

ORDINANCE NO.: 2016-003

*Granting encroachment to Lisa Hosti for installation and maintenance of an ornamental iron fence within the right of way area of the 2300 block of Blossom Street adjacent to her property located at 2303 Lowndes Street, Richland County TMS #1312-11-06*

WHEREAS, Lisa Hosti (hereinafter "Grantee") desires to use a portion of the right of way area of the 2300 block of Blossom Street adjacent to her property located at 2303 Lowndes Road, Richland County TMS #1312-11-06 for installation and maintenance of an ornamental iron fence approximately one hundred fifty (150') feet in length and four (4') feet in height, 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 2nd day of February, 2016 that Grantee is hereby granted the right to use a portion of the right of way area of the 2300 block of Blossom Street adjacent to her property located at 2303 Lowndes Road, Richland County TMS #1312-11-06 for installation and maintenance of an ornamental iron fence approximately one hundred fifty (150') feet in length and four (4') feet in height, 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. All trees shall be protected.
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 be four (4') feet in height are prohibited within the sight-visibility triangle.
5. Forestry and Beautification shall be provided access to trees within the right of way for maintenance purposes.
6. All trees shall be protected and no large tree roots shall be removed from any existing trees.
7. Gates must swing into property.

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,

ORIGINAL  
STAMPED IN RED

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.

ORIGINAL  
STAMPED IN RED

Requested by:

Assistant City Manager Gentry

  
\_\_\_\_\_  
Mayor

Approved by:

  
\_\_\_\_\_  
City Manager

Approved as to form:

  
\_\_\_\_\_  
City Attorney

ATTEST:

  
\_\_\_\_\_  
City Clerk

Introduced: 1/19/2016  
Final Reading: 2/2/2016

**CITY COUNCIL  
ENCROACHMENT SUMMARY  
2016-003**



**2300 BLOCK OF BLOSSOM STREET  
ADJACENT TO 2303 LOWNDES ROAD  
ORNAMENTAL STEEL FENCE**

<b>Subject Property:</b>	Right-of-way adjacent to 2300 block of Blossom Street adjacent to 2303 Lowndes Road, TMS#11312-11-06
<b>Council District:</b>	3
<b>Proposal:</b>	The applicant is requesting an encroachment for installation and maintenance of an ornamental steel fence
<b>Applicant:</b>	Lisa Hosti
<b>Staff Recommendation:</b>	Approval.

<b>Detail:</b>	<p>The applicant is requesting an encroachment for installation and maintenance of an ornamental steel fence approximately one hundred fifty (150') feet in length and four (4') feet in height, as shown on the attached drawings.</p> <p>Conditions of the proposed encroachment are as follows:</p> <ol style="list-style-type: none"> <li>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;</li> <li>2. All trees to be shall be protected;</li> <li>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;</li> <li>4. Obstructions of more than be four (4') feet in height are prohibited within the sight visibility triangle;</li> <li>5. Forestry and Beautification shall be provided access through gates to both trees that are located within the right of way for maintenance purposes;</li> <li>6. All trees shall be protected and no large tree roots shall be removed from any existing trees; and</li> <li>7. Gates must swing into property.</li> </ol>
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**CITY AGENCY COMMENTS FOR ENCROACHMENT**

<b>Planning</b>	Recommend approval.
<b>Streets</b>	Recommend approval.
<b>Utilities and Engineering</b>	Recommend approval.
<b>Traffic Engineering</b>	Recommend approval.
<b>Forestry</b>	Recommend approval. Forestry and Beautification shall be provided access through gates to both trees that are located within the right of way for maintenance purposes.
<b>Land Development</b>	Recommend approval.

<b>Fire</b>	<b>Recommend approval.</b>
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**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 calimmons@columbiasc.net ) should be contacted regarding the insurance requirements.

Date: 9/27/2015 Property Owner: Lisa Hosti

Applicant's Name if different from Property Owner: \_\_\_\_\_

Contact Information: Telephone Number: 803-431-8865 Fax Number: \_\_\_\_\_

Mailing address: 2303 Lowndes Rd, Columbia, SC 29205 E-mail address: lisa.hosti@gmail.com

Encroachment Location (Address): 2303 Lowndes Rd, Columbia, SC 29205

(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: R11312-11-06

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

If Other - specify: \_\_\_\_\_

Dimensions (height/width/length): 4'X265' 3 rail aluminum fence spear top (Lafayette). 2 4'x4' walk gate one 4'x10' double drive gate (illustration attached showing location on plat)

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

Construction material: aluminum

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

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< all other values >

- A15
- A21
- A25
- A31
- A35
- A41
- A45
- A51
- A61
- A62
- A63
- A64
- A71
- A72
- A73
- A74
- X00

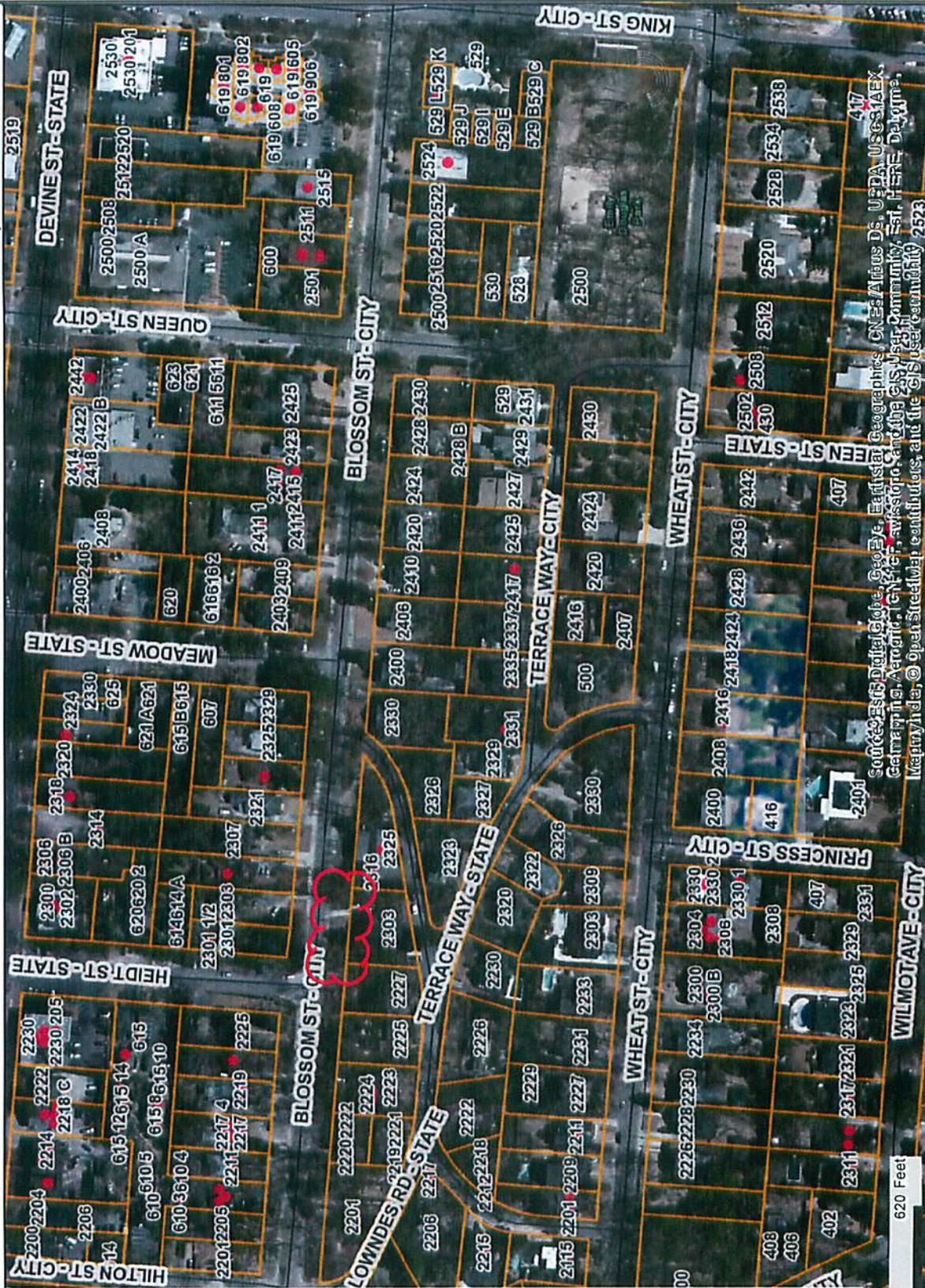
- Address Point
- Tax Parcel
- Road Closed
- Restricted Access
- Detour



Friday, October 16, 2015

# City of Columbia

## 2303 Lowndes Encroachment

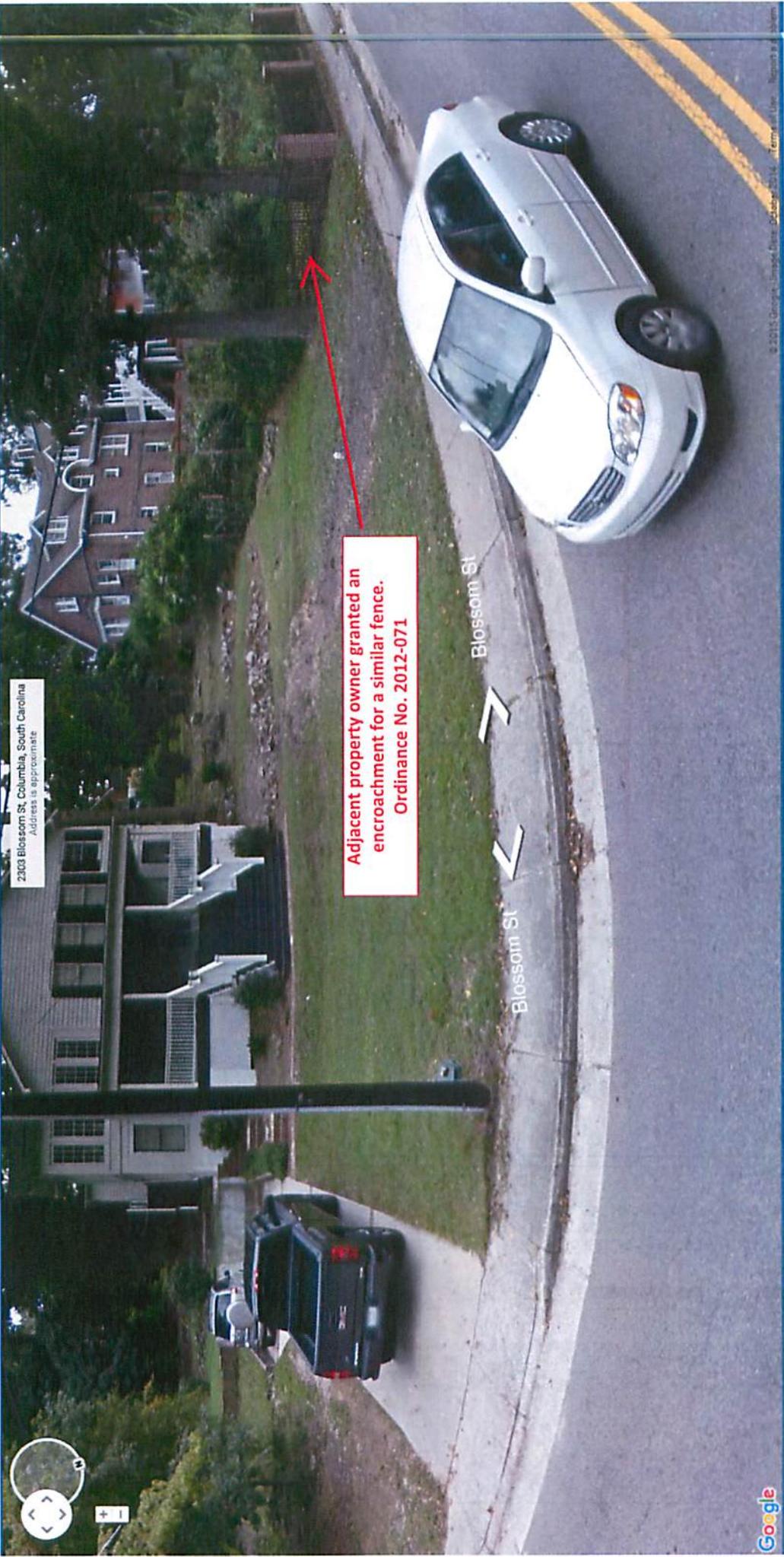


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CITY OF COLUMBIA GIS DATA DISCLAIMER

The City of Columbia GIS data represented on this map or plan is the product of compilation, as produced by others. It is provided for informational purposes only and the City of Columbia makes no representation as to its accuracy. Its use without field verification is at the sole risk of the user.

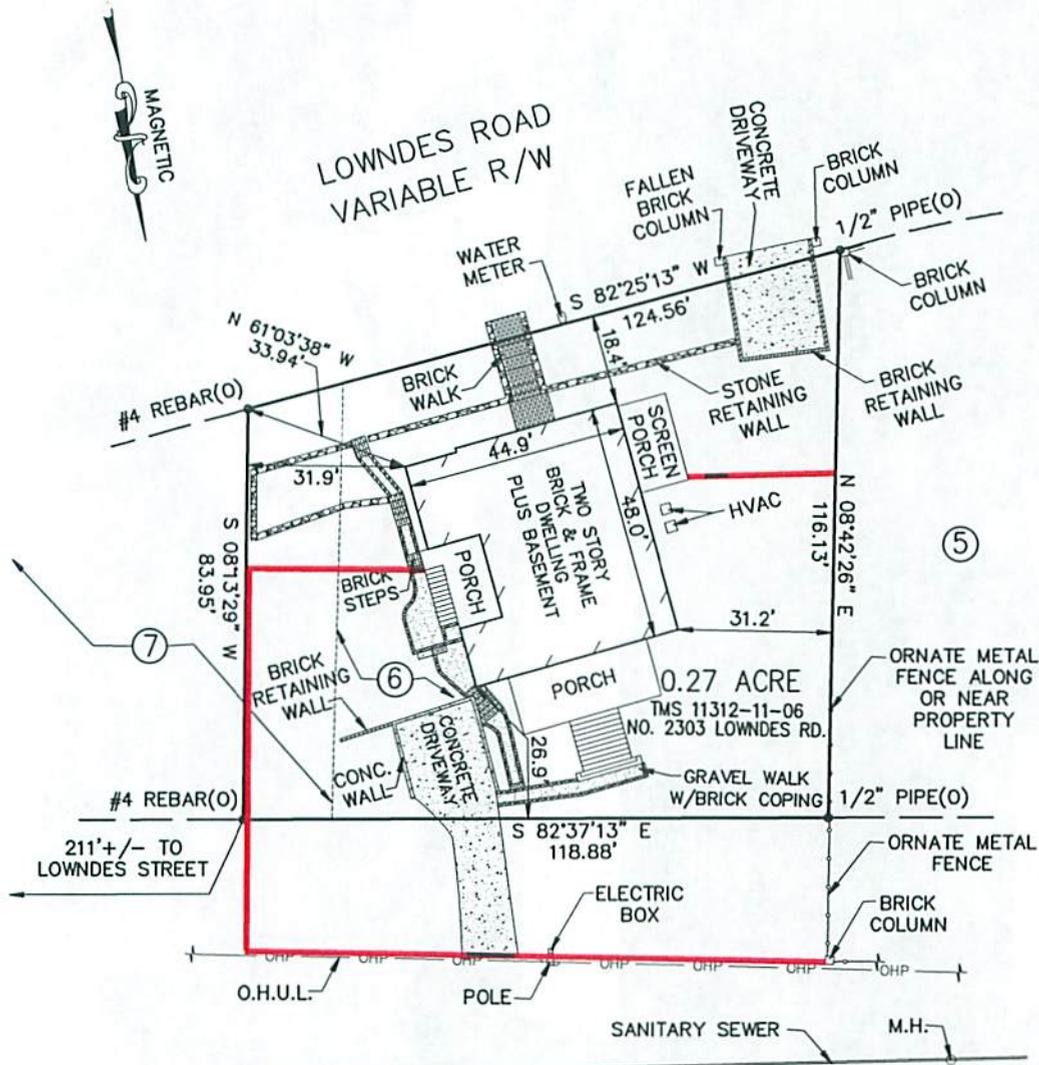


2303 Blossom St, Columbia, South Carolina  
Address is approximate

Adjacent property owner granted an encroachment for a similar fence.  
Ordinance No. 2012-071



PROPERTY MAY BE SUBJECT TO RECORDED OR UNRECORDED EASEMENTS OR RESTRICTIONS NOT OBSERVED AND TO INFORMATION REVEALED IN A COMPLETE TITLE SEARCH. THE SURVEYOR DID NOT PERFORM A TITLE SEARCH. UNDERGROUND UTILITIES MAY BE PRESENT BUT THEIR LOCATION WAS NOT DETERMINED.



EXEMPTION FROM REVIEW PROCESS  
This plot is a SURVEY of an existing lot of record with no changes to existing lot lines.

ROSSER W. BAXTER, JR.  
SC REGISTERED LAND SURVEYOR NO. 7613

PLAT PREPARED FOR  
**LISA HOSTI**

FB243-44,254-64

RICHLAND COUNTY, COLUMBIA, SC

THE SAME BEING SHOWN AS LOT NO. 6 & A PORTION OF LOT NO. 7, BLOCK "C", ON MAP OF SHANDON TERRACE, BY TOMLINSON ENGR. CO., DATED JUNE 25, 1919, AND RECORDED IN THE OFFICE OF REGISTER OF DEEDS FOR RICHLAND COUNTY IN PLAT BOOK "D", PAGE 96.



SEPTEMBER 10, 2015

I HEREBY STATE THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREIN 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.

BAXTER LAND SURVEYING CO., INC.

2204 DEVINE STREET  
COLUMBIA, SC 29205  
(803)-252-8564

ROSSER W. BAXTER, JR. SCRLS NO. 7613



**Fence Example**