

ORIGINAL

ORDINANCE NO.: 2025-097

Granting an encroachment to Stephen Gillespie for the use of the right of way areas of the 800 block of Kilbourne Road and the 3800 block of Devereaux Road for the installation and maintenance of landscaping and irrigation adjacent to 854 Kilbourne Road, Richland County TMS# 13905-11-01

WHEREAS, Stephen Gillespie, (hereinafter "Grantee") desires to utilize a portion of the right of way areas of the 800 block of Kilbourne Road and the 3800 block of Devereaux Road for the installation and maintenance of landscaping and irrigation adjacent to 854 Kilbourne Road, 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 16th day of December, 2025, that Grantee is hereby granted the right to use the right of way areas of the 800 block of Kilbourne Road and the 3800 block of Devereaux Road adjacent to 854 Kilbourne Road, Richland County TMS# 13905-11-01, for the installation and maintenance of landscaping and irrigation, 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.

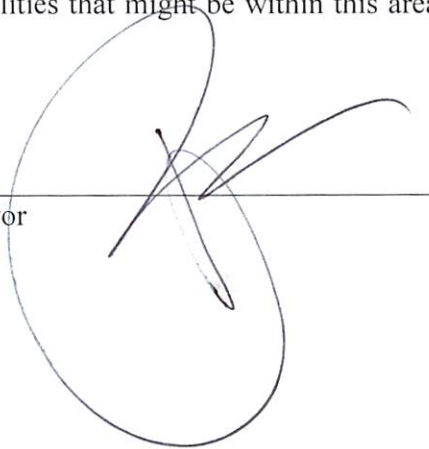
2. Grantee is responsible for all maintenance and assuring that all accessibility and ADA requirements are met and maintained.
3. Grantee is responsible for maintaining landscaping and improvements.
4. Irrigation must be designed to avoid spraying walkways, sidewalks and streets and/or creating hazardous conditions upon the walkways, sidewalks and streets.
5. Obstructions of more than 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. Prior to installation, coordinate with City Streets Division staff to ensure curb cuts for new driveway and closing of old driveway match existing curb and gutter. No concrete shall be allowed past existing gutter concrete. Driveway slope at sidewalk shall be handicap compliant. New gutters installed at driveways shall allow storm water to flow with no restrictions.

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 Palen

 Mayor



Approved by:

Cereza B. Wilson
 City Manager

Approved as to form:

[Signature]
 City Attorney

ATTEST:

Erika D. Hammond
 City Clerk

Introduced: 12/02/2025
 Final Reading: 12/16/2025

**CITY COUNCIL
ENCROACHMENT SUMMARY
2025-097**



**800 BLOCK OF KILBOURNE ROAD AND 3800 BLOCK OF DEVEREAUX ROAD
ADJACENT TO 854 KILBOURNE ROAD
LANDSCAPING AND IRRIGATION**

Subject Property:	Right-of-way adjacent to 854 Kilbourne Road
Council District:	4
Proposal:	The applicant is requesting an encroachment for installation and maintenance of landscaping and irrigation.
Applicant:	Kaufman Construction Company, Inc.
Staff Recommendation:	Approval.

Detail:	<p>The applicant is requesting an encroachment for the installation and maintenance of landscaping and irrigation adjacent to 854 Kilbourne Road, 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. Prior to installation, coordinate with City Streets Division staff to ensure curb cuts for new driveway and closing of old driveway match existing curb and gutter. No concrete shall be allowed past existing gutter concrete. Driveway slope at sidewalk shall be handicap compliant. New gutters installed at driveways shall allow storm water to flow with no restrictions.
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Citywide GIS Viewer Map

This map was prepared using the City GIS Viewer
 City of Columbia - GIS Division
 10/28/2025 12:22 PM



Address Point

- Single Family
- Multi Unit
- Others
- InActive

Street & Ownership

- Tax Parcel
- Building Footprint
- City Maintained
- State Maintained
- Private
- Others
- Columbia City Limits
- Interstate
- Highway

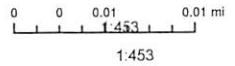
Dwelling Type

CFCC, Ownership

- City Maintained
- State Maintained
- Private
- Others
- Columbia City Limits
- Interstate
- Highway

FEMA Flood Hazard Area NearMap Cache 2025

- | | |
|---|--|
| AE - Floodway | Red: Band_1 |
| AE - 100yr Flood Plain | Green: Band_2 |
| A - No Base Flood Elevation | Blue: Band_3 |
| X - 500yr Flood Plain | |



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

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 project takes place on a plot of land that previously contained a single family house. The previous house was demolished in preparation for the construction of a new single family house in its place. Please see below for the proposed right-of-way encroachments.

The lot currently contains one driveway entrance on the far South end of the property along Kilbourne Road. Kaufman Construction proposes filling in the old driveway entrance with sidewalk and curb to match the adjacent sidewalk and curb and subsequently installing two new driveway entrances to accommodate for a half circle driveway slightly further North along Kilbourne Road. Along the fence planting beds will be installed with subsequent landscaping, as well as a tree will be planted on the South side of the circle drive to replace the tree which is being removed on the corner of Devereaux and Kilbourne.

Please see the attached site plan for reference.

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.

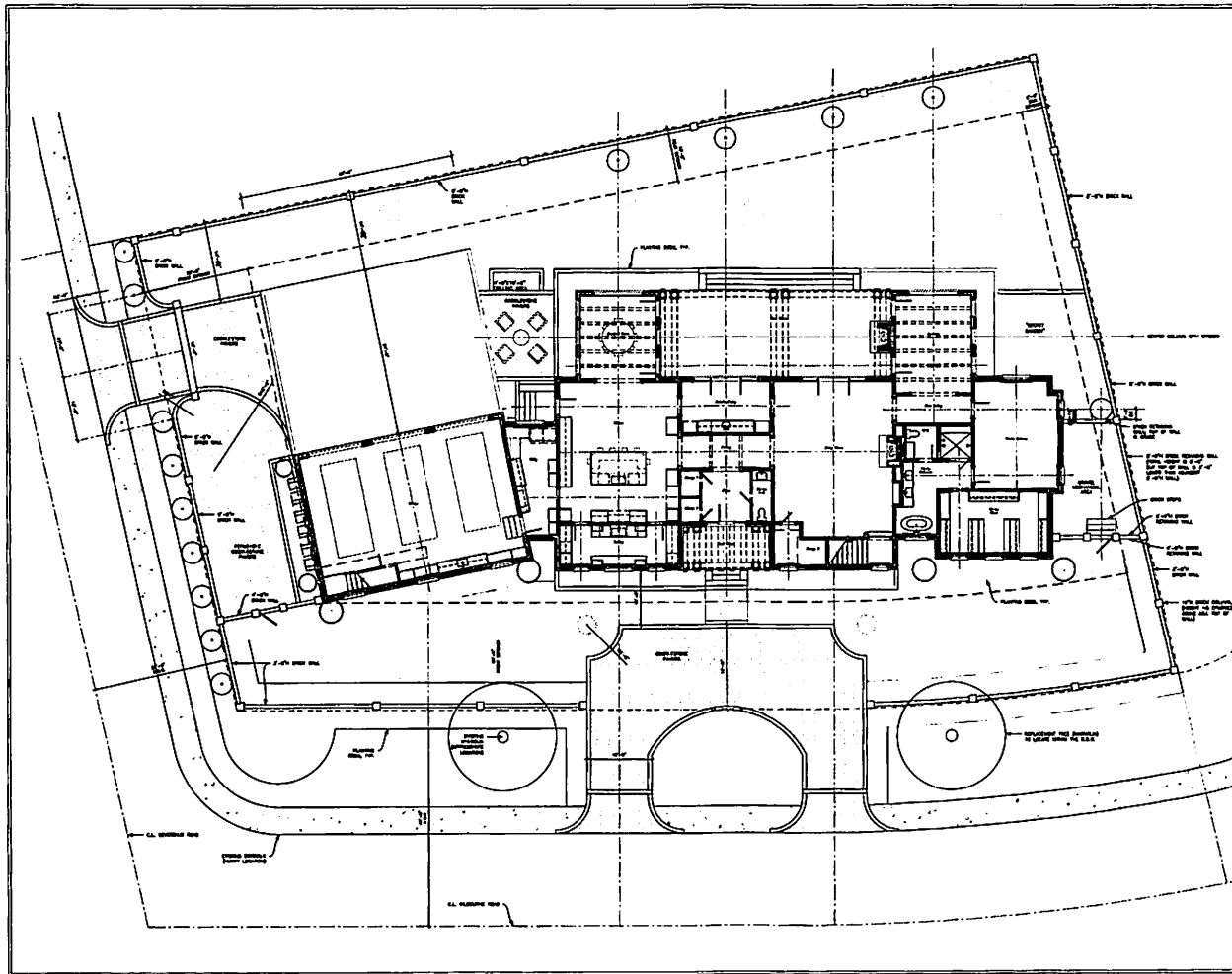
Property owned, operated and maintained by SCDOT shall comply with SCDOT encroachment requirements.

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 <i>Carter Steenbakkers</i>	
Print Name Carter Steenbakkers	Date 07/08/2025



1428 DELAWARE DRIVE
 COLUMBIA, SOUTH CAROLINA 29205
 803.725.4264

PROJECT
 GILLESPIE RESIDENCE

824 KILBOURNE ROAD
 COLUMBIA, SOUTH CAROLINA 29205

GENERAL NOTES

DEVEREAUX ROAD: 50'-0" R.O.W.
 KILBOURNE ROAD: 80'-0" R.O.W.

**PRELIMINARY
 LANDSCAPE PLAN**

SCALE: 1/8" = 1'-0"

A0.00
 FOR PRICING
 SEPTEMBER 30, 2025