

ORDINANCE NO.: 2020-090

ORIGINAL
STAMPED IN RED

Granting an encroachment to Richard Ladson and Jeanette Ladson for the use of the right of way area of the 700 block of Abelia Road for the installation and maintenance of a garden wall, landscaping, and irrigation adjacent to 701 Abelia Road and 3827 Devine Street, Richland County TMS#13808-10-11

WHEREAS, Richard Ladson and Jeanette Ladson (hereinafter "Grantees") desire to utilize a portion of the right of way area of the 700 block of Abelia Road adjacent to 701 Abelia Road and 3827 Devine Street, Richland County TMS#13808-10-11, for the installation and maintenance of a concrete wall measuring approximately eighteen (18") inches in height approximately fifty-five (55') feet in length, landscaping and irrigation, 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 6th day of October, 2020, that Grantees are hereby granted the right to use the right of way areas of the 700 block of Abelia Road adjacent to 701 Abelia Road and 3827 Devine Street, Richland County TMS#13808-10-11, for the installation and maintenance of a concrete wall measuring approximately eighteen (18") inches in height approximately fifty-five (55') feet in length, 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 construction shall be repaired to the satisfaction of the City Manager. Improvements within the encroachment shall be maintained by the Grantees at no cost to the City in a manner approved by the City Manager; and,

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; 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 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.

PROVIDED FURTHER that the privilege granted hereby is subject to the Grantees 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. Grantees are 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.

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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.

BE IT FURTHER ORDAINED that Grantees, in consideration of the above privilege, shall at their 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: 9/15/2020

Final Reading: 10/6/2020

**CITY COUNCIL
ENCROACHMENT SUMMARY
2020-090**

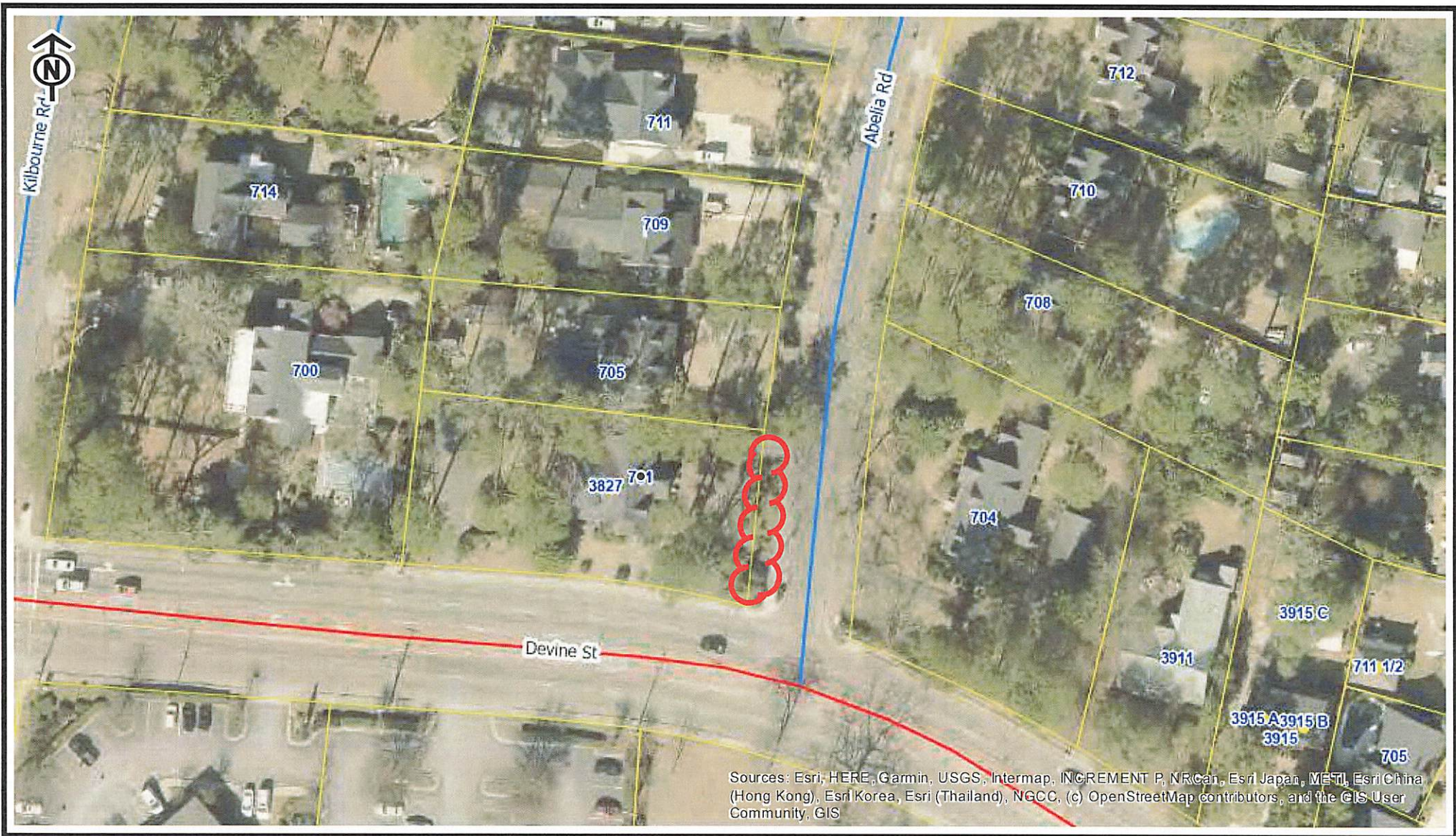


**700 BLOCK OF ABELIA ROAD
ADJACENT TO 701 ABELIA ROAD AND 3827 DEVINE STREET
GARDEN WALL**

Subject Property:	Right-of-way adjacent to 701 Abelia Road
Council District:	4
Proposal:	The applicant is requesting an encroachment for installation and maintenance of a garden wall
Applicant:	Richard and Jeanette Ladson
Staff Recommendation:	Approval.

Detail:	<p>The applicant is requesting an encroachment for installation and maintenance of a concrete wall measuring approximately eighteen (18") inches in height approximately fifty-five (55') feet in length, landscaping and irrigation, 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. 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 .
Traffic Engineering	Recommend approval.
Forestry	Recommend approval.
Land Development	Recommend approval.
Fire	Recommend approval.



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community, GIS



701 Abelia St. City of Columbia

This map was prepared using
the City GIS Viewer:

City of Columbia - GIS Division
Tuesday, June 30, 2020

Address Point

- Active
- Vacant

Tax Parcel

- Tax Parcel
- Interstate
- Highway

Street & Ownership

- City Maintained
- State Maintained
- Private
- Others
- Red: Band_1
- Green: Band_2

Blue: Band_3



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.

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, street), the person or entity is required to have an encroachment ordinance enacted by City Council permitting the encroachment. Encroachment ordinances are required to 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 \$500,000 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.**

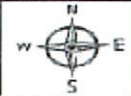
Please complete and submit this form along with any attachments to Sheri Ardis by e-mail at saradis@columbiasc.net; fax at 803-737-4250; or mail to Sheri Ardis, Legal Department, P.O. Box 147 Columbia, SC 29217, for preparation of an encroachment ordinance. Copies to City departments should be directed to the contact person for that department as shown below and not through the Legal Department. Chip Timmons with Risk Management (733-8306 or ctimmons@columbiasc.net) should be contacted regarding the insurance requirements.

Date: _____ Property Owner: RICHARD S. LADSON & JEANETTE C. LADSON
 Applicant's Name if different from Property Owner: same
 Contact Information: Telephone Number: 571-612-0656 Fax Number: NA
 E-mail address: rstadson@yahoo.com
 Mailing address: SAME AS BELOW
 Encroachment location (Address): 701 ABELIA RD COLUMBIA S.C. 29205
 (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: BOOK 2457 - 2509

Encroachment type: Wall Fence Columns Steps Irrigation System Landscaping Driveway Pavers
 Walkway/Side walk Underground Utilities other
 If Other - specify: 18" HIGH GARDEN WALL - REPLACE EXISTING -
 Dimensions (height/width/length): THE EXISTING CMU WALL IS APPROX. 14" H x 55' ± W/REINFC
 (i.e., 6"x42" wooden privacy fence; two 12"x4" concrete step; two 12"x12" x24" brick columns; 4x15' brick paver walkway)
 Construction material: BRICK
 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) _____



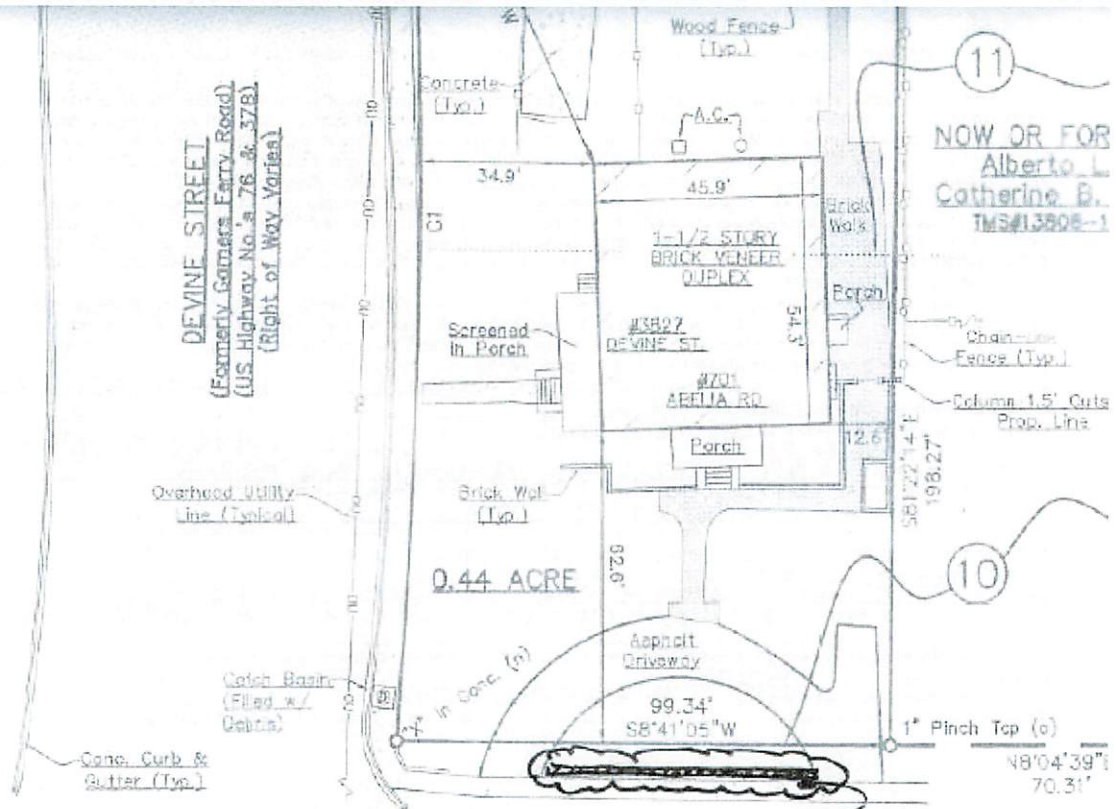
All work shall comply with the requirements of The City of Columbia and South Carolina Department of Transportation now in existence or hereafter enacted. The materials and type of finish to be used are to be approved by the City Engineer prior to installation. Any damage to the street or sidewalk caused 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.

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 30-50 days.

CONTACT	DEPARTMENT	PHONE	FAX	E-MAIL
Johnathan Chambers	Development Services (Land Development)	803-645-3333	803-255-8935	jchambers@columbiasc.net
John Fellows	Development Services (Planning)	803-645-3222	803-733-8647	jsfellows@columbiasc.net
Rachal Bailey	Development Services (Zoning)	803-645-3332	803-733-8647	rbailey@columbiasc.net
Jerry Thompson	Development Services (Building Inspections)	803-645-3420	803-733-8699	jthompson@columbiasc.net
Ton Salvant	Development Services (Development Center)	803-645-3420	803-733-8699	tonsalvant@columbiasc.net
Amy Moore	Development Services (Historic Preservation)	803-645-3222	803-733-8647	amymore@columbiasc.net
Lucinda Staffler	Development Services (Urban Design)	803-645-0229	803-733-8647	lstaffler@columbiasc.net
Todd Beiers	Development Services (Commercial Plan Review)	803-645-3420	803-733-8647	tbeiers@columbiasc.net
Scott Holder	Development Services (Landscaping)	803-645-3218	803-255-8935	sholder@columbiasc.net
Denny Daniels	Utilities & Engineering (Construction Management)	803-645-3400	803-983-8199	ddaniels@columbiasc.net
Robert Anderson	Public Works (Administration)	803-645-3780	803-733-8648	randerson@columbiasc.net
Robert Sweatt	Public Works (Street Division)	803-645-3790	803-645-3785	rsweatt@columbiasc.net
Davis Brewer	Public Works (Traffic Engineering)	803-645-3050	803-733-8648	dbrewer@columbiasc.net
Caleb King	Public Works (Forestry & Beautification)	803-645-3860	803-733-8648	cking@columbiasc.net
John Hocks	Public Works (Solid Waste)	803-645-3800	803-733-8648	jhocks@columbiasc.net
Chip Timmons	Risk Management	803-733-8306	803-733-8245	ctimmons@columbiasc.net
Kris Scott	Fire Department	803-645-3736	803-401-5839	cfkscott@columbiasc.net
Linda Matney	Parking Services	803-645-3070	803-733-8523	lmatney@columbiasc.net

LR: 12/017

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THIS SURVEY IS NOT VALID WITHOUT AN ORIGINAL SIGNATURE.



NOW OR FOR
Alberto L.
Catherine B.
TMS#13808-1

701 ABELIA ROAD
AREA OF EXISTING GARDEN WALL

Book 2457-2505
8/28/2019 10:04:03 AM
Fee: \$25.00 County Tax: \$0.00
Per Overhead 11 x 11
State Tax: \$0.00



20190903 10:04:03 AM Jeffery E. Edmonston Richland County R.O.D.



Easements and/or restrictions may exist on the subject property which are not shown hereon.

PLAT
PREPARED FOR

RICHARD S. LADSON

RICHLAND COUNTY, COLUMBIA, S.C.

THE SAME BEING COMPOSED OF PORTIONS OF LOTS 10 AND 11, BLOCK NO. 16, ON A PLAT OF SUBDIVISION (BELONGING TO M.C. HEATH, ESQ., BY TOMLINSON ENGINEERING COMPANY, DATED JANUARY 7, 1932, AND REC OFFICE OF THE REGISTER OF DEEDS FOR RICHLAND COUNTY IN PLAT BOOK "C", PAGES 17-18. REFERENCE I TO RICHLAND COUNTY DEED BOOK 2136, PAGE 902

EXEMPTION FROM REVIEW PROCESS

This plat is a SURVEY of an existing lot of record with no change in existing lot lines.

(Signature)
(Registered Surveyor)

Printed Name: JEFFERY E. EDMONSTON
License#: 29121

SEPTEMBER 20, 2019

1" = 30'



COX AND DINKINS, INC.
724 BRITTON BLVD.
COLUMBIA, SOUTH CAROLINA 29205
803-254-0518 Fax: 803-755-8597

I hereby state that professional knowledge and belief, the survey in accordance with the Standards of Practice South Carolina, and requirements for a specified therein, its encroachments are as shown.

(Signature)
JEFFERY E. EDMONSTON

704 Abelia Rd
Columbia, South Carolina

Google

Street View



Google