

ORDINANCE NO. 2005-047

Granting encroachment to Lisa A. Maseng for installation and maintenance of wooden fencing, gates and landscaping at 418 South Ravenel Street

WHEREAS, Lisa A. Maseng (hereinafter "Grantee") desires to utilize a portion of the right of way area adjacent to her property for installation and maintenance of gates and wooden fencing approximately four (4') feet in height and sixty (60') feet in length, and landscaping at 418 South Ravenel Street 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 24th day of August, 2005, that Grantee is hereby granted the right to use a portion of the right of way area adjacent to her property for installation and maintenance of gates and wooden fencing approximately four (4') feet in height and sixty (60') feet in length, and landscaping at 418 South Ravenel Street 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, HOWEVER, that in exercising the privileges granted under this ordinance, Grantee, its 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 may be modified or terminated by Columbia City Council at any time without notice to the Grantee, its successors and assigns.

PROVIDED FURTHER that the evidence of public liability insurance naming the City as an insured in the minimum amount of \$600,000.00 for personal injury and property damage shall be filed annually with the City Clerk by Grantee, its successors and assigns.

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

Requested by:



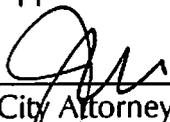
MAYOR

Approved by:



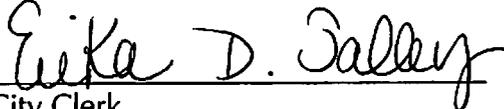
City Manager

Approved as to form:



City Attorney

ATTEST:



City Clerk

Introduced: 8/17/2005

Final Reading: 8/24/2005

ORIGINAL
STAMPED IN RED

Matter No.: 05040373
Attorney: SMU 20
Date In: 4/14/05
File No.: ord 2005-047
Date Out: 7/8/2005

Lisa A. Maseng

418 South Ravenel Street Columbia South Carolina 29205

April 14, 2005

Ms. Shari Ardis
Legal Division
City of Columbia
1401 Main Street
Columbia, South Carolina 29201

Re: Variance requests at 418 South Ravenel Street

Dear Ms. Ardis:

Thank you for speaking with me about the legal procedures in requesting two variances for my property. Attached is the documentation for the fence project as requested. Essentially, I am beautifying and securing my front yard and would like to enclose it with a custom built fence with coordinating gates. The gateposts will be reinforced by a steel frame so as to ensure the ease of operation and to prevent the gates from sagging. In addition, I would also like to build a tasteful solid wood privacy fence between my house and that of my neighbor at 420 South Ravenel Street.

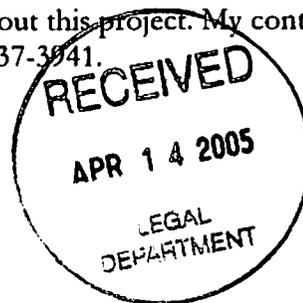
The supporting documentation include:

- Front fence diagrams and rationale
- Side fence diagram and rationale
- Plat for 418 South Ravenel
- Capital City Custom Iron Works & Fence information

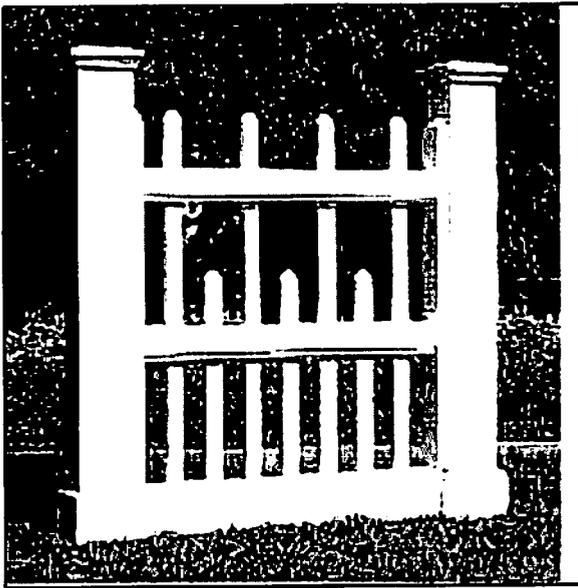
I am available to answer any questions about this project. My contact phone numbers are:
(W) 896-4654, (H) 256-2057, and (Cell) 237-3941.

Thank you again for your consideration.

Sincerely,



Proposed Front Fence
Project at:
418 South Ravenel Street



- The dimensions for this wooden fence are 4 feet high with 4" Diameter posts.
- The fence would enclose the front and one side of the front yard.
- There would be a gated driveway and an access gate on the right side of the house.
- The fence will either be stained

Charleston Green or painted white. Haven't decided yet.

Existing Right-of-Way Issue:

The house was built in 1930 and up until two years ago, the yard met a dirt parking area and then adjoined the paved road. Now a City sidewalk adjoins the road. In the remaining 5' R/W area, I have a row of boxwoods and a 30-year-old dogwood that is encased in a wooded flowerbed that my father built.

What is desired is a variance through this existing 5' R/W area so that Capital City Custom Iron Works & Fence Company can build this fence next to the sidewalk so as to preserve the established aesthetic beauty and symmetry of the garden.

Proposed Side Garden Landscaping Plans:

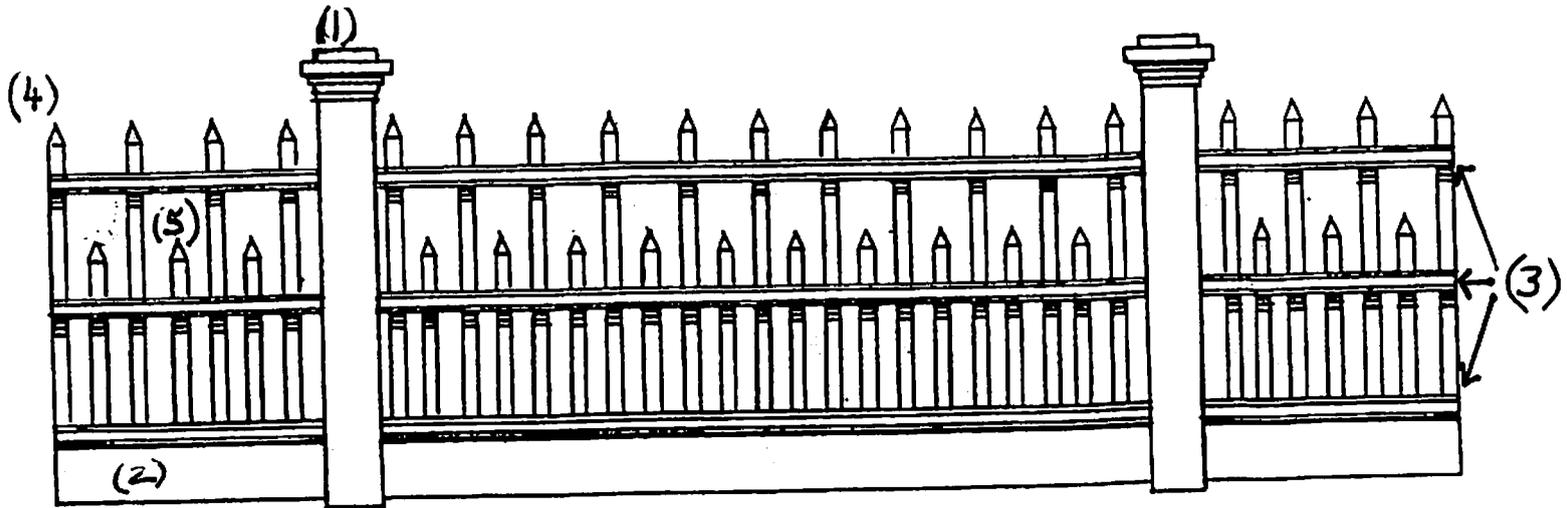
As of April 10th, my entire established side garden was exhumed so that a new sewer line could be installed. The premise being that the area would be cleared and prepared for re-cultivating the flowerbed and building the proposed fence.

The existing side garden plants include:

- 10, 5-year-old, 2½' Acubas
- 3 mature purple/blue and pink hydrangeas
- 3 assorted Iris beds
- Multiple hostas
- Miscellaneous perennial bulbs
- Violets
- Agugas
- Money plants & spiked pink flower groundcover
- And other greenery as will be suggested by a professional landscaper

There will remain a 5" dirt area between the sidewalk and the proposed fence where I plan to plant low mondo grass with purple violets interspersed throughout.

Proposed Fence Project at 418 South Ravenel Street

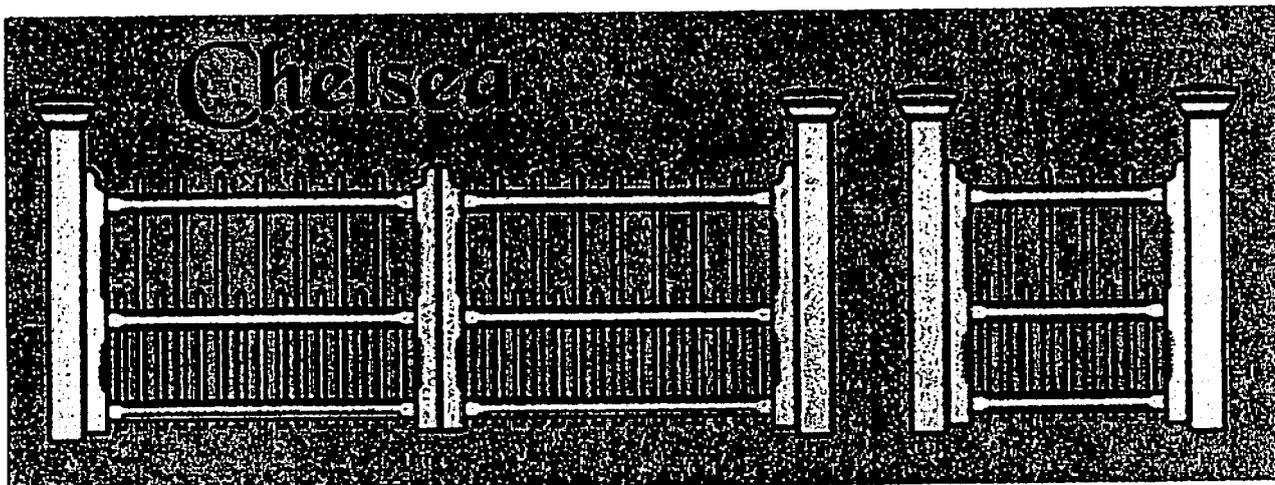


Mystic Seaport Mystic, Connecticut

- | | |
|--------------------|------------------|
| 1. Posts = | 48"H x 4"W x 4"D |
| 2. Ground Rail = | 4"H x 1"W |
| 3. 3 Upper Rails = | 1"H x 2"W |
| 4. Large Picket = | 44"H x 2"W x 2"D |
| 5. Small Picket = | 30"H x 2"W x 2"D |

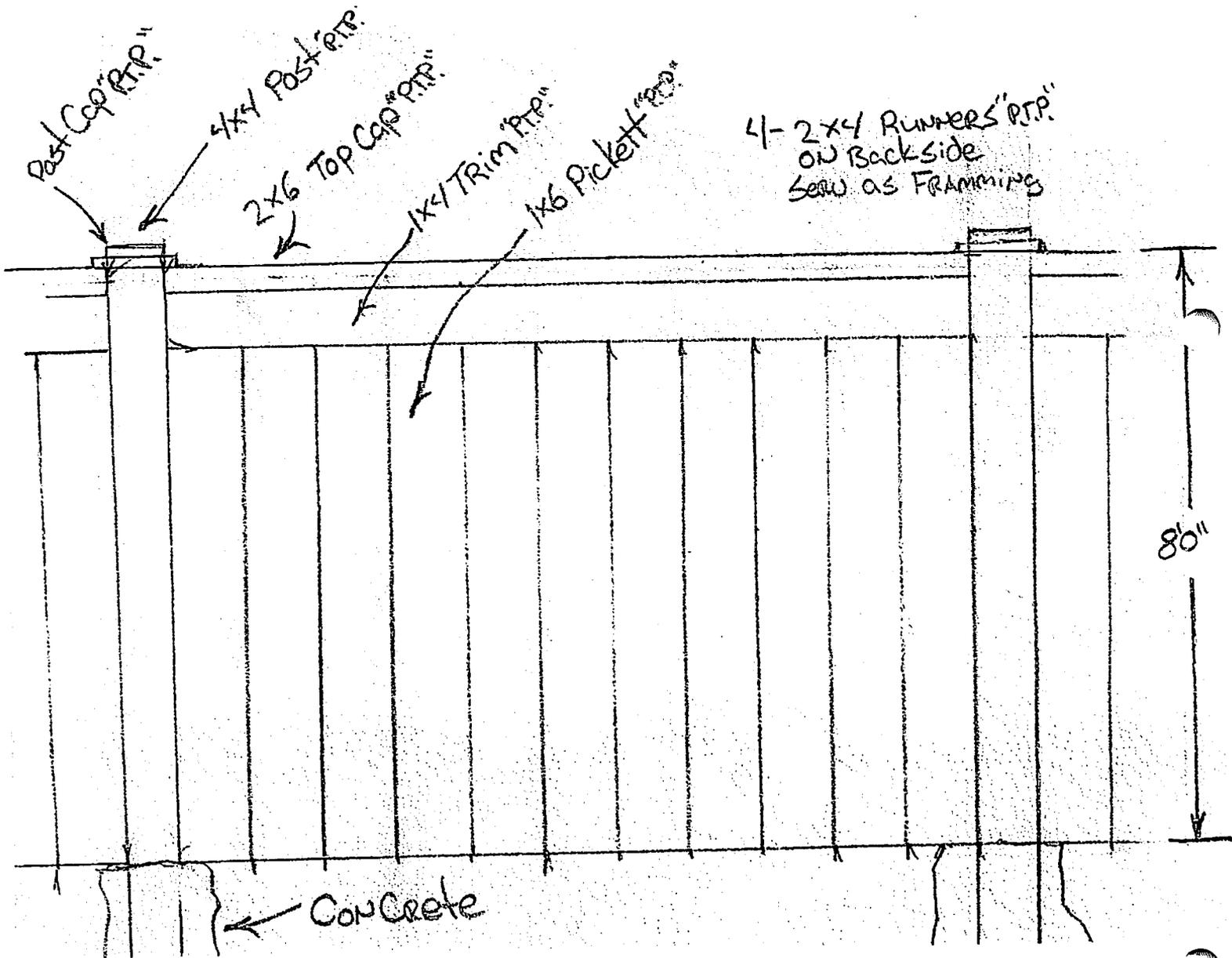
The corresponding side and driveway gates will be constructed to match the same picket dimensions and will be hung on a steel frame to prevent sagging. This fence and gate will extend the width of the property (59.97') and include the length from the sidewalk to the front of the house (32.4') on the right side.

The image below is a slightly different style but the concept is the same. The driveway gate will have two swing gates whereas the side gate will have one.



Proposed Side Fence Project at:
418 South Ravenel Street

I am requesting a variance to build a 46' x 8' solid wooden privacy fence along the right side of my house. This height exceeds the seven-foot zoning limit however that height will not provide adequate privacy between the close proximity of my house to that of 420 South Ravenel. With a variance to build an eight-foot fence, I will finally be able to open my window blinds without reservation. Below is a sketch of the desired fence that will also be built by Capital City Custom Iron Works & Fence Company:

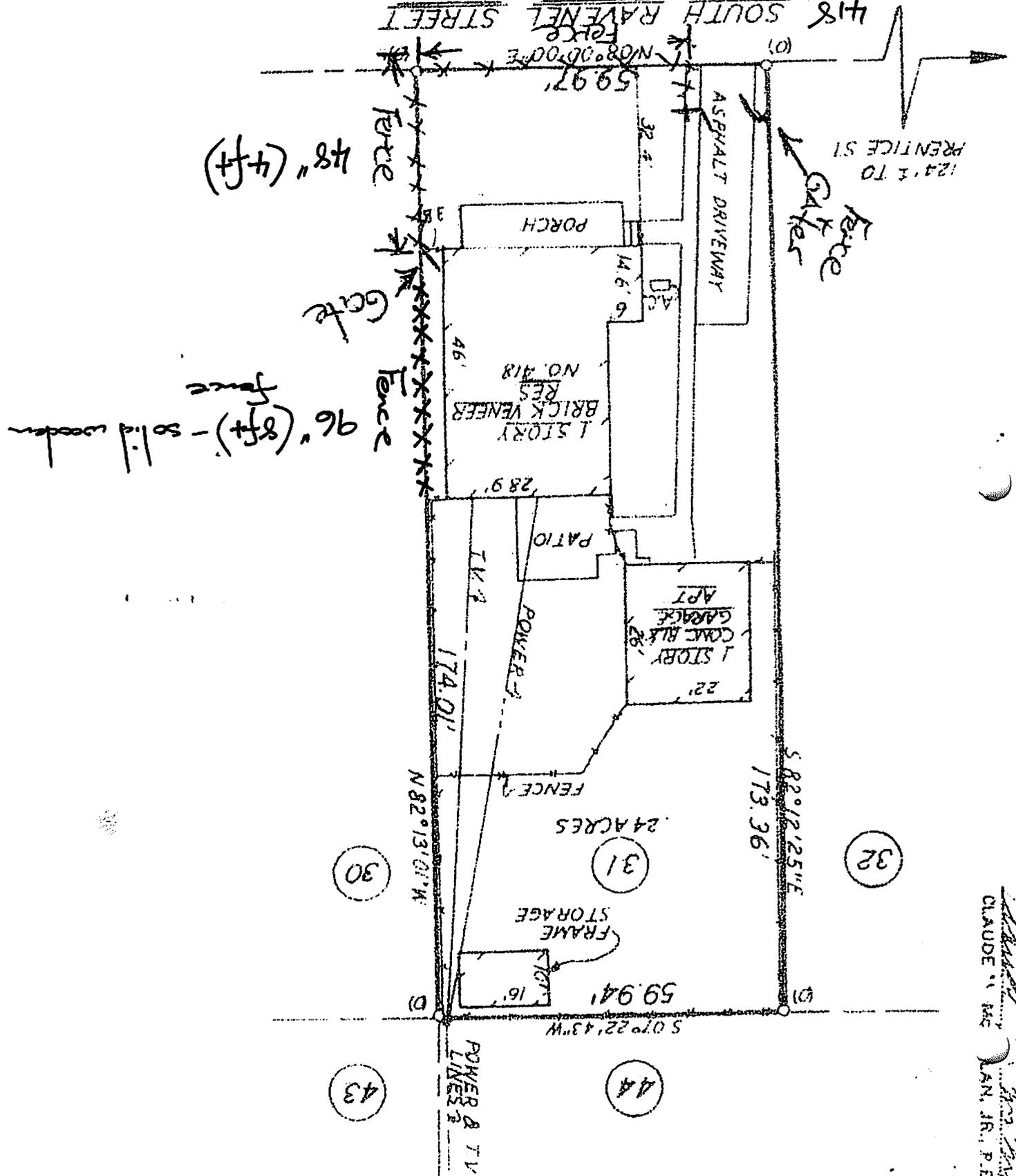


LISA ANN MASENG

RICHLAND COUNTY, COLUMBIA, S.C.

PLAT PREPARED FOR

418 SOUTH RAVENEL STREET



48" (4ft) Fence

Gate

96" (8ft) - solid wooden fence

124.1 TO PRENTICE ST
Fence
Gate

CLAUDE ...
LAN, JR., P.E.



Everybody Counts: Everybody Contributes: and Everybody Benefits

**CITY OF COLUMBIA
RISK MANAGEMENT
MEMORANDUM**

TO: Erika Salley, City Clerk

FROM: Judy Edwards, Risk Manager *JE*

SUBJECT: Proof of Insurance for Encroachment Ordinance

DATE: May 15, 2006

Attached is the certificate of proof of insurance, which needs to be filed with Encroachment Ordinance NO.: 2005-047 for Lisa Maseng.

If you have any questions, please let me know. Thank you.

RECEIVED

MAY 16 2006

CITY OF COLUMBIA
CITY CLERK



State Farm Fire and Casualty Company

11350 Johns Creek Parkway
Duluth, GA 30098-0001

M-27- 1165-F343 F H

CITY OF COLUMBIA SC
PO BOX 667
COLUMBIA SC 29202-0667



Insured: MASENG, LISA ANN

Location: 418 S RAVENEL ST
COLUMBIA SC 29205-3950

Loss Settlement Provisions (See Policy)

- A1 Replacement Cost - Similar Construction
- B1 Limited Replacement Cost - Coverage B

Forms, Options, and Endorsements

Homeowners Policy	FP-7955
Jewelry and Furs \$2,500/\$5,000	OPT JF
Amendatory Endorsement	FE-7240.8
Back-Up Dwell/Listed Property	FE-5706.1
Ordinance/Law 10%/ \$13,270	OPT OL
Policy Endorsement	FE-5320
Increase Dwlg up to \$26,540	OPT ID
Fungus(including mold)excl	FE-5398
Motor Vehicle Endorsement	FE-5452
Personal Injury	FE-7468.3

Zone: 50

RENEWAL CERTIFICATE

POLICY NUMBER 40-BL-5921-6	
Homeowners Policy JUN 28 2006 to JUN 28 2007	
PAID BY SPECIFIED PARTY	
Coverages and Limits	
Section I	
A Dwelling	\$132,700
Dwelling Extension	Up To 13,270
B Personal Property	99,525
C Loss of Use	Actual Loss Sustained
Deductibles - Section I	
All Losses	500
Section II	
L Personal Liability	\$1,000,000
Damage to Property of Others	500
M Medical Payments to Others (Each Person)	5,000
Annual Premium	\$584.00
Premium Reductions	
Home/Auto Discount	46.00
Claim Free Discount	114.00
Inflation Coverage Index:	225.0

I thank you for letting us serve you. We appreciate our long term customers.
 6888 401 AI Agent **BILL WEATHERSBEE**
 Telephone (803) 788-7981

92 3758 1573
 See reverse side for important information.