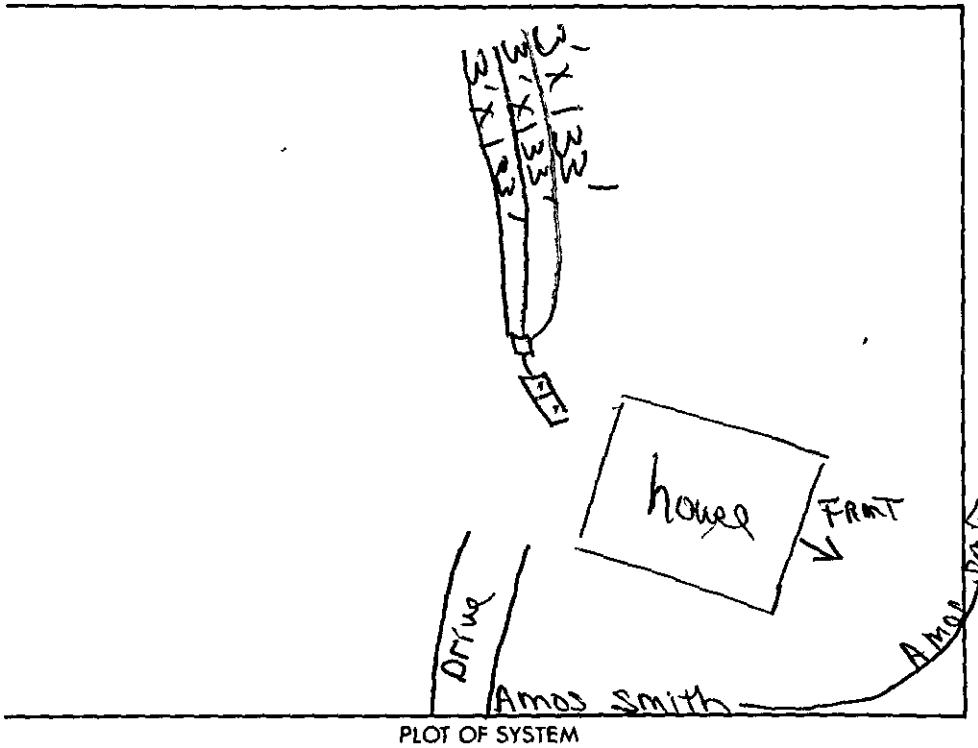
HEALTH DEPARTMENT
ENVIRONMENTAL HEALTH DIVISION
1200 BLYTHE BOULEVARD
CHARLOTTE, NC 28203
PHONE (704) 376-4603

FILE: 5172A DATE: 5/1/92

TC: 113-081-01 9L

SERIAL Nº 15251

Permission is hereby given to I 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 10/9/90. All work shall be completed on or before 6/1/92, 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 Health Department 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.


W
W
W

# APPLICATION FOR AN IMPROVEMENT PERMIT

HEALTH DEPARTMENT
ENVIRONMENTAL HEALTH DIVISION
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: 5172A
TC: 113-081-01
SERIAL: № 21288 ☐ L ☑ CRT

**JOB LOCATION**

① ADDRESS: 6620 (STREET NO.) Amos Smith Rd (STREET) Charlotte N.C 28263 ② FILE: _____
③ JURISDICTION: Meck Co. ④ TAX PARCEL NO.: 113-081-01
⑤ SUBDIVISION: n/a ⑥ LOT: #1 ⑦ BLOCK: _____

**OWNER**

⑧ NAME: Ronald (FIRST) Daryl (MIDDLE) Graham (LAST)
⑨ MAILING ADDRESS: 1245 Parris Rd
⑩ CITY: Rockhill S.C ⑪ STATE: SC ⑫ ZIP: 29730
⑬ PHONE: (WORK) 803-327-5048 ⑭ (HOME) Same

**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? 4 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 HEALTH DEPARTMENT to enter onto the property for the purpose of processing this request.

Signed: Ron Graham Sr.
Date: 10-9-90

## IMPROVEMENT PERMIT

The undersigned, an authorized agent of the MECKLENBURG COUNTY HEALTH DEPARTMENT, 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. 6

may be required

Environmentalist — Date 11/13/91

Director or Authorized Section Head — Date 11-14-91

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

# MECKLENBURG COUNTY HEALTH DEPARTMENT
# ENVIRONMENTAL HEALTH DIVISION

## CHARGE SLIP

Date: 10-9-90

Name/Company: Ronald Daryl Graham

Sanitation _____

Vector Control _____

O.P.W.D. ✓

Service: Appl-Inj. - New (3 tanks)
(600 Amos Smith Rd.

_____

MECKLENBURG COUNTY
HEALTH DEPARTMENT
ENVIRONMENTAL HEALTH DIVISION
PAID
OCT 9 1990

I.C # 5172A

CK # 3737

Fee: $ 200.00 #200.00

NOTICE:

*A processing fee of $15.00 will be charged for all returned checks in accordance with N.C. General Statute 25-3-512.*

Completed by

Collected by

TO: ENVIRONMENTAL HEALTH DEPT.
BUILDING STANDARDS DEPT.
DEPT. OF ENVIRONMENTAL PROTECTION/
SOLID AND HAZARDOUS WASTE

DATE 10/9/90

FROM: COUNTY ENGINEERING DEPARTMENT

ENG FILE _____ JURISDICTION CODE MCR

PARCEL NUMBER 113-081-01

ASSIGNED ADDRESS 6620 Amos Smith Rd

EXISTING ADDRESS _____

PROJECT NAME NA

THE ABOVE DESCRIBED LOCATION HAS BEEN CHECKED CONCERNING:

| | APPROVED | DISAPPROVED |
|---|---|---|
| 1. SUBDIVISION REGULATIONS | / / | / /* |
| 2. FLOODWAY REGULATIONS | / / | / /* |
| 3. EROSION CONTROL REGULATIONS | / / | / /* |
| 4. PUBLIC UTILITY EASEMENT | / / | / /* |

| | PRESENT | NOT PRESENT |
|---|---|---|
| 5. PUBLIC UTILITY EASEMENT | / /* | / / |
| 6. PROPERTY FRONTS ON THOROUGHFARE | / /* | / / |
| 7. DRIVEWAY PERMIT REQUIRED | / /* | / / |

*If checked, further investigation will be required to determine whether a building permit can be issued by Building Standards for the site.

REMARKS: Septic Tank /

NOTE: THIS FORM MUST BE TURNED IN AT THE CASHIER'S OFFICE AT BUILDING STANDARDS WHEN PAYING PERMIT FEES.
A CERTIFICATE OF OCCUPANCY WILL NOT BE GRANTED UNTIL THE TRANSPORTATION DIVISION GRANTS FINAL APPROVAL ON DRIVEWAY(S).

SIGNED: _____

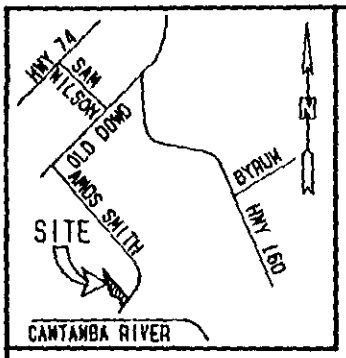
OBWEAR 06-88

NEW ADDRESS / /*

FORM 100

001 96:60 60/01/06 ENGINEERING 704 336 3846

SITE A 11/13/91




100' 50' 0 100' 300'

BAR GRAPH

| Curve # | Radius | Delta | Length | Tangent | Chord/Brg | |
|---|---|---|---|---|---|---|
| C1 | 243.93' | 16°00'23" | 68.14' | 34.30' | 67.92' | N59-00-48.8W |
| C2 | 227.65' | 26°48'21" | 106.50' | 54.25' | 105.54' | N53-36-50.0W |

LEGEND:
EIP - EXISTING IRON PIN
NIP - NEW IRON PIN

REFERENCES:
DEED BOOK 6001, PAGE 708

Ronald E. Lambert
11/13/91

N PER DEED BOOK 6001, PAGE 708

1500 gal Septic Tank
400' Line
3 Trenches
3' x 133'+

DUKE POWER COMPANY
DEED BOOK 5106, PAGE 24
TAX I.D. # 113-221-15

House 46'x46'

N57° 42' 49"E
319.46'

Repair area
40' x 140'

N17° 32' 15"E
204.26'

3' x 133' Trench

Old Road bed

1.917 ACRES
TAX I.D. #113-081-09

3' x 133' Repair Trench

S25° 11' 03"W
584.70'

FRIEDRICH GAEBEL & WIFE ANNE LIESE
DEED BOOK 3772, PAGE 989
TAX I.D. # 113-081-09

N60° 25' 34"E
120.92'

N60° 25' 34"E
15.26'

14.87'

135.79'

52.83'

15'

10'

PROPOSED FOUNDATION

Driveway

RIGHT OF WAY

L5 30

L3

C2

SETBACK

37.98'

C1

L2

L1

L4

39.07'

S54° 58' 35"E
50.48'

| LINE # | BEARING | LENGTH |
|---|---|---|
| L1 | S72° 19' 41.0"W | 74.64' |
| L2 | N66° 31' 47.0"W | 70.34' |
| L3 | N35° 32' 45.0"W | 112.27' |
| L4 | N51° 00' 37.3"W | 45.56' |
| L5 | N34° 48' 42.3"W | 43.98' |

(60' PUBLIC RIGHT OF WAY)
AMOS SMITH ROAD

HANS O. KEILHACK & WIFE PEGGY H.
DEED BOOK 5326, PAGE 627
TAX I.D. # 113-082-30

C.N. SCREWS
DEED BOOK 4022, PAGE 928
TAX I.D. # 113-082-32

N42° 11' 37"E
235.01'

166.93'

206.00' TOT.

S41° 06' 33"W

N81° 01' 07"W
64.52'

CATAWBA RIVER

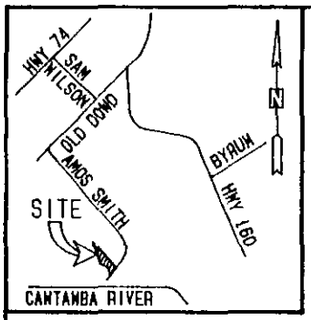
NORTH CAROLINA REGISTERED SEAL L-3036 LAND SURVEYOR DAVID L. GRAY

JAMES MASSMAN NOTARY PUBLIC MECKLENBURG COUNTY, N.C.

(PROPOSED) FOUNDATION SURVEY

5172A

11/13/91




100' 50' 0 100' 300'

BAR GRAPH

| Curve # | Radius | Delta | Length | Tangent | Chord/Brg |
|---|---|---|---|---|---|
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LEGEND:
EIP - EXISTING IRON PIN
NIP - NEW IRON PIN

REFERENCES:
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Ronald E. Graham
11/13/91

N PER DEED BOOK 6001, PAGE 708

1500 GALLON TANK
400' Line
3 Trenches
3' x 133'

DUKE POWER COMPANY
DEED BOOK 5106, PAGE 24
TAX I.D. # 113-221-15

HOUSE 46'X46'

N57° 42' 49" E
319.46'

Repair area
40' x 140'

N17° 32' 15" E
204.25'

3' x 133' Trenches

LOT 1
1.91 ACRES
TAX I.D. #113-081-09

1 Line Repair 584.70'

S25° 11' 03" W

FRIEDRICH GAEBEL & WIFE ANNE LIESE
DEED BOOK 3772, PAGE 989
TAX I.D. # 113-081-09

N60° 25' 34" E
120.92'

N60° 25' 34" E
15.26'

14.87'

135.79'

52.88'

TOT

15'

PROPOSED FOUNDATION

DRIVEWAY

RIGHT OF WAY

L5 30

L3

C2

37.98'

SETBACK 30'

C1

L2

L1

L4

39.07'

S54° 58' 35" E
50.48'

| LINE # | BEARING | LENGTH |
|---|---|---|
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| L2 | N66° 31' 47.0" W | 70.34' |
| L3 | N35° 32' 45.0" W | 112.27' |
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| L5 | N34° 48' 42.3" W | 43.98' |

AMOS SMITH ROAD
(60' PUBLIC RIGHT OF WAY)

C. N. SCREWS
DEED BOOK 4022, PAGE 928
TAX I.D. # 113-082-32

HANS O. KEILHACK & WIFE PEGGY H.
DEED BOOK 5326, PAGE 627
TAX I.D. # 113-082-30

N42° 11' 37" E
235.01'

166.93'

206.00' TOT.

S41° 06' 33" W

N81° 01' 07" W
64.52'

CATAWBA RIVER

NORTH CAROLINA REGISTERED SEAL L-3086 LAND SURVEYOR DAVID L. GRAY

JAMES MASSMAN NOTARY PUBLIC MECKLENBURG COUNTY, N.C.

# (PROPOSED) FOUNDATION SURVEY

I, David L. Gray, certify that this map was drawn from an actual survey made under my supervision, that the error of closure as calculated by latitudes and departures is 1:67,428 that the boundaries not surveyed are shown as broken lines plotted from information found in d.b. 6001, Page 708, that this map was prepared in accordance with G.S. 47-30 as amended, and that the angular error is 1.0 seconds per angle.
Witness my hand and official seal this 12 day of Nov 1991.

License No. L-3086
North Carolina, Mecklenburg County

Registered Land Surveyor

I, James Massman, a notary public of the county and state aforesaid, certify that David L. Gray, a registered surveyor, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 12 day of ~~November~~ 1991.

Notary Public

My commission expires 4/13/94


GRAY, PATE & ASSOCIATES
SURVEYORS
4715 PARK ROAD, SUITE 105
CHARLOTTE, N. C. 28209
TEL. (704)522-0595
FAX (704)529-5153


PROPERTY OF:
RONALD D. GRAHAM & WIFE,
SUZANNE C. GRAHAM

| | |
|---|---|
| TOWNSHIP OF BERRYHILL | MECKLENBURG CO., N. C. |
| LOT No. 1, 3, & 31 | SCALE 1" = 100' |
| SUBDIVISION: N/A | FLD. BK. D. C. |
| MAP BOOK 3 PAGE 571 | JOB No. 911029 |

**MECKLENBURG COUNTY ENVIRONMENTAL HEALTH**
**SITE EVALUATION REPORT**
**SERIAL NUMBER** 15757

File: 5172A

Parcel: 11308101

Action 4

☐ PC

Location: Amos Smith Road

Subdivision:

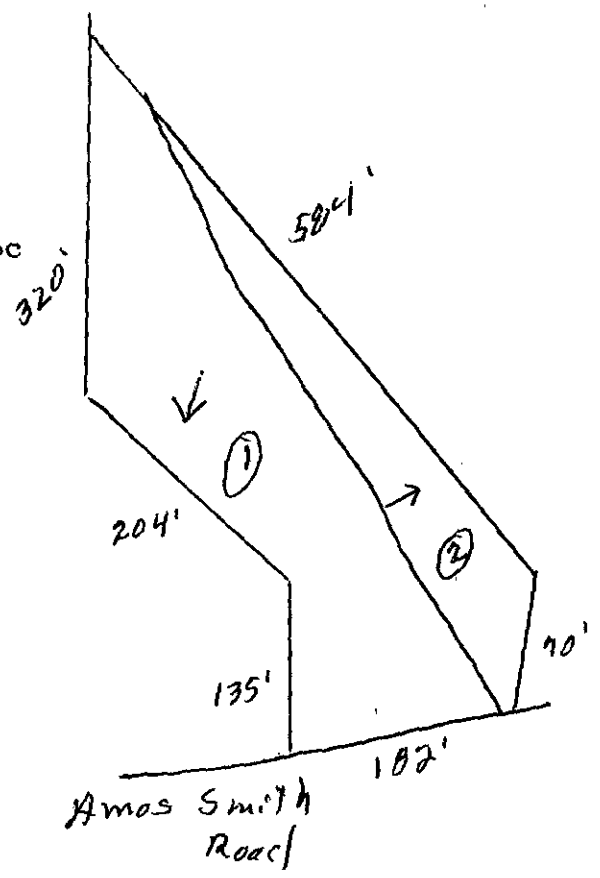
Lot: Block: Acres: 1.9

Owner: Charlotte Typographical Union Assoc
Address: 1363 Carolyn Drive
Charlotte, NC 28205

Comments: System may require lift pump

Described by: William R. Marks

Date: 11-16-00




***** 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 6-15% | S (PS) U 15-30% | S PS U | S PS U | S PS U | S PS U |
| Texture | S (PS) U Clay | S (PS) U Clay | S PS U | S PS U | S PS U | S PS U |
| Structure | S (PS) U Blocky | S (PS) U Blocky | S PS U | S PS U | S PS U | S PS U |
| Drainage | S (PS) U >36" To water | S (PS) U >36" To water | S PS U | S PS U | S PS U | S PS U |
| Depth | S (PS) U >36" | S PS (U) 24-30" | S PS U | S PS U | S PS U | S PS U |
| Restrictive Horizons | S (PS) U >36' | S (PS) U >36" | S PS U | S PS U | S PS U | S PS U |
| Available Space | S (PS) U See Note | S PS (U) Restricted | 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 | IVA Tetotum Lilo | IVA Percolet Lilo | | | | |
| Area Classification | S (PS) U | S PS (U) | S PS U | S PS U | S PS U | S PS U |

# Mecklenburg County
## Health Department

Basil G. Dalta, M.D., M.P.H.
Health Director

November 16th. 1988

Charlotte Typographical Union Assoc
1363 Carolyn Drive
Charlotte, NC 28205

RE: Property located at Amos Smith Road
FILE: 5172A
PARCEL: 11308101

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 15757) 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.

Very truly yours,

Sylvia D. Daniel, R.S., Supervisor
On Premises Waste Disposal & Water Supply

Enclosure

# APPLICATION FOR SOIL INVESTIGATION

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

(OFFICE USE ONLY)

FILE: 5172A

TC: 113-081-01

☐ PC ☐ REPT

See file 5171A for charge slip

**JOB LOCATION**

① ADDRESS: 1.92 ACRES, EAST SIDE OF AMOS SMITH ROAD

② SUBDIVISION: A.T.L. SMITH ESTATE ③ LOT: 1 ④ BLOCK:

⑤ PARCEL REFERENCE: BOOK NO.: 3 PAGE NO.: 571 PARCEL NO.: 1

⑥ DEED REFERENCE: BOOK NO.: 2780 PAGE NO.: 395

**OWNER**

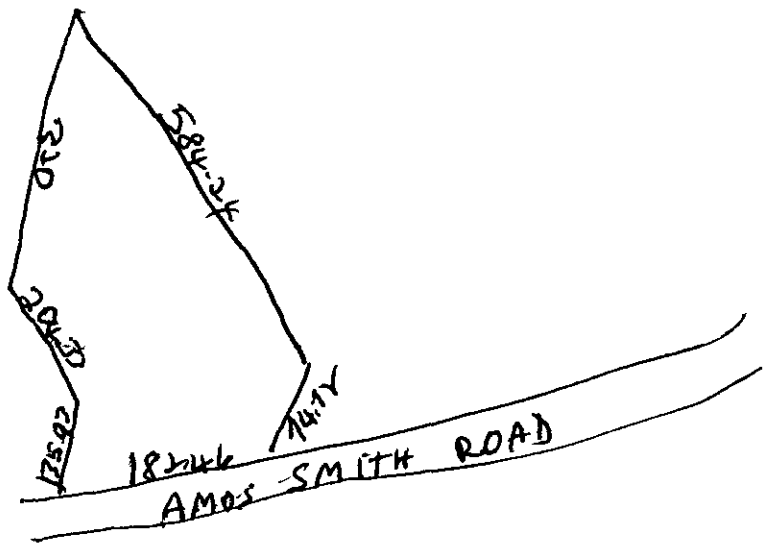
⑦ NAME: CHARLOTTE TYPOGRAPHICAL UNION ASSOCIATION, INC
(FIRST) (MIDDLE) (LAST)

⑧ MAILING ADDRESS: 1363 CAROLYN DRIVE

⑨ CITY: CHARLOTTE ⑩ STATE: NC ⑪ ZIP: 28205

⑫ PHONE: (WORK) (HOME) 537-7814

⑬ Accurately diagram and dimension lot.




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: CHARLOTTE TYPOGRAPHICAL UNION ASSOCIATION, INC
By: Ronald E. Moore, Secty.

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

Date: NOVEMBER 4, 1988 (SEAL)

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