

ORDINANCE NO.: 2014-072

Granting an encroachment to Tim S. Peterson for construction and maintenance of a wooden boardwalk within the right of way area of the 2000 block of Senate Street adjacent to his property at 2006 Senate Street, Richland County TMS #11405-10-01

ORIGINAL
STAMPED IN RED

WHEREAS, Tim S. Peterson (hereinafter "Grantees") desire to use a portion of the right of way area of the 2000 block of Senate Street adjacent to his property located at 2006 Senate Street, Richland County TMS #11405-10-01 for installation and maintenance of a wooden boardwalk approximately ten (10') feet in length and ten (10') feet in width, 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 15th day of July, 2014, that Grantees are granted the right to utilize a portion of the right of way area of the 2000 block of Senate Street adjacent to his property located at 2006 Senate Street, Richland County TMS #11405-10-01 for installation and maintenance of a wooden boardwalk approximately ten (10') feet in length and ten (10') feet in width, 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.
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.

ORIGINAL
STAMPED IN RED

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:

Tim S. Peterson



Mayor

Approved by:



City Manager

Approved as to form:



City Attorney

ATTEST:


City Clerk

Introduced: 6/24/2014

Final Reading: 7/15/2014

**CITY COUNCIL
ENCROACHMENT SUMMARY
2014-072**



**2000 BLOCK OF SENATE STREET
ADJACENT TO 2006 SENATE STREET
BOARDWALK**

Subject Property:	Right-of-way adjacent to 2006 Senate Street, TMS#11405-10-01
Council District:	
Proposal:	Request for an encroachment to install and maintain a 10 ft. by 10 ft. boardwalk
Applicant:	Tim S. Peterson
Staff Recommendation:	Approval

Detail:	The applicant is requesting an encroachment to install and maintain a 10 ft. by 10 ft. boardwalk for ingress/egress adjacent to the building located at 2006 Senate Street, as shown on the attached drawings.
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CITY AGENCY COMMENTS FOR ENCROACHMENT

Planning & Development Services	Recommend approval.
Streets	Recommend approval.
Utilities and Engineering	Recommend approval.
Traffic Engineering	Recommend approval.
Forestry	Recommend approval.
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.

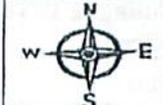
Date: 5/02/2014 Property Owner: Tim S. Peterson
 Applicant's Name if different from Property Owner: Hanna Tsegaye
 Contact Information: Telephone Number: (206) 216-2023 Fax Number: _____
 Mailing address: 24 Cabin Court Irmo SC 29063 E-mail address: handtse@yahoo.com
 Encroachment Location (Address): 2006 Sumner 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: _____

Encroachment type: Wall Fence Columns Steps Irrigation System Landscaping Driveway Pavers
 Walkway/Side walk Underground Utilities other
 If Other - specify: Reconnect walkway to street for access to existing walk,
 Dimensions (height/width/length): 10' x 10' new concrete Apron

(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: _____
 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) _____



Businesses only: Outdoor dining No. of chairs: _____ No. of Tables _____
 Hours of operation for outdoor dining: 11:00 AM - 8 hours
 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	nltrihey@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	kbcook@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	drhiggins@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	rgsweatt@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	jphooks@columbiasc.net
Fred Delk	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	cdgadams@columbiasc.net
Gerald Koon	Fire Department	803-545-3701	803-401-8839	cdgkoon@columbiasc.net
John David Spade	Parking Services	803-545-3070	803-733-8523	spade@columbiasc.net



11405-10-03

11405-10-01

Senate St

11405-04-02

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Book 1458-3699

Fee: \$10.00 County Tax: \$0.00

State Tax: \$0.00



TITLE TO REAL ESTATE
Quit Claim Deed

KNOW ALL MEN BY THESE PRESENTS, That Donald J. Petersen
individually (hereinafter called "Grantor"), for and in consideration of the sum of
Five and No/100ths (\$5.00) Dollars paid by Tim S. Petersen (hereinafter called
"Grantee") (the receipt of which is hereby acknowledged) have granted, bargained, sold
and released, and by these Presents do grant, bargain, sell and release, unto the Grantee,
his heirs, successors and assigns:

All that certain piece, parcel or lot of land, together with the improvements thereon, situate, lying and being in the City of Columbia, County of Richland, State of South Carolina, on the South side of Senate Street, between Hawkins Street and the Southern Railway, being shown and designated as Lot Number 20 on a plat of the property of Joseph Walker prepared by Tomlinson Engineering Co., dated June 10, 1918 and recorded in the Office of the Register of Deeds for Richland County in Plat Book C at Page 53. Said lot measuring on its Northern and Southern sides 40 feet, more or less; and on its Eastern and Western sides 117 feet, more or less, being bounded on the North by Senate Street; East by Lot Number 19; South by Lot Number 17 and West by Lot Number 21, all of which will more fully appear by reference to said plat.

This being the same property conveyed to the Tim S. Petersen and Lamona Petersen by deed of William A. Jerry, dated March 18, 2003 and recorded in the Office of the Register of Deeds for Richland County in Record Book R771 at Page 443.

TMS #: 11405-10-01

This conveyance is made subject to easements and restrictions of record and otherwise affecting the property.

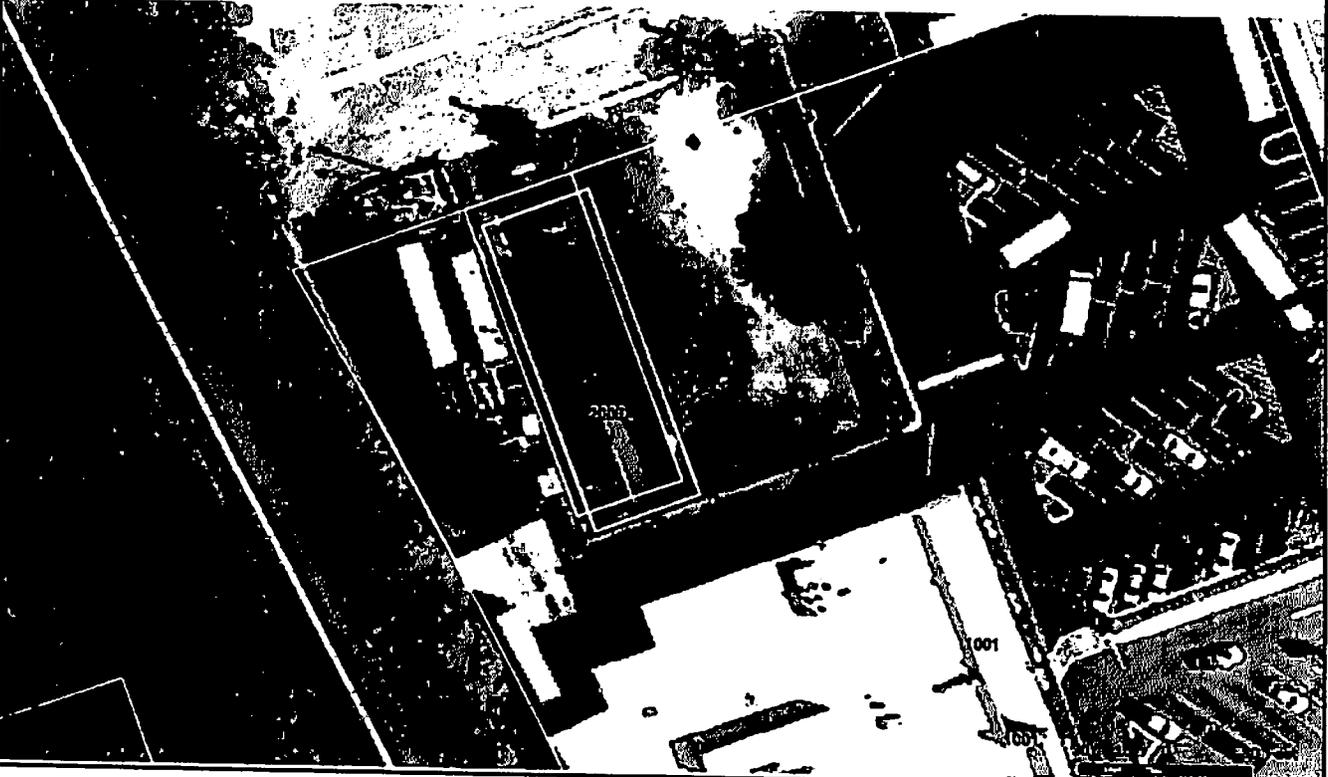
TOGETHER with all and singular the Rights, Members, Hereditaments and Appurtenances to the Premises belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular the premises before mentioned unto the Grantee, his Heirs, Successors and Assigns forever.

Any reference in this instrument to the singular shall include the plural, and vice versa. Any reference to one gender shall include the others, including the neuter. Such

*Grantee's address: 2006 Senate St
Columbia, SC 29201*

Richland County Map



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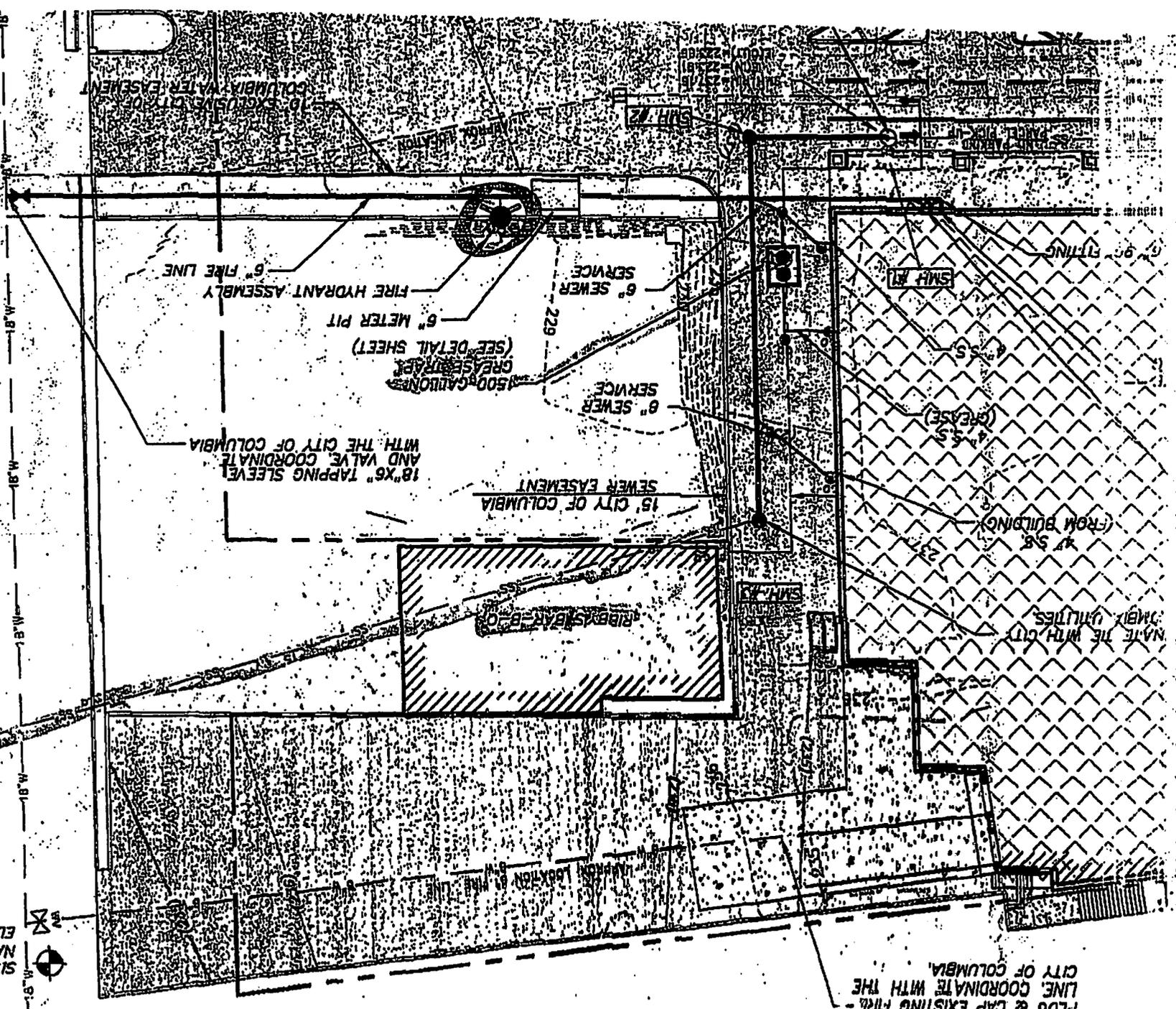
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SENATE STREET

APPROX. LOCATI
ON




 SITE BENCHMARK
 NAIL IN ASPHALT
 ELEV. = 235.46'

PLUG & CAP EXISTING FIRE-
 LINE, COORDINATE WITH THE
 CITY OF COLUMBIA.

W. 81'
 W. 81'
 W. 81'
 W. 81'

SMH 111
 (EQU)

10' EXISTING UTILITY
 COLUMBIA WATER EASEMENT

6" FIRE LINE
 FIRE HYDRANT ASSEMBLY
 6" METER PIT

1500 GALLON
 GREASE TRAP
 (SEE DETAIL SHEET)

18" X 6" TAPPING SLEEVE
 AND VALVE, COORDINATE
 WITH THE CITY OF COLUMBIA

15' CITY OF COLUMBIA
 SEWER EASEMENT

RIBBON BAR-B-20

6" SEWER
 SERVICE

6" SEWER
 SERVICE

SMH 117

(GREASE)

(FROM BUILDING)

MAIN UTILITIES
 NAME THE WITH CITY

TAPPING LOCATION OF FIRE LINE

SMH 113

23'

23'

23'

23'