

**ORIGINAL
STAMPED IN RED**

ORDINANCE NO.: 2024-060

Granting an encroachment to Realstate LLC for the use of the right of way area of the 1000 block of Queen Street for the installation and maintenance of a porch, steps, walkway, and parking pad adjacent to 1015 Queen Street, Richland County TMS#11409-09-12

WHEREAS, Realstate LLC (hereinafter "Grantee") desires to utilize a portion of the right of way area of the 1000 block of Queen Street adjacent to 1015 Queen Street for the installation and maintenance of a covered porch measuring approximately seventeen (17') feet in length and three feet six inches (3'-6") in width, steps measuring approximately five feet six inches (5'-6") in length and three (3') feet in width, a brick walkway measuring approximately twelve (12') feet in length and three feet six inches (3'-6") in width, and a concrete parking pad measuring approximately twenty (20') feet in length and eleven (11') feet in width, as shown on the attached drawing; 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 6th day of August, 2024, that Grantee is hereby granted the right to use the right of way area of the 1000 block of Queen Street adjacent to 1015 Queen Street for the installation and maintenance of a covered porch measuring approximately seventeen (17') feet in length and three feet six inches (3'-6") in width, steps measuring approximately five feet six inches (5'-6") in length and three (3') feet in width, a brick walkway measuring approximately twelve (12') feet in length and three feet six inches (3'-6") in width, and a concrete parking pad measuring approximately twenty (20') feet in length and eleven (11') feet in width, as shown on the attached drawing.

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.

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.

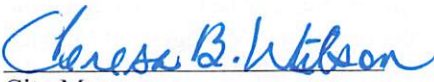
Requested by:

Assistant City Manager Gentry




Mayor

Approved by:



City Manager

Approved as to form:



City Attorney

ATTEST:



City Clerk

Introduced: 7/16/2024

Final Reading: 8/6/2024

**CITY COUNCIL
ENCROACHMENT SUMMARY
2024-060**



**1000 BLOCK OF QUEEN STREET
ADJACENT TO 1015 QUEEN STREET
PORCH, STEPS, WALKWAY, AND PARKING PAD**

Subject Property:	Right-of-way adjacent to 1015 Queen Street
Council District:	2
Proposal:	The applicant is requesting an encroachment for installation and maintenance of a porch, steps, walkway, and parking pad.
Applicant:	Realstate LLC
Staff Recommendation:	Approval.

Detail:	<p>The applicant is requesting an encroachment for the installation and maintenance of a covered porch measuring approximately seventeen (17') feet in length and three feet six inches (3'-6") in width, steps measuring approximately five feet six inches (5'-6") in length and three (3') feet in width, a brick walkway measuring approximately twelve (12') feet in length and three feet six inches (3'-6") in width, and a concrete parking pad measuring approximately twenty (20') feet in length and eleven (11') feet in width, as shown on the attached drawing; 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.
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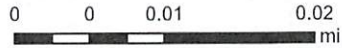
1015 Queen Street

This map was prepared using the City GIS Viewer

City of Columbia - GIS Division

4/22/2024 11:22 AM

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| <ul style="list-style-type: none"> Building Footprint Tax Parcel Address Point <ul style="list-style-type: none"> Active Vacant Street & Ownership <ul style="list-style-type: none"> Interstate Highway Highway Highway Highway Highway Highway City Maintained | <ul style="list-style-type: none"> City Maintained City Maintained City Maintained City Maintained State Maintained State Maintained State Maintained State Maintained Private Private Others Others Others Others Others | <ul style="list-style-type: none"> Others Others Others |
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- Design Overlays**
- | |
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| <ul style="list-style-type: none"> City Center Design Overlay District Five Points Design Overlay District (Lower) Five Points Design Overlay District (Upper) Innovista 150 Foot Height Buffer Area Innovista 55 Foot Height Buffer Area Innovista 75 Foot Height Buffer Area Innovista 90 Foot Height Buffer Area Innovista Design Overlay District North Main Corridor Design Overlay District |
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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 the compilation of data 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

1. Applicant Information

Name Ari Shainwald	
Company (if applicable) Realstate, LLC	
Address (street, city, state, zip) 1703 N. Beltline Boulevard Columbia, SC 29206	
Phone 803-240-1675	Email arishainwald@gmail.com

2. Property Information

Address 1015 Queen Street, Columbia, SC 29205	
Tax Map Reference Number(s) 11409-09-12	
Current use Single-Family Residence	Proposed use Same

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.)

This newly constructed house was constructed with portion of the front porch and steps located in the Queen Street ROW. This encroachment application, if approved, would allow the porch and steps to remain.

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

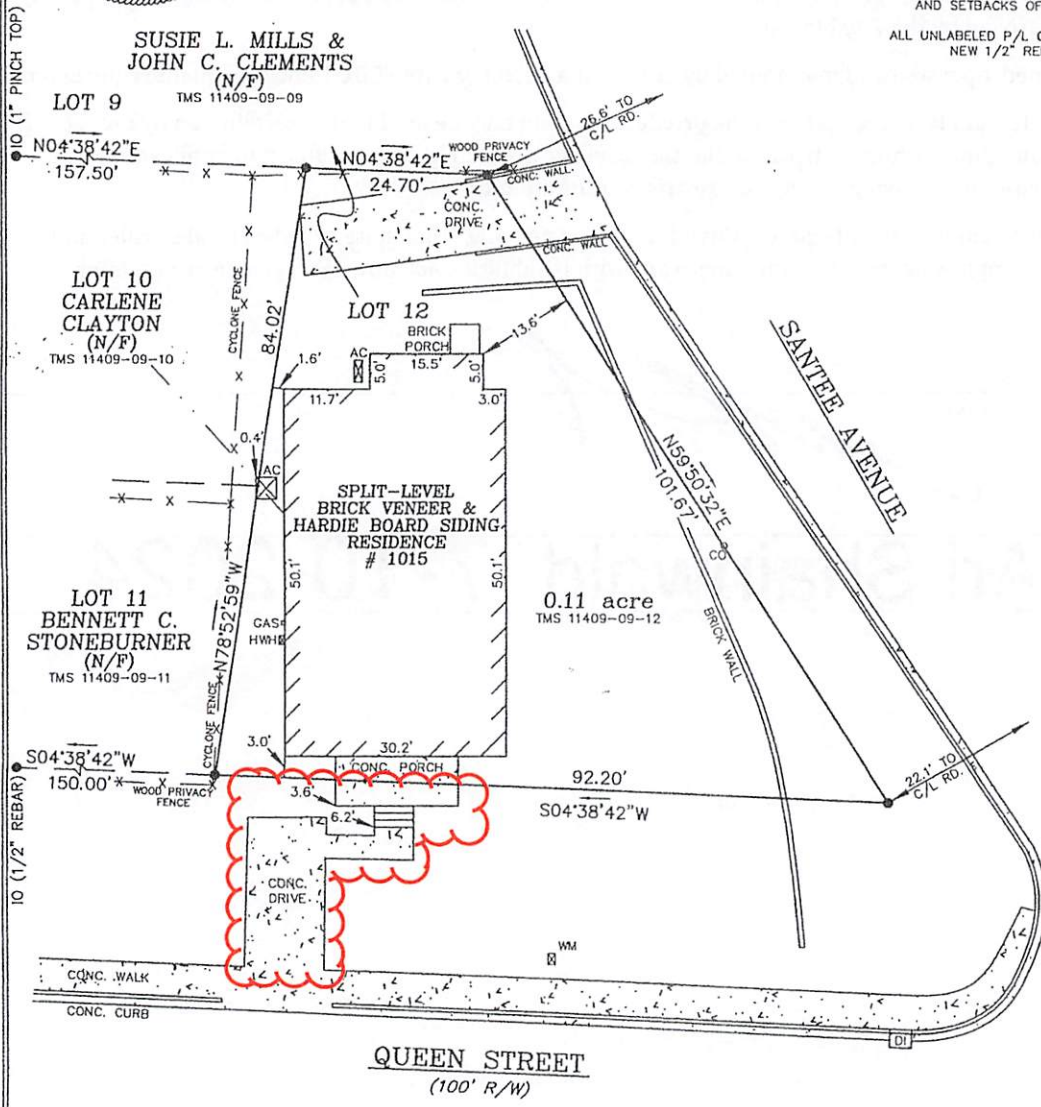
Signature of Applicant		
Print Name	Ari Shainwald	Date 7-10-2024



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

Benjamin H. Whetstone
Registered Surveyor
Benjamin H. Whetstone
PLS # 2904 SC

NOTES:
THIS LOT MAY CONTAIN EASEMENTS AND SETBACKS OF RECORD.
ALL UNLABELED P/L CORNERS ARE NEW 1/2" REBAR.



LOT IN COLUMBIA, IN RICHLAND COUNTY, SC; DESCRIBED AS A MAJOR EASTERN PORTION OF LOT 12, SHOWN ON A PLAT OF PROPERTY OF E.L. SUMMERSETT & CO. INC., BY TOMLINSON ENGR. CO., DATED JULY 18, 1921, AND RECORDED IN PLAT BOOK D, PAGE 153, IN THE R.O.D. OFFICE FOR RICHLAND COUNTY. TMS 11409-09-12

PLAT PREPARED FOR

SARAH FATIMA WAHEED &
MUHAMMAD TAIMOOR SHAHID KHAN

BEN WHETSTONE ASSOCIATES
1321 AUGUSTA ROAD
WEST COLUMBIA, SC 29169
PHONE (803) 791-8467

APRIL 10, 2024
SCALE: 1" = 20'
20' 0 20' 40'

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.

Benjamin H. Whetstone
BENJAMIN H. WHETSTONE, R.L.S.
S.C. REGISTRATION NUMBER 2904





