

ORIGINAL
STAMPED IN RED

ORDINANCE NO.: 2014-044

Granting an encroachment to S. Katherine Presty and Stephen M. Tuel for construction and maintenance of a brick retaining wall, brick columns, aluminum railing, brick pavers, landscaping and an irrigation system within the right of way area of the 400 block of Edisto Avenue adjacent to their property at 419 Edisto Avenue, Richland County TMS #11307-06-05

WHEREAS, S. Katherine Presty and Stephen M. Tuel, (hereinafter "Grantees") desire to utilize a portion of the right of way area of the 400 block of Edisto Avenue adjacent to their property at 419 Edisto Avenue for installation and maintenance of a brick retaining wall approximately forty-five (45') feet in length, ten (10') feet in height and eight (8") inches in diameter with five (5) columns approximately eight (8') feet in height and twenty (20") inches in diameter, brick pavers approximately fifteen (15') feet in length and ten (10') feet in width, landscaping and an irrigation system, as shown on the attached drawings; and,

WHEREAS, it appears that the encroachment will not interfere with the use of the sidewalk 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 10th day of June, 2014 that Grantees are granted the right to utilize a portion of the right of way area of the 400 block of Edisto Avenue adjacent to their property at 419 Edisto Avenue for installation and maintenance of a brick retaining wall approximately forty-five (45') feet in length, ten (10') feet in height and eight (8") inches in diameter with five (5) columns approximately eight (8') feet in height and twenty (20") inches in diameter, brick pavers approximately fifteen (15') feet in length and ten (10') feet in width, landscaping and an irrigation system, as shown on the attached drawings.

ALL WORK SHALL COMPLY with the requirements of the City of Columbia, South Carolina Department of Transportation and FEMA 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, HOWEVER, that in exercising the privileges granted under this ordinance, Grantee, his successors and assigns, will indemnify and save harmless the City from any and all claims or causes of action which may arise by reason of the construction or maintenance of the aforesaid encroachment.

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.

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2. All trees shall be protected and no large tree roots shall be removed from any existing trees.

3. 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.

4. Obstructions of more than four (4') feet in height are prohibited within the sight-visibility triangle.

5. Landscaping to be maintained by property owner.

6. Irrigation must be designed to avoid spraying walkways, sidewalks and streets and/or creating hazardous conditions upon the walkways, sidewalks and streets.

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:

S. Katherine Presty and Stephen M. Tuel


MAYOR

Approved by:


City Manager

Approved as to form:


City Attorney

Introduced: 5/20/2014

Final Reading: 6/10/2014

ATTEST:

City Clerk

**CITY COUNCIL
ENCROACHMENT SUMMARY
2014-044**



**400 BLOCK OF EDISTO AVENUE
ADJACENT TO 419 EDISTO AVENUE
RETAINING WALL**

Subject Property:	Right-of-way adjacent to 400 block of Edisto Avenue adjacent to 419 Edisto Avenue, TMS#11307-06-05
Council District:	3
Proposal:	The applicant is requesting an encroachment for installation and maintenance of retaining wall
Applicant:	S. Katherine Presty and Stephen M. Tuel
Staff Recommendation:	Approval

Detail:	<p>The applicant is requesting an encroachment to replace an existing brick retaining wall approximately forty-five (45') feet in length, ten (10') feet in height and eight (8") inches in diameter with five (5) columns approximately eight (8') feet in height and twenty (20") inches in diameter, brick pavers approximately fifteen (15') feet in length and ten (10") feet in width, landscaping and an irrigation system, as shown on the attached drawings.</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. All trees shall be protected and no large tree roots shall be removed from any existing trees. 3. 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. 4. Obstructions of more than four (4') feet in height are prohibited within the sight-visibility triangle. 5. Landscaping to be maintained by property owner. 6. Irrigation must be designed to avoid spraying walkways, sidewalks and streets and/or creating hazardous conditions upon the walkways, sidewalks and streets.
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CITY AGENCY COMMENTS FOR ENCROACHMENT

Planning	Recommend approval. The elevations and site plan submitted with the encroachment application are the same ones approved by the D/DRC on March 14, 2013. We recommend approval as long as the project adheres to the Certificate of Design Approval issued on April 2, 2013.
Streets	Recommend approval.
Utilities and Engineering	Recommend approval.

Traffic Engineering	Recommend approval.
Forestry	Recommend approval. If there is any pruning or trimming of trees, contractor needs to call Forestry & Beautification Contractor needs to call Forestry & Beautification if they run into any tree roots when installing new brick wall and footers. Industry standard tree protection needs to be in place for the trees in the ROW, for the duration of this project.
Land Development	Recommend approval.
Fire	Recommend approval.

REQUEST FOR AN 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: S. Katharine Presty & Stephen M. Tuel

Applicant's Name if different from Property Owner: _____

Contact Information: Telephone Number: 803 730-8801 Fax Number: _____

Mailing address: 1616 Catawba St. Columbia, SC 29205 E-mail address: 419edisto@gmail.com

Encroachment Location (Address): _____

(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: _____

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Encroachment type: Wall Fence Columns Steps Irrigation System Landscaping Driveway Pavers

Walkway/Side walk Underground Utilities other

If Other - specify: footers and concrete block + brick face to bolster existing wall as per Chao Engineer letter/

Dimensions (height/width/length): Footers 24" with 8" concrete block faced with standard brick

Brick soldiers along sidewalk to control erosion

(i.e., 6x42" wooden privacy fence; two 12 x4" concrete step; two 12 x12" x24" brick columns; 4x15" brick paver walkway)

Construction material: See above

Please provide photographs and drawing or site plan *drawn to scale* - no larger than 8-1/2 x 11. As per DDRC approved site plans

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<p><u>Church Directional Signs</u> (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) _____</p>	
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Businesses only: Outdoor dining No. of chairs: _____ No. of Tables _____

Hours of operation for outdoor dining: _____

Number of planters: _____ Awning: _____ (dimensions - size/material) _____

Other: _____ (or complete applicable "Encroachment type" section above)

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	DEPARTMENT	PHONE	FAX	E-MAIL
Krista Hampton	Development Services (Administration)	803-545-3420	803-733-8647	kmhampton@columbiasc.net
Johnathan Chambers	Development Services (Land Development)	803-545-3333	803-343-8779	jchambers@columbiasc.net
Nancy Lee Trihey	Development Services (Planning)	803-545-3222	803-733-8647	ntrihey@columbiasc.net
John Fellows	Development Services (Planning)	803-545-3222	803-733-8647	jsfellows@columbiasc.net
Brian Cook	Development Services (Zoning)	803-545-3332	803-733-8647	kbcCook@columbiasc.net
Jerry Thompson	Development Services (Building Inspections)	803-545-3420	803-733-8699	jthompson@columbiasc.net
Fanessa Pinckney	Development Services (Permits)	803-545-3420	803-733-8699	fcPinckney@columbiasc.net
Amy Moore	Development Services (Historic Preservation)	803-545-3222	803-733-8647	aemoore@columbiasc.net
Joey Jaco	Utilities & Engineering (Administration)	803-545-3400	803-988-8199	jdjaco@columbiasc.net
Dana Higgins	Utilities & Engineering (Construction Management)	803-545-3372	803-545-4130	dnhiggins@columbiasc.net
Robert Anderson	Public Works (Administration)	803-545-3780	803-733-8648	raanderson@columbiasc.net
Robert Sweat	Public Works (Street Division)	803-545-3790	803-545-3785	rgsweat@columbiasc.net
David Brewer	Public Works (Traffic Engineering)	803-545-3850	803-733-8648	ddbrewer@columbiasc.net
Sara Hollar	Public Works (Forestry & Beautification)	803-545-3860	803-733-8648	sehollar@columbiasc.net
John Hooks	Public Works (Solid Waste)	803-545-3800	803-733-8648	jhooks@columbiasc.net
Fred Deik	Columbia Development Corporation	803-988-8040	803-988-8039	cdc@columbiasc.net
Chip Timmons	Risk Management	803-733-8306	803-733-8245	catimmons@columbiasc.net
George Adams	Fire Department	803-545-3701	803-401-8839	cfgadams@columbiasc.net
Gerald Koon	Fire Department	803-545-3701	803-401-8839	cfdkoon@columbiasc.net
John David Spade	Parking Services	803-545-3070	803-733-8523	jspade@columbiasc.net





A NEW RESIDENCE FOR STEPHEN TUEL AND KATHARINE PRESTY

GENERAL NOTES:

1. All work shall be performed in accordance with all applicable national, state, local codes and regulations.
2. Contractor shall verify all dimensions and dimensions in site before beginning construction. Any discrepancies shall be reported to Custom House Design by Long South for correction before proceeding with work. Contractor will assume responsibility of errors not reported.
3. All exterior dimensions to outside of stud bearing structure to center of cut. Dimensions should be re-measured before start.
4. All footings to be below frost line, see local codes and must rest on undisturbed soil, unless engineer for any specific cut.
5. Contractor to verify all site requirements from other local codes or development.
6. All steel, concrete, and steel structural members shall be of good grade and quality and shall be national and local codes.
7. All framing shall be to be designed and sealed by an engineer.
8. All floor joists to be designed by steel manufacturer, and meet minimum HVAC duct system.
9. All floor joists to be verified in site, confirm previous drawings any from house.
10. HVAC system builder to provide detail.
11. Sublet work adhere to use 2009 energy codes.

GENERAL FINISHING NOTES:

1. All exterior finished walls dimensions are based on the finish unless otherwise noted.
2. All steel, rebar, trusses shall be painted over steel finish.
3. See hardware schedule.
4. All steel framing members (LVL's) beams, etc., to be designed by local structural engineer and supply noted drawings.
5. Roof and Ceiling for the house to be designed by steel manufacturer. Manufacturer to supply shop drawings and content by engineer.
6. Roof sheathing to be 1/2" CDX for approved equal/insulated per manufacturer specifications. Roofing suitable to be 1/2" OSB or 1" OC at edges and 1" OC in intermediate spans. Roof spacing type edge clips per manufacturer specifications.



418 EDISTO AVENUE, COLUMBIA, SC

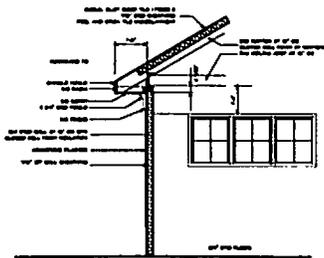
- A-1 COVER SHEET**
- A-2 FOUNDATION PLAN & DETAILS**
- A-3 BASEMENT PLAN**
- A-4 MAIN FLOOR PLAN**
- A-5 SECOND FLOOR PLAN**
- A-6 ATTIC PLAN AND DETAILS**
- A-7 FRONT AND LEFT SIDE ELEVATION**
- A-8 REAR AND RIGHT SIDE ELEVATION**
- A-9 STRUCTURAL DETAILS**
- B-1 SITE PLAN AND DETAILS**

BASEMENT HEATED SQ. FEET	204
MAIN LEVEL HEATED SQ. FEET	2366
SECOND FLOOR HEATED SQ. FT	2366
TOTAL HEATED SQ. FEET	4936
BASEMENT UNHEATED SQ. FEET	1690
PORCHES AND BALCONY SQ. FEET	610

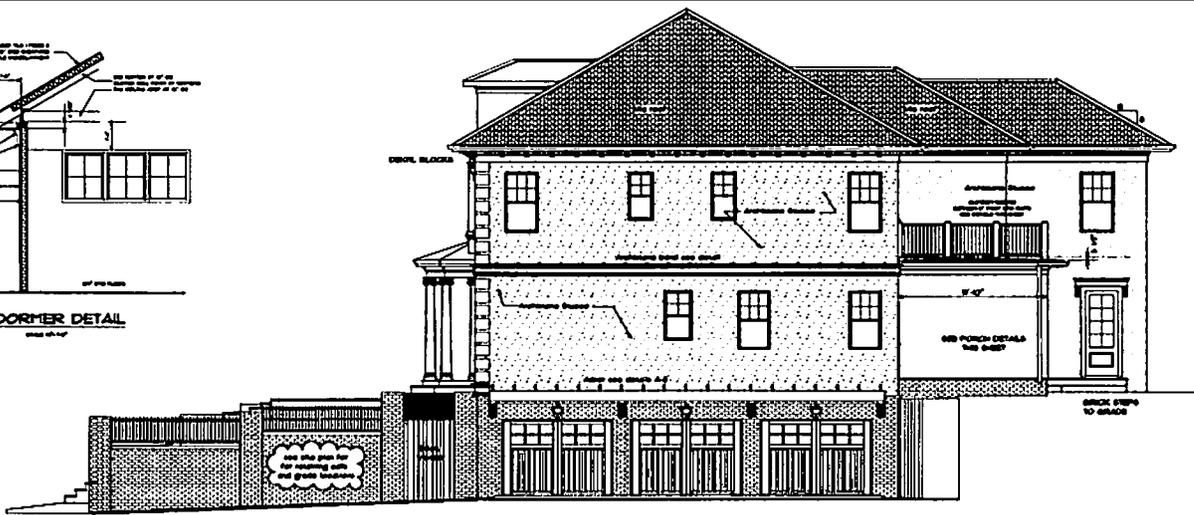
CUSTOM HOUSE DESIGN
 BY LANG SOUTH
 1001 W. COLLEGE ST. COLUMBIA, SC 29201
 803.733.1100

SOFTPLAN
 PROFESSIONAL SOFTWARE CORPORATION
 1001 W. COLLEGE ST. COLUMBIA, SC 29201
 803.733.1100

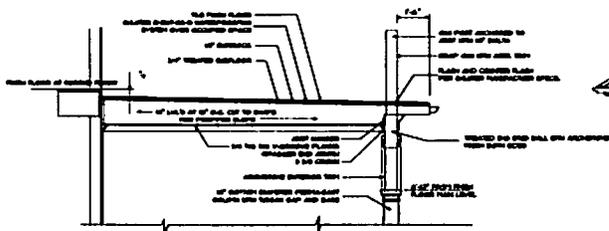
LORCHOWSKI & ASSOCIATES
 STEPHEN TUEL & KATHARINE PRESTY
 418 EDISTO AVENUE, COLUMBIA, SC



DORMER DETAIL
Scale 1/4" = 1'-0"



RIGHT SIDE ELEVATION
Scale 1/4" = 1'-0"



OUTDOOR BALCONY DETAIL
Scale 1/4" = 1'-0"



REAR ELEVATION

CUSTOM HOUSE DESIGNS
BY LANG SAUTER
1400 W. 10TH AVE. SUITE 100
DENVER, CO 80202
TEL: 303.733.1000
WWW.CUSTOMHOUSEDESIGNS.COM

SOFTPLAN
ARCHITECTURAL DESIGN SOFTWARE

UNIVERSITY MICROFILMS
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