

10025 ARLINGTON CHURCH RD

13910118

1/9/2008

duponbj

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

FEE: 100.00 chk #
DATE: 2/11/05
CRT [ ] 115760 JC Drew

APPLICATION FOR APPROVAL TO USE AN EXISTING ON-SITE WASTEWATER TREATMENT & DISPOSAL SYSTEM
MECKLENBURG COUNTY - GROUNDWATER & WASTEWATER SERVICES
700 N. Tryon St., Suite 211 Charlotte, NC 28202
Phone: (704) 336-5103 Fax: (704) 336-6894

GWS – UES.APP 01/05

FILE #: 58428

WD 115760

TYPE APPLCATION:

- [X] ADDITION - INCREASE ROOMS/OCCUPANCY/MOBILE HOME SIZE (A / M)
- [ ] ADDITION - RENOVATION OR GARAGE WITH NO MAJOR CHANGES (X)
- [ ] EXCHANGE MOBILE HOME - SAME # BEDROOMS (Y)
- [ ] COMMERCIAL OR INDUSTRIAL (N)

PERSON FILING APPLICATION:

NAME: James R. Miller, Jr.
ADDRESS: 10025 Arlington Church Rd
CITY: Charlotte
STATE: NC ZIP: 28227
PHONE: 704-545-1057
ALTERNATE PHONE:

PROPERTY OWNER:

NAME: James R. Miller, Jr.
ADDRESS: 10025 Arlington Ch. Rd.
CITY: Charlotte
STATE: NC ZIP: 28227
PHONE: 704-545-1057
ALTERNATE PHONE:

JOB LOCATION INFORMATION

TAX/PARCEL #: 139 10118
STREET ADDRESS: 10025 Arlington Ch. Rd.
CITY: Charlotte
STATE: NC ZIP: 28227
SUBDIVISION OR MOBILE HOME PARK NAME:

LOT #: 2 1926

TOWNSHIP:

- [ ] 0-MECKLENBURG
- [ ] 1-CHARLOTTE
- [ ] 2-DAVIDSON
- [ ] 3-CORNELIUS
- [ ] 4-PINEVILLE
- [ ] 5-MATTHEWS
- [ ] 6-HUNTERSVILLE
- [X] 7-MINT HILL

WATER SUPPLY:

- [ ] MUNICIPAL (M)
- [ ] COMMUNITY (C)
- [X] PRIVATE WELL (P)
- [ ] SHARED WELL (S)
- [ ] OTHER 'SPRINGS' (O)

RESIDENTIAL PROPERTY TYPE:

- [X] HOUSE (H)
- [ ] MODULAR HOME (M)
- [ ] MULTIPLE FAMILY (U)
- [ ] SINGLE MOBILE HOME (S)
- [ ] DOUBLE WIDE (D)
- [ ] OTHER (O)

NUMBER OF BEDROOMS:
NUMBER OF OCCUPANTS:

COMMERCIAL / INDUSTRIAL PROPERTY TYPE:

TYPE OF BUSINESS:
EMPLOYEES PER SHIFT:
OF SHIFTS:

INDUSTRIAL WASTES? [ ] YES [ ] NO
UNDERGROUND STORAGE TANKS? [ ] YES [ ] NO

ADDITION TYPE ATTACHED TO EXISTING STRUCTURE:

- [X] BEDROOM
- [ ] BATHROOM
- [ ] KITCHEN
- [ ] DINING ROOM
- [ ] LIVING ROOM
- [X] DEN
- [ ] GARAGE
- [ ] SUNROOM
- [ ] PORCH
- [ ] DECK
- [X] OTHER

ADDITION TYPE DETACHED FROM EXISTING STRUCTURE:

- [ ] DETACHED GARAGE
- [ ] DETACHED GARAGE WITH PLUMBING
- [ ] POOL HOUSE
- [ ] SHOP
- [ ] BARN
- [ ] STORAGE SHED
- [ ] DETACHED PORCH / DECK
- [ ] OTHER

*The undersigned, owner, or legal agent for the 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 the Mecklenburg County Health Department to enter onto the property for the purpose of processing this request.

James R Miller Jr — Owner's/Agent's Signature
2/11/05 — Date

*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 approval is granted y this Department.
- This permit is not transferable.

OK TO USE EXISTING

- [ ] ADDITION / RENOVATION APPROVAL - VALID 1 YEAR FROM ISSUANCE
- [ ] MOBILE HOME EXCHANGE APPROVAL - VALID 6 MONTHS FROM ISSUANCE

EHS Signature — Date 5-19-05

PROPOSED PLOT PLAN

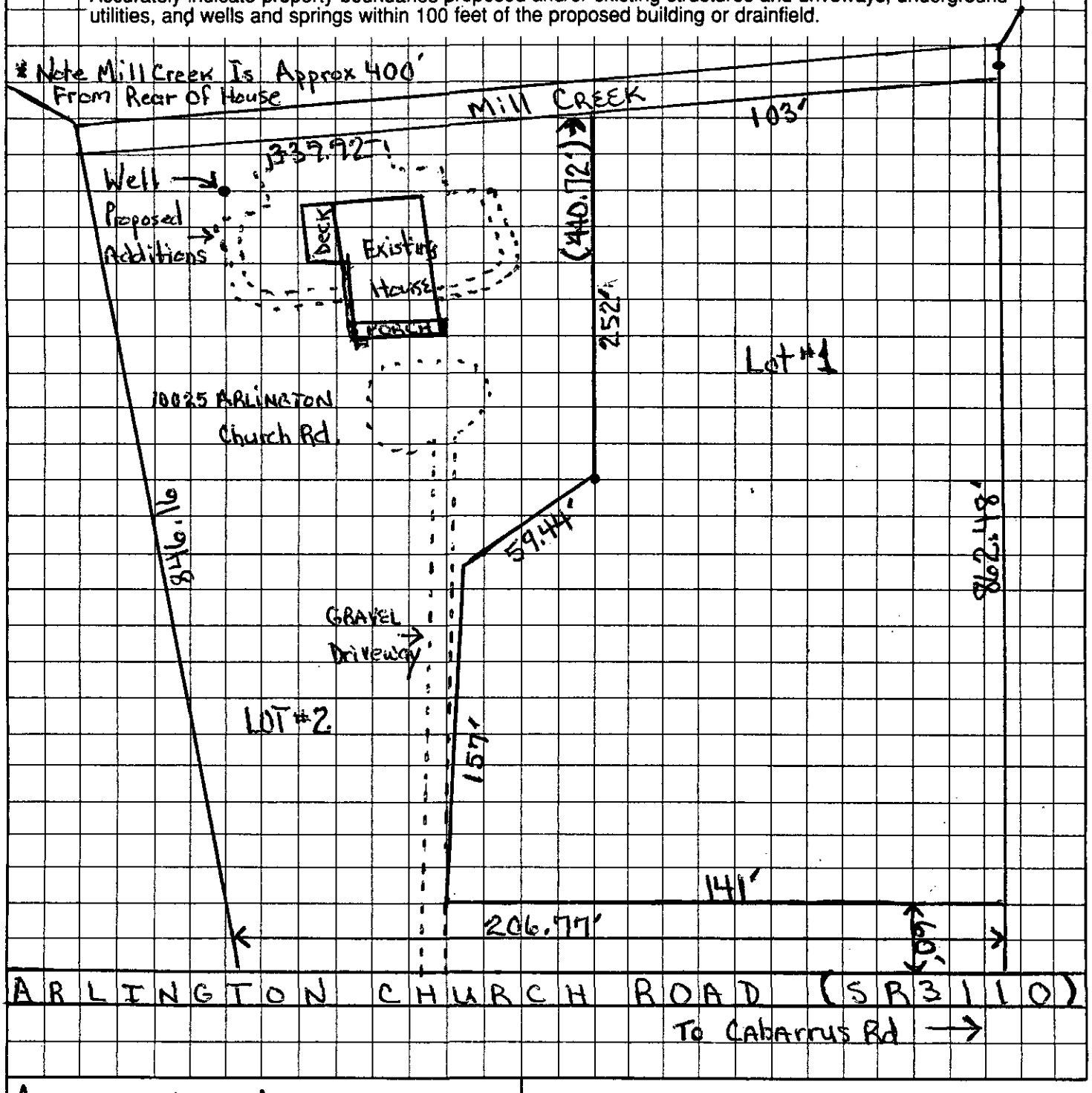
COPY

HEALTH DEPARTMENT
ENVIRONMENTAL HEALTH DIVISION
700 NORTH TRYON STREET
CHARLOTTE, NC 28202
PHONE (704) 336-5102

FILE: 5842B

TC: 139-101-18

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.



James B Millwood
OWNER/AGENT SIGNATURE

DATE

APPROVAL DATE _____

White - Health Department's Copy Canary - E.H.S. Copy Pink - Owner's Copy

Attn: Drew Walker

April 15, 2005

Health Director

Mecklenburg County Environmental Health

700 North Tryon Street

Suite 211

Charlotte, NC 28212

Director,

We had a visit to our proposed site today by Mr. Drew Walker. We discussed our project and the concerns associated with the construction. We understand the concern with placing insecticides around the foundation in such close proximity to the well. As an alternative to the insecticides we would like to propose our willingness to use treated lumber, as instructed by you, on any construction taking place on the side of the house where the well is located.

Please consider this letter as a show of our willingness to follow any future instructions necessary for the inception and completion of this project.

James R. Miller, Jr.

10025 Arlington Church Road

Charlotte, NC 28227

704 545 1057 (fax and phone)

Fax Miller
10025 Arlington Church Rd.
Charlotte, NC 28227-9955

MASTER BEDROOM
25'-3"
25'-0 1/8"
10'-3 1/8"
5'-3"
3'-3 1/4"
3'-4"
17'-4 1/8"
STUDY
SITTING AREA
14'-7 1/2"
16'-6 1/2"
9'-2"
19'-8 5/8"
GREAT ROOM
28'-8 1/4"
FIREPL.
3'-11"
10 1/4"
PANTRY
LIVING
13'-8"
15'-0"
DINING
11'-9"
KITCHEN
16'-11"
9'-7 1/8"
SEWING
23'-6"
18'-4 1/2"
24'-9 3/8"
To GARAGE

FLOOR PLANS

MAIN HOUSE

ROBBIE MILLER
10025 Arlington Church Road
Charlotte, NC 28227
704 545 1057
Samuraich @aol.com

FAX

To:	Mr. Drew Walker	From:	Robbie Miller
Fax:	704 545 1057	Pages:	[redacted]
Phone:	704 545 1057	Date:	[redacted]
Re:	Plans for 10025 Arlington Ch. Rd	cc:	[redacted]

Comments:

Mr. Walker,

If you need any other information please feel free to call. I will be home until about 5:00 p.m. today.

Thanks you,

James R. Miller, Jr.

Attn: Drew Walker

Health Director

Mecklenburg County Environmental Health

700 North Tryon Street

Suite 211

Charlotte, NC 28212

Director,

We recently had a visit to our proposed site of construction by Mr. Drew Walker. Upon completing his inspection we were informed that everything looked fine for construction of additions to two sides of our home. We were informed that there was a problem with one side as the new construction would not allow the necessary 25 feet from the well to the foundation of the new construction. It would in fact be about 5 feet from the well to the new construction. Mr. Walker then provided us with some information explaining the specifications concerning separation distances of wells from various constructions. At this time Mr. Walker explained that the only option we had of retaining the well and completing the necessary esthetic construction was to file for a variance. Please consider this letter as our desire to file for a variance in this matter. Below please find our reasons for wishing this variance.

4-1-05
P.C. TO MR. MILLER, @ L.M ADVISING
WE NEED PROPOSED BUILDING ADDITION PLANS.

The architect has designed the additions so that they balance the look of the home. To build on one side of the home and not the other would give the home an out of balance look that would greatly affect the appeal of the home and therefore the resale value if that were to become an issue in the future.

1. The well itself was just upgraded replacing the pump and piping to the house at a cost of $1200.00.
2. The specs on the well are as follows:
    A. Drilled on 2/1/85.
    B. 306 feet deep.
    C. 6" pipe in well.
    D. 2 horsepower pump.
    E. Producing 50 + gallons per minute.
    F. Well was drilled by D.W. Mullis.

We are requesting this variance based on the fact there is no necessity for drilling a new well. The present well is drilled mainly through rock and was very labor intensive when drilled. We have called D.W. Mullis for an estimate for having a new well drilled with these specifications. Firstly, he advised that he could not guarantee a new well being of this quality. Secondly, because of it being labor intensive the cost would as much as double from the drilling of the original well. He has given an estimate of approximately $4200.00 to drill a new well. That figure would be the drilling only and not the cost of running the piping from the new well location to the house.

Due to the rock base that is being drilled through he also cannot assume that 300 feet would be the cutoff point for the new well. Additional expenses could be incurred by deeper drilling.

With the above expenses we would incur a loss of approximately $7000.00. This would include the recent upgrades, the drilling of the new well and the running of the piping of the new well to the home. We would hope this has shown that we could not supply a reasonable water supply at a reasonable cost based on the estimates attained and costs already incurred.

We have no wish to be unreasonable and are willing to submit to future testing of the well to ensure its safety and the welfare of the groundwater. We wish only to proceed with construction and keep a wonderful water supply intact and in use.

James R. Miller, Jr.

10025 Arlington Church Road

Charlotte, NC 28227

704 545 1057 (fax and phone)

3/24/05

fax

Subject: 10025 Arlington Church Road

cc:

Date: April 15, 2005

To: Drew Walker

Phone Number:

Fax Number: 704 336 6894

From: Robbie Miller

Phone Number: 704 545 1057

Fax Number: 704 545 1057

Comments: Drew this is the letter per your request. Thanks for your help.

James R. Miller, Jr.

10025 Arlington Church Road

Charlotte, NC 28227

Need:

① Documentation that indicates the Notice has been recorded.

② Signed/Notarized copy of Notice

③ $65.00 for sampling

④ You need to pull water Sample (send to State) We do not have to wait on the analysis.

MECKLENBURG COUNTY

Land Use & Environmental Services Agency
Water & Land Resources

May 3, 2005

Mr. James R. Miller
10025 Arlington Church Rd.
Charlotte, NC 28227

Re: Request for Variance
10025 Arlington Church Rd.
Tax Parcel # 139-101-18
File # 5842B

Dear Mr. Miller:

Mecklenburg County Groundwater & Wastewater Services (GWS) has reviewed information submitted by you seeking a variance to construction standards for water supply wells. Specifically, you are seeking a variance from Chapter II, Section IV (A) 4 which states:

> "Separation distances as required in Section IV(A)2 or Section IV(A)3 of this Chapter apply to all additions. Additions of a type not covered by Section IV(A)2 or Section IV(A)3 of this Chapter shall be located the maximum distance possible from any existing water supply well but shall in no case be less than 25 feet."

Based on the information you submitted, the requested separation distance is approximately five feet.

Your request for a variance to the above state regulation was initially denied on April 25, 2005 for the following reason:

- The 25 foot separation required between a well and an addition is consistent with the separation requirements for new well construction. The requirements are necessary to protect public health. Wells located less than 25 feet from a building foundation have an increased susceptibility to contamination.

You provided additional information to GWS on April 28, 2005. Based on this information the variance will be approved with the following conditions:

The water supply well will be tested prior to construction and annually thereafter. The sample will be collected by the Mecklenburg County Groundwater and Wastewater Services and analyzed for the following parameters:

bacteria, pH, hardness, lead, arsenic, iron, manganese, copper, zinc, calcium, magnesium, alkalinity, chloride, fluoride, nitrates/nitrites, pesticides, Volatile Organic Compounds and semi Volatile Organic Compounds.

The cost for the sample collection and analysis will be the responsibility of the property owner and will be paid to Mecklenburg County Groundwater & Wastewater services prior to construction and between January 1 and January 31 of each year there after. The cost as of 5/2/2005 is $265.00. The annual cost of the sample collection and analysis may change but will be the current cost available to the public through the Mecklenburg County Health Department.

If the water from the water supply well is determined to contain a contaminant(s) the water must be treated to remove the contaminant(s) of concern, such that the water would be considered potable, for as long as the raw water contains the contaminant of concern. Otherwise the well will be permanently abandoned.

If the water supply well is determined to contain a contaminant above the Mecklenburg Groundwater Quality Standards Chapter V, Mecklenburg County will notify the North Carolina Department of Natural Resources (NCDENR) of the groundwater quality violation.

The variance conditions must be disclosed to any to any prospective buyers of the property.

The following Notice must be notarized and recorded with the register of deeds prior to construction.

Please do not hesitate to contact me at 704-336-5789 or Mr. Drew Walker at 704 336-5573 if you have any questions.

Sincerely,

Lisa Corbitt, P.G.
Program Manager
Groundwater & Wastewater Services

cc: Mr. Drew Walker, Groundwater & Wastewater Services

Notice of Well Variance

Mecklenburg County Groundwater & Wastewater Services has reviewed information submitted by James R. Miller Jr. for the well located at 10025 Arlington Church Road. James R. Miller Jr. is seeking a variance from Chapter II, Section IV (A) 4 which requires additions to maintain a minimum separation distance of 25 feet between building foundations and existing water supply wells. Based on the information submitted the requested separation distance is approximately five feet.

The 25 foot separation required between a well and an addition is consistent with the separation requirements for new well construction. The requirements are necessary to protect public health. Wells located less than 25 feet from a building foundation have an increased susceptibility to contamination.

The variance will be approved with the following conditions:

The water supply well will be tested prior to construction and annually thereafter. The sample will be collected by the Mecklenburg County Groundwater and Wastewater Services and analyzed for the following parameters:

bacteria, pH, hardness, lead, arsenic, iron, manganese, copper, zinc, calcium, magnesium, alkalinity, chloride, fluoride, nitrates/nitrites, pesticides, volatile organic compounds and semi-volatile organic compounds.

The cost for the sample collection and analysis will be the responsibility of the property owner and will be paid to Mecklenburg County Groundwater & Wastewater services prior to construction and between January 1 and January 31 of each year there after. The cost as of 5/2/2005 is $265.00. The annual cost of the sample collection and analysis may change but will be the current cost available to the public through the Mecklenburg County Health Department.

If the water from the water supply well is determined to contain a contaminant(s) the water must be treated to remove the contaminant(s) of concern, such that the water would be considered potable, for as long as the raw water contains the contaminant of concern. Otherwise the well will be permanently abandoned.

If the water supply well is determined to contain a contaminant above the Mecklenburg County Groundwater Quality Standards Chapter V, Mecklenburg County will notify the North Carolina Department of Natural Resources (NCDENR) of the groundwater quality violation.

The variance conditions must be disclosed to any and all prospective buyers of the property.

The Notice must be notarized and recorded with the register of deeds prior to construction.

North Carolina

_____COUNTY

I, _____, a Notary Public for said County and State, do hereby certify that _____personally came before me this day and acknowledged that he is the owner of 10025 Arlington Church Road and acknowledge the due execution of the foregoing instrument.

WITNESS my hand and official seal, this the ___ day of March, 2005.

_____
Notary Public (signature)

My commission expires _____, 200__.

Lisa Corbitt, P.G.
Mecklenburg County
Land Use & Environmental Services Agency
Water & Land Resources
700 N. Tryon Street
Suite 205
Charlotte, NC 28202

April 28, 2005

Re: Request for Variance
10025 Arlington Church Road
Tax Parcel #139-101-18
File #5842B

Dear Ms. Corbitt,

This letter is in response to your correspondence to me concerning the information I had submitted seeking a variance to construction standards for water supply wells. Specifically, a variance from Chapter II, Section IV(A) 4 which requires additions to maintain a minimum separation distance of 25 feet between building foundations and existing water supply wells.

I would like to appeal this decision based on the following information and criteria:

A. It was explained to me that Chapter II, Section IV(A) 4 was placed in effect to cover additions to homes as of January 2005. I would like to submit that the plans for new construction and additions on properties that are now 10025 and 10029 Arlington Church Road were submitted to and approved by the Mint Hill Town Council and Mint Hill Planning Board 2 years prior to this rule becoming effective. All plans for this construction have been based on this approval and should therefore not be affected by a rule enacted 2 years after the approval was granted.

However,
Rather than dispute the fact that I had prior approval for this project I would like to submit the following as criteria I would gladly follow to gain approval for the variance and be allowed to begin construction on the additions.

B. I will agree to yearly testing of the well for contaminants. If contaminants are detected, depending on the degree of contamination, I will either have the well treated or capped and a new well drilled.
C. As a means of protecting future prospective owners I will agree to have notarized a selling disclosure, to be prepared by the city for accuracy sake. This disclosure can be maintained with one copy on file in city records and one copy retained by myself to present to any prospective buyers before closing.

I hope these criteria will indicate that I am willing to do whatever is deemed necessary for safety or health reasons relating to this project and these properties.

Please feel free to contact me if any other information is needed at, 704 545 1057.

Sincerely,

James R. Miller, Jr.

MECKLENBURG COUNTY

Land Use & Environmental Services Agency
Water & Land Resources

April 25, 2005

Mr. James R. Miller
10025 Arlington Church Rd.
Charlotte, NC 28227

Re: Request for Variance
10025 Arlington Church Rd.
Tax Parcel # 139-101-18
File # 5842B

Dear Mr. Miller:

Mecklenburg County Groundwater & Wastewater Services has reviewed information submitted by you seeking a variance to construction standards for water supply wells. Specifically, you are seeking a variance from Chapter II, Section IV (A) 4 which requires additions to maintain a minimum separation distance of 25 feet between building foundations and existing water supply wells. Based on the information you submitted, the requested separation distance is approximately five feet.

Your request for a variance to the above state regulation is denied for the following reason:

- The 25 foot separation required between a well and an addition is consistent with the separation requirements for new well construction. The requirements are necessary to protect public health. Wells located less than 25 feet from a building foundation have an increased susceptibility to contamination.

Disapproval of a variance entitles you to a public hearing before the Groundwater Advisory Committee. In order to secure this right you must submit the demand for a hearing together with the appropriate fee to the Clerk of the Committee within 30 Days of receipt of this written notice. Failure to timely file such demand and fee shall constitute a waiver of any rights to appeal.

Please do not hesitate to contact me at 704-336-5789 or Mr. Drew Walker at 704 336-5573 if you have any questions.

Sincerely,

Lisa Corbitt, P.G.
Program Manager
Groundwater & Wastewater Services

cc: Mr. Drew Walker, Groundwater & Wastewater Services

MECKLENBURG COUNTY

Land Use & Environmental Services Agency
Water & Land Resources

April 21, 2005

WAS NOT SENT
So Redated and
Sent 4/25/05

Mr. James R. Miller
10025 Arlington Church Rd.
Charlotte, NC 28227

Re: Request for Variance
10025 Arlington Church Rd.
Tax Parcel # 139-101-18
File # 5842B

Dear Mr. Miller:

Mecklenburg County Groundwater & Wastewater Services has reviewed information submitted by you seeking a variance to construction standards for water supply wells. Specifically, you are seeking a variance from Chapter II, Section IV (A) 4 which requires additions to maintain a minimum separation distance of 25 feet between building foundations and existing water supply wells. Based on the information you submitted, the requested separation distance is approximately five feet.

Your request for a variance to the above state regulation is denied for the following reason:

- The 25 foot separation required between a well and an addition is consistent with the separation requirements for a new well construction. The requirements are necessary to protect public health. Wells located less than 25 feet from a building foundation have an increased susceptibility to contamination.

Disapproval of a variance entitles you to a public hearing before the Groundwater Advisory Committee. In order to secure this right you must submit the demand for a hearing together with the appropriate fee to the Clerk of the Committee within 30 Days of receipt of this written notice. Failure to timely file such demand and fee shall constitute a waiver of any rights to appeal.

Please do not hesitate to contact me at 704-336-5438 or Mr. Drew Walker at 704 336-5573 if you have any questions.

Sincerely,

Lisa Corbitt, P.G.
Program Manager
Groundwater & Wastewater Services

cc: Mr. Drew Walker, Groundwater & Wastewater Services