

ORDINANCE NO.: 2018-039

Granting an encroachment to Jason Chastain and Ximena Chastain for installation and maintenance of landscaping and irrigation within the right of way area of the 1700 block of Bannockburn Drive adjacent to 1707 Bannockburn Drive Richland County TMS #13911-08-10

ORIGINAL
STAMPED IN RED

WHEREAS, Jason Chastain and Ximena Chastain (hereinafter "Grantee") desires to utilize a portion of the right of way area of the 1700 block of Bannockburn Drive adjacent to 1707 Bannockburn Drive for the installation and maintenance of landscaping and irrigation, 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 14th day of August, 2018, that the grantee is hereby granted the right to use the right of way area of the 1700 block of Bannockburn Drive adjacent to 1707 Bannockburn Drive for the installation and maintenance of landscaping and irrigation, as shown on the attached drawing; and.

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 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.

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. Landscaping to be maintained by property owner.
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.

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

ORIGINAL
STAMPED IN RED

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.

BE IT FURTHER ORDAINED that Grantee, in consideration of the above privilege, shall at his 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: 7/17/2018

Final Reading: 8/14/2018

**CITY COUNCIL
ENCROACHMENT SUMMARY
2018-039**



**1700 BLOCK OF BANNOCKBURN DRIVE
ADJACENT TO 1707 BANNOCKBURN DRIVE
LANDSCAPING AND IRRIGATION**

Subject Property:	Right-of-way adjacent to 1700 block of Bannockburn Drive adjacent to the 1707 Bannockburn Drive, TMS #13911-08-10
Council District:	4
Proposal:	The applicant is requesting an encroachment for installation and maintenance of landscaping and irrigation
Applicant:	Jason and Ximena Chastain
Staff Recommendation:	Approval

Detail:	<p>The applicant is requesting an encroachment for installation and maintenance of landscaping and an irrigation system, as shown on the attached drawings.</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. Landscaping to be maintained by property owner. 4. Irrigation must be designed to avoid spraying walkways, sidewalk and streets and/or creating hazardous conditions upon 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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CITY AGENCY COMMENTS FOR ENCROACHMENT

Planning	Recommend approval.
Streets	Recommend approval.
Utilities and Engineering	Recommend approval.
Traffic Engineering	Recommend approval.
Forestry	Recommend approval.
Land Development	Recommend approval.
Fire	Recommend approval.

City of Columbia

1707 Bannockburn Drive



Wednesday, April 18, 2018



CITY OF COLUMBIA GIS DATA DISCLAIMER

The City of Columbia GIS data represented on this map or plan is the product of completion, 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.



REQUEST FOR A PERMANENT RESIDENTIAL OR CHURCH DIRECTIONAL SIGNS 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. In order to obtain an encroachment ordinance from the City of Columbia, it will be necessary for the City of Columbia to be named as an additional insured on your homeowners' policy with limits being increased to \$600,000 as required by Sec. 11-71. It is recommended that you contact your insurance provider to determine if it will name the City of Columbia as an additional insured prior to submitting your request for an encroachment ordinance. If you have any questions concerning these requirements, please contact Chip Timmons with Risk Management.

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. Chip Timmons with Risk Management (733-8306 or catimmons@columbiasc.net) should be contacted regarding the insurance requirements.

Date: 09-30-2018 Property Owner: JASON C CHASTAIN & XIMENA A CHASTAIN
 Applicant's Name if different from Property Owner: _____
 Contact Information: Telephone Number: 360-7132 Fax Number: _____
 Mailing address: 1701 BANNOCKBURN DR E-mail address: alosealacrusplanninggroup.com
 Encroachment Location (Address): 1701 BANNOCKBURN DR COLUMBIA, SC 29206
 (If corner lot, include name and block number of side street, i.e., 1737 Main Street and 1100 block of Laurel Street)

Tax Map Number for Encroachment Location: R13911-08-10

Encroachment type: Wall Fence Columns Steps Irrigation System Landscaping Driveway Pavers
 Walkway/Side walk Underground Utilities other

If Other - specify: _____
 Dimensions (height/width/length): WE WOULD LIKE TO CLEAN UP THE AREA & LANDSCAPE MAKE MAKE ATTRACTIVE THAN THE SAND/DIRT/ROCKS
 (i.e., 6'x42' wooden privacy fence; two 12'x4' concrete step; two 12'x12" x24" brick columns; 4'x15' brick paver walkway)

Construction material: _____
 Please provide photographs and drawing or site plan drawn to scale - no larger than 8-1/2 x 11.

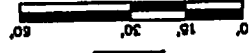
Church Directional Signs (Must provide picture or drawing of proposed signs that reflect dimensions)

Location(s) signs are to be placed (i.e. Northeast corner of Main Street) _____

work shall comply with the requirements of The City of Columbia and South Carolina Department of Transportation now in existence or hereafter enacted. The material id 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 shall be repaired t e 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 Cit anager.

re proposed ordinance will be sent to the requesting party and City offices for review and approval. Johnathan Chambers will compile the recommendations and forward em to the City Clerk for scheduling before City Council. This process may take from 30-90 days.

CONTACT	DEPARTMENT	PHONE	FAX	E-MAIL
Johnathan Chambers	Development Services (Land Development)	803-545-3333	803-343-8779	jchambers@columbiasc.net
John Fellows	Development Services (Planning)	803-545-3222	803-733-8647	jsfellows@columbiasc.net
Brian Cook	Development Services (Zoning)	803-545-3332	803-733-8647	kbcook@columbiasc.net
Larry Thompson	Development Services (Building Inspections)	803-545-3420	803-733-8699	lthompson@columbiasc.net
Vanessa Pinckney	Development Services (Permits)	803-545-3420	803-733-8699	fpinckney@columbiasc.net
Lamy Moore	Development Services (Historic Preservation)	803-545-3222	803-733-8647	aemoore@columbiasc.net
Robert Harkins	Development Services (Plans Review)	803-545-3420	803-733-8647	rharkins@columbiasc.net
Jenny Daniels	Utilities & Engineering (Construction Management)	803-545-3400	803-988-8199	jddaniels@columbiasc.net
Robert Anderson	Public Works (Administration)	803-545-3780	803-733-8648	raanderson@columbiasc.net
Robert Sweet	Public Works (Street Division)	803-545-3780	803-545-3785	rgsweet@columbiasc.net
David Brewer	Public Works (Traffic Engineering)	803-545-3850	803-733-8648	ddbrewer@columbiasc.net
Sara Hollar	Public Works (Forestry & Beautification)	803-545-3880	803-733-8648	sehollar@columbiasc.net
John Hooks	Public Works (Solid Waste)	803-545-3800	803-733-8648	jphooks@columbiasc.net
Chip Timmons	Risk Management	803-733-8306	803-733-8245	catimmons@columbiasc.net
David Koon	Fire Department	803-545-3701	803-401-8839	cdgkoon@columbiasc.net
John David Spade	Parking Services	803-545-3070	803-733-8523	spade@columbiasc.net



JUNE 16, 2017

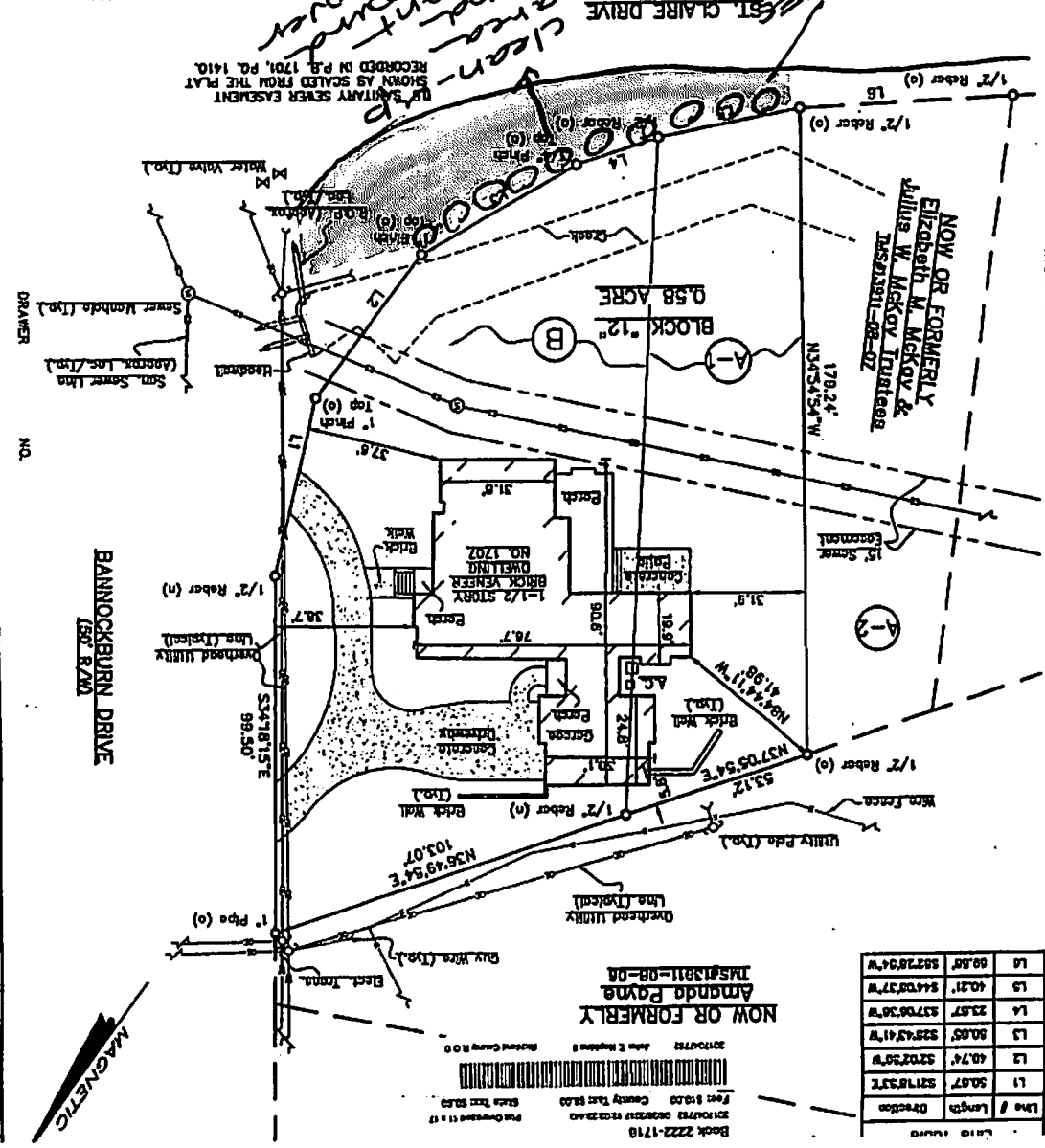
Licensed: 24278
 Principal Name: GENE L. DINKINS, JR.
 (Professional Land Surveyor)
 This plat is a SURVEY of an existing lot of record and is subject to existing lot lines.



PROF. GENE L. DINKINS, JR.
 LICENSED SURVEYOR NO. 24278
 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 for Surveying in South Carolina, and meets or exceeds the requirements for a Class B survey as specified therein and there are no visible encroachments or projections other than shown.

REFERENCES:
 SUBJECT BEING THE SAME AS LOTS "B" AND "A-1" AS SHOWN ON BOUNDARY SURVEY PREPARED FOR JULIUS W. MCKAY, JR. & SALLY T. MCKAY, BY BOSTICK SURVEYING, DATED JULY 8, 2014, AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR RICHLAND COUNTY IN RECORD BOOK 1701. REFERENCE IS ALSO MADE TO PLAT PREPARED FOR JULIUS MCKAY, BY URS, INC., DATED JUNE 21, 1998, AND RECORDED IN RECORD BOOK 286, PAGE 1323 AND TO RESUBMISSION OF A PORTION OF KILBOURNE HEIGHTS, BY WRIGHT & RUDSILL, DATED SEPTEMBER 19, 1947, AND RECORDED IN PLAT BOOK "N", PAGE 24.

RICHLAND COUNTY, COLUMBIA, S.C.
JASON C. CHASTAIN & XIMENA A. CHASTAIN
 PREPARED FOR
 PLAT
 THE ADDRESS OF THE SUBJECT PROPERTY IS 1707 BANNOCKBURN DRIVE.
 COX AND DINKINS, INC. NO. 000294
 SOUTH CAROLINA
 STATE OF AUTHORIZATION



Line #	Length	Bearing
L1	50.67	S71°03'37"
L2	40.74	S70°23'08"
L3	50.05	S25°43'41"W
L4	23.57	S37°06'36"W
L5	40.21	S44°03'27"W
L6	69.86	S87°08'34"W

NOW OR FORMERLY
Amanda Payne
 TMS13911-08-08

Book 2222-1718
 Fee: \$12.00 County Tax: \$12.00
 Plat Drawn: 11 17
 Printed: 11 17
 Registered: 11 17
 Registered: 11 17
 Registered: 11 17

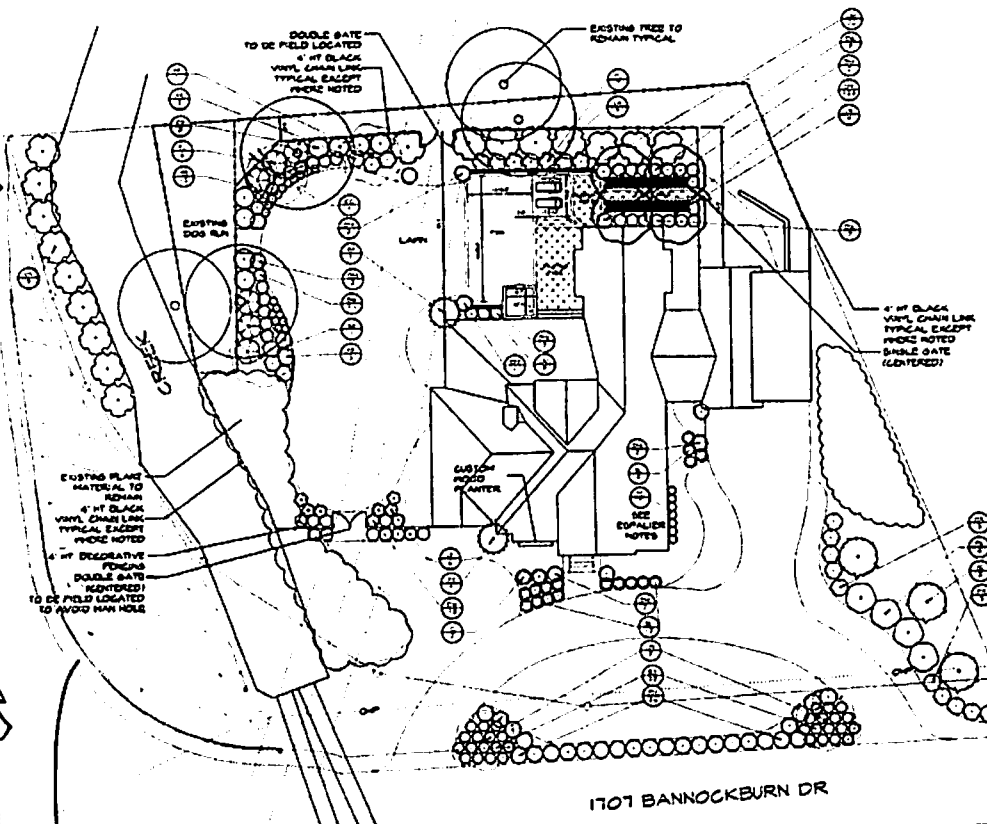
NO. DRAWERS

BANNOCKBURN DRIVE
 (50' R/W)



COPYRIGHT © 2017 COX AND DINKINS, INC. ALL RIGHTS RESERVED.
 THIS SURVEY IS NOT VALID WITHOUT AN ORIGINAL SIGNATURE.

Sort trees & grass planting



PLANT SCHEDULE

NO.	SYMBOL	PLANT NAME	HT.	SP.	FR.
1	(Symbol)	Small tree - 10' max. height	10'		
2	(Symbol)	Medium tree - 15' max. height	15'		
3	(Symbol)	Large tree - 20' max. height	20'		
4	(Symbol)	Shrub - 6' max. height	6'		
5	(Symbol)	Flowering shrub - 6' max. height	6'		
6	(Symbol)	Perennial - 3' max. height	3'		
7	(Symbol)	Annual - 1' max. height	1'		
8	(Symbol)	Grass - 1' max. height	1'		
9	(Symbol)	Ground cover - 1' max. height	1'		
10	(Symbol)	Water feature			
11	(Symbol)	Light fixture			
12	(Symbol)	Gate			
13	(Symbol)	Path			
14	(Symbol)	Driveway			
15	(Symbol)	Foundation			
16	(Symbol)	Structure			
17	(Symbol)	Water feature			
18	(Symbol)	Light fixture			
19	(Symbol)	Gate			
20	(Symbol)	Path			
21	(Symbol)	Driveway			
22	(Symbol)	Foundation			
23	(Symbol)	Structure			



DETAIL NOTES

1. All work to be completed within 90 days of start.
2. All materials to be approved by the architect.
3. All work to be completed within 90 days of start.
4. All materials to be approved by the architect.
5. All work to be completed within 90 days of start.
6. All materials to be approved by the architect.
7. All work to be completed within 90 days of start.
8. All materials to be approved by the architect.
9. All work to be completed within 90 days of start.
10. All materials to be approved by the architect.

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CHASTAIN RESIDENCE
Columbia, South Carolina



CLEAN-UP AREA
PLANT GROUND COVER

CHASTAIN RESIDENCE
LANDSCAPE MASTER PLAN