

ORDINANCE NO.: 2016-044

Granting an encroachment to Kristine Moore and Richard Moore for installation and maintenance of concrete and brick driveway and landscaping within the right of way area of the 3400 block of Heyward Street adjacent to property located at 3404 Heyward Street, Richland County TMS #11405-14-17

WHEREAS, Kristine Moore and Richard Moore (hereinafter "Grantees") desire to use a portion of the right of way area of the 3400 block of Heyward Street adjacent to their property located at 3404 Heyward Street, Richland County TMS #11405-14-17 for installation and maintenance of concrete and brick driveway approximately four (4') feet in length and nine (9') feet in width, as shown on the attached drawings; and,

WHEREAS, it appears that the encroachment will not interfere with the use of the medians or street for traffic, utility locations or other uses within the foreseeable future; NOW, THEREFORE,

BE IT ORDAINED by the Mayor and City Council of the City of Columbia, South Carolina, this ___ day of _____, 2016 that Grantees are hereby granted the right to use a portion of the right of way area of the 3400 block of Heyward Street adjacent to their property located at 3404 Heyward Street, Richland County TMS #11405-14-17 for installation and maintenance of concrete and brick driveway approximately four (4') feet in length and nine (9') feet in width, as shown on the attached drawings.

ALL WORK SHALL COMPLY with the requirements of The City of Columbia and South Carolina Department of Transportation now in existence or hereafter enacted. The materials and type of finish to be used are to be approved by the City Engineer prior to installation. Any damage to the street or sidewalk caused by construction shall be repaired to the satisfaction of the City Manager. Improvements within the encroachment shall be maintained by the grantee at no cost to the City in a manner approved by the City Manager.

PROVIDED FURTHER that the privilege granted hereby is subject to the Grantee complying with the following conditions, restrictions or limitations:

1. No item, including landscaping, shall be placed, planted or allowed to grow such that it creates a visual impediment to persons safely entering or exiting the driveway or to persons safely walking along the sidewalk. The City reserves the right to remove or cut any item located within the right of way which it deems to be a safety hazard.
2. Grantee is responsible for all costs and repair of the improvements within the right of way area should the City have to dig in the area or remove any part thereof for maintenance to City water and or sewer lines.
3. Certificate of Design Approval required prior to the issuance of any permits.
4. All trees shall be protected and no large tree roots shall be removed from any existing trees.

PROVIDED FURTHER that the privilege granted hereby may be modified or terminated by Columbia City Council at any time without notice to the Grantee, his successors and assigns.

PROVIDED FURTHER that a certificate of insurance be issued as evidence of general liability insurance with at least the minimum amount of \$600,000.00 for personal injury and property damage and naming the City as an insured, be provided to and filed annually with the City Clerk by Grantee, his successors and assigns, as required by Chapter 11, Licenses, Permits, Business Regulations, Article III, Contractors, Sec. 11-71, 1998 Code of Ordinances of the City of Columbia, South Carolina.

BE IT FURTHER ORDAINED that Grantee, in consideration of the above privilege, shall at his expense provide for protection and relocation of all utilities that might be within this area to the satisfaction of the City Manager.

Requested by:

Assistant City Manager Gentry

Mayor

Approved by:

City Manager

Approved as to form:

ATTEST:



City Attorney

City Clerk

Introduced:

Final Reading:

LEGAL DEPARTMENT DRAFT

**CITY COUNCIL
ENCROACHMENT SUMMARY
2016-044**



**3400 BLOCK OF HEYWARD STREET
ADJACENT TO 3404 HEYWARD STREET
CONCRETE AND BRICK DRIVEWAY**

Subject Property:	Right-of-way adjacent to 3404 Heyward Street, TMS#11405-14-17
Council District:	3
Proposal:	The applicant is requesting an encroachment for installation and maintenance of a concrete and brick driveway
Applicant:	Kristine and Richard Moore
Staff Recommendation:	Approval.

Detail:	<p>The applicant is requesting an encroachment for the construction of a concrete and brick driveway approximately four (4') feet in length and nine (9') feet in width, as shown on the attached drawing.</p> <p>Conditions of the proposed encroachment are as follows:</p> <ol style="list-style-type: none"> 1. No item, including landscaping, shall be placed, planted or allowed to grow such that it creates a visual impediment to persons safely entering or exiting the driveway or to persons safely walking along the sidewalk. The City reserves the right to remove or cut any item located within the right of way which it deems to be a safety hazard; 2. Grantee is responsible for all costs and repair of the improvements within the right of way area should the City have to dig in the area or remove any part thereof for maintenance to City water and or sewer lines; and 3. Certificate of Design Approval required prior to the issuance of any permits.
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CITY AGENCY COMMENTS FOR ENCROACHMENT

Forestry	Recommend approval.
Streets	Recommend approval.
Utilities and Engineering	Recommend approval.
Traffic Engineering	Recommend approval.
Planning	Recommend approval.
Land Development	Recommend approval.
Fire	Recommend approval.

REQUEST FOR A PERMANENT RESIDENTIAL OR CHURCH DIRECTIONAL SIGNS ENCROACHMENT ORDINANCE

For a continuing encroachment on any type of property in which the City has an interest (i.e., rights of way, tree zone, sidewalk, streets), the person or entity is required to have an encroachment ordinance enacted by City Council permitting the encroachment. Encroachment ordinances are required for but not limited to: irrigation systems; landscaping; fencing; walls; pavers; walkways; outdoor dining items (chairs, tables, umbrellas, etc.); awnings; bollards and directional signs (i.e., churches) *Business signs are NOT permitted via an encroachment.* An encroachment must comply with all existing City codes, rules and regulations, the Americans with Disabilities Act, if applicable, and is subject to review and approval by City staff. Enactment of the encroachment ordinance by a majority vote of City Council, which is a discretionary legislative act, is also required. In order to obtain an encroachment ordinance from the City of Columbia, it will be necessary for the City of Columbia to be named as an additional insured on your homeowners' policy with limits being increased to \$600,000 as required by Sec. 11-71. It is recommended that you contact your insurance provider to determine if it will name the City of Columbia as an additional insured prior to submitting your request for an encroachment ordinance. If you have any questions concerning these requirements, please contact Chip Timmons with Risk Management.

Please complete and submit this form along with any attachment(s) to Shari Ardis by e-mail at slardis@columbiasc.net ; fax at 803-737-4250; or mail to Shari Ardis, Legal Department, POB 147 Columbia, SC 29217, for preparation of an encroachment ordinance. Copies to City departments should be directed to the contact person for that department as shown below and not through the Legal Department. Chip Timmons with Risk Management (733-8306 or catimmons@columbiasc.net) should be contacted regarding the insurance requirements.

Date: _____ Property Owner: Kristine + Richard Moore
 Applicant's Name if different from Property Owner: _____
 Contact Information: Telephone Number: 520-299-6583 Fax Number: _____
 Mailing address: 3404 Heyward St., Cda 29205 E-mail address: rkmoore1@gmail.com
 Encroachment Location (Address): 3404 Heyward St.
 (If corner lot, include name and block number of side street, i.e., 1737 Main Street and 1100 block of Laurel Street)
 Tax Map Number for Encroachment Location: R13802-16-02

Encroachment type: Wall Fence Columns Steps Irrigation System Landscaping Driveway Pavers
 Walkway/Side walk Underground Utilities other

If Other - specify: _____
 Dimensions (height/width/length): 45 ft long x 9 1/2 Ft. wide. Driveway will extend to edge of street; box will provide access to water meter
 (i.e., 6'x42' wooden privacy fence; two 12"x4' concrete step; two 12"x12" x24" brick columns; 4'x15' brick paver walkway)

Construction material: concrete w/ brick expansion joints
 Please provide photographs and drawing or site plan drawn to scale - no larger than 8-1/2 x 11.

Church Directional Signs (Must provide picture or drawing of proposed signs that reflect dimensions)

Location(s) signs are to be placed (i.e. Northeast corner of Main Street) _____



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The proposed ordinance will be sent to the requesting party and City offices for review and approval. Johnathan Chambers will compile the recommendations and forward them to the City Clerk for scheduling before City Council. This process may take from 30-90 days.

CONTACT

Johnathan Chambers
 John Fellows
 Brian Cook
 Jerry Thompson
 Vanessa Pinckney
 Amy Moore
 Robert Harkins
 Jenny Daniels
 Robert Anderson
 Robert Sweat
 David Brewer
 Sara Hollar
 John Hooks
 Chip Timmons
 David Koon
 John David Spade

DEPARTMENT

Development Services (Land Development)
 Development Services (Planning)
 Development Services (Zoning)
 Development Services (Building Inspections)
 Development Services (Permits)
 Development Services (Historic Preservation)
 Development Services (Plans Review)
 Utilities & Engineering (Construction Management)
 Public Works (Administration)
 Public Works (Street Division)
 Public Works (Traffic Engineering)
 Public Works (Forestry & Beautification)
 Public Works (Solid Waste)
 Risk Management
 Fire Department
 Parking Services

PHONE

803-545-3333
 803-545-3222
 803-545-3332
 803-545-3420
 803-545-3420
 803-545-3222
 803-545-3420
 803-545-3400
 803-545-3780
 803-545-3790
 803-545-3850
 803-545-3860
 803-545-3800
 803-733-8306
 803-545-3701
 803-545-3070

FAX

803-343-8779
 803-733-8647
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 803-733-8523

E-MAIL

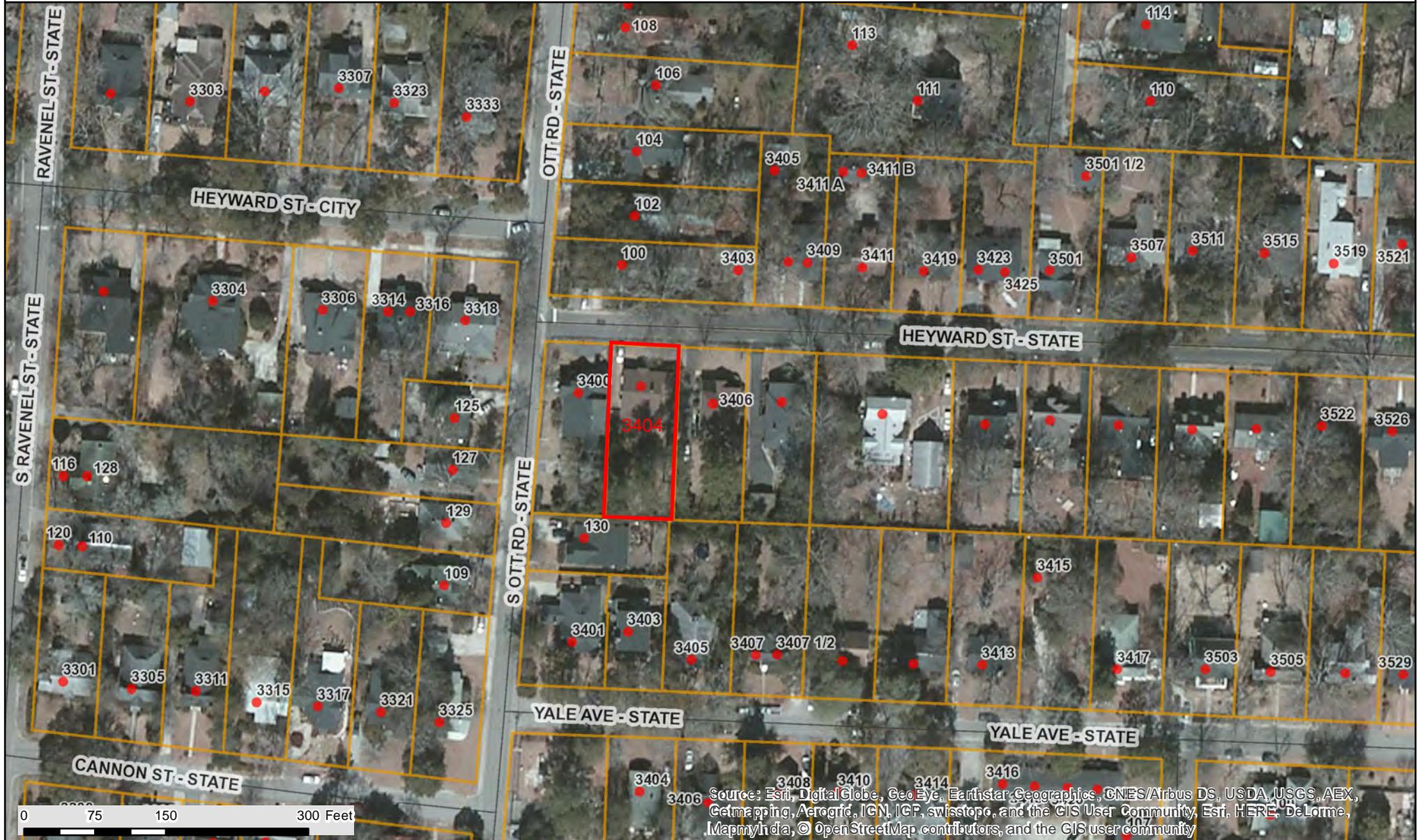
jechambers@columbiasc.net
 jsfellows@columbiasc.net
 kbcook@columbiasc.net
 jlthompson@columbiasc.net
 fcpinckney@columbiasc.net
 aemoore@columbiasc.net
 rharkins@columbiasc.net
 jddaniels@columbiasc.net
 raanderson@columbiasc.net
 rgsweatt@columbiasc.net
 ddbrewer@columbiasc.net
 sehollar@columbiasc.net
 jphooks@columbiasc.net
 catimmons@columbiasc.net
 cfdgkoon@columbiasc.net
 spade@columbiasc.net

City of Columbia

3404 Heyward St. Encroachment



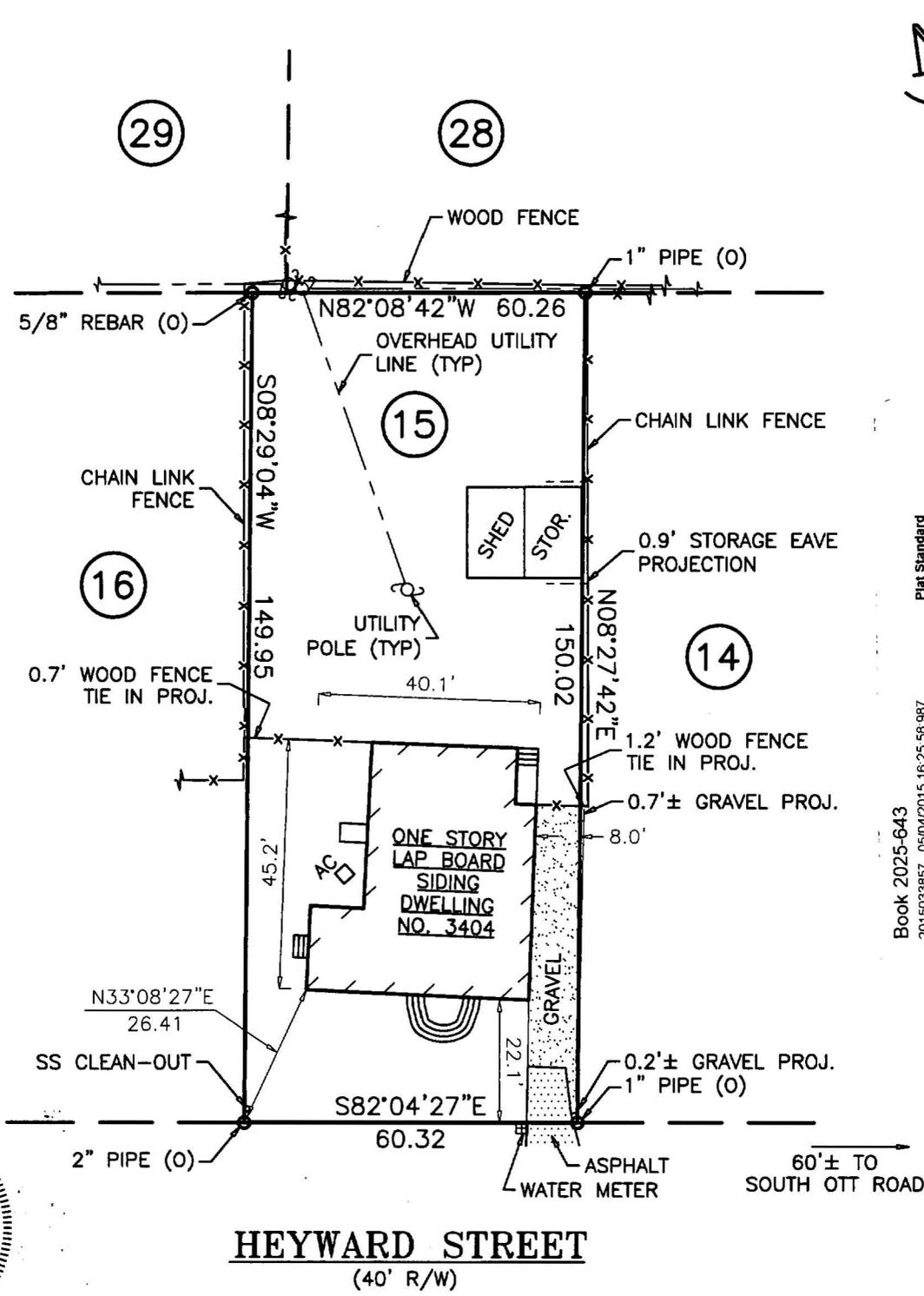
Wednesday, May 25, 2016



CITY OF COLUMBIA GIS DATA DISCLAIMER

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Book 2025-643
2015033857 05/04/2015 16:25:58:987
Plat Standard
State Tax: \$0.00
County Tax: \$0.00
Fee: \$5.00
John T. Hopkins II
Richland County R.O.D.



PLAT PREPARED FOR: RICHARD B. MOORE & KRISTINE D. MOORE RICHLAND COUNTY, COLUMBIA, SOUTH CAROLINA		I HEREBY STATE THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE STANDARDS OF PRACTICE MANUAL FOR SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS B SURVEY AS SPECIFIED THEREIN; ALSO THERE ARE NO VISIBLE ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN. EXEMPTION FROM REVIEW PROCESS THIS PLAT IS A SURVEY OF AN EXISTING LOT OF RECORD WITH NO CHANGES TO EXISTING LOT LINES. RICHARD P. INMAN, P.L.S. NO. 13385
DATE: APRIL 20, 2015	PROJECT NO.: 15109-00	
SCALE: 1"=30' 	TOTAL AREA = 0.21 ACRE RATIO OF PRECISION = 1/10,000 AREA BY COORDINATE METHOD	
REFERENCES: THE SAME BEING SHOWN AND DESIGNATED AS LOT NO. 15, ON PLAT OF MAP OF LAUREL COURT, BY TOMLINSON ENGINEERING COMPANY, DATED APRIL 6, 1925 AND RECORDED IN THE OFFICE OF REGISTER OF DEEDS FOR RICHLAND COUNTY IN PLAT BOOK "E", PAGE 134.		

NOTES:
 1. THIS PROPERTY IS POSSIBLY SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD NOT SHOWN HEREON.
 2. THIS PROPERTY MIGHT HAVE UNDERGROUND UTILITIES THAT ARE NOT VISIBLE AT THE SURFACE.
 3. NO FLOOD ZONE INSPECTION AT THIS TIME.

INMAN LAND SURVEYING COMPANY, INC.
 2223 BULL STREET COLUMBIA SOUTH CAROLINA 29201
 PHONE 252-1797 FAX 252-1798



S-253



S-253





