

ORDINANCE NO.: 2019-020

ORIGINAL
STAMPED IN RED

Granting an encroachment to Vincent J. Degenhart and Denice Degenhart for the use of the right of way area of the 400 block of Harden Street adjacent to 415 Harden, Richland County TMS #11311-03-08, for installation and maintenance of a masonry wall and aluminum gates

WHEREAS, Vincent J. Degenhart and Denice Degenhart (hereinafter "Grantees") desire to utilize a portion of the right of way area of the 400 block of Harden Street adjacent to 415 Harden Street for the installation and maintenance of a masonry wall approximately six (6') feet in height and twenty-four (24') feet in length with two (2) textured aluminum gates approximately six (6') feet in height and twelve (12') feet in length, 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 7th day of May, 2019, that Grantees are hereby granted the right of way area of the 400 block of Harden Street adjacent to 415 Harden Street for the installation and maintenance of a masonry wall approximately six (6') feet in height and twenty-four (24') feet in length with two (2) textured aluminum gates approximately six (6') feet in height and twelve (12') feet in length, as shown on the attached drawings.

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 of items approved by this ordinance for placement within the right of way area and assuring that all accessibility and ADA requirements are met and maintained.

3. All trees shall be protected and no large tree roots shall be removed from any existing trees. 4. Must be installed at a minimum depth of thirty-six (36") inches.

PROVIDED FURTHER that the privilege granted hereby may be modified or terminated by Columbia City Council at any time without notice to the Grantee, his successors and assigns.

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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.

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

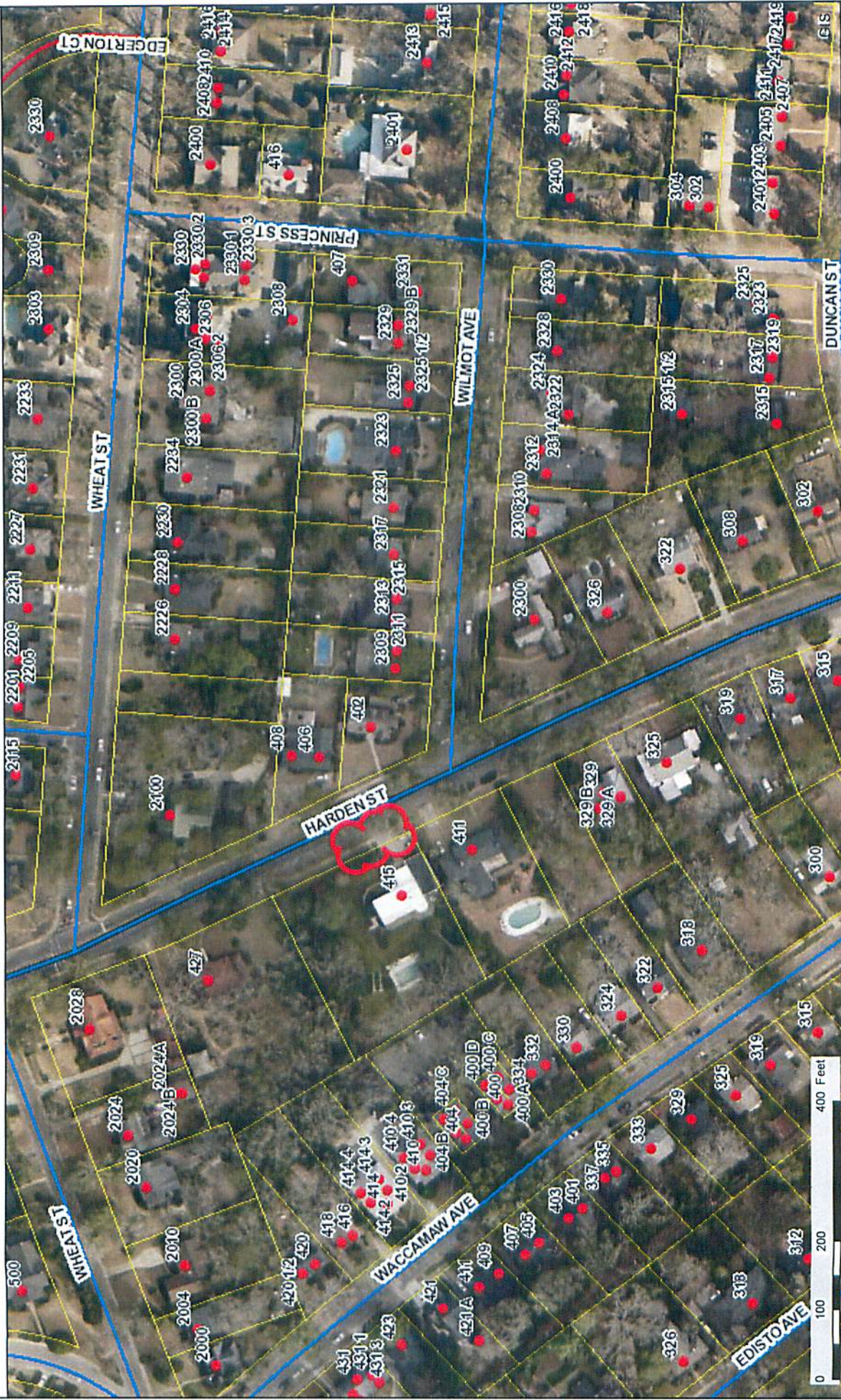
Introduced: 4/2/2019

Final Reading: 5/8/2019

City of Columbia

415 Harden Street - Wall Encroachment

Tuesday, September 11, 2018



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.



**REQUEST FOR A PERMANENT COMMERCIAL ENCROACHMENT ORDINANCE
(INCLUDING OUTDOOR DINING/LANDSCAPING/STUDENT HOUSING)**

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. Encroachments must comply with all existing City codes, rules and regulations, the Americans with Disabilities Act, if applicable, and are 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 insurance 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, (803) 733-8306 or catimmons@columbiasc.net.

Please complete and submit this form along with photographs and drawings or site plan drawn to scale (including a 8-1/2 x 11) to Johnathan Chambers by e-mail at jechambers@columbiasc.net; fax at 803-255-8935; or mail to Johnathan Chambers, Development Services, 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.

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

Date: 8/24/19 Property Owner: VINCENT J. DEGENHART
 Business Name/Applicant's Name if different than owner: _____
 Contact Information: Telephone Number: 803-212-8103 Fax Number: 803-254-7648
 Mailing address: 415 HARDEN ST., COLUMBIA, S.C. 29205 E-mail address: USCGAS10@gmail.com
 Business Name/Development Name for Encroachment: _____
 Encroachment type: Wall Fence Columns Steps Irrigation System Landscaping Driveway Pavers Sidewalk/Walkway
 Planters Awning Underground Utilities Other: _____

Dimensions (height/width/length):
 (i.e. 6'x42' wooden privacy fence;
 two 12'x4'x3' concrete steps)
SLIDING ALUMINUM GATE ~ 48'; 4' and 3' STUCCO WALL; GATE

Construction material:
DESIGN TO MATCH EXISTING GARAGE DOORS; SEE ATTACHED DRAWINGS & SPECS.

OUTDOOR DINING: The Fire Marshal's posted capacity allowed within the business at the time of enactment of the outdoor dining encroachment ordinance shall include the total number of patron seating approved for the outdoor dining encroachment area, if not already included in the posted capacity allowance, so that patrons relocating from inside to the outside or from outside to the inside do not cause the posted capacity to be exceeded.

Hours/days of operation for outdoor dining: _____
 Posted Maximum Capacity Allowance (inside/outside combined): _____ No. of chairs outdoors: _____ No. of Tables Outdoors: _____
 Do you serve: Wine Beer Liquor SCDOR ABL No.: _____ If not, do you intend to apply for an ABL license? _____

I acknowledge that the adjoining property owners and businesses have been contacted and approve the addition of outdoor dining at this location to include the service of beer, wine and/or liquor if applicable during the business hours noted above, and that any changes made to the business hours, use of the encroachment area or items allowed within the encroachment area will require an amendment to the encroachment ordinance.

Name/Title: _____
 Date: _____

I acknowledge that any changes made to the business, hours, use of the encroachment area, or items allowed within the encroachment area, to include obtaining a license to sell beer, wine and/or liquor will require an amendment to the encroachment ordinance.

Name/Title: _____
 Date: _____

The proposed ordinance will be sent to the requesting party and City offices for review and approval. Johnathan Chambers 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	PHONE	FAX	E-MAIL
Johnathan Chambers	Development Services (Land Development)	803-645-3333	803-255-8935	jechambers@columbiasc.net
John Fellows	Development Services (Planning)	803-645-3222	803-733-8647	jfellows@columbiasc.net
Brian Cook	Development Services (Zoning)	803-645-3332	803-733-8647	kbcook@columbiasc.net
Jerry Thompson	Development Services (Building Inspections)	803-645-3420	803-733-8699	jthompson@columbiasc.net
Zach Kay	Development Services (Development Center)	803-645-3420	803-733-8699	zkay@columbiasc.net
Amy Moore	Development Services (Historic Preservation)	803-645-3222	803-733-8647	aemoore@columbiasc.net
Lucinda Stattler	Development Services (Urban Design)	803-645-0229	803-733-8647	lsstatter@columbiasc.net
Jerry Thompson	Development Services (Commercial Plan Review)	803-645-3420	803-733-8647	jthompson@columbiasc.net
Scott Holder	Development Services (Landscaping)	803-645-3218	803-255-8935	jsholder@columbiasc.net
Denny Danlets	Utilities & Engineering (Construction Management)	803-645-3400	803-888-8199	jddanlets@columbiasc.net
Robert Anderson	Public Works (Administration)	803-645-3760	803-733-8648	randerson@columbiasc.net
Robert Sweatt	Public Works (Street Division)	803-645-3790	803-545-3785	rgsweatt@columbiasc.net
David Brewer	Public Works (Traffic Engineering)	803-645-3650	803-733-8648	ddbrewer@columbiasc.net
Sara Holler	Public Works (Forestry & Beautification)	803-645-3860	803-733-8648	seholler@columbiasc.net
John Hooks	Public Works (Solid Waste)	803-645-3800	803-733-8648	jphooks@columbiasc.net
Chip Timmons	Risk Management	803-733-8306	803-733-8245	catimmons@columbiasc.net
Kris Scott	Fire Department	803-645-3738	803-401-8839	cfkdscoot@columbiasc.net
Linda Matney	Parking Services	803-645-3070	803-733-8523	lmatney@columbiasc.net

VINCENT AND DENICE DEGENHART
415 HARDEN STREET
COLUMBIA, SC 29205
USCGAS1@GMAIL.COM

August 27, 2018

Johnathan Chambers
City of Columbia
Land Development Services
Columbia, SC 29201

Dear Mr. Chambers:

We are submitting a request for an encroachment on Harden Street to install a sliding gate for our driveway and home entrance. The reason(s) for installing the gate are primarily for security, but would also include privacy and safety.

Our home faces Harden Street with our driveway and garage facing the street. We are near the 5-Points area and The University of South Carolina. There is significant auto and foot traffic in front of our home. We have lived here for nearly 25 years. We love our home.

However, as U.S.C. has increased its enrollment, and the number of bars has increased in 5-Points, we have experienced vandalism to our cars, had a statue stolen from front door, and had a break-in last year. As a physician, I am often called to the hospital at odd hours. My wife feels she would be safer with a gated entry to the driveway and front door.

Other remedies such as relocating the drive or garage are not feasible. The home is constructed of concrete and steel and is on the National Registry of Historic places. Exterior changes would not only be cost prohibitive but would also jeopardize National Registry designation.

The gate needs to be near the sidewalk so that cars can turn around and not have to back into Harden Street, a big safety factor. We are including pictures of other structures, fences, and walls similarly situated on Harden Street.

We very much appreciate your review of our request to install the gate and its support structure.

Sincerely,



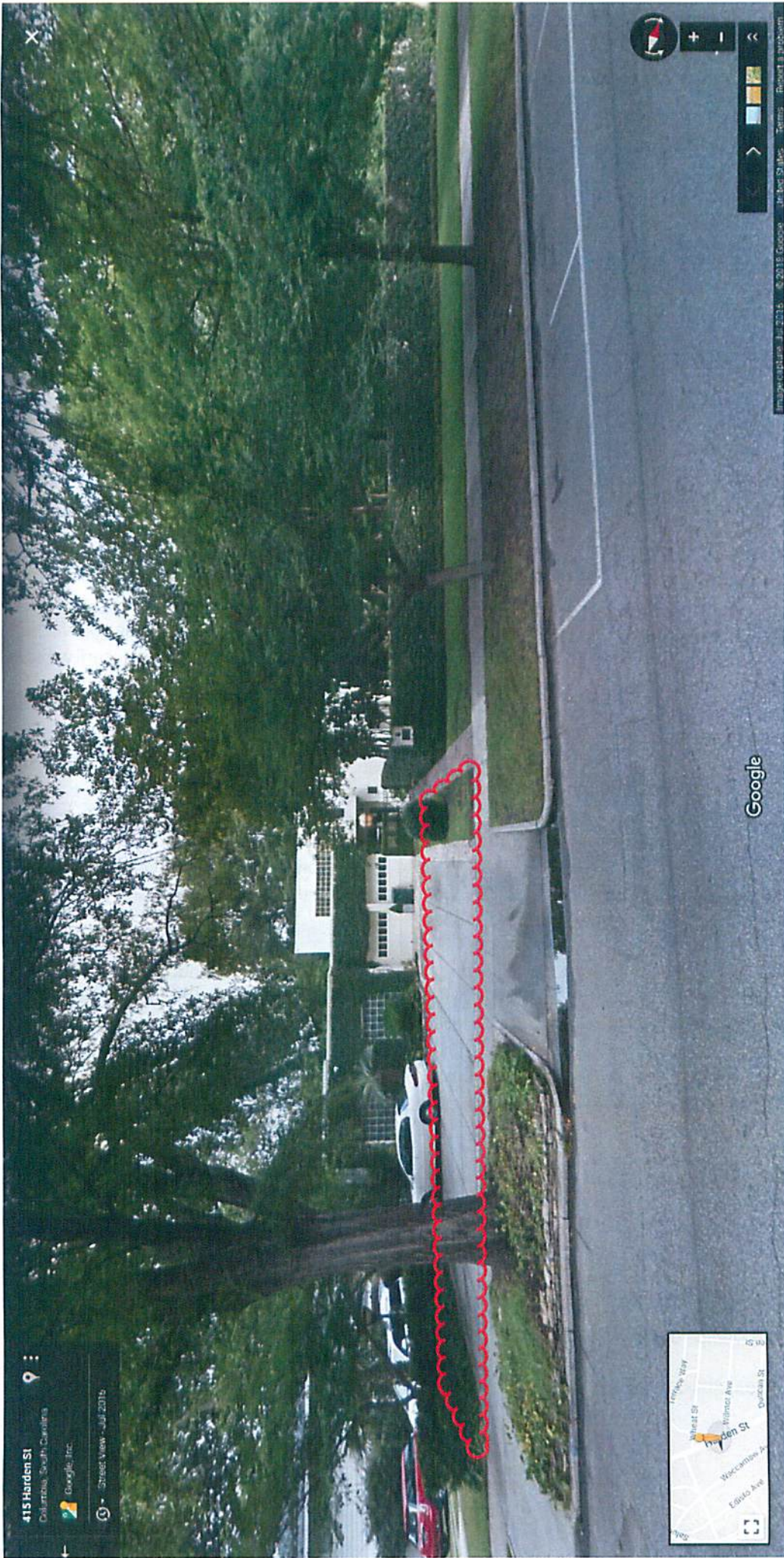
Vincent and Denice Degenhart

803-212-8103; 803-212-8105

RECEIVED

AUG 27 2018

ZONING DIVISION



415 Harden St

Columbia, South Carolina

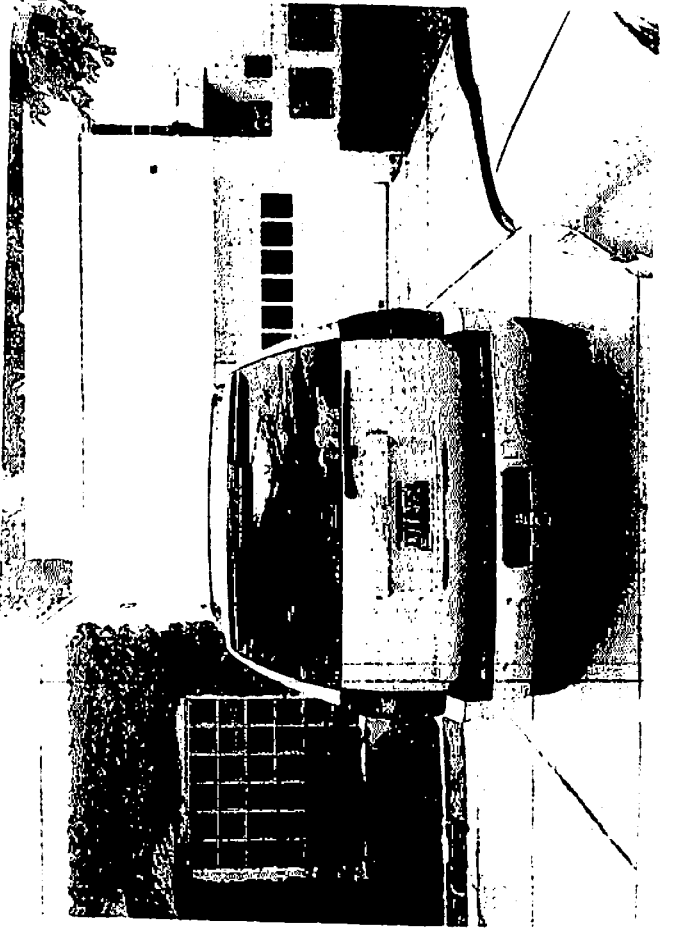
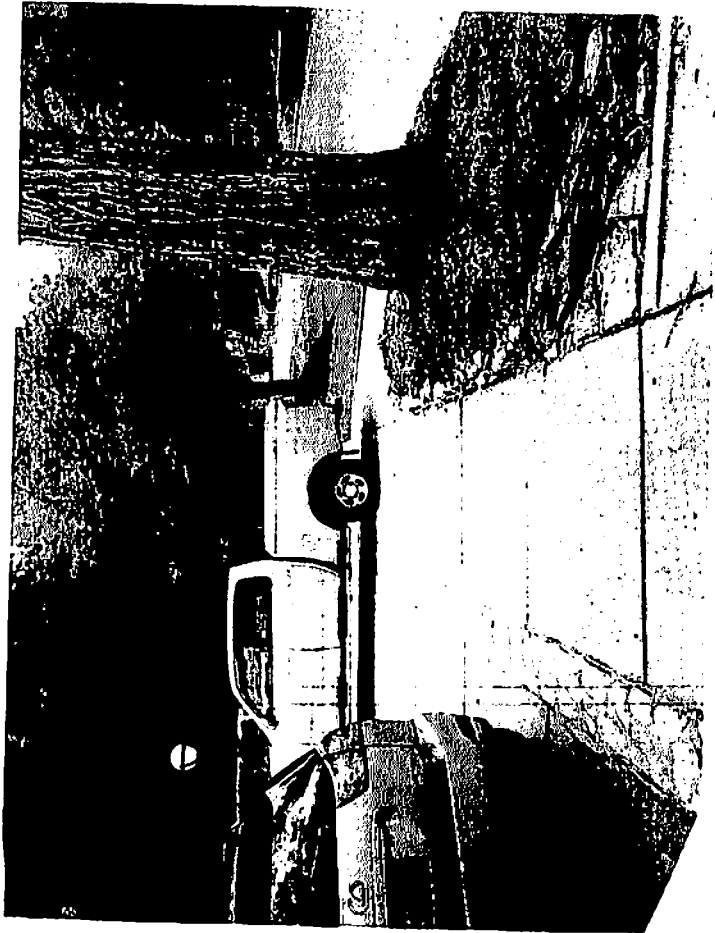
Google, Inc.

Street View - Jul 2016

Google



Image copyright © 2016. © 2016 Google. All Rights Reserved. Report a problem



I HEREBY CERTIFY THAT THE PROPERTY SHOWN
 HEREON IS THE PROPERTY OF THE
 STATE OF SOUTH CAROLINA.

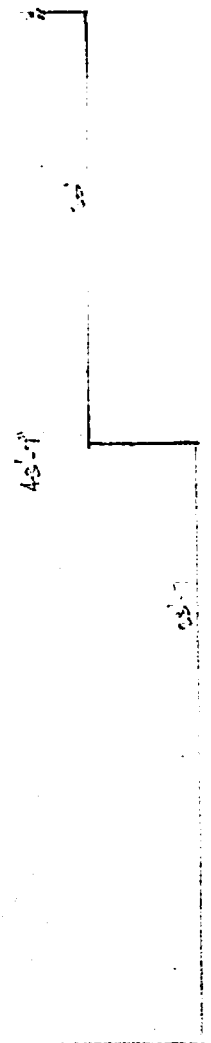
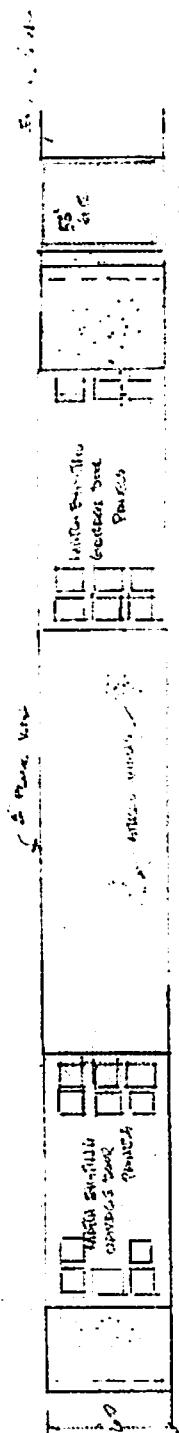
11/10/85

The above survey of property is based on the following
 description of property: The northeast half of Lot 12 Lots 11
 through 10 and the southeast half of Lot 11 of South Henderson
 on premises sit by "BARRY M. DEIGHTON, JR." Deed Dec. 18, 1928
 recorded in the Court Office for Richland County, S.C. page 11, 12, 13
 They certify that the measurements as shown above are correct and there are no encroachments
 or other matters other than shown.
 J. S. STEINBERG, Surveyor, Columbia, S.C.
 Date: 11-10-85 By: [Signature] Registered 10-1891
 PLE No. 1881

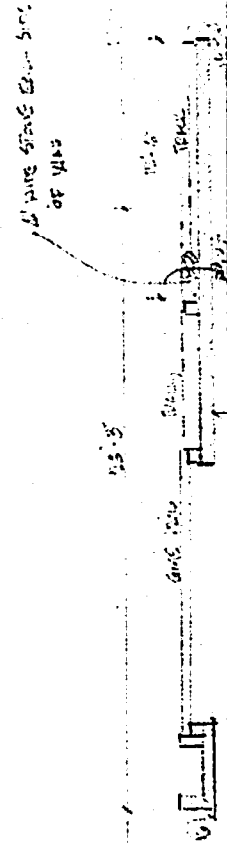
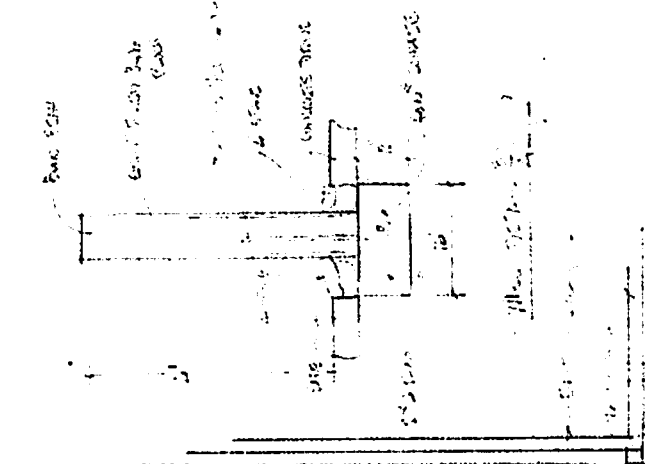
REGISTRY DIVISION
 DEPARTMENT OF REVENUE
 IN COLUMBIA, RICHLAND COUNTY, S.C.

Job no. 93-135 T.M.S. No. 11311-CJ-DR Reg. No. A-189

415 HARDEA



PARKING AREA



45'-0" x 100'-0"

45'-0" x 100'-0"

Ernest C. Rouse
238 Banbury Rd.
Columbia, SC 29210



Proposal

Date 8/28/2018

Proposal No. 2

Customers Name	Supervisor In Charge
Vince & Denise Degenhart 415 Harden Street Columbia, SC	Ernest C. Rouse D/B/A Inspection Services LLC Lic#: RBB . 49107 Effective Date: 4-18-2018 <u>Expires: 6-30-2020</u>

Project No.	Degenhart Gates	Date Required
	Per Plans & Specifications	

Qty	Description of Work	Day	Date	Unit Price	Extended Price
	1. Install two slide gate operator UL Complaint				
	2. Installation of Operators				
	3. Two Cantilever aluminum gates to look Similar to garage doors.				
	4. Gate Opening 12'6" with cantilever tail				
	5. All material to be at least 1/8" thick				
	6. Heavy duty Truck and Track system				
	7. No. 4 rebar per print				
	8. 8x8x16" Concrete block per print				
	9. Type S Mortar for Block				
	10. Cut & Remove Stone to install foundation				
	11. Dig and Pour Foundation				
	12. Lay Block walls per print				
	13. Grout wall & install re-bar & Bond Beam				
	14. Stucco walls three coat process				
	15. Install two 20 amp electrical circuits				
	16. Relay Stone in Driveway				
	17. Clean and Haul Debris				
	18. Dumpster				
	19. Survey				
1	Labor & Material			\$ 42,957.00	\$ 42,957.00

NOTES: Schedule of Payments: 50% down toward labor & material, 25% when	Draws	
block wall is built, balance when job is finished.	Subtotal	\$ 42,957.00
	Percentage	
	Mark-up	
	State Tax	
	County Tax	
	Municipal Tax	
	Total	\$ 42,957.00

OWNER SIGNATURE:	Authorized Contractor Signature:
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**DESIGN/DEVELOPMENT REVIEW COMMISSION
DESIGN REVIEW DISTRICT
HISTORIC/CONSENT AGENDA
EVALUATION SHEET**

Case #2

ADDRESS: 415 Harden Street
APPLICANT: Vincent and Denice Degenhart, owners
TAX MAP REFERENCE: TMS# 11311-03-08
USE OF PROPERTY: Residential
REVIEW DISTRICT: Individual Landmark, -DP
NATURE OF REQUEST: Site improvement

FINDINGS/COMMENTS:

This concrete and glass International style home was constructed in 1937 and was planned by Edward Stone who also designed the Thomas Cooper Library. Aside from being a Tier One City landmark, it is listed on the National Register as well—the nomination form for the building notes it as “probably the best International Style home in Columbia” and it has maintained the flat roof, sleek lines, simple detailing, and limited materials characteristic of its style. A stuccoed concrete front wall, now largely covered with ivy, and a gate at the sidewalk were added in 1973, as well as a parking area in front of the garage.

The owners have been grappling with chronic vandalism and theft on their property, so the current proposal is to build a new concrete wall (matching the existing one) which will essentially enclose the parking area in front of the garage. The new wall will begin on the left side of the sidewalk directly opposite the existing wall, moving forward to the front of the parcel and running along the front property line, adjacent to the sidewalk, over to the left edge of the parcel. The existing sidewalk gate would be brought forward to attach to the edge of the existing wall and the new wall. There are two curb cuts onto the property presently and the owners would like to include two 6’x12’ driveway gates where each of the curb cuts exist. Staff has worked with the applicants to ensure that the new wall will match the materials and look of the existing wall, maintaining a sleek and stream-lined look which complements the house and the property; it undoubtedly will also host the creeping fig or ivy on the existing wall. The custom-made gates will be electronic and will open by sliding behind the wall; they will not open into the public right-of-way. The metal gates will have a finish that replicates the finish of the wall and will complement that of the house. The applicants are working with other City staff to ensure they are meeting any other necessary requirements.

PERTINENT SECTIONS FROM THE GUIDELINES:

Criteria for individual landmarks are found within the City of Columbia Zoning Ordinance, Section 17-674(d) below:

(d) *Criteria for review of design of structures and sites.*

(1) Issuance of a certificate of design approval shall be based upon the requirements set forth in the standards or design guidelines adopted by the city council for each historic district. For individual landmarks, the Governor's Mansion Protection Area, Elmwood Park Architectural Conservation District, and the Landmark District, the Secretary of the Interior's Standards for Rehabilitation, as amended and listed below (the "Standards"), shall serve as guidelines until such time as design guidelines may be written and adopted by City Council for each local historic district. The Standards are to be applied to specific rehabilitation projects, taking into account the designation level of each district.

a. For landmark districts and individual landmarks, the historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

No removal or alteration of historic features is planned.

b. In architectural conservation districts and protection areas, the historic character of a district shall be retained and preserved through the preservation of historic materials and features which characterize the historic district.

Not applicable.

c. For individual landmarks and the landmark district, each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.

Not applicable.

d. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.

Not applicable.

e. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.

While no historic material is being altered, the new wall will have the same finish and composition of the existing wall and will complement the style of the house. The new driveway gates will be custom-made, aluminum rectangles, painted with a finish to duplicate the look of the wall's finish so that the overall effect is consistent and very streamlined. The gates will open and close by sliding behind the wall.

f. Deteriorated historic features shall be repaired rather than replaced. Where severe deterioration or complete loss requires replacement of a distinctive feature, the new feature shall match the old in design, color, finish, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence, and character-defining features that have been lost due to intentional damage, removal or neglect shall be rebuilt.

Not applicable.

g. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.

Not applicable.

b. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

The extant wall is not original to the property, although it does complement the architecture of the house. The new wall will match the existing wall in materials and finishes. The gates are as simple as possible and will have a finish to match the walls as closely as possible. Staff is happy to work with the applicants on any outstanding detailing.

i. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

The wall could be removed at any time without impairment to the property and environment.

STAFF RECOMMENDATIONS:

Staff finds that the proposal meets the criteria for changes to landmarks in the City of Columbia Zoning ordinance, Section 17-674, and recommends approval with all details deferred to staff.





Existing wall, covered with vegetation



Existing wall, looking south



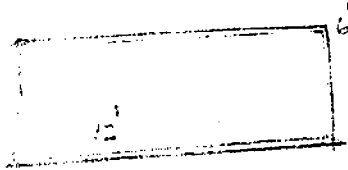
New wall

Circle Bling and the Stamp Label and
Custom Powder Coating Color Detail
Circle Bling and the Stamp Label and

For: ~~Product~~ ~~and~~ ~~Label~~
415 Harbor Street 23215

Color: NOB WHITE
PFS 4025 Textured
Prismatic Powders .com

Gate Frame:



Gate Surface:
Flat

