

**ORIGINAL
STAMPED IN RED**

ORDINANCE NO.: 2023-098

Granting an encroachment to Ryan Maltba for the use of the right of way area of the 1900 block of Pendleton Street for the installation and maintenance of brick pavers adjacent to 1927 Pendleton Street, Richland County TMS# 11405-14-10

WHEREAS, Ryan Maltba (hereinafter "Grantee") desires to utilize a portion of the right of way area of the 1900 block of Pendleton Street for the installation and maintenance of brick pavers adjacent to 1927 Pendleton Street, 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 5th day of September, 2023, that Grantee is hereby granted the right to use the right of way area of the 1900 block of Pendleton Street adjacent to 1927 Pendleton Street, Richland County TMS# 11405-14-10, for the installation and maintenance of brick pavers as shown on the attached drawings.

PROVIDED FURTHER that all work shall comply with the requirements of The City of Columbia, South Carolina Department of Transportation (SCDOT) and Federal Emergency Management Agency (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 Grantee's 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; and,

PROVIDED further that in the event the City has to make repairs or maintain utility lines located within the encroachment area the City will replace any items removed for the utility repair or maintenance with like items to those removed; and,

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; and,

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.

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 maintenance and assuring that all accessibility and ADA requirements are met and maintained.
3. Grantee is responsible for maintaining landscaping and improvements.
4. Irrigation must be designed to avoid spraying walkways, sidewalks and streets and/or creating hazardous conditions upon the walkways, sidewalks and streets.
5. Obstructions of more than be four (4') feet in height are prohibited within the sight-visibility triangle.
6. Forestry and Beautification shall be provided access to trees within the right of way for maintenance purposes.
7. All trees shall be protected and no large tree roots shall be removed from any existing trees.
8. Any changes to the public sidewalk must meet ICC A117.1-2017 (ADA guidelines).

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:

Assistant City Manager Gentry

Mayor



Approved by:

Cheresa B. Wilson
City Manager

Approved as to form:

[Signature]
City Attorney

ATTEST:

Erika D. Hammond
City Clerk

Introduced: 8/15/2023
Final Reading: 9/5/2023

**CITY COUNCIL
ENCROACHMENT SUMMARY
2023-098**



**1900 BLOCK OF PENDLETON STREET
ADJACENT TO 1927 PENDLETON STREET
PAVERS**

Subject Property:	Right-of-way adjacent to 1927 Pendleton Street
Council District:	2
Proposal:	The applicant is requesting an encroachment for installation and maintenance of brick pavers.
Applicant:	Ryan Maltba
Staff Recommendation:	Approval.

Detail:	<p>The applicant is requesting an encroachment for the installation and maintenance of brick pavers adjacent to 1927 Pendleton Street, as shown on the attached drawings; and,</p> <p>Conditions of the proposed encroachment are as follows:</p> <ol style="list-style-type: none">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 maintenance and assuring that all accessibility and ADA requirements are met and maintained.3. Grantee is responsible for maintaining landscaping and improvements.4. Irrigation must be designed to avoid spraying walkways, sidewalks and streets and/or creating hazardous conditions upon the walkways, sidewalks and streets.5. Obstructions of more than be four (4') feet in height are prohibited within the sight-visibility triangle.6. Forestry and Beautification shall be provided access to trees within the right of way for maintenance purposes.7. All trees shall be protected and no large tree roots shall be removed from any existing trees.8. Any changes to the public sidewalk must meet ICC A117.1-2017 (ADA guidelines).
----------------	---

City of Columbia

City of Columbia GIS



Wednesday, July 19, 2023



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.





Permanent Encroachment Application and Checklist

Checklist for All Applications

A complete site plan application shall include the following information. Refer to the Procedures Manual for additional information about these requirements. Please initial to signify that the requested information has been provided.

	Applicant Initials	Staff Initials
A copy of this Application Checklist, completed by the applicant.	RM	RB
A completed and signed Application Form	RM	RB
Letters of Agency for all applications where the applicant is not the owner of the subject property	N/A	RB
Pictures or specification sheet of the items to permanently encroach the Right-of-way	RM	RB
Existing Site Plan Please see page 4 below for required content.	RM	RB
Proposed Site Plan Please see page 4 below for required content.	RM	RB

1 copy: min. 18 x 24 inches
or 1 digital copy (pdf
format) – may be 8 ½ inches
x 11 inches if legible

1 copy: min. 18 x 24 inches
or 1 digital copy (pdf
format) – may be 8 ½ inches
x 11 inches if legible



Permanent Encroachment Application and Checklist

1. Applicant Information

Name Ryan Maltba	
Company (if applicable)	
Address (street, city, state, zip) 1927 Pendleton Street, Columbia, SC 29201	
Phone (803) 487-3078	Email ryanmaltba@gmail.com

2. Property Information

Address 1927 Pendleton Street, Columbia SC 29201	
Tax Map Reference Number(s) 11405-14-10	
Current use Primary Residence	Proposed use Primary Residence

3. Property Ownership

Does the applicant own the adjacent property? Yes No

If the applicant does not own the adjacent property, complete the **Letter of Agency** for each property owner that authorizes the applicant to submit this application on the property owner's behalf.



Permanent Encroachment Application and Checklist

4. Project Description

Provide a brief description of the project and list all items that will be placed in the right-of-way (walls, fences, columns, steps, irrigation systems, landscaping, driveways, pavers, sidewalks/walkways, planters, awnings, etc.)

I want to keep the existing ~9ft drive way down the center and add ~6 inches of brick pavers (approximately 2-3 courses) to either side to create a decorative border and reach the 10ft max width.

The upper curb and decorative driveway addition will be flush with the existing sidewalk as the existing driveway currently is. The existing street curb style will be extended into the mouth of the drive way and transition to a slanted curb once out of the street. It will be painted yellow on the corners to the same extent as it was previously.

For staff use only

Date received (M/D/Y): ____/____/____ By: _____



Permanent Encroachment Application and Checklist


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.

Property owned, operated and maintained by SCDOT shall comply with SCDOT encroachment requirements.

Permittee understands and agrees that the privilege granted may be modified or terminated by the City of Columbia at any time without notice and that the privilege granted hereby is subject to applicant's compliance with the following conditions, restrictions or limitations:

Permittee must comply with all existing City of Columbia and any other state or federal codes, rules and regulations, as applicable including the Americans with Disabilities Act, now in existence or hereafter enacted.

7. Signature

Signature of Applicant 	
Print Name Ryan Maltba	Date 07/18/2023

Curve #	Arc Length	Radius	Delta	Chord Direction	Chord Length
C2	12.37'	11.96'	59°16'56"	S48°21'08"E	11.83'

Easements and/or restrictions may exist on the subject property which are not shown hereon.

Book 2789-3902
 Plat Overlaid 11 x 17
 2022059118 10/21/2022 13:18:35.740
 Fee: \$25.00 County Tax: \$0.00
 State Tax: \$0.00
 2022059118
 John T. Hopkins II
 Richland County R.O.D.

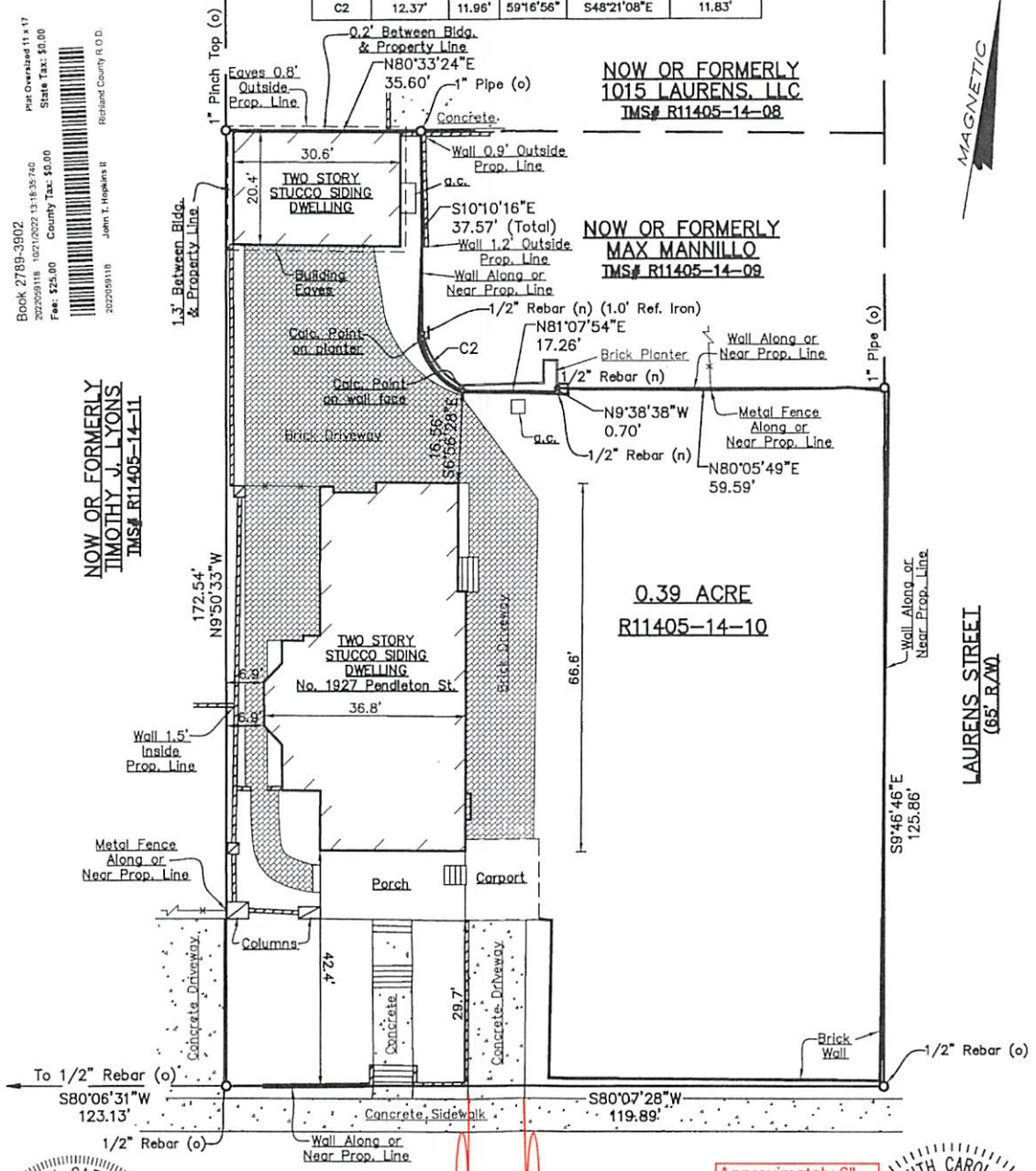
NOW OR FORMERLY
 TIMOTHY J. LYONS
 TMS# R11405-14-11

NOW OR FORMERLY
 1015 LAURENS, LLC
 TMS# R11405-14-08

NOW OR FORMERLY
 MAX MANNILLO
 TMS# R11405-14-09

0.39 ACRE
 R11405-14-10

COPYRIGHT © 2022 COX AND DINKINS, INC. ALL RIGHTS RESERVED.
 THIS SURVEY IS NOT VALID WITHOUT AN ORIGINAL SIGNATURE.



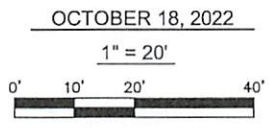
PENDLETON STREET
 (100' R/W)

PLAT
 PREPARED FOR
RYAN MALTBA

RICHLAND COUNTY, COLUMBIA, S.C.
 THE SAME BEING SHOWN ON PLAT PREPARED FOR LUCILE T. SYLVAN, BY WILLIAM WINGFIELD, DATED SEPTEMBER 27, 1960, REVISED OCTOBER 18, 1960, AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR RICHLAND COUNTY IN PLAT BOOK NO. 16, PAGE 413. THE SAME ALSO BEING SHOWN ON PLAT PREPARED FOR MARVIN J. CAUGHMAN & SARA H. CAUGHMAN, BY COX AND DINKINS, INC., DATED NOVEMBER 22, 1991. DEED BOOK REFERENCE D890, PAGE 332.

EXEMPTION FROM REVIEW PROCESS
 This plat is a SURVEY of an existing lot of record with no changes to existing lot lines.
 X
 (Registered Surveyor)
 Printed Name: J. Don Rawls, Jr.
 License#: 13517

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.



COX AND DINKINS
 ENGINEERS - SURVEYORS - LANDSCAPE ARCHITECTS
 724 BELTLINE BLVD.
 COLUMBIA, SC 29205
 803.254.0518
 COXANDINKINS.COM

PROF. LAND SURVEYOR NO. 13517
 J. DON RAWLS, JR.

ORDER NO. 60951