

ORDINANCE NO.: 2009-003

Granting an encroachment to Steve McKelvey and Tracy McKelvey for installation and maintenance of a driveway within the right of way area of the 400 block of Princess Street adjacent to their property at 2401 Wilmot Avenue

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WHEREAS, Steve McKelvey and Tracy McKelvey (hereinafter "Grantees") desire to utilize a portion of the rights of way area of the 400 block of Princess Street adjacent to their property at 2401 Wilmot Avenue for installation and maintenance of a driveway approximately fifty (50') feet in width and twenty and four tenths (20.4') feet in length, 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 Grantees, their successors and assigns, are hereby granted the right to utilize a portion of the rights of way area of the 400 block of Princess Street adjacent to their property at 2401 Wilmot Avenue for installation and maintenance of a driveway approximately fifty (50') feet in width and twenty and four tenths (20.4') feet in length, 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, Grantees, their 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 Grantees, their successors and assigns.

PROVIDED FURTHER that a certificate of insurance be issued as evidence of general

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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 Grantees, their 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 Grantees, in consideration of the above privilege, shall at their 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:

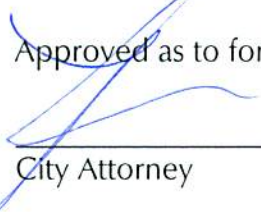
Steve McKelvey and Tracy McKelvey


MAYOR

Approved by:


City Manager - Interim

Approved as to form:


City Attorney

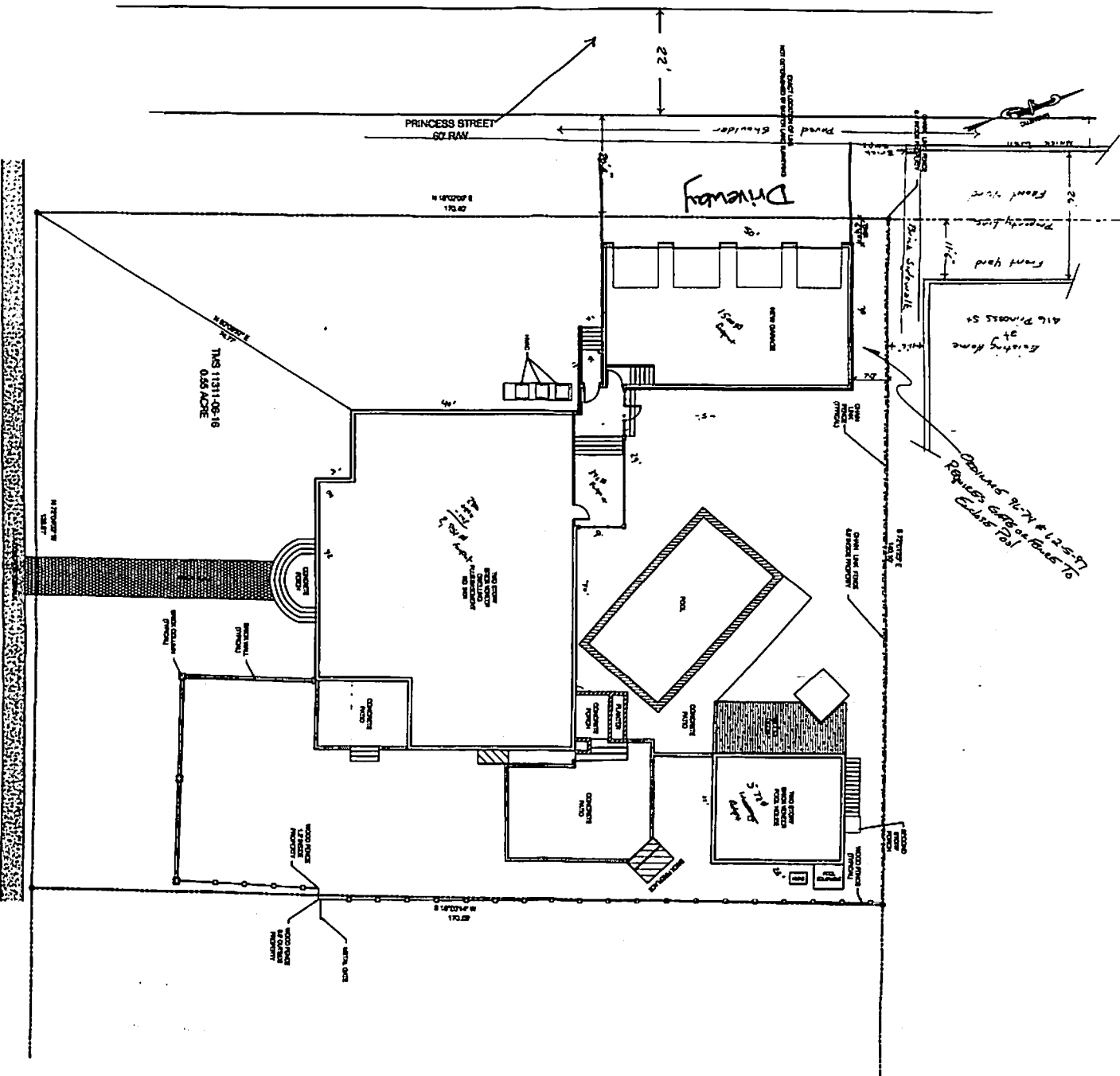
ATTEST:

City Clerk

Introduced: 1/28/2009
Final Reading: 2/4/2009

1 SITE PLAN
2011-08-18

2401 Wilmost Avenue



Existing Home
416 Princess St
Front Yard
Property Lines
Front Yard
2'
11'-6"
Driveway
22'
Shoulder
Paved
Concrete
22'
22'

TMS 11311-08-18
0.55 ACRES

Area - 2,951
Living - 316
Kitch - 150
Dining - 572
Garage - 534
1st floor = 2,572
1.7 acres = 23,958
14,000 sq ft = 22,478

W 5.5
420' - 235'

A100

R116-08
OK
6/12/08

GARAGE ADDITION
MCKELVEY RESIDENCE
COLUMBIA, SC
HALF SCALE SITE PLAN



THE LITC ASSOCIATES
1111 LANTANA ST., SUITE 100
COLUMBIA, SC 29204
TEL: 803.733.1111
FAX: 803.733.1112
WWW.LITCASSOCIATES.COM



Submit by Email

Matter No.: 08122113
Attorney: LEGISL
Date In: 12/23/08
File No.: 2008-003
Date Out: 1/28/09

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: 12-17-08 Applicant's Name: Steve & Tracy McKelvey
Telephone Number: 803-787-1047 Fax Number: 803-255-9043
E-mail address: TracyMcKelvey@sc.rr.com
Encroachment Location (Address): 2401 Wilmot Avenue, Columbia, SC 29205

Encroachment type: Wall Fence Irrigation System Landscaping/Other Driveway

If wall or fence - dimensions: _____ (height/length) construction material: _____
→ Please provide photographs and drawing or site plan drawn to scale.

_____ 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	545-3703	401-8839
Krista Hampton	Planning and Development Services	545-3420	733-8699

Last Revised: 8/25/2008

