

ORDINANCE NO.: 2014-009

Granting an encroachment to Hamptons Grant Homeowners Association for placement of an island, brick entryway with two columns, lighting and planting areas within the right of way area of the 100 block of Chimney Hill Road at the entrance into Hamptons Grant adjacent to Richland County TMS #13616-02-45

WHEREAS, Hamptons Grant Homeowners Association, (hereinafter "Grantees") desires to utilize a portion of the right of way area of the 100 block of Chimney Hill Road adjacent to Richland County TMS #13616-02-45, for installation and maintenance of an island approximately twenty (20') feet in length and nine (9') feet in width; a brick entryway approximately eight and one-half feet (8'6") in height and seven foot two inches (7' 2") in width with two columns approximately four (4') feet in height and one and one-half feet (1'6") in diameter, each topped with decorative lighting; and planting areas, as shown on the attached drawings; and,

WHEREAS, it appears that the encroachment will not interfere with the use of the sidewalk 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 February, 2014, that Grantee, its successors and assigns is hereby granted the right to utilize a portion of the right of way area of the 100 block of Chimney Hill Road adjacent to Richland County TMS #13616-02-45, for installation and maintenance of a brick entryway island approximately twenty (20') feet in length and nine (9') feet in width; a brick entryway approximately eight and one-half feet (8'6") in height and seven foot two inches (7' 2") in width with two columns approximately four (4') feet in height and one and one-half feet (1'6") in diameter, each topped with decorative lighting; and planting areas, 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, HOWEVER, that in exercising the privileges granted under this ordinance, Grantee, his successors and assigns, will indemnify and save harmless the City from any and all claims or causes of action which may arise by reason of the construction or maintenance of the aforesaid encroachment.

PROVIDED FURTHER that the privilege granted hereby is subject to the Grantee complying with the following conditions, restrictions or limitations:

1. Grantee shall be responsible for payment of utilities associated with the encroachment area.

ORIGINAL
STAMPED IN RED

2. No item, including landscaping, shall be placed, planted or allowed to grow such that it creates a visual impediment. 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.

3. Grantee is responsible for all maintenance and assuring that all accessibility and ADA requirements are met and maintained.

4. Landscaping to be maintained by property owner.

5. Irrigation must be designed to avoid spraying walkways, sidewalks and streets and/or creating hazardous conditions upon the walkways, sidewalks and streets.

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:

Hamptons Grant Homeowners Association


MAYOR

Approved by:


City Manager

Approved as to form:


City Attorney

Introduced: 2/4/2014

Final Reading: 2/18/2014

ATTEST:

City Clerk

**CITY COUNCIL
ENCROACHMENT SUMMARY
2014-009**



**100 BLOCK OF CHIMNEY HILL ROAD
ADJACENT TO 133 CHIMNEY HILL ROAD
HAMPTONS GRANT ENTRANCE WAY**

Subject Property:	100 block of Chimney Hill Road adjacent to 133 Chimney Hill Road
Council District:	4
Proposal:	Request approval for installation and maintenance of a new entrance way for Hamptons Grant Subdivision
Applicant:	Southern Vistas, Inc. Hamptons Grant Home Owners Association
Staff Recommendation:	Recommend Approval.

Detail:	<p>The applicant is requesting to an encroachment for the installation and maintenance an island approximately twenty (20') feet in length and nine (9') feet in width; a brick entryway approximately eight and one-half feet (8'6") in height and seven foot two inches (7' 2") in width with two columns approximately four (4') feet in height and one and one-half feet (1'6") in diameter, each topped with decorative lighting; and planting areas, as shown on the attached drawings.</p> <p>Conditions of the encroachment are provided below:</p> <ol style="list-style-type: none"> 1. Home Owners Association maintaining the island and paying for the power for the lights. 2. No item, including landscaping, shall be placed, planted or allowed to grow such that it creates a visual impediment. 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. 3. Grantee is responsible for all maintenance and assuring that all accessibility and ADA requirements are met and maintained. 4. Landscaping to be maintained by property owner. 5. Irrigation must be designed to avoid spraying walkways, sidewalks and streets and/or creating hazardous conditions upon the walkways, sidewalks and streets.
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CITY AGENCY COMMENTS FOR ENCROACHMENT	
Planning & Development	Recommend Approval.
Streets	Recommend Approval.
Utilities & Engineering	Recommend Approval.
Traffic Engineering	Recommend Approval. Home Owners Association maintaining the island and paying for the power for the lights.
Fire Department	Recommend Approval.
Forestry	Recommend Approval.
Land Development	Recommend Approval.

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, 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 ctimmons@columbiasc.net) should be contacted regarding the insurance requirements.

Date: 12-18-13 Property Owner: HAMPTON S GRANT HOA
 Applicants Name if different from Property Owner: SOUTHEEN VISTAS, INC
 Contact Information: Telephone Number: 803-256-0564 Fax Number: 803-256-0554
 Mailing address: 2E25 Commerce Dr E-mail address:
 Encroachment Location (Address): CHIMNEY HILL HAMPTON S GRANT ENTRANCE
 (If corner lot, include name and block number of side street, i.e., 1737 Main Street and 11001 block of Laurel Street)

Tax Map Number for Encroachment Location: _____

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

If Other - specify: LIGHT COLUMNS, short planter walls

Dimensions (height/width/length): _____

(i.e., 6'x42' wooden privacy fence; two 12"x4' concrete step; two 12"x12' x24" brck columns; 4'x15' brick paver walkway)

Construction material: _____
 Please provide photographs and drawing or site plan drawn to scale - no larger than 11-1/2 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)

Businesses only: Outdoor dining No. of chairs: _____ No. of Tables _____
 Hours of operation for outdoor dining: _____
 Number of planters: _____ Awning: _____ (dimensions - size/material: _____)
 Other: _____ (for complete applicable "Encroachment type" section above)

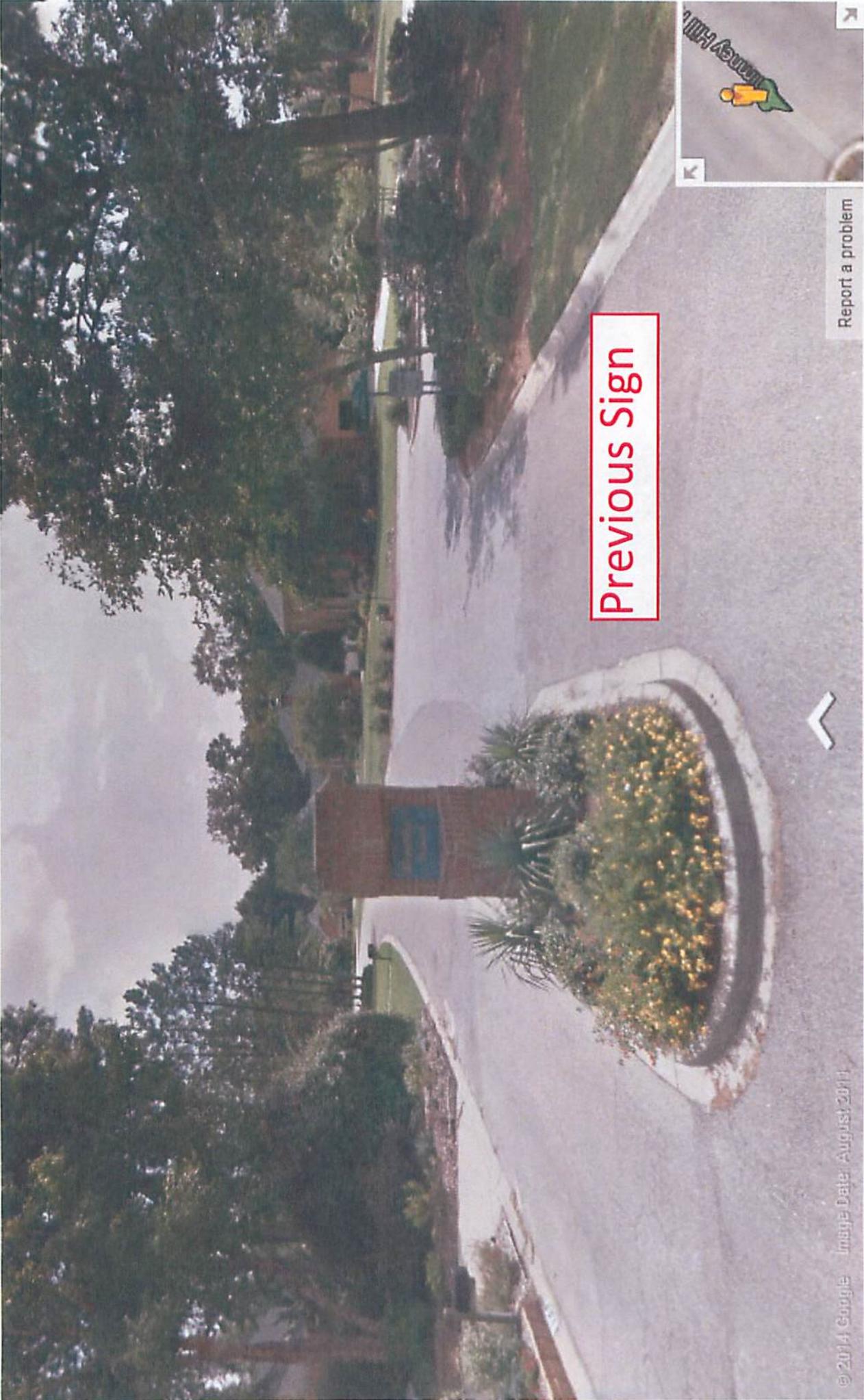
The proposed ordinance will be sent to the requesting party and City offices for review and approval. Johnathan Chambers will compile the recommendations and forward them to the City Clerk for scheduling before City Council. This process may take from 30-90 days.

CONTACT	DEPARTMENT	PHONE	FAX	E-MAIL
Krista Hampton	Development Services (Administration)	803-545-3420	803-733-8647	kmhampton@columbiasc.net
Johnathan Chambers	Development Services (Land Development)	803-545-3333	803-343-8779	jchambers@columbiasc.net
Nancy Leo Trihey	Development Services (Planning)	803-545-3222	803-733-8647	ntrihey@columbiasc.net
John Fellows	Development Services (Planning)	803-545-3222	803-733-8647	jsfellows@columbiasc.net
Brian Cook	Development Services (Zoning)	803-545-3332	803-733-8647	bcook@columbiasc.net
Jerry Thompson	Development Services (Building Inspections)	803-545-3420	803-733-8699	jthompson@columbiasc.net
Fanessa Pinckney	Development Services (Permits)	803-545-3420	803-733-8699	fcpinckney@columbiasc.net
Amy Moore	Development Services (Historic Preservation)	803-545-3222	803-733-8647	amoore@columbiasc.net
Jocj Jaco	Utilities & Engineering (Administration)	803-545-3400	803-988-8199	jjjaco@columbiasc.net
Dana Higgins	Utilities & Engineering (Construction Management)	803-545-3372	803-545-4130	dhiggins@columbiasc.net
Robert Anderson	Public Works (Administration)	803-545-3780	803-733-8648	raanderson@columbiasc.net
Robert Sweal	Public Works (Street Division)	803-545-3790	803-545-3785	rgsweal@columbiasc.net
David Brewer	Public Works (Traffic Engineering)	803-545-3850	803-733-8648	ddbrewer@columbiasc.net
Sara Hollar	Public Works (Forestry & Beautif cation)	803-545-3860	803-733-8648	sehollar@columbiasc.net
John Hooks	Public Works (Solid Waste)	803-545-3800	803-733-8648	jphooks@columbiasc.net
Fred Delk	Columbia Development Corporation	803-988-8040	803-988-8039	cdelk@columbiasc.net
Chip Timmons	Risk Management	803-733-8306	803-733-8245	ctimmons@columbiasc.net
George Adams	Fire Department	803-545-3701	803-401-8839	gdadams@columbiasc.net
Gerald Koon	Fire Department	803-545-3701	803-401-8839	gdkoon@columbiasc.net
John David Spade	Parking Services	803-545-3070	803-733-8523	spade@columbiasc.net



Hamptons Grant Way

Chimney Hill Road



Previous Sign

Report a problem

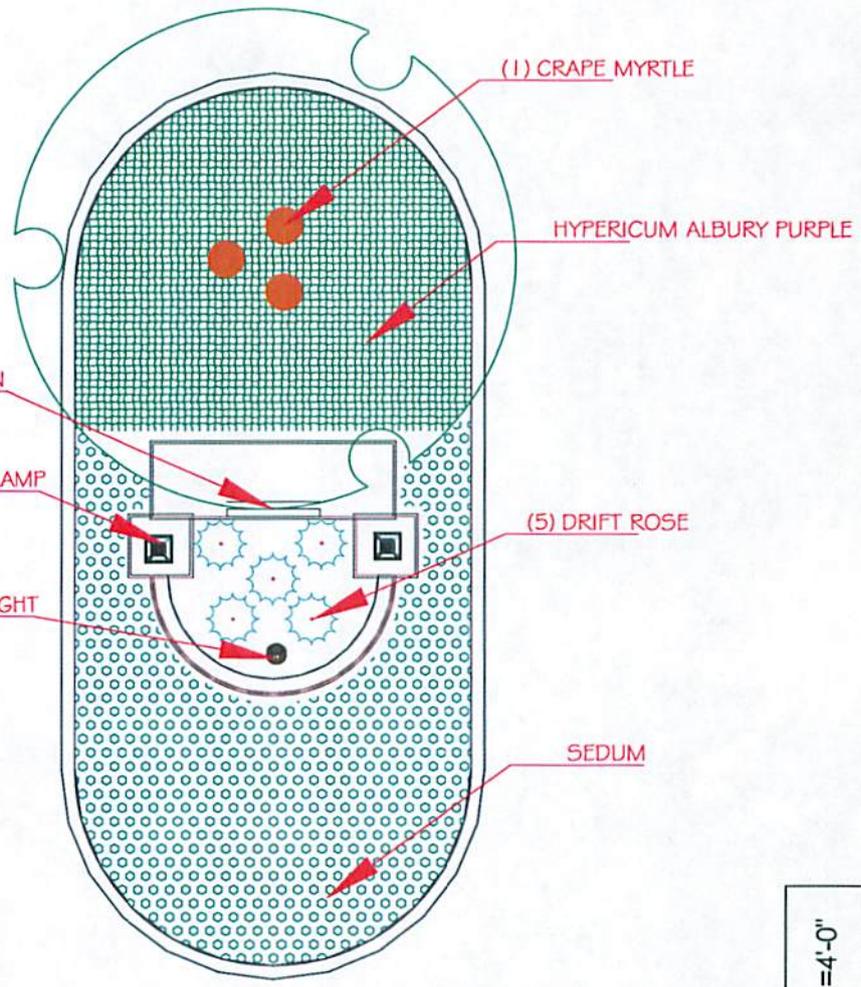
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LANDSCAPE PLAN

DRAWN FOR:
HAMPTON'S GRANT
COLUMBIA, SOUTH CAROLINA

SOUTHERN VISTAS INC.
MARK SCHIMMOELLER
2825 COMMERCE DR.
COLUMBIA, SC 29205
803-256-0559



SCALE: 1" = 4'-0"

