



Jonathan Klein, MD, Chair
Orange County Board of Health

Orange County Health Department

Rosemary L. Summers, MPH, DrPH
Health Director

Janet Southerland, DDS, Vice-Chair
Orange County Board of Health



Environmental Health Division
Ron Holdway, Division Director

306-C Revere Road, P.O. Box 8181
Hillsborough, NC 27278
www.co.orange.nc.us/orange/envhlth/

Betty Borland
Administrative Assistant

Barbara Stokes
Office Assistant

Phone: (919) 245-2360 FAX: (919) 644-3006
Chapel Hill Durham Mebane
(919) 968-4501 (919) 688-7331 (919) 227-2031

June 13, 2002

Michael Canova
Town of Carrboro Building Inspections
301 Main St.
Carrboro, NC 27510

Dear Mr. Canova:

By way of this letter, I am notifying you of the status of applications that were submitted to our office for the Lela Lou Merritt / Tony Merritt property at 3200 Damascus Church Rd. [TMBL 7.119..7B] [PIN 9777367019].

On May 29, 2002, we received an application for an Improvement Permit and Construction Authorization. Through Mr. Merritt's attorney and a soil scientist that he hired, we scheduled an appointment to conduct evaluations on the afternoon of June 11th. We received a call that morning from Mr. Loftin instructing us that we need not continue with the appointment. Apparently Mr. Merritt was not interested in pursuing an approved septic system to serve the home and office that was constructed on the property.

Therefore, our determination is that the home can not be legally occupied, nor can the continued use of the illegal septic system be allowed for the following reasons:

1. The person owning and controlling the residence has not provided an approved wastewater system required by NCGS 130A-335(a).
2. Our department has not conducted an evaluation of the site as required in NCGS130A-336(a) and 15A NCAC 18A .1900. Although an application has been made after the fact, Mr. Merritt is apparently not willing for us to complete the evaluation of his property.
3. Neither an Improvement Permit nor a Construction Authorization was issued by our office as required in accordance with NCGS 130A-336 and 15A NCAC 18A .1900. Subsequently, no building permit can be issued in accordance with NCGS 130A-338.
4. No inspection of the existing septic system was made as required by NCGS 130A-337(a) and 15A NCAC 18A .1900.

5. An Operation Permit was never issued by our office that allows the septic system to be placed into use in accordance with NCGS 130A-337 and 15A NCAC 18A .1900. Subsequently, electrical service can not be allowed to this residence in accordance with NCGS 130A-339.
6. It has been determined at a site visit made earlier, that the existing system can not be approved because of its location, and the fact that it does not contain the required components, and was installed without the required permits and inspections.

I have attached the pertinent section of the North Carolina General Statutes for your reference. Please let me know if you need any further information.

Sincerely,

Tom Konsler, RS
Environmental Health Supervisor

Cc: Geof Gledhill
Ron Holdway
Nick Hermann
John Loftin
Lela Merritt
Tony Merritt
Phil Vilaro
File [7.119..7B]