

**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 19th day of July, 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.

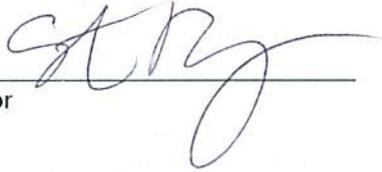
ORIGINAL  
STAMPED IN RED

ORIGINAL  
STAMPED IN RED

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:

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

ATTEST:

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

Introduced: 6/21/2016  
Final Reading: 7/19/2016

**CITY COUNCIL  
ENCROACHMENT SUMMARY  
2016-044**



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

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

<b>Detail:</b>	<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"> <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. 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</li> <li>3. Certificate of Design Approval required prior to the issuance of any permits.</li> </ol>
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<b>CITY AGENCY COMMENTS FOR ENCROACHMENT</b>	
<b>Forestry</b>	Recommend approval.
<b>Streets</b>	Recommend approval.
<b>Utilities and Engineering</b>	Recommend approval.
<b>Traffic Engineering</b>	Recommend approval.
<b>Planning</b>	Recommend approval.
<b>Land Development</b>	Recommend approval.
<b>Fire</b>	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, rule 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 a 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., Eda 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: \_\_\_\_\_

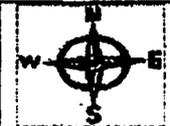
Dimensions (height/width/length): 45 ft long x 9 1/2 ft. wide. Driveway will extend to edge of street; box will provide access to water meter  
 (i.e., 6x42' wooden privacy fence; two 12"x4' concrete step; two 12"x12" x24" brick columns; 4"x15' brick paver walkway)

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) \_\_\_\_\_



I work shall comply with the requirements of The City of Columbia and South Carolina Department of Transportation now in existence or hereafter enacted. The material 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 manager.

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.

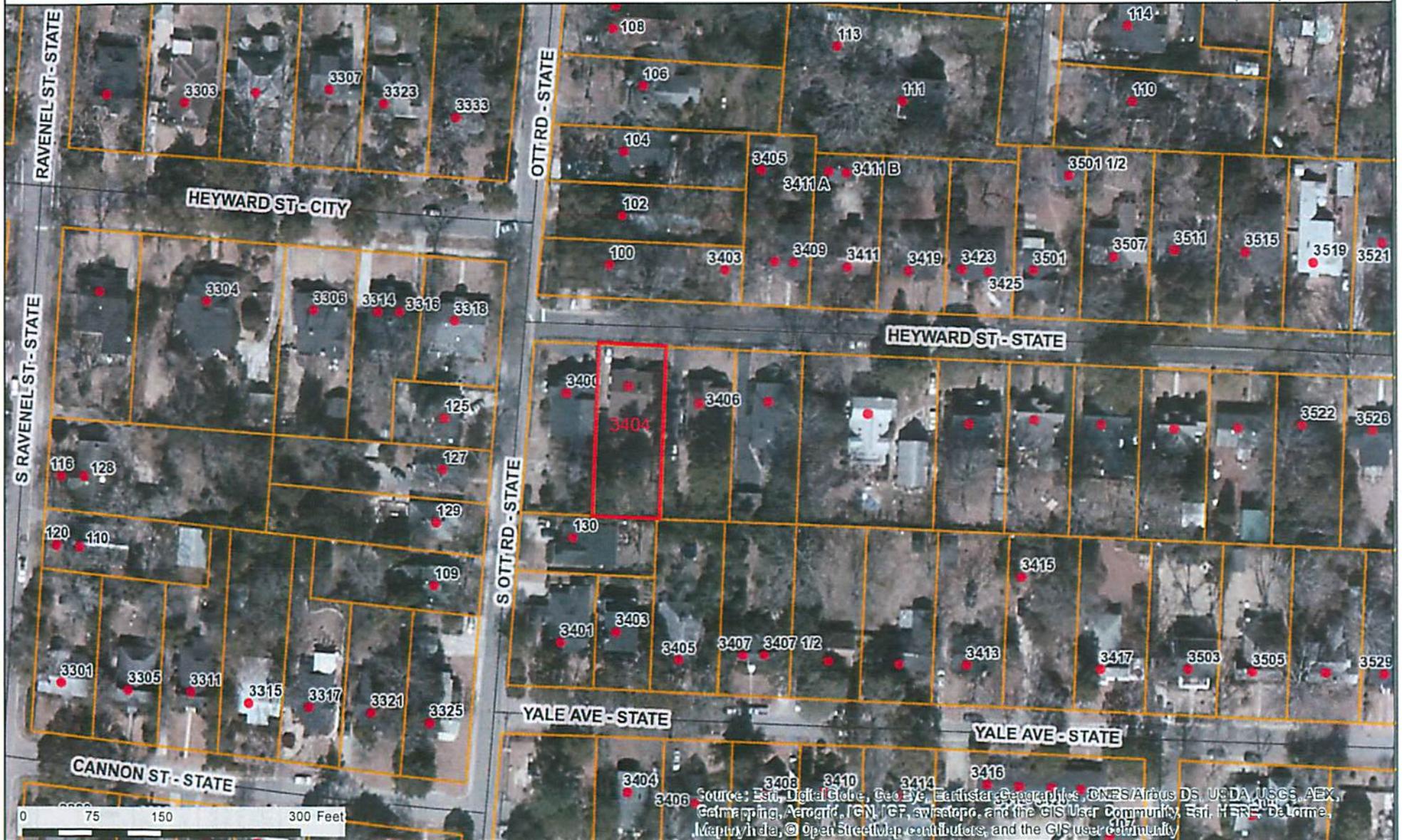
CONTACT	DEPARTMENT	PHONE	FAX	E-MAIL
Johnathan Chambers	Development Services (Land Development)	803-545-3333	803-343-8779	jchambers@columbiasc.net
John Fellows	Development Services (Planning)	803-545-3222	803-733-8647	jfellows@columbiasc.net
Brian Cook	Development Services (Zoning)	803-545-3332	803-733-8647	kcook@columbiasc.net
Jerry Thompson	Development Services (Building Inspections)	803-545-3420	803-733-8699	jthompson@columbiasc.net
Vanessa Pinckney	Development Services (Permits)	803-545-3420	803-733-8699	cpinckney@columbiasc.net
Amy Moore	Development Services (Historic Preservation)	803-545-3222	803-733-8647	amoore@columbiasc.net
Robert Harkins	Development Services (Plans Review)	803-545-3420	803-733-8647	rharkins@columbiasc.net
Jenny Daniels	Utilities & Engineering (Construction Management)	803-545-3400	803-988-8199	jdaniels@columbiasc.net
Robert Anderson	Public Works (Administration)	803-545-3780	803-733-8648	randerson@columbiasc.net
Robert Sweet	Public Works (Street Division)	803-545-3780	803-545-3785	rgsweet@columbiasc.net
David Brewer	Public Works (Traffic Engineering)	803-545-3850	803-733-8648	ddbrewer@columbiasc.net
Sara Holler	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
Chip Timmons	Risk Management	803-733-8306	803-733-8245	catimmons@columbiasc.net
David Koon	Fire Department	803-545-3701	803-401-8839	cdkoon@columbiasc.net
John David Spade	Parking Services	803-545-3070	803-733-8523	spade@columbiasc.net

# City of Columbia

## 3404 Heyward St. Encroachment



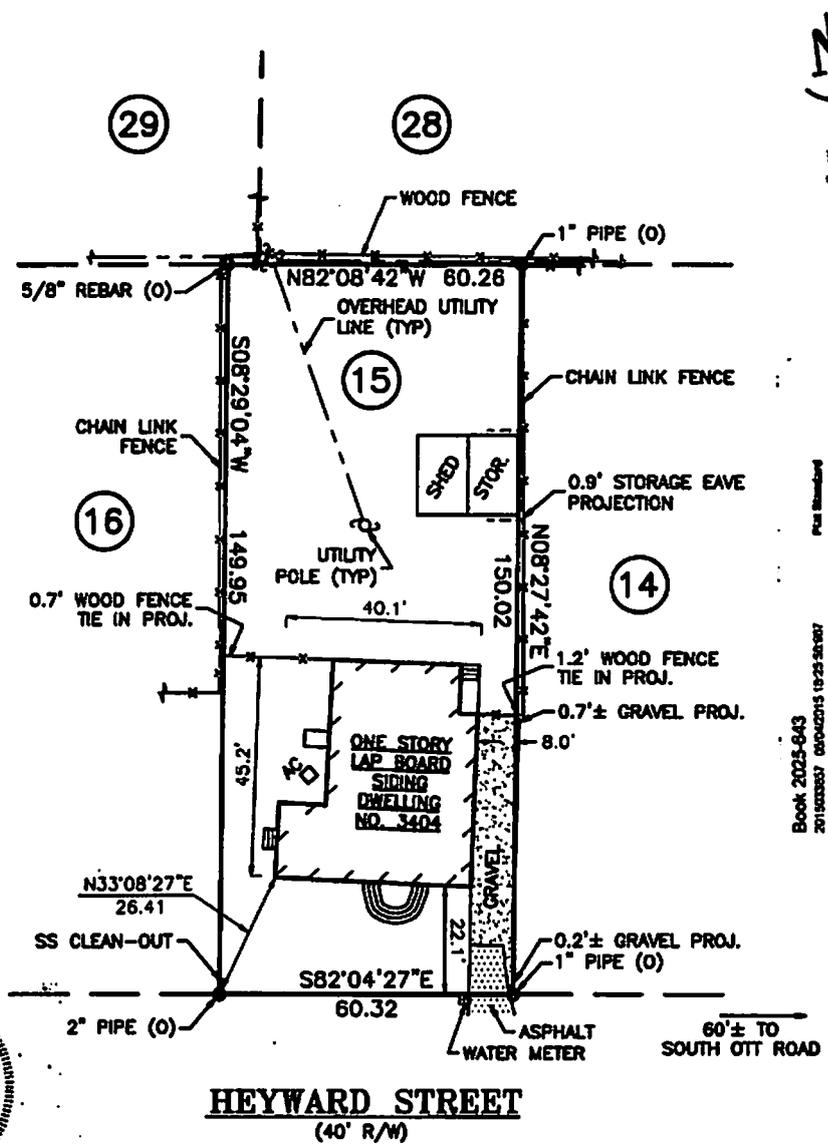
Wednesday, May 25, 2016



### CITY OF COLUMBIA GIS DATA DISCLAIMER

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Book 2025-043  
2015033857 06/02/2015 16:25:58.987  
Fees \$3.00 County Tax: \$0.00 State Tax: \$0.00

Richard P. Inman, P.L.S. No. 13385  
John T. Hopkins, S



**HEYWARD STREET**  
(40' R/W)

PLAT PREPARED FOR: <b>RICHARD B. MOORE &amp; KRISTINE D. MOORE</b> 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: <b>APRIL 20, 2015</b>	PROJECT NO.: <b>15109-00</b>	
SCALE: <b>1"=30'</b> 	TOTAL AREA = 0.21 ACRE RATIO OF PRECISION = 1/10,000 AREA BY COORDINATE METHOD	
<b>REFERENCES:</b> 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.		
<b>NOTES:</b> 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.		
<b>INMAN LAND SURVEYING COMPANY, INC.</b> 2223 BULL STREET COLUMBIA SOUTH CAROLINA 29201 PHONE 252-1797 FAX 252-1798		

3404  
Heyward St.

work in Sabels

Azuleia  
Bed

Possible Pavers

Horizontal Board fence

AC  
Unit

6' Horizontal  
fence

Concrete in Brick  
Rapped in Rock  
SPRINKLE HEAD?

River Rock  
or smooth  
gravel

Approximate Property Line

cut back  
12'

Driveway

watermeter

3404 Heyward St.

