

ORDINANCE NO.: 2020-033

Granting an encroachment to Patrick Keegan for the use of the right of way area of the 2600 block of Monroe Street for the installation and maintenance of a brick retaining wall adjacent to 2608 Monroe Street and 130 King Street, Richland County TMS#11314-01-01

WHEREAS, Patrick Keegan (hereinafter "Grantee") desires to utilize a portion of the right of way area of the 2600 block of Monroe Street adjacent to 2608 Monroe Street and 130 King Street, Richland County TMS#11314-01-01, for the installation and maintenance of a brick retaining wall measuring approximately one (1') foot in height eighty-eight (88') feet in length, 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 2nd day of June, 2020, that Grantee is hereby granted the right to use the right of way areas of the 2600 block of Monroe Street adjacent to 2608 Monroe Street and 130 King Street, Richland County TMS#11314-01-01, for the installation and maintenance of a brick retaining wall measuring approximately one (1') foot in height eighty-eight (88') feet in length, as shown on the attached drawings, as shown on the attached drawings.

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 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. Existing irrigation should not spray 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.

ORIGINAL
STAMPED IN RED

ORIGINAL
STAMPED IN RED

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.

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 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:

T. A. Knox

City Attorney

ATTEST:



City Clerk

Introduced: 5/19/2020

Final Reading: 6/2/2020

**CITY COUNCIL
ENCROACHMENT SUMMARY
2020-033**



**2600 BLOCK OF MONROE STREET
ADJACENT TO 2608 MONROE STREET AND 130 KING STREET
RETAINING WALL**

Subject Property:	Right-of-way adjacent to 2608 Monroe Street and 130 King Street
Council District:	3
Proposal:	The applicant is requesting an encroachment for installation and maintenance of a 1 ft. high retaining wall
Applicant:	Patrick Keegan
Staff Recommendation:	Approval.

Detail:	<p>The applicant is requesting an encroachment for installation and maintenance of a masonry retaining wall measuring approximately one (1') foot in height eighty-eight (88') feet in length 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. Landscaping to be maintained by property owner. 4. Existing irrigation should not spray 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
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CITY AGENCY COMMENTS FOR ENCROACHMENT

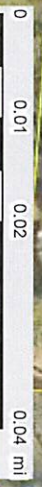
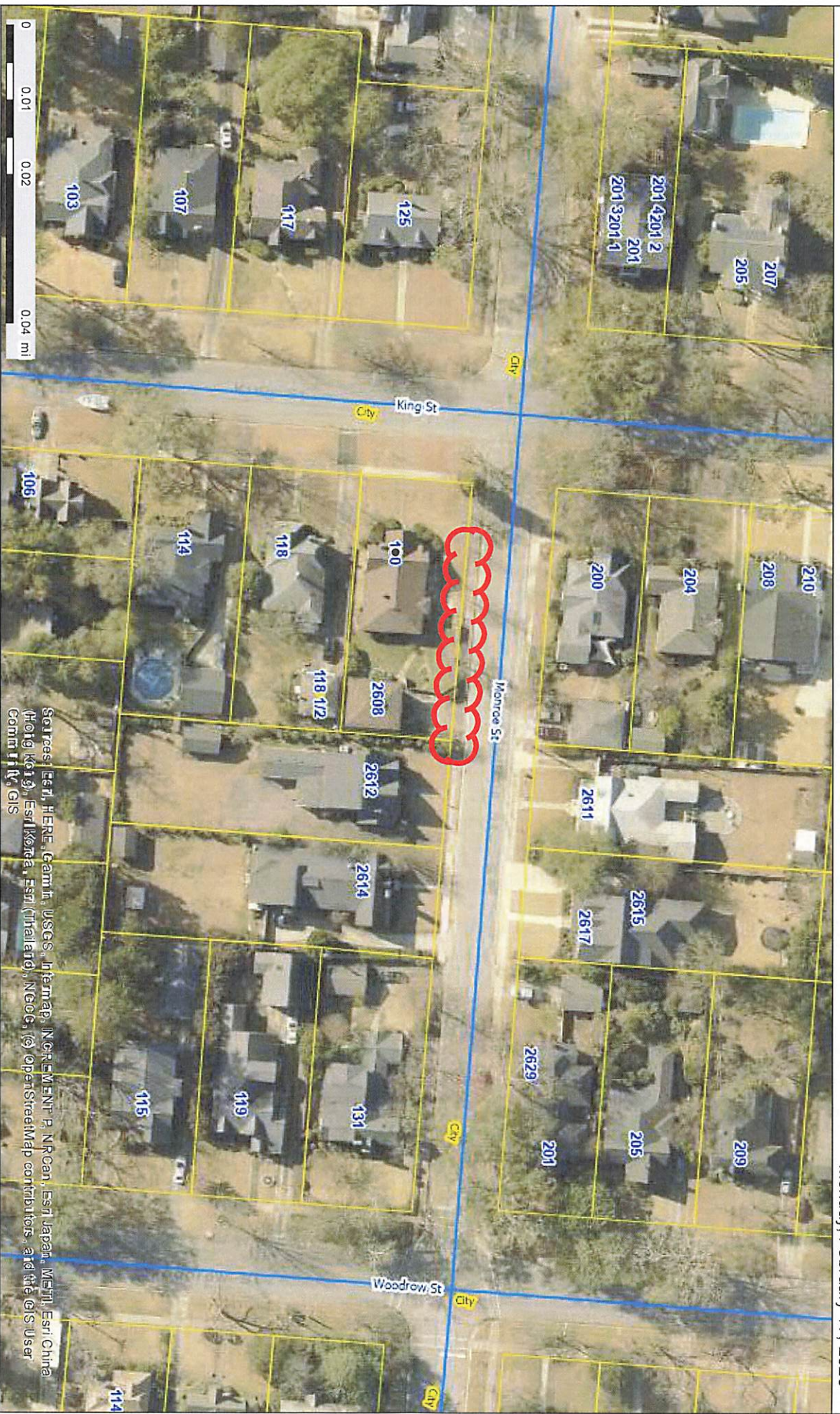
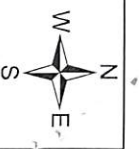
Planning	Recommend approval.
Streets	Recommend approval.
Utilities and Engineering	Recommend approval with condition <ol style="list-style-type: none"> 1. If the fence is within a City utility easement a hold harmless agreement will need to be executed.
Traffic Engineering	Recommend approval.
Forestry	Recommend approval. Be cautious of tree roots while working in the area. Root damage can significantly impact health and structure of the existing trees. Keep materials, equipment and other debris out of the tree zone. If there are any city tree root issues, please contact Forestry and Beautification.

Land Development	Recommend approval.
Fire	Recommend approval.

City of Columbia

130 King St. Encroachment

Monday, February 17, 2020



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 (Hong Kong), Est, Korea, Est, Thailand, NGeOG, © OpenStreetMap contributors, and the GIS User
 Community, GIS

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RECEIVED

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

FEB 14 REC'D

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 ordinance is required for but not limited to: irrigation systems; landscaping; fencing; walls; pavers; walkways; outdoor dining items (chairs, tables, umbrellas, etc.); awnings; billboards and directional signs (i.e., churches) Business signs are NOT permitted via an encroachment. Encroachment ordinance by 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 callmons@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 803-343-8779; 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: 2/14/20

Property Owner: PATRICK KEAGAN

Applicants Name if different from Property Owner: Same

Contact Information: Telephone Number: (843) 277-5176 Fax Number:

Mailing address: 130 KING ST COLUMBIA, SC 29205 E-mail address: pskeegan@gmail.com

Business Name/Development Name for Encroachment:

Encroachment type: Wall Fence Columns Steps (and) Other: Awning Underground Utilities

Dimensions (height/width/length): (i.e. 6'x42' wooden privacy fence; two 12'x4'x3' concrete steps)

Construction material: (NEW FOREST) GIVEN STUCCO FINISH TO MATCH CURBOUT WALL AROUND 8" TO 12" RETAINMENT WALL HEIGHT MADE OF CONCRETE BLOCK

ADDED SIDE WALK - FENCE WILL REST ON TOP (60 FT) ATTACHED TO SIDE WALK - HEIGHT MADE OF CONCRETE BLOCK

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: N/A RESIDENTIAL REPAIR WORK/FENCE

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:

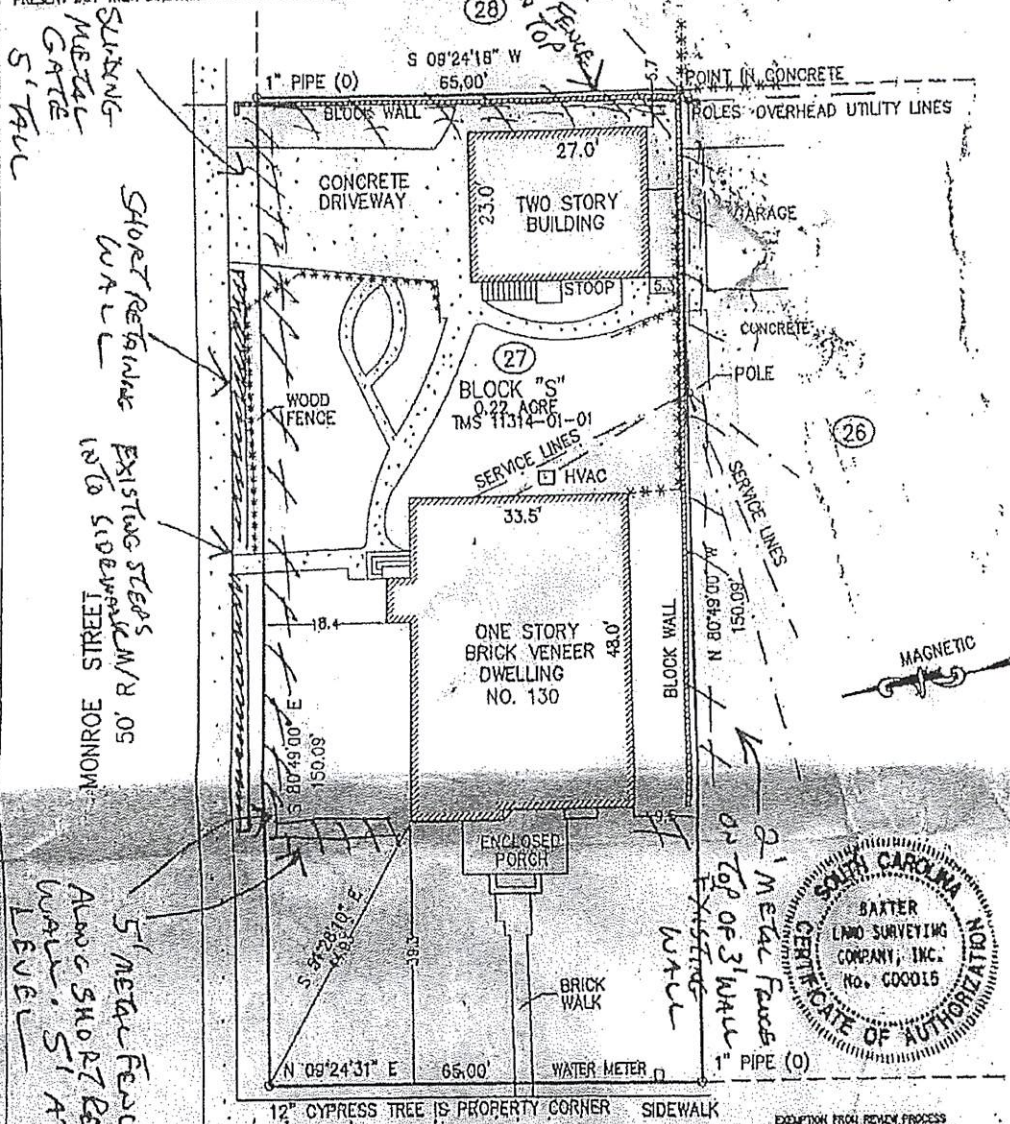
Signature: PATRICK KEAGAN

Date: 2/14/20

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.

Table with columns: CONTACT, DEPARTMENT, PHONE, FAX, E-MAIL. Lists various city departments and their contact information.

PROPERTY MAY BE SUBJECT TO UNRECORDED EASEMENTS OR RESTRICTIONS NOT OBSERVED AND NO INFORMATION REVEALED IN A COMPLETE TITLE SEARCH. THE SURVEYOR DID NOT PERFORM A TITLE SEARCH. UNDERGROUND UTILITIES MAY BE PRESENT BUT THEIR LOCATION WAS NOT DETERMINED.



EXEMPTION FROM REVIEW PROCESS
 This plat is a survey of an existing lot of record with no changes to existing lot lines.
 Rosser W. Baxter, Jr.
 SC REGISTERED LAND SURVEYOR NO. 7613

PLAT PREPARED FOR
PATRICK KEEGAN

FB 268/55
 RICHLAND COUNTY, COLUMBIA, SC
 THE SAME BEING SHOWN AS LOT NO. 27, BLOCK "S" ON PLAT OF PROPERTY OF CONGAREE DEVELOPMENT CO., BY TOMLINSON ENGR. CO., DATED JANUARY 31, 1938. REFERENCE ALSO RECORD BOOK 1891, PAGE 2407.



1" = 20'

JULY 12, 2018

I HEREBY STATE THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREIN 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.

BAXTER LAND SURVEYING CO., INC.
 2204 DEVINE STREET
 COLUMBIA, SC 29205
 (803)-252-8564

Rosser W. Baxter, Jr.
 SC REGISTERED LAND SURVEYOR NO. 7613