MECKLENBURG COUNTY

Department of Environmental Health

October 26, 1987

William S. Gordon, Jr.
3624 Sandy Porter Road
Charlotte, NC 28210

Re: Property at 12100 York Road
File: 3464A
Parcel: 201-221-02

Dear Sir:

It has come to my attention that you are interested in filing for permission to install an alternate or modified sewage treatment system on the above referenced property. The procedure for doing this involves the submission to this office of an Application for An Improvement Permit with an accurately dimensioned plot plan detailing the location of the current and/or proposed buildings, wells, and sewage disposal systems. The plan will be reviewed in accordance with the requirements of 10 NCAC 10A .1948(c). A reprint of this section is enclosed for your information.

If it is determined that the proposed system should be reasonably expected to function satisfactorily, an Improvement Permit will be issued by the Department upon completion by you, of a formal request for lot reclassification. The forms are enclosed for your convenience. If I may be of further assistance, please contact me.

Sincerely,

Sylvia D. Daniel, R.S.
Supervisor

cc: Julia F. Renfrow
State of North Carolina
Department of Justice
P. O. Box 629
Raleigh, N. C. 27602-0629

LACY H THORNBURG
ATTORNEY GENERAL

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

MEMORANDUM

DATE: September 10, 1987

TO: Ms. Sylvia D. Daniel, Mecklenburg Co. Health Department

FROM: Julia F. Renfrow, Associate Attorney General JFR

SUBJECT: Preparation of Case in Response to Notice of Hearing

The Attorney General's Office has received the attached Notice of Hearing from DHR Hearing Officer Chris Hoke in the matter of William S. Gordon, Jr. v DHR. In order to effectively represent your agency, I request your assistance in providing the following information within twenty days after receipt of this memorandum:

(1) the issues to be resolved;
(2) citation to the applicable statutes and rules;
(3) a brief statement of the facts;
(4) a brief statement of your reasons supporting your position;
(5) the original or copy of all relevant documents;
(6) a list of proposed witnesses;
(7) identification of the area of testimony of each witness; and
(8) other special matters helpful and harmful to the defense of the decision.

Please provide the name and telephone number of a person who may be contacted for further information and assistance.

PLEASE NOTE DATE OF HEARING AND NOTIFY POTENTIAL WITNESSES.

If this block is checked (X), I already have certain documents and copies are attached.

JFR:kl

CC: Stacy Covil

Renfrow

ADMINISTRATIVE HEARING
DIVISION OF HEALTH SERVICES

SCHEDULING OF HEARING
WILLIAM S. GORDON, JR. CONTESTED CASE HEARING

Pursuant to a request for an administrative hearing filed by Mr. William S. Gordon, Jr., a hearing has been scheduled for October 22, 1987 at 10:00 a.m. in the conference room of the Mecklenburg County Department of Environmental Health, 1200 Blythe Boulevard, Charlotte, North Carolina. If these arrangements are not acceptable, please contact me immediately at the Division of Health Services, P. O. Box 2091, Raleigh, North Carolina 27602-2091, (919) 733-3131.

The request filed by Petitioner appeals a denial of an improvement permit. The request is hereby incorporated by reference.

The hearing will be conducted in accordance with 10 NCAC 1B .0200 (copy attached) and G.S. 150B. The parties have the right to submit written arguments, to subpoena witnesses, to submit proposed findings of fact and conclusions of law, and to appeal from an adverse decision. Copies of all such documents must be filed with this office and with all other parties. Ms. Julia Renfrow, Attorney General's Office, P. O. Box 629, Raleigh, North Carolina 27602-0629, will represent the Respondent.

If there are any questions regarding this hearing, please contact me at the above noted address or telephone number.

Chris Hoke 9/8/87
Chris Hoke (Date)
Hearing Officer

Transmitted To: William S. Gordon, Jr. (By Certified Mail/Return Receipt Requested)
Julia Renfrow
Stacy Covil through James F. Stamey
Victoria Voight

#3464A

MECKLENBURG COUNTY

Department of Environmental Health

June 17, 1987

William S. Gordon, Jr.
3624 Sandy Porter Road
Charlotte, NC 28210

Dear Mr. Gordon:

I made another soils investigation at 12100 York Road on June 16. I made borings in the front, middle and rear areas of the property as you and I discussed.

The soils have virtually the same conditions as were noted in the initial investigation. Evidence of perched water was noted as shallow as six inches in places.

Saprolite depth ranges from approximately twenty to thirty two inches. Expanding clay minerals are present. These soils are unsuitable for septic tank system installation as per North Carolina septic tank system rules.

Sincerely,

William R. Marlin

William R. Marlin
Soil Scientist

WRM/ir

MECKLENBURG COUNTY
Department of Environmental Health

June 4th, 1987

William S. Gordon, Jr.
3624 Sandy Porter Road
Charlotte, NC 28210

RE: Property located at 12100 York Road
FILE: 3464A
PARCEL: 20122102

Dear Sir:

At your request a soils investigation was conducted on the property designated above. Results of this investigation showed the site to be classified as UNSUITABLE under criteria as set forth in Section .1900 of the North Carolina Administrative Code, Title 10, Department of Human Resources, Chapter 10, Division of Health Services; Sanitary Engineering Section, Subchapter 10A, Sanitation. A copy of the Site Evaluation Report (Serial Number 14186) is enclosed.

The soil on this property is not suitable for use with any conventional system, modified or alternative, with which I am aware.

If I can be of assistance, please do not hesitate to call.

Sincerely,

Sylvia D. Daniel

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

Enclosure

MECKLENBURG COUNTY ENVIRONMENTAL HEALTH
SITE EVALUATION REPORT
SERIAL NUMBER 14186

File: 3464A
Parcel: 20122102

Action 3
☐ PC

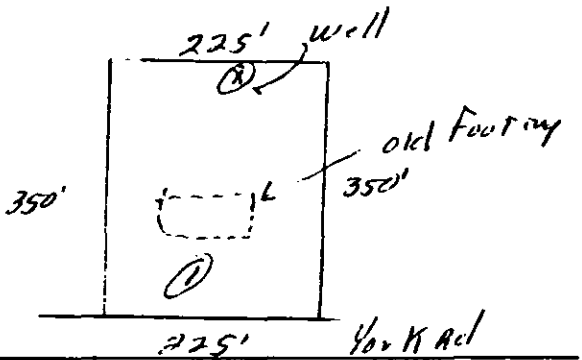
Location: 12100 York Road
Subdivision:
Lot: Block: Acres: Approx 1.8 ac.

Owner: William S. Gordon, Jr.
Address: 3624 Sandy Porter Road
Charlotte, NC 28210

Comments: _____

Described by: William A. Mullis
Date: 6-4-97

Dimensions Approximate



***** 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 2-6%	S PS U	S PS U	S PS U	S PS U	S PS U
Texture	S PS (U) 2-1C clay	S PS U	S PS U	S PS U	S PS U	S PS U
Structure	S (PS) U weak Blocky	S PS U	S PS U	S PS U	S PS U	S PS U
Drainage	S PS (U) 12" over 55 Saprolite	S PS U	S PS U	S PS U	S PS U	S PS U
Depth	S PS (U) 31" wetness	S PS U	S PS U	S PS U	S PS U	S PS U
Restrictive Horizons	S PS (U) 31"	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 Iredell-Ln					
Area Classification	S PS (U)	S PS U	S PS U	S PS U	S PS U	S PS U

APPLICATION FOR SOIL INVESTIGATION

MECKLENBURG COUNTY · ENVIRONMENTAL HEALTH ·

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

(OFFICE USE ONLY)

FILE: 3464A

TC: 201221-02

☐ PC ☐ REPT

JOB LOCATION

① ADDRESS: 12200 York Rd.

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

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

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

OWNER

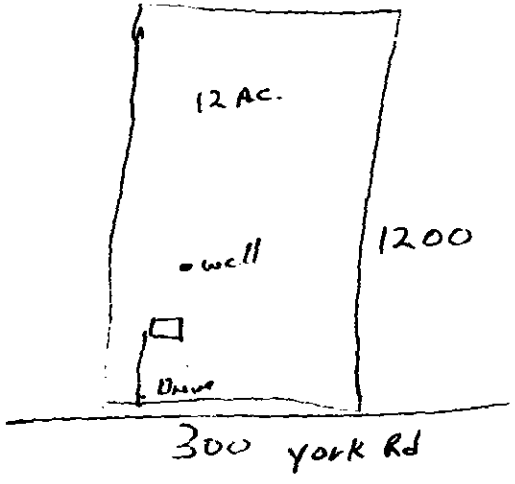
⑦ NAME: William (FIRST) Stafford (MIDDLE) Gordon Jr. (LAST)

⑧ MAILING ADDRESS: 3624 Sandy Porter Rd

⑨ CITY: Charlotte N.C. ⑩ STATE: N C ⑪ ZIP: 28210

⑫ PHONE: (WORK) 588-1385 (HOME) 588-5714

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: W. S. Gordon

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

Date: 5/27/87

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

APPLICATION FOR SOIL INVESTIGATION

MECKLENBURG COUNTY ENVIRONMENTAL HEALTH

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

(OFFICE USE ONLY)

FILE: 3464A

TC: 201221-02

☐ PC ☐ REPT

JOB LOCATION

① ADDRESS: 12200 York Rd.

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

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

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

OWNER

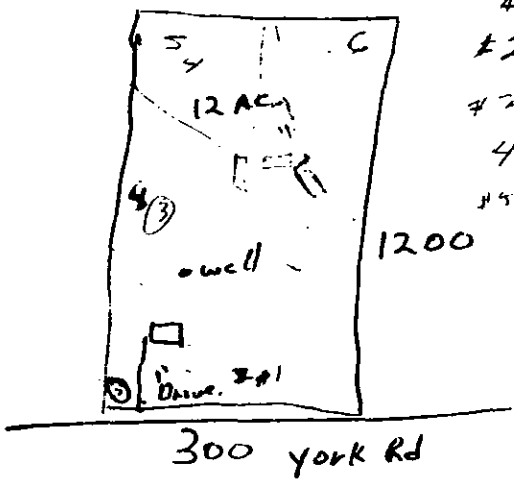
⑦ NAME: William (FIRST) Stafford (MIDDLE) Gordon Jr. (LAST)

⑧ MAILING ADDRESS: 3624 Sandy Porter Rd

⑨ CITY: Charlotte N.C. ⑩ STATE: N C ⑪ ZIP: 28210

⑫ PHONE: (WORK) 588-1385 (HOME) 588-5714

⑬ Accurately diagram and dimension lot.



#1 24" 12" single line 28"
#2 16" 23"
#3 12" 32"
4 6" ≈ 24"
#5 6" ≈ 4"

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: W. S. Gordon

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Date: 5/27/87

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

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: 3464A
TC: _____
SERIAL: № 13583 ☐ L ☐ CRT

JOB LOCATION

① ADDRESS: [redacted] (STREET NO.) 12100 York Rd (STREET) ② FILE: _____
③ JURISDICTION: _____ ④ TAX PARCEL NO.: 201-221-02
⑤ SUBDIVISION: _____ ⑥ LOT: _____ ⑦ BLOCK: _____

OWNER

⑧ NAME: W. S. Gordon (FIRST) (MIDDLE) (LAST)
⑨ MAILING ADDRESS: 2819 Hatfield Rd
⑩ CITY: Charlotte ⑪ STATE: N.C. ⑫ ZIP: 28210
⑬ PHONE: (WORK) 375-9152 ⑭ (HOME) 588-2476

REQUEST

This request is for a(n):

⑮ ☑ New permit
⑯ ☐ Repair or alteration permit
⑰ ☐ Authorization for mobile home exchange
⑱ ☒ Other (specify) [redacted] 5/21/87

DESIGN CRITERIA

System will serve:

⑲ ☑ Residence ⑳ ☐ Mobile home
㉑ ☐ Business or place of public assembly
㉒ Number of bedrooms? 3
㉓ Maximum occupancy? 3
㉔ Basement? ☐ yes ☑ no
㉕ Type? _____
㉖ Maximum number of employees? _____
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: W. S. Gordon
Date: 5/21/87

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.

_____ / _____
Environmentalist Date

_____ / _____
Director or Authorized Section Head 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

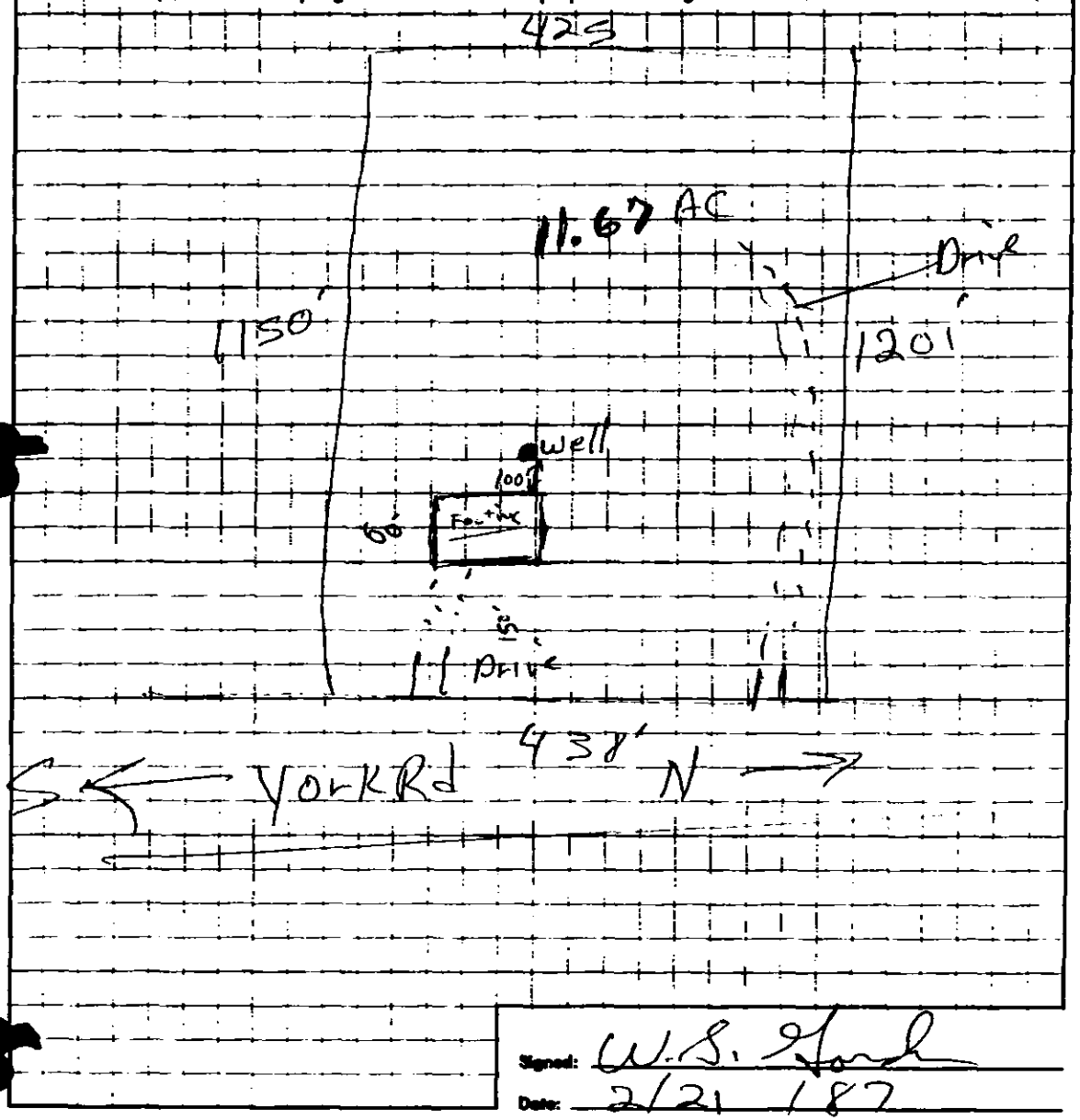
MECKLENBURG COUNTY · ENVIRONMENTAL HEALTH ·

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

FILE: 3464A

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: W. S. Hook

Date: 2/21/87