ORIGINAL
STAMPED IN RED

ORDINANCE NO.: 2021-025

Granting an encroachment to Brian and Sally McCants for the use of the right of way area of the 600 block of Wando Street for the installation and maintenance of a block retaining wall adjacent to 604 Wando Street, Richland County TMS#13704-03-14

WHEREAS, Brian McCants and Sally McCants (hereinafter "Grantee") desire to utilize a portion of the right of way area of the 600 block of Wando Street adjacent to 604 Wando Street, Richland County TMS#09103-08-05, for the installation and maintenance of a block retaining wall measuring approximately six (6") inches in width, thirty-five (35') feet in length, and two (2') feet in height, 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 18th day of May, 2021, that Grantee is hereby granted the right to use the right of way areas of the 600 block of Wando Street adjacent to 604 Wando Street, Richland County TMS#09103-08-05, for the installation and maintenance of a block retaining wall measuring approximately six (6") inches in width, thirty-five (35') feet in length, and two (2') feet in height, 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 Grantee's 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; and,

PROVIDED further that in the event the City has to make repairs or maintain utility lines located within the encroachment area the City will replace any items removed for the utility repair or maintenance with like items to those removed; and,

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; 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 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.

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. Grantee is responsible for maintaining landscaping and improvements.
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.

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:

City Attorney

ATTEST:

City Clerk

Introduced: 5/4/2021
Final Reading: 5/18/2021

CITY COUNCIL
ENCROACHMENT SUMMARY
2021-025

600 BLOCK OF WANDO STREET
ADJACENT TO 604 WANDO STREET
BLOCK RETAINING WALL

Subject Property:	Right-of-ways adjacent to 604 Wando Street, TMS#09103-08-05
Council District:	3
Proposal:	The applicant is requesting an encroachment for installation and maintenance of a block retaining wall.
Applicant:	Brian and Salley McCants
Staff Recommendation:	Approval with conditions.

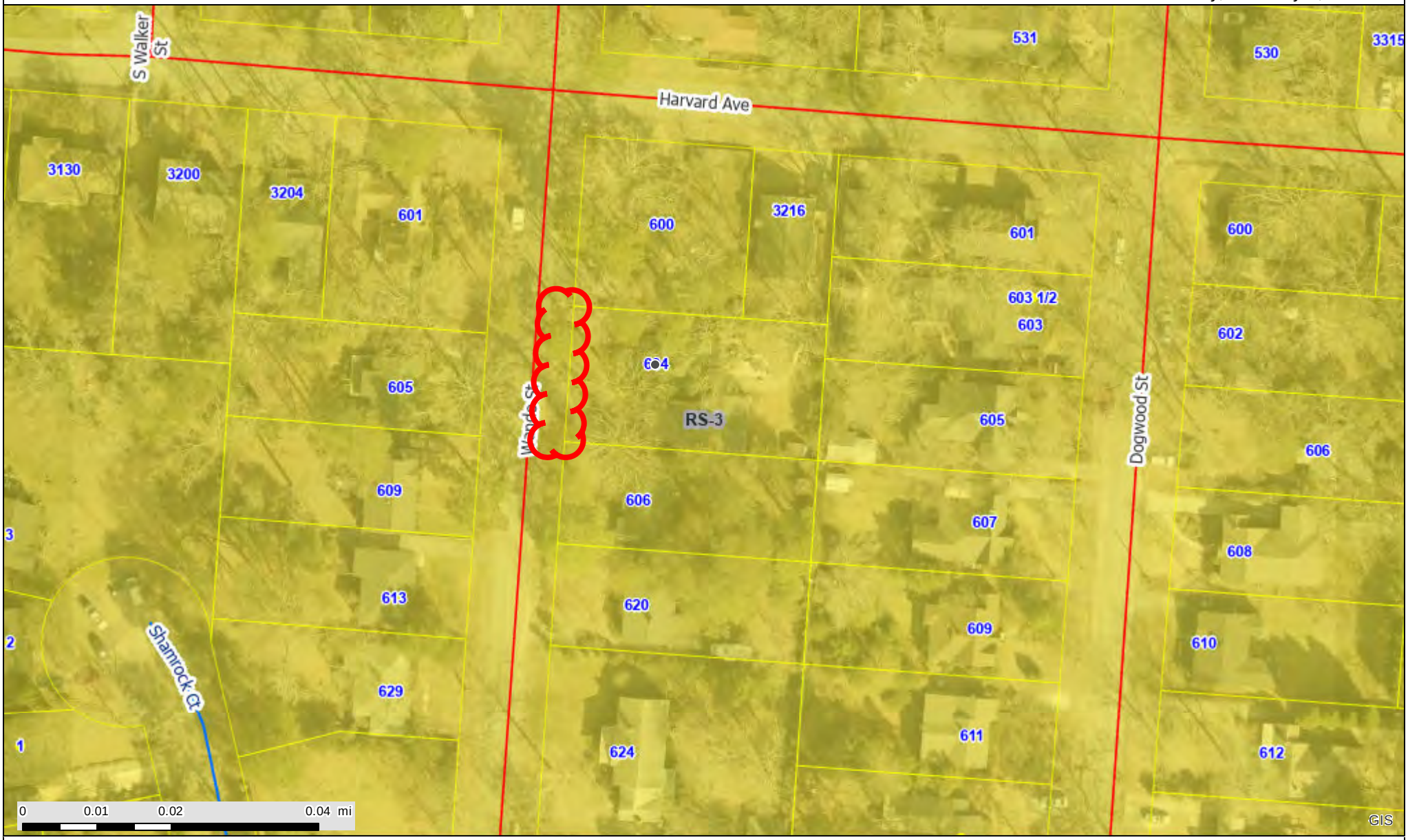
Detail:	The applicant is requesting an encroachment for installation and maintenance of a block retaining wall measuring approximately six (6”) inches in width, thirty-five (35’) feet in length, and two (2’) feet in height, as shown on the attached drawings. Conditions of the proposed encroachment are as follows: 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. Grantee is responsible for maintaining landscaping and improvements. 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.

CITY AGENCY COMMENTS FOR ENCROACHMENT	
Lucinda Statler, Planning & Development Services	Recommend approval.
Robert Sweatt, Street Division	Recommend approval.
Denny Daniels, Columbia Water Engineering Department	Recommend approval.
Andrew Ritter, Traffic Engineering	Recommend approval.
Caleb King, Forestry Division	Recommend approval.
Johnathan Chambers, Land Development	Recommend approval.
Kris Scott, Fire Department	Recommend approval.

City of Columbia

604 Wando Street

Monday, February 1, 2021



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.

We Are Columbia

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: 1/29/21 Property Owner: Brian and Sally McCants

Applicant's Name if different from Property Owner: _____

Contact Information: Telephone Number: 803-256-1069 Fax Number: —

Mailing address: 604 Wando St 29205 E-mail address: BrianMcCants@att.net

Encroachment Location (Address): same

(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: 13704-03-14

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Encroachment type: ✓ Wall ___Fence ___Columns ___Steps ___Irrigation System ___Landscaping ___Driveway ___Pavers

___ Walkway/Side walk ___Underground Utilities ___other

If Other - specify: _____

Dimensions (height/width/length): 2' high, 35' long, 6" deep

(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: Stone Blocks

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

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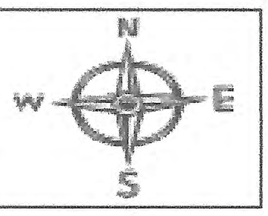
_____ **Church Directional Signs** (Must provide picture or drawing of proposed signs that reflect dimensions)

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



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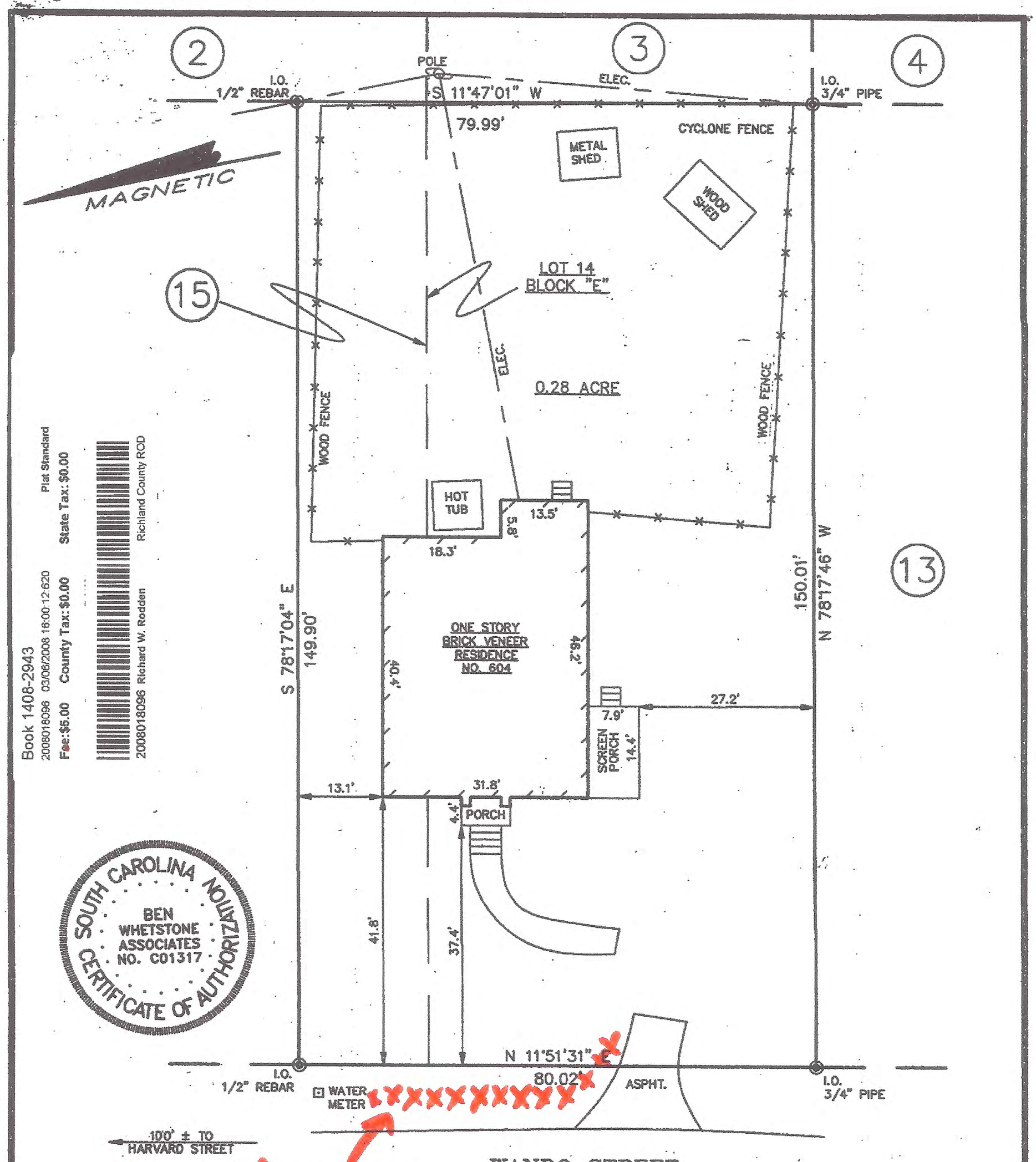
The proposed ordinance will be sent to the requesting party and City offices for review and approval. Johnathan Chambers will compile the recommendations and forward them to the City Clerk for scheduling before City Council. This process may take from 30-90 days.

CONTACT	DEPARTMENT	PHONE	FAX	E-MAIL
Johnathan Chambers	Development Services (Land Development)	803-545-3333	803-255-8935	jechambers@columbiasc.net
John Fellows	Development Services (Planning)	803-545-3222	803-733-8647	jsfellows@columbiasc.net
Rachel Bailey	Development Services (Zoning)	803-545-3332	803-733-8647	rlbailey@columbiasc.net
Jerry Thompson	Development Services (Building Inspections)	803-545-3420	803-733-8699	jlthompson@columbiasc.net
Tori Salvant	Development Services (Development Center)	803-545-3420	803-733-8699	tcsalvant@columbiasc.net
Amy Moore	Development Services (Historic Preservation)	803-545-3222	803-733-8647	aemoore@columbiasc.net
Lucinda Statler	Development Services (Urban Design)	803-545-0229	803-733-8647	lsstatler@columbiasc.net
Todd Beiers	Development Services (Commercial Plan Review)	803-545-3420	803-733-8647	tfbeiers@columbiasc.net
Scott Holder	Development Services (Landscaping)	803-545-3218	803-255-8935	jsholder@columbiasc.net
Denny 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 Sweatt	Public Works (Street Division)	803-545-3790	803-545-3785	rgsweatt@columbiasc.net
David Brewer	Public Works (Traffic Engineering)	803-545-3850	803-733-8648	ddbrewer@columbiasc.net
Caleb King	Public Works (Forestry & Beautification)	803-545-3860	803-733-8648	cdking@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
Kris Scott	Fire Department	803-545-3736	803-401-8839	cfdkdscott@columbiasc.net
Linda Matney	Parking Services	803-545-3070	803-733-8523	lsmatney@columbiasc.net

LR: 1/2017

Instrument Number: 2008018096 Book/Page: R 1408/2943 Date Time: 03/06/2008 16:00:12:620



Book 1408-2943
2008018096 03/06/2008 16:00:12:620
Fee:$5.00 County Tax:$0.00 State Tax:$0.00 Plat Standard
2008018096 Richard W. Rodden Richland County ROD

BEN WHETSTONE ASSOCIATES NO. C01317 SOUTH CAROLINA CERTIFICATE OF AUTHORIZATION

LOT IN COLUMBIA, IN RICHLAND COUNTY, S.C.; SHOWN AS LOT 14, & SOUTHERN 20' OF LOT 15, BLOCK "E", ON PLAT OF ROSEWOOD GARDENS, BY PERRY M. TEEPLE, DATED APRIL 13, 1927, AND RECORDED IN PLAT BOOK "F", PAGE 57, IN THE OFFICE OF R.O.D. FOR RICHLAND COUNTY. TMN: 13704-03-14

PLAT PREPARED FOR

BRIAN A. McCANTS

3/4" = 20'

BEN WHETSTONE ASSOCIATES
1321 AUGUSTA ROAD
WEST COLUMBIA, S.C. 29169
PHONE (803) 791-8467

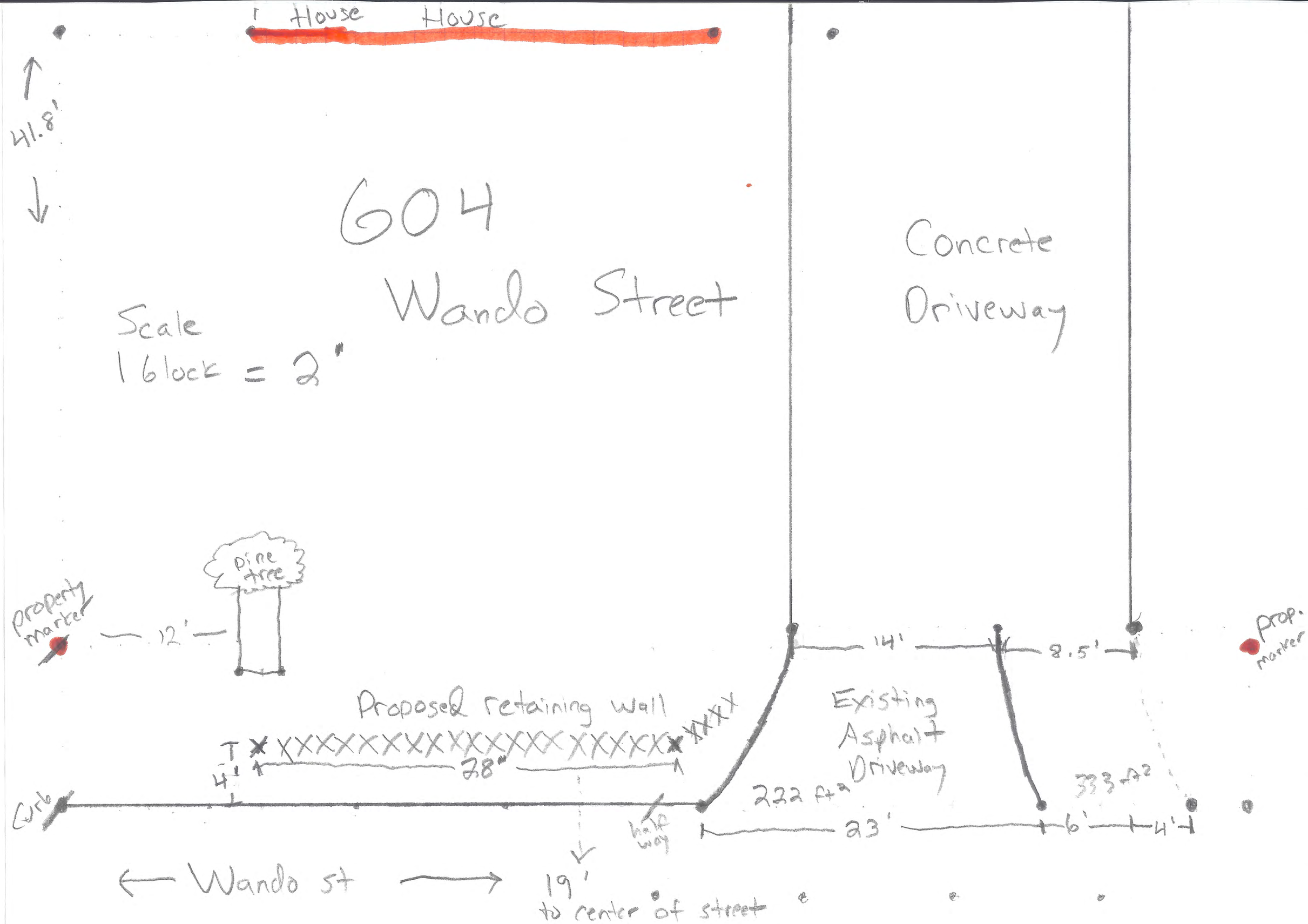
OCTOBER 26, 2007
SCALE: 1" = 20'

0' 10' 20' 40'

I HEREBY STATE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND 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.

JOB NO. 07-10-015

Benjamin H. Whetstone
BENJAMIN H. WHETSTONE, R.L.S.
S.C. REGISTRATION NUMBER #2904


House
House
41.8'
604
Wando Street
Concrete
Driveway
Scale
1 block = 2"
pine tree
property marker
12'
14'
8.5'
prop. marker
Proposed retaining wall
Existing
Asphalt
Driveway
4'
28'
222 ft²
333 ft²
Curb
half way
23'
6'
4'
Wando st
19'
to center of street

604 Wando St – 29205

Brian and Sally McCants – homeowners

Proposed retaining wall – 2’ high, 35’ wide, 6” deep

Proposed location – 13.5’ south of property marker (in front of pine tree), 19’ from the center line of the street, 2’ from driveway

Proposed retaining wall – Application has been submitted to SCDOT – Insurance Company is aware of requirements – Current liability protection on property is $1,000,000