

ORIGINAL
STAMPED IN RED

ORDINANCE NO.: 2016-112

Granting encroachment to Raymond F. Burke and Barbara S. Burke for installation and maintenance of a knee wall, landscaping and an irrigation system within the right of way area of the 17 block of Gibbs Court adjacent to 17 Gibbs Court, Richland County TMS #11405-16-05

WHEREAS, Raymond F. Burke and Barbara S. Burke (hereinafter "Grantees") desire to use a portion of the right of way area of the 17 block of Gibbs Court adjacent to their property located at 17 Gibbs Court, Richland County TMS#11405-16-05 for installation and maintenance of two (2) knee walls approximately fifty-eight (58') feet in length, twelve (12") inches in width and twenty-four (24") inches in height each, landscaping and an irrigation system, 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 20th day of December, 2016, that the Grantee is hereby granted the right to use a portion of the right of way area of the 17 block of Gibbs Court adjacent to their property located at 17 Gibbs Court, Richland County TMS#11405-16-05 for installation and maintenance of two (2) knee walls approximately fifty-eight (58') feet in length, twelve (12") inches in width and twenty-four (24") inches in height each, landscaping and an irrigation system, 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.
3. Irrigation must be designed to avoid spraying walkways, sidewalks and streets and/or creating hazardous conditions upon the walkways, sidewalks and streets.
4. Obstructions of more than be four (4') feet in height are prohibited within the sight-visibility triangle.
5. Forestry and Beautification shall be provided access to trees within the right of way for maintenance purposes.
6. All trees shall be protected and no large tree roots shall be removed from any existing trees.

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.

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:

Chereka Wilson
City Manager

Approved as to form:

[Signature]
City Attorney

ATTEST:

Erika D. How
City Clerk

Introduced: 12/6/2016

Final Reading: 12/20/2016

ORIGINAL
STAMPED IN RED

**CITY COUNCIL
ENCROACHMENT SUMMARY
2016-112**



**800 BLOCK OF GREGG STREET
ADJACENT TO 17 GIBBS COURT
KNEE WALL, LANDSCAPING AND IRRIGATION**

Subject Property:	Right-of-way adjacent to 17 Gibbs Court, TMS#11405-16-05
Council District:	3
Proposal:	The applicant is requesting an encroachment for installation and maintenance of a knee wall, landscaping and irrigation system
Applicant:	Raymond and Barbara Burk
Staff Recommendation:	Recommend approval with staff comments.

Detail:	<p>The applicant is requesting an encroachment for the installation and maintenance of (2) knee walls approximately twenty-four (24") inches in height, twelve (12") inches in width, fifty-eight (58') feet in length, landscaping and irrigation as shown on the attached drawing;</p> <p>Should council grant this request, staff would ask that the following conditions be imposed.</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 costs and repair of the improvements within the right of way area should the City have to dig in the area or remove any part thereof for maintenance to City water and or sewer lines.
----------------	--

CITY AGENCY COMMENTS FOR ENCROACHMENT

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

City of Columbia

17 Gibbes Court

Thursday, July 28, 2016



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroX, GeoEye, IGN, Aermap, IGN, IGN, and the GIS User Community, Esri, HERE, DeLorme, Intermap, iSat, Swire, Bing, Mapbox, and the GIS User Community

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.

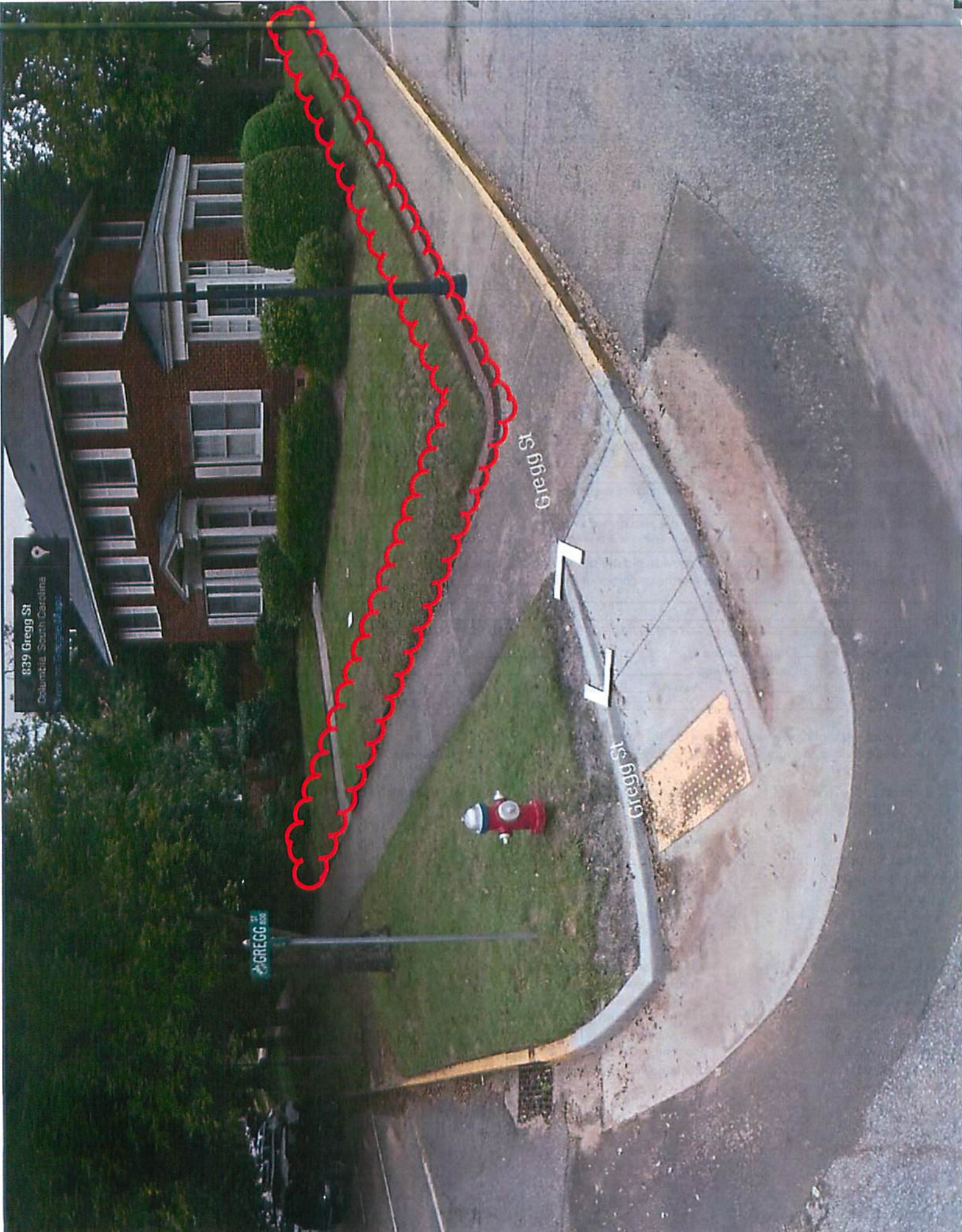


839 Gregg St
Columbia, South Carolina

GREGG ST

Gregg St

Gregg St



REQUEST FOR AN 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, etc.), 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; billboards 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 Council. Encroachment of an 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 a limit being increased to \$600,000 as required by Sec. 11-71. It is recommended that you contact your insurance provider to determine if you 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 stardis@columbiasc.net ; fax at 733-8306; 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: 7/20/16 Property Owner: RAYMOND F. BURKE AND BARBARA S. BURKE

Applicant's Name if different from Property Owner: _____

Contact Information: Telephone Number: 772/545/9925 Fax Number: _____

Mailing address: 1926 S.E. GOLFHOUSE DR. HOBE SOUND, FLORIDA E-mail address: rfburke7@gmail.com

Encroachment Location (Address): 17 GIBBES COURT 33495

(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: 11405-16-05

=====

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

If Other - specify: SOME PLANTINGS BEHIND WALL AND SMALL PLANTING SPACE AT THE CORNER WITH IRRIGATION.


Dimensions (height/width/length): 58' LONG, 12" WIDE, HEIGHT VARIES 1'0" - 1'0" ±. (SEE G-1, G-2 FOR DETAILS)

(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.

=====

<input type="checkbox"/> 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) _____ _____ _____	
--	--

Businesses only: Outdoor dining No. of chairs: _____ No. of Tables _____

Hours of operation for outdoor dining: _____

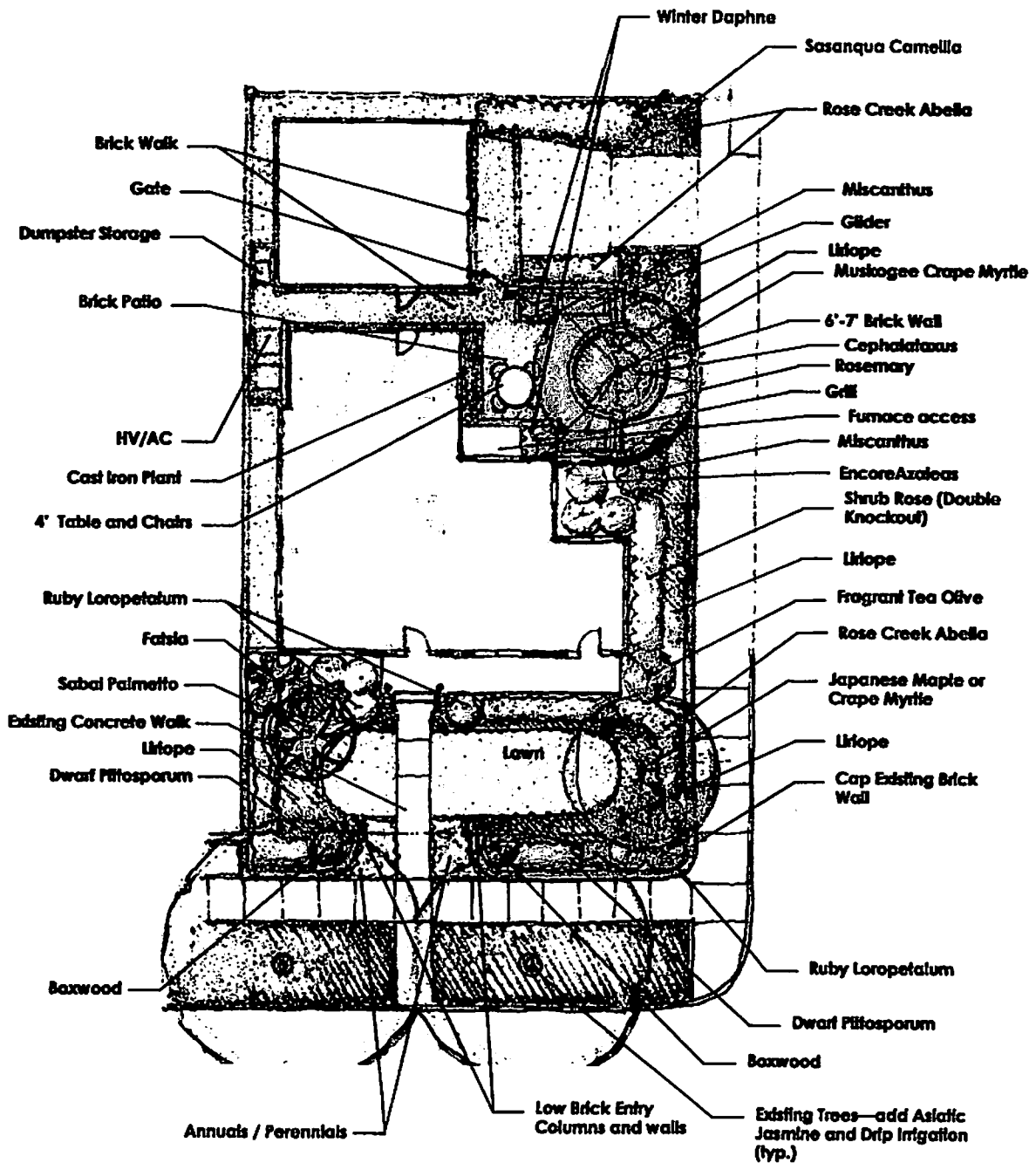
Number of planters: _____ Awning: _____ (dimensions - size/material) _____

Other: _____ (or complete applicable "Encroachment type" section above)

The proposed ordinance will be sent to the requesting party and City offices for review and approval. Krista Hampton 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	Telephone Number	Fax Number
Joey Jacob	Utilities & Engineering	545-3400	988-8199
Missy Gentry	Public Works	545-3780	733-8648
Krista Hampton	Planning and Development Services	545-3420	733-8647
Jerry Thompson	Building Official	545-3442	733-8699
Sara Hollar	Forestry & Beautification	545-3860	733-8648
Amy Moore	Historic Preservation	545-3222	733-8647
Fred Delk	Columbia Dev. Corporation	988-8040	988-8039
Chip Timmons	Risk Management	733-8306	733-8245
Dana Higgins	Construction Management	545-3372	545-4130
David Brewer	Traffic Engineering	545-3850	733-8648
Robert Sweatt	Street Division	545-3790	545-3785
Jonathan Chambers	Planning and Development Services	545-3206	343-8779
Carmen Floyd	Fire Marshall	545-3703	401-8839
Nancy Lee Trihey	Planning and Development Services	545-3218	733-8647
John Fellows	Planning and Development Services	545-3222	733-8647





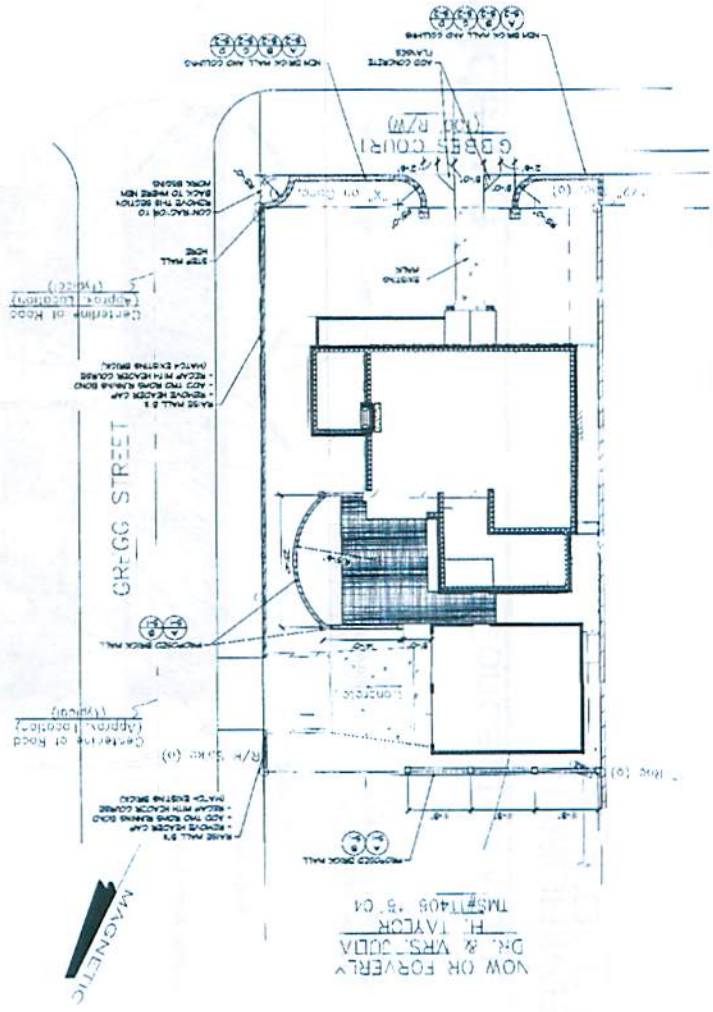
Burke Residence

Conceptual Master Plan

February 18, 2016
 Scale 1" = 10'-0"

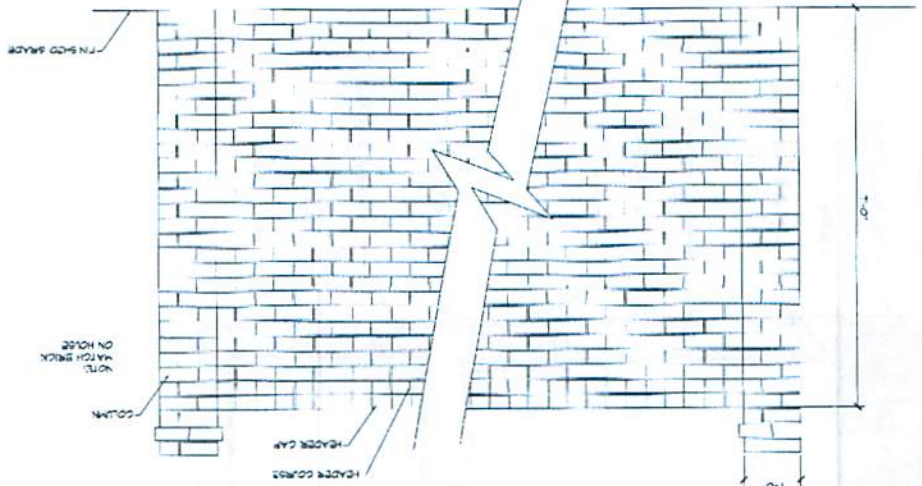
30000



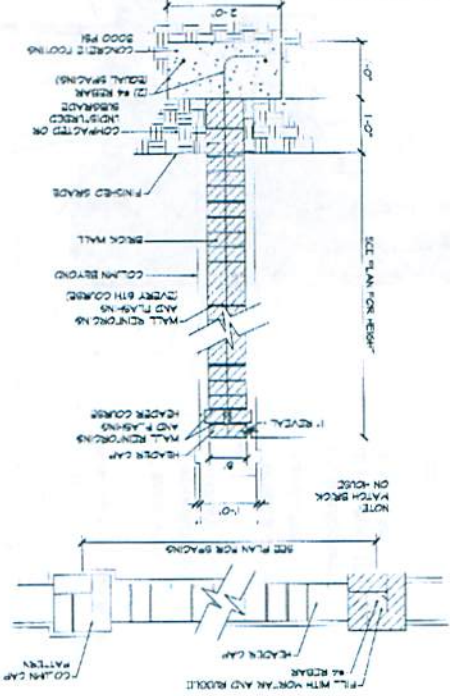


NOW OR FOREVER
 DR. & MRS. JUDIA H. TAYLOR
 TMS#17408-8-04

BRICK WALL
 ELEVATION
 SCALE 1/4" = 1'-0"



BRICK WALL
 SECTION
 SCALE 1/4" = 1'-0"



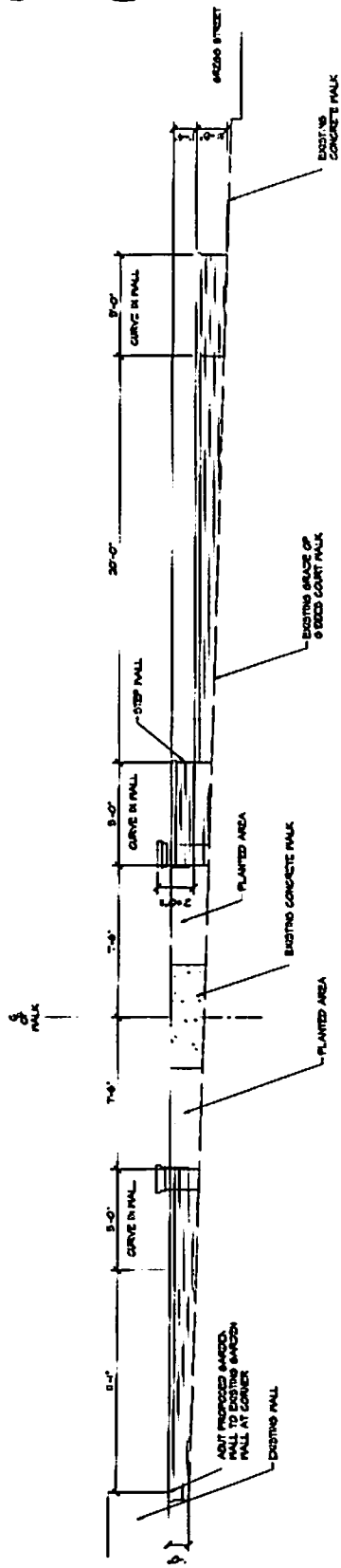
Sheet No. S-1
 Drawing No. 7/16
 Checked by JMG
 Drawn by SHK

C. J. M. BAILL
 ASSOCIATES
 COTTRILL
 BURKE RESIDENCE
 WALL LAYOUT AND DETAILS

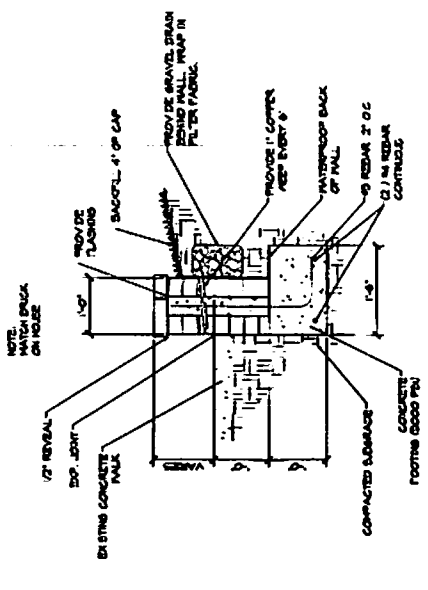
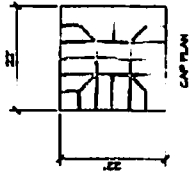


Date	Revisions

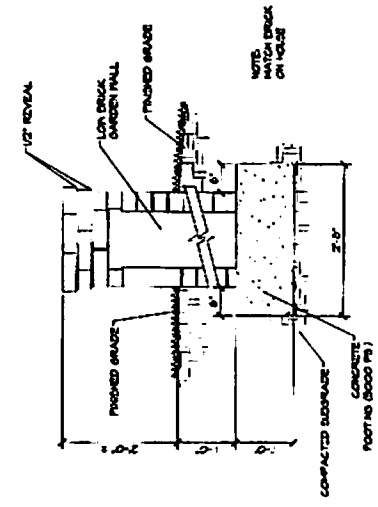
GRIMBALL ASSOCIATES
 WALL DETAILS
 BJKR RESIDENCE
 SHEET NO. S-2
 DATE: 6/19/16
 DRAWING BY: [Signature]
 CHECKED BY: [Signature]



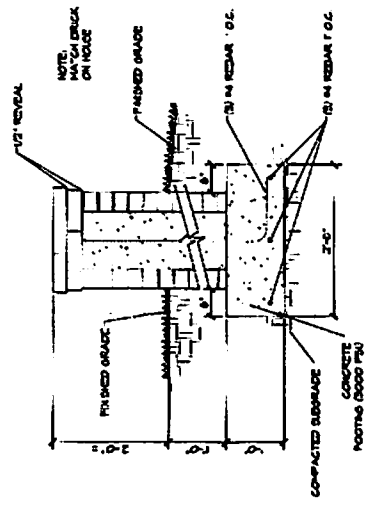
A BRICK WALL - FRONT ELEVATION SCALE 1/4" = 1'-0"



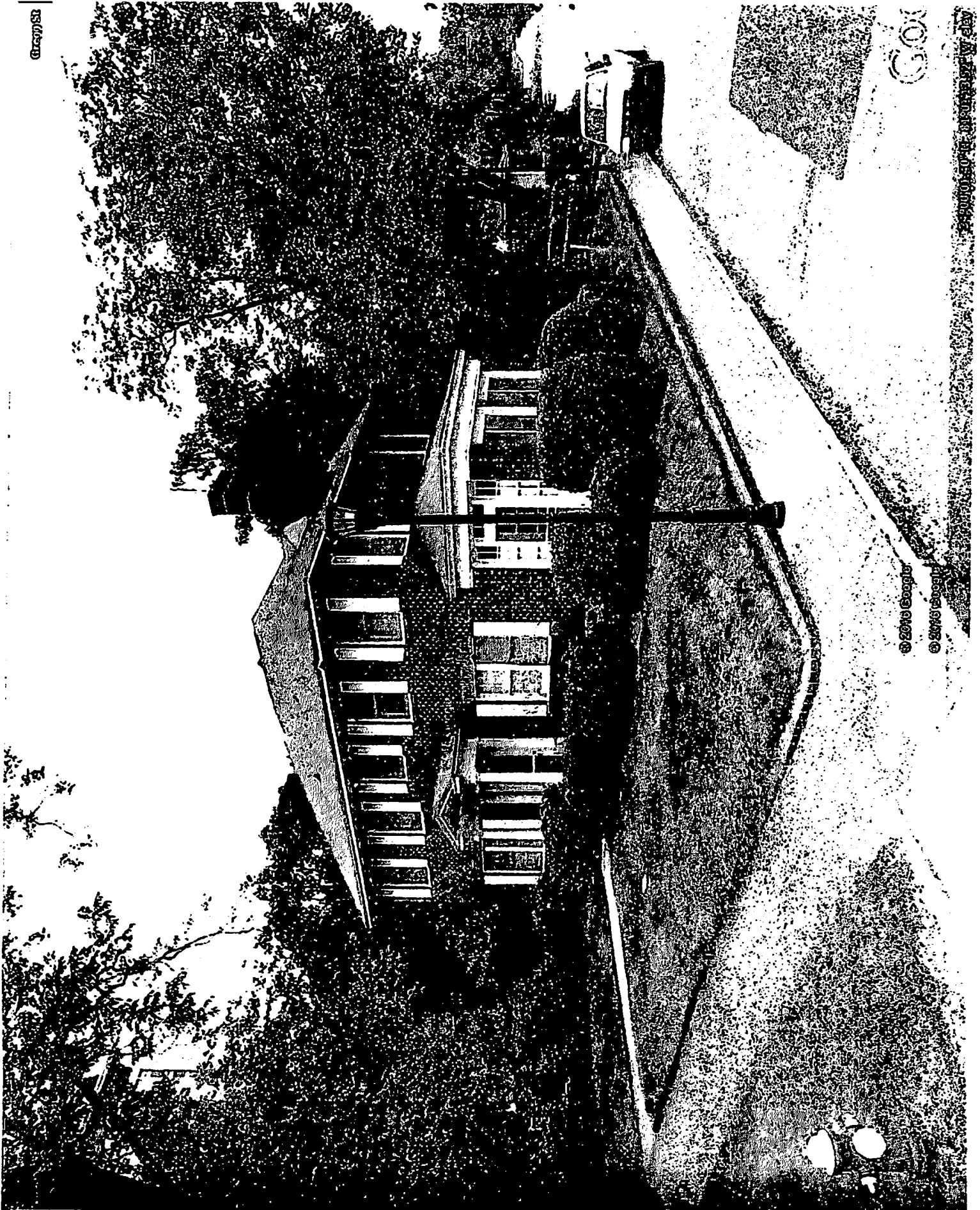
B BRICK WALL SECTION SCALE 1/4" = 1'-0"



C BRICK COLUMN SECTION SCALE 1/4" = 1'-0"



D BRICK COLUMN SECTION SCALE 1/4" = 1'-0"



© 2016 Google

© 2016 Google





Design / Development Review Commission

Certificate of Design Approval

Tuesday, July 12, 2016

Project: site improvement

Nature of Request: Request for a Certificate of Design approval for site improvement

Address: 17 Gibbes Ct.

TMS# 11405-16-05

Date of Hearing: July 12, 2016

The above listed project was reviewed by staff to the D/DRC and approved as for its compliance with the guidelines for the University Hill Architectural Conservation District and the ordinance for the Bailey Bill.

Any conditions for approval are listed below.

1. **Any changes** to the project from approved plans must come before the D/DRC or staff for approval.
2. This certificate **is not** a Zoning Permit or a Building Permit. The required permit will need to be applied for from the Zoning Department (545-3333) or Development Services (545-3483).
3. Construction of low brick wall along the sidewalk/property line on the side and front of the house, rear brick wall as shown on plans and curved garden wall as depicted, at 7' in height.

Comments: If you have any changes to the project or any questions please call me at 545-3328.

Applicant: Dale Marshall, architect

Staff:

Staff: Richey, Preservation Planner

COPIES TO: D/DRC FILE ZONING

7/24/2016

Grimball Cotterill Mail - 17 Gibbes Court,



Mark Cotterill <mcotterill@grimball-cotterill.com>

17 Gibbes Court,

1 message

Raymond Burke <rburke7@gmail.com>
To: Mark Cotterill <mark@grimballcotterill.com>
Cc: Barbara Burke <bkburke7@gmail.com>

Sat, Jul 23, 2016 at 11:42 AM

Mark

Attached are copies of pp 1-2 of the USAA endorsement, adding the City of Columbia as an insured and increasing the liability limits to \$1,000,000. If there is any problem with this transmission or more information is needed, please let me know.

Ray

2 attachments

 **USAA 17 Gibbes endorsement p 1.pdf**
721K

 **USAA 17 Gibbes endorsement p 2.pdf**
613K



**UNITED SERVICES AUTOMOBILE ASSOCIATION
ENDORSEMENT DECLARATIONS**

Specifically listed below are the Declarations and premiums for endorsements made a part of this policy at the time of issue. The endorsements are attached stating terms and conditions.

Policy Number	Policy Term:	04-03-16	04-03-17
USAA 00244 21.71 80A AMENDED EFFECTIVE	07-23-16	Inception	Expiration

ADDITIONAL COVERAGE INFORMATION:

DL 24 01 (12-02) - PERSONAL LIABILITY

TERM PREMIUM \$ 29.90

DL 24 10 (12-02) - ADDITIONAL INSURED ENDORSEMENT

INTEREST: CITY/MUNICIPALITY
NAME AND ADDRESS: CITY OF COLUMBIA
PO BOX 147
LEGAL DEPARTMENT
COLUMBIA SC 29217

DL 24 11 (12-02) - PREMISES LIABILITY

TERM PREMIUM : INCLUDED

DL 24 14 (12-02) - LIABILITY LOSS ASSESSMENT

COVERAGE LIMIT : \$10,000
TERM PREMIUM : INCLUDED

DP 04 LA (03-08) - LOSS ASSESSMENT PROPERTY COVERAGE

COVERAGE LIMIT : \$10,000
APPLIES TO DWELLING COVERAGE A
TERM PREMIUM : INCLUDED

DP-978 (07-00) - ADJUSTED BUILDING COST ENDORSEMENT

TERM PREMIUM: INCLUDED

REASON(S) FOR CHANGE:

ADD MORTGAGEE INFORMATION
ADD ADDITIONAL INSURED

CHANGE DL APL02 (11-12) - AMENDMENT TO LIABILITY PROVISIONS
CHANGE DL 24 01 (12-02) - PERSONAL LIABILITY
ADD DL 24 10 (12-02) - ADDITIONAL INSURED ENDORSEMENT
CHANGE DL 24 11 (12-02) - PREMISES LIABILITY.



UNITED SERVICES AUTOMOBILE ASSOCIATION
9800 Fredericksburg Road - San Antonio, Texas 78288

DWELLING POLICY

THIS AMENDED Declaration replaces all prior Declarations, if any.

EFFECTIVE 07-23-16

Insured's Name and Mailing Address

RAYMOND F BURKE
6926 SE GOLFHOUSE DR
HOBE SOUND FL 33455-8049

Policy Number

USAA 00244 21 71 80A

COINSURANCE CONTRACT

POLICY PERIOD: 12:01 A.M. Standard Time
at the Described Location

From 04-03-16 To 04-03-17 1 Year

Named Insured: RAYMOND F BURKE AND BARBARA S BURKE

Described Location:

17 GIBBES CT
COLUMBIA, RICHLAND, SC 29201-3923

Legal Description:

FIRE DEPT PREMIUM TAX CODE: 40

This insurance applies to the Described Location, Coverage for which a Limit of Liability is shown and Perils Insured Against for which a Premium is stated.

PERILS INSURED AGAINST	FIRE OR LIGHTNING	EXTENDED COVERAGE	BROAD FORM	SPECIAL FORM
PREMIUM	\$279.71	\$264.72	\$1.19	\$239.33

TOTAL ADDITIONAL PREMIUM	\$3.76	REVISED POLICY PREMIUM	\$814.85
--------------------------	--------	------------------------	----------

Coverages

- A. DWELLING
- C. PERSONAL PROPERTY
- L. PERSONAL LIABILITY
- M. MEDICAL PAYMENTS

Limit of Liability

\$370,000
\$1,200
\$1,000,000
\$5,000

In case of loss under this policy we cover only that part of the loss over the deductible stated.

DEDUCTIBLE(S): \$1,000

WINDSTORM & HAIL \$1,000

Form and Endorsements made a part of this policy at time of issue:

DP 00 03 (07-88); DL APL02 (11-12); DL 24 01 (12-02); DL 24 10 (12-02); DL 24 11 (12-02)
DL 24 14 (12-02); DP FLDA3 (01-07); DP SC (12-07); DP 04 LA (03-08); DP-978 (07-00)
ESA (02-05); FI-MLD89 (08-03)

SC VALUATION CLAUSE - SEE DP SC ATTACHED -- DWG: \$370,000

MORTGAGEE

BANK OF AMERICA N.A.
ISADA/ATIMA
PO BOX 5954
SPRINGFIELD, OH 45501-5954

LOAN NUMBER: 7104051425

PREMIUM DUE AT INCEPTION.
THIS IS NOT A BILL.
STATEMENT TO FOLLOW.

In WITNESS WHEREOF, this policy is signed on 07-22-16

Laura Bishop
President, USAA Reciprocal Attorney-in-Fact, Inc.