

ORDINANCE NO.: 2008-110

Granting an encroachment to Steve Moon for installation and maintenance of two stone entry columns and a walkway within the Heyward Street right of way, and two concrete steps, a walkway and two stone wing walls within the right of way area of the 100 block of South Saluda adjacent to 1842 Heyward Street

WHEREAS, Steve Moon, (hereinafter "Grantee") desires to utilize a portion of the right of way area adjacent to 1842 Heyward Street for installation and maintenance of a four (4') foot walkway with two square stone columns approximately twenty-four (24") inches in height and twenty (20") inches in diameter; and a portion of the right of way area of the 100 block of South Saluda Avenue adjacent to 1842 Heyward Street for installation and maintenance of two concrete steps with two sixteen (16") inch wing walls; and a four (4') foot concrete walk way, as shown on the attached drawing; 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 4th day of February, 2009, that Grantee, its successors and assigns, is hereby granted the right to utilize a portion of the right of way area adjacent to 1842 Heyward Street for installation and maintenance of a four (4') foot walkway with two square stone columns approximately twenty-four (24") inches in height and twenty (20") inches in diameter; and a portion of the right of way area of the 100 block of South Saluda Avenue adjacent to 1842 Heyward Street for installation and maintenance of two concrete steps with two sixteen (16") inch wing walls; and a four (4') foot concrete walk way, as shown on the attached drawing.

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 or maintenance shall be repaired to the satisfaction of the City Manager. Improvements constructed within the encroachment by or on behalf of Grantee 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

ORIGINAL
STAMPED IN RED

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. Grantee is responsible for all maintenance of the encroachment area.
2. Landscaping must not interfere with sight visibility at intersection.

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 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, its 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 its expense provide for protection and, if necessary, relocation of all utilities that might be within this area to the satisfaction of the City Manager.

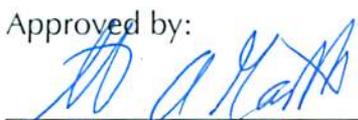
Requested by:

Steve Moon

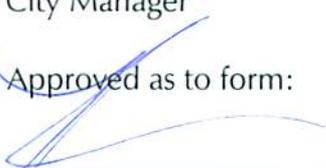


MAYOR

Approved by:


City Manager

Approved as to form:


City Attorney

ATTEST:


City Clerk

Introduced: 1/28/2009

Final Reading: 2/4/2009

Submit by Email

Matter No.: 08/22012
Attorney: KEG/SLG
Date In: 12/10/08
File No.: 2008-110
Date Out: 1/7/09

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.*

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. Judy Edwards with Risk Management (343-8778 or jgedwards@columbiasc.net) should be contacted regarding the insurance requirements.

Date: 12-1-08 Applicant's Name: STEVE MOON
Telephone Number: 799 2737 Fax Number:
E-mail address:
Encroachment Location (Address): 1842 HEYWARD ST. COLA. SC. 29205

* Encroachment type: Wall Fence Irrigation System Landscaping Other
If wall or fence - dimensions: (height/length) construction material:
Please provide photographs and drawing or site plan drawn to scale. *SEE ATTACHED.

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)

Outdoor dining/decoration No. of chairs: No. of Tables
Number of planters: Business Hours: Other:

The proposed ordinance will be sent to the requesting party and City offices for review and approval. Chip Land 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	Telephone Number	Fax Number
John Dooley	Utilities and Engineering	545-3240	733-8674
Joey Jaco	Engineering	545-3400	988-8199
Missy Gentry	Public Works	545-3780	733-8648
Marc Mylott	Planning and Development Services	545-3426	255-8935
Chip Land	Planning and Development Services	545-3222	733-8647
Jerry Thompson	Building Official	545-3442	733-8699
Sara Hollar	Forestry & Beautification	545-3860	733-8648
Amy Moore	Historic Preservation	545-3222	733-8647
Fred Delk	Columbia Dev. Corporation	988-8040	988-8039
Judy Edwards	Risk Management	343-8778	733-8245
Dana Higgins	Construction Management	545-3372	545-4130
David Brewer	Traffic Engineering	545-3850	733-8648
Robert Sweatt	Street Division	545-3790	545-3785
Jonathan Chambers	Planning and Development Services	545-3206	343-8779
Carmen Floyd	Fire Marshall	545-3777	401-8839
Krista Hampton	Planning and Development Services	545-3420	733-8699

Last Revised: 8/25/2008



Monday, December 1, 2008

Request for an Encroachment Ordinance
Moon Residence
1842 Heyward Street, Columbia, SC 29205

City of Columbia, SC

Encroachment type:

including location and nature of encroachment:

1) **24" tall, 20" square stone columns.**

Location is in the ROW on Heyward Street.

Purpose is to accent existing walkway and entrance to house.

2) **2 concrete steps and 4' walkway with 16' stone wing walls by steps.**

Location is in ROW on So. Saluda Ave.

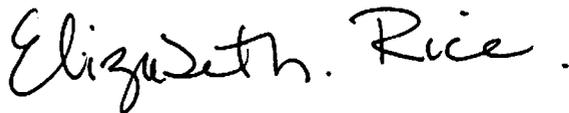
Purpose is to access front of house from appropriate street parking. It would be very dangerous and a hazard to park in the front of this residence.

3) **Cedar fence with stone columns**

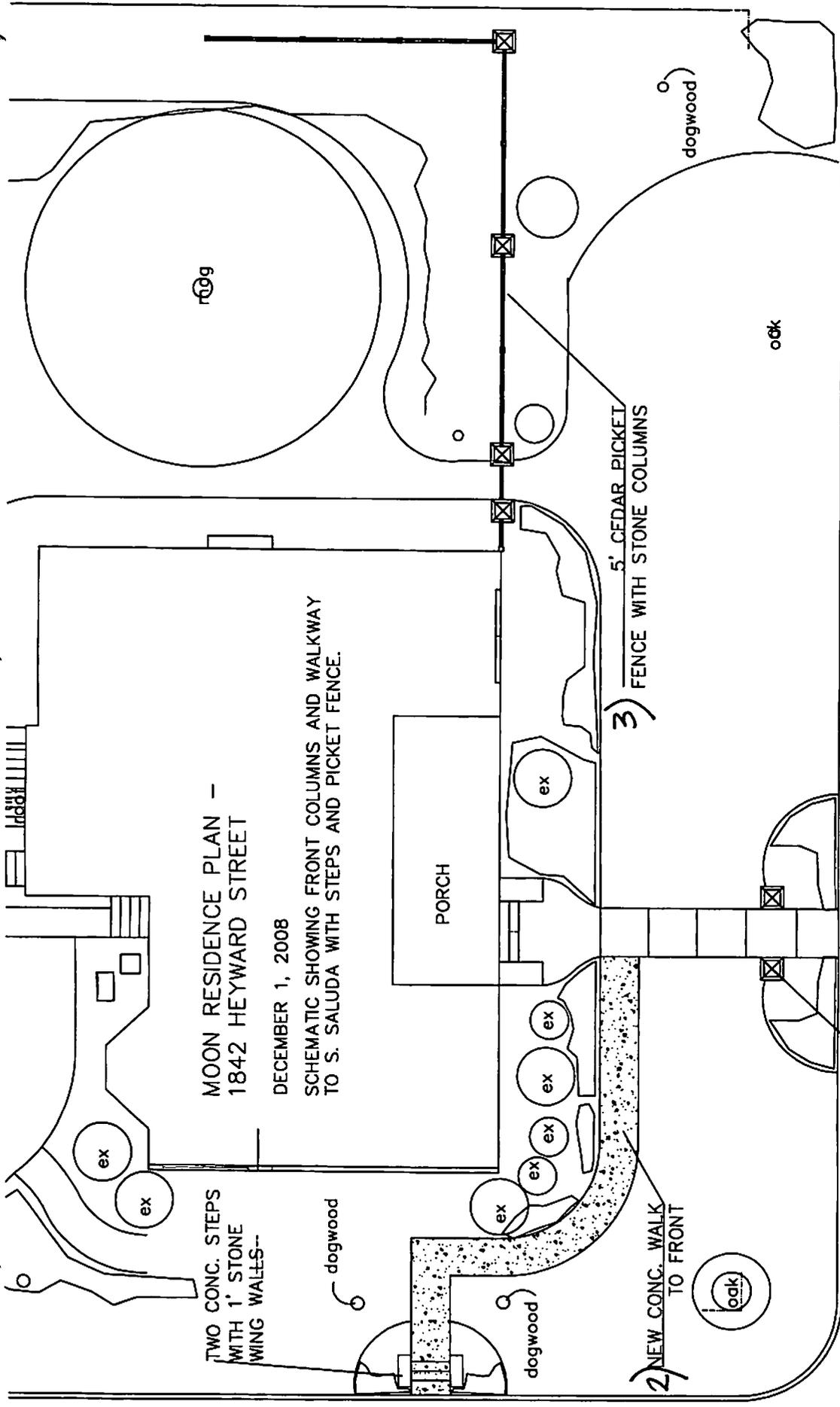
Location is within the property lines

Purpose – upgrade of old picket fence to secure the backyard.

Sincerely,



Elizabeth Rice
Fax 803 782 4810



MOON RESIDENCE PLAN -
1842 HEYWARD STREET

DECEMBER 1, 2008

SCHEMATIC SHOWING FRONT COLUMNS AND WALKWAY
TO S. SALUDA WITH STEPS AND PICKET FENCE.

TWO CONC. STEPS
WITH 1' STONE
WING WALLS--

PORCH

3) 5' CEDAR PICKET
FENCE WITH STONE COLUMNS

2) NEW CONC. WALK
TO FRONT

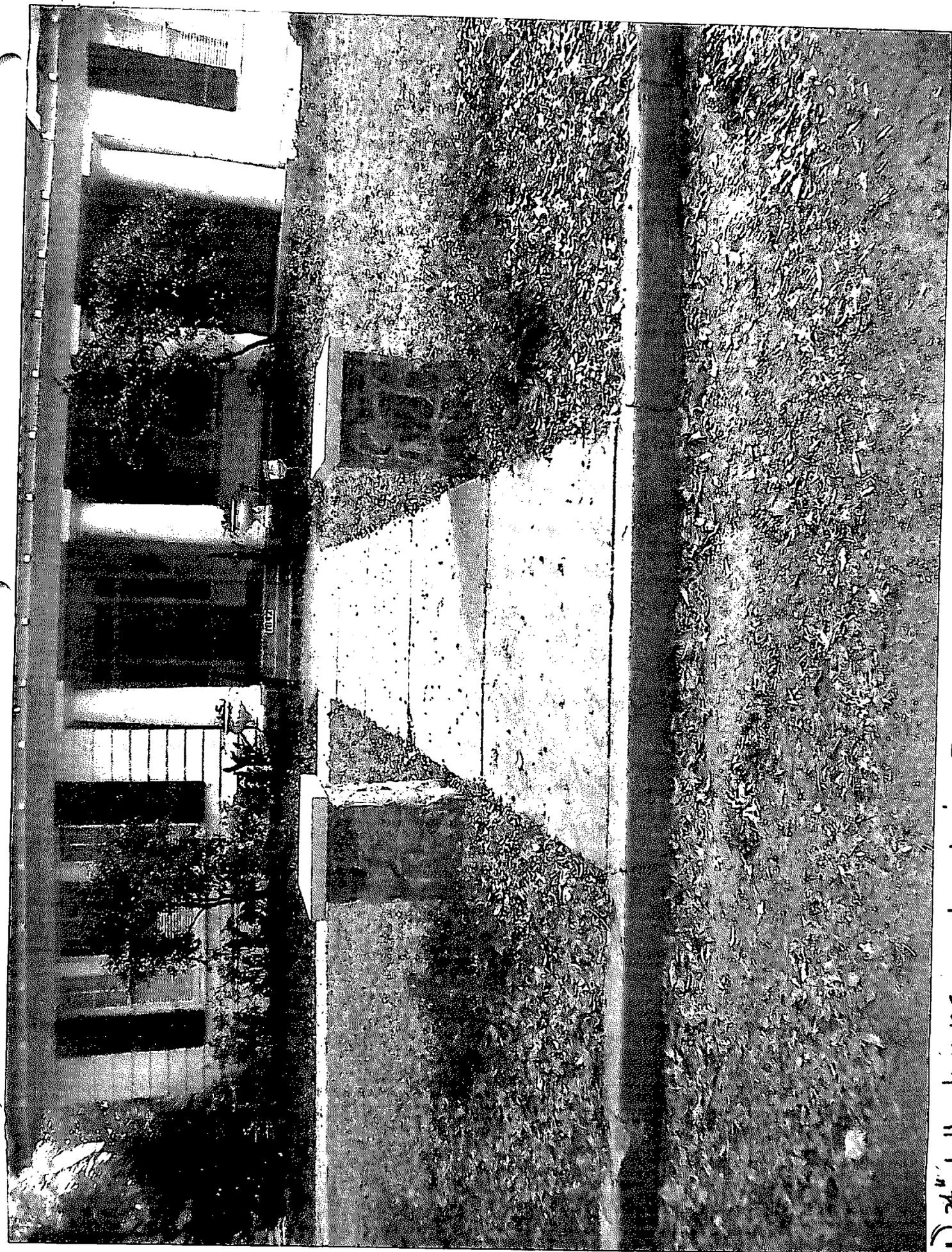
1) 24" TALL COLUMNS
TO DEFINE ENTRY

1842 HEYWARD STREET

SOUTH SALUDA AVE.

MOON RESIDENCE PLAN -
1842 HEYWARD STREET COLUMBIA, SC. 29205
TAX MAP SHEET # 11310-19-03
FOR APPLICATION FOR ENCROACHMENT PERMIT
PREPARED BY ELIZABETH RICE LANDSCAPE ARCH. 7821569

1842 HEYWARD ST.



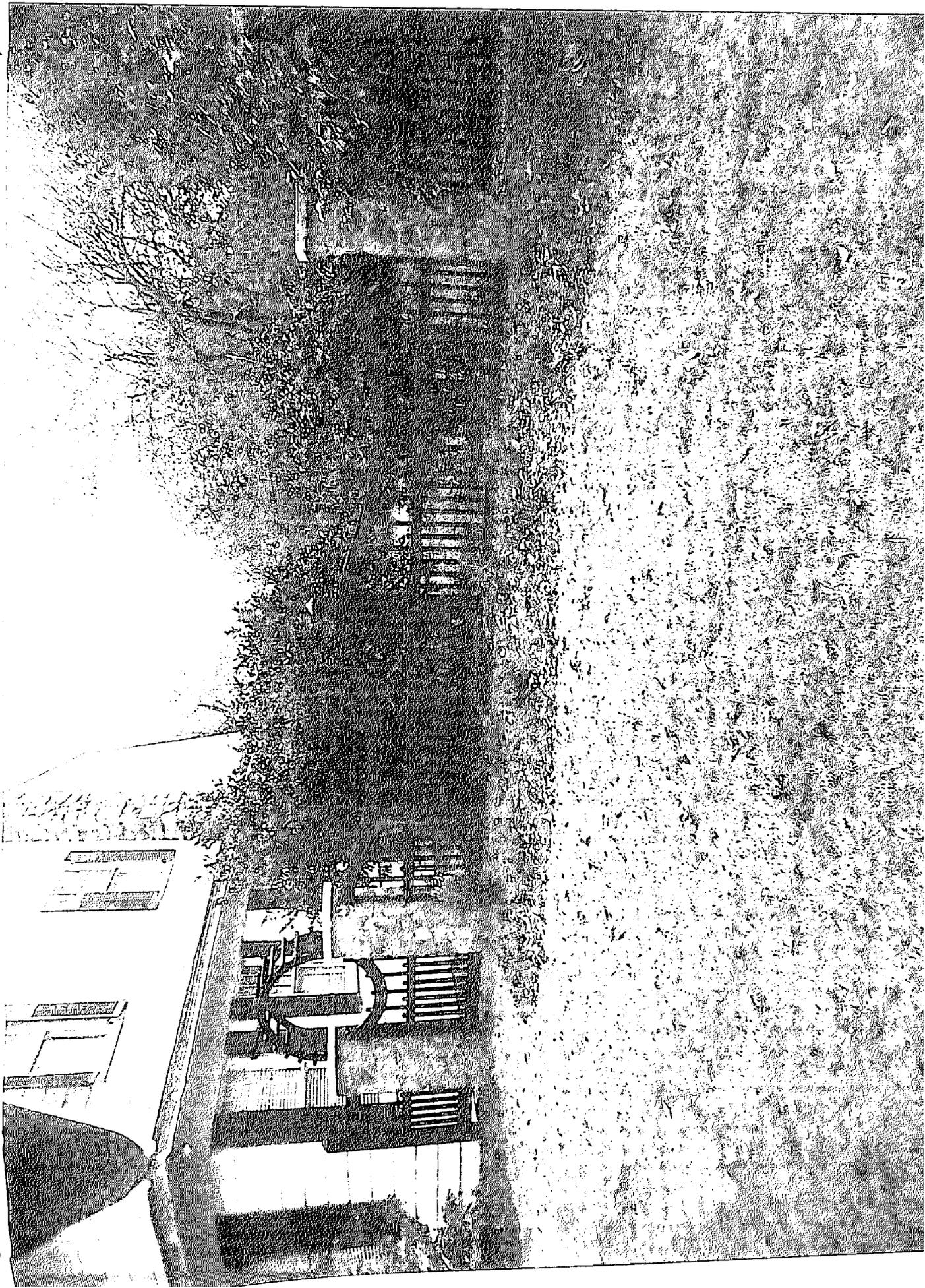
1) 24" tall columns. Location - Row - HEYWARD ST.

2) 2 CONC. STEPS, 4' WALKWAY, WIND WALLS
LOCATION ROW - 50 SALUDA AVE.



184
HAYWARD ST.

78921 BYWARD ST.



Elizabeth Rice, Landscape Architect LLC

Elizabeth Rice, Landscape Architect LLC
4928 Hillside Rd
Columbia, South Carolina, 29206

Phone 803 782 1569

Monday, December 1, 2008

Shari Ardis
Legal Dept. City of Columbia, SC
PBO 147
Columbia, SC 29217

Dear Ms. Ardis,

Enclosed is the request for an encroachment ordinance for the named residence.
Please contact me if additional information is needed.

Request for an Encroachment Ordinance
Steve Moon Residence
1842 Heyward Street, Columbia, SC 29205

Sincerely,



Elizabeth Rice
Fax 803 782 4810
Office 803 782 1569
E mail - eljo48@sc.rr.com





City of Columbia DEVELOPMENT CENTER

ENCROACHMENT

- If project is in a DESIGN OR HISTORIC DISTRICT (DD or DP) – refer to information sheet concerning additional review requirements.
- If project is in FLOODPLAIN OR FLOODWAY – refer to information sheet concerning additional requirements.

For applications and further information please visit our website at:
www.columbiadevelopmentsservices.net

REVIEWS/SUBMITTAL

The City of Columbia's Legal Department processes and tracks Encroachment Requests. Please submit one (1) copy of the following information to the Legal Department for review. Contact information can be found on the sheet titled: *DEVELOPMENT REVIEW CONTACTS*. Please note that incomplete submittals will not be accepted for review.

SITE PLAN: 1 copy – 11" x 17" maximum size

- Address; 1842 HEYWARD ST. COLA.SC. 29205 .
- Tax Map Sheet #; R11310-19-03
- Lot lines; SHOWN ON PLAN
- Location of any street trees; SHOWN ON PLAN .
- Any curb cuts in vicinity; NO.
- Location and nature of encroachment; 1) 2-24" entry columns; 2) 2 CONC. steps w/stone WING WALLS; 3) cedar picket fence. (PHOTOS ATTACHED)
- Picture of encroachment area.

NARRATIVE: 1 copy

- Use of property (whether commercial or residential); RESIDENTIAL .
- Written description of nature and reasoning of encroachment request. see attached .

INSURANCE: 1 copy

- Public liability insurance naming the City as an additional insured in the minimum amount required, *please refer to ordinance on application*, for personal injury and property damage is also required and should be submitted to Judy Edwards, Risk Management, for review