

ORIGINAL
STAMPED IN RED

ORDINANCE NO.: 2014-050

Granting an encroachment to Jeb Zoller and Kristi Zoller for construction and maintenance of a brick wall and irrigation system within the right of way area of the 200 block of South Edisto Avenue and the 2000 block of Kiawah Avenue adjacent to their property at 232 South Edisto Avenue, Richland County TMS #11310-16-11

WHEREAS, Jeb Zoller and Kristi Zoller (hereinafter "Grantees") desire to use a portion of the right of way area of the 200 block of South Edisto Avenue and the 2000 block of Kiawah Avenue adjacent to its property located at 232 South Edisto Avenue, Richland County TMS #11310-16-11 for installation and maintenance of a brick wall approximately fifty-three (53') feet in length and six (6') feet in height; seven (7) brick columns approximately ten (10") inches in diameter and approximately seven (7') feet in height; one (1) wrought iron sliding gate approximately eighteen (18') feet length and approximately seven (7') feet in height, 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 10th day of June, 2014, that Grantees are granted the right to utilize a portion of the right of way area of the 200 block of South Edisto Avenue and the 2000 block of Kiawah Avenue adjacent to its property located at 232 South Edisto Avenue, Richland County TMS #11310-16-11 for installation and maintenance of a brick wall approximately fifty-three (53') feet in length and six (6') feet in height; seven (7) brick columns approximately ten (10") inches in width and depth approximately seven (7') feet in height; one (1) wrought iron sliding gate approximately eighteen (18') feet length and approximately seven (7') feet in height, as shown on the attached drawings.

ALL WORK SHALL COMPLY with the requirements of the City of Columbia, South Carolina Department of Transportation and 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, 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. 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.

**CITY COUNCIL
ENCROACHMENT SUMMARY
2014-050**



**200 BLOCK OF SOUTH EDISTO AVENUE AND
2000 BLOCK OF KIAWAH AVENUE
ADJACENT TO 232 SOUTH EDISTO AVENUE
BRICK WALL**

Subject Property:	Right-of-way adjacent to 200 block of South Edisto Avenue and 2000 Block of Kiawah Avenue, TMS#11310-16-11
Council District:	3
Proposal:	The applicant is requesting an encroachment for installation and maintenance of brick wall and irrigation system
Applicant:	Jeb and Kristi Zoller
Staff Recommendation:	Approval with conditions.

Detail:	<p>The applicant is requesting an encroachment for the installation and maintenance of installation and maintenance of a brick wall approximately fifty-three (53') feet in length and six (6') feet in height; seven (7) brick columns approximately ten (10") inches in width and depth approximately seven (7') feet in height; one (1) wrought iron sliding gate approximately eighteen (18') feet length and approximately seven (7') feet in height and irrigation system, as shown on the attached drawings.</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. All trees shall be protected and no large tree roots shall be removed from any existing trees. 3. 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. 4. Obstructions of more than four (4') feet in height are prohibited within the sight-visibility triangle. 5. Landscaping to be maintained by property owner. 6. 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	Recommend approval.
Streets	Recommend approval.
Utilities and Engineering	Recommend approval.
Traffic Engineering	Recommend approval.

Forestry	Recommend approval.
Land Development	Recommend approval.
Fire	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 calimmons@columbiasc.net) should be contacted regarding the insurance requirements.

Date: _____ Property Owner: Southbridge Properties & Construction
 Applicant's Name if different from Property Owner: JSA & Kristi Zoller
 Contact Information: Telephone Number: 803-520-9112 Fax Number: 803-741-0273
 Mailing address: 172 Maplewood Dr, Columbia SC 29205 E-mail address: jzoller@me.com
 Encroachment Location (Address): 222 S. Edisto Ave, Columbia, SC 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: R11310-16-11 (Corner of S. Edisto & Kiawah)

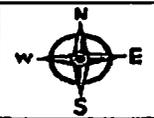
Encroachment type: Wall Fence Columns Steps Irrigation System Landscaping Driveway Pavers
 Walkway/Side walk Underground Utilities other

If Other - specify: _____
 Dimensions (height/width/length): _____

(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.

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. 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.

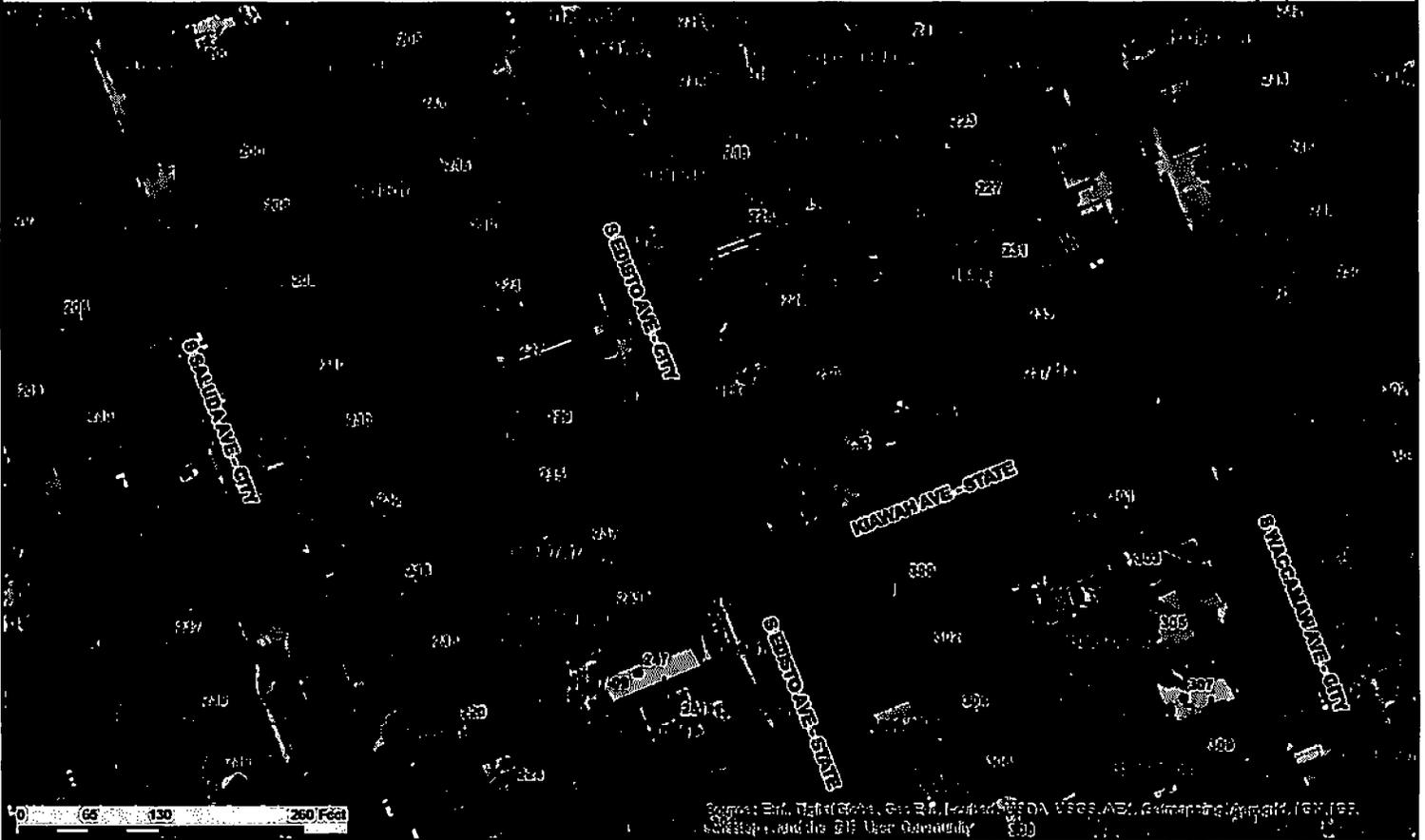
CONTACT	DEPARTMENT	PHONE	FAX	E-MAIL
Krista Hampton	Development Services (Administration)	803-645-3420	803-733-8647	kmhampton@columbiasc.net
Johnathan Chambers	Development Services (Land Development)	803-545-3333	803-343-8779	jchambers@columbiasc.net
Nancy Lee Trihey	Development Services (Planning)	803-545-3222	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	kbcook@columbiasc.net
Jerry Thompson	Development Services (Building Inspections)	803-545-3420	803-733-8699	jthompson@columbiasc.net
Fanessa Pinckney	Development Services (Permits)	803-645-3420	803-733-8699	fcpinckney@columbiasc.net
Amy Moore	Development Services (Historic Preservation)	803-545-3222	803-733-8647	aemoore@columbiasc.net
Joey Jaco	Utilities & Engineering (Administration)	803-545-3400	803-988-8199	jdjaco@columbiasc.net
Dana Higgins	Utilities & Engineering (Construction Management)	803-545-3372	803-545-4130	dnhiggins@columbiasc.net
Robert Anderson	Public Works (Administration)	803-545-3780	803-733-8648	raanderson@columbiasc.net
Robert Sweat	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
Sara Hollar	Public Works (Forestry & Beautification)	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 Daik	Columbia Development Corporation	803-988-8040	803-988-8039	cdc@columbiasc.net
Chip Timmons	Risk Management	803-733-8306	803-733-8245	calimmons@columbiasc.net
George Adams	Fire Department	803-545-3701	803-401-8839	cfgdadams@columbiasc.net
Gerald Koon	Fire Department	803-545-3701	803-401-8839	cfdgkoon@columbiasc.net
John David Spade	Parking Services	803-545-3070	803-733-8523	spade@columbiasc.net

City of Columbia

232 South Edisto Avenue



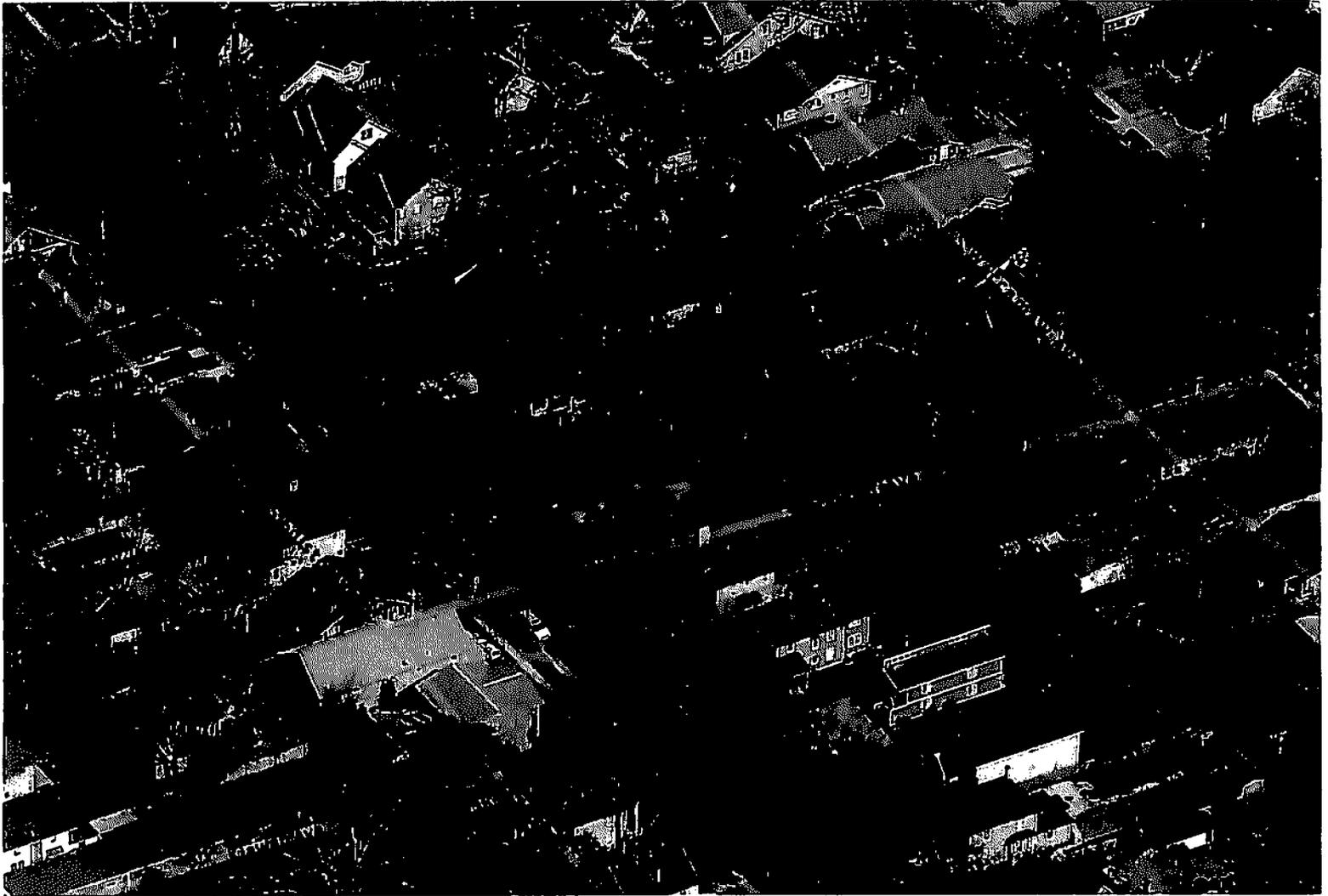
Wednesday, April 30, 2014

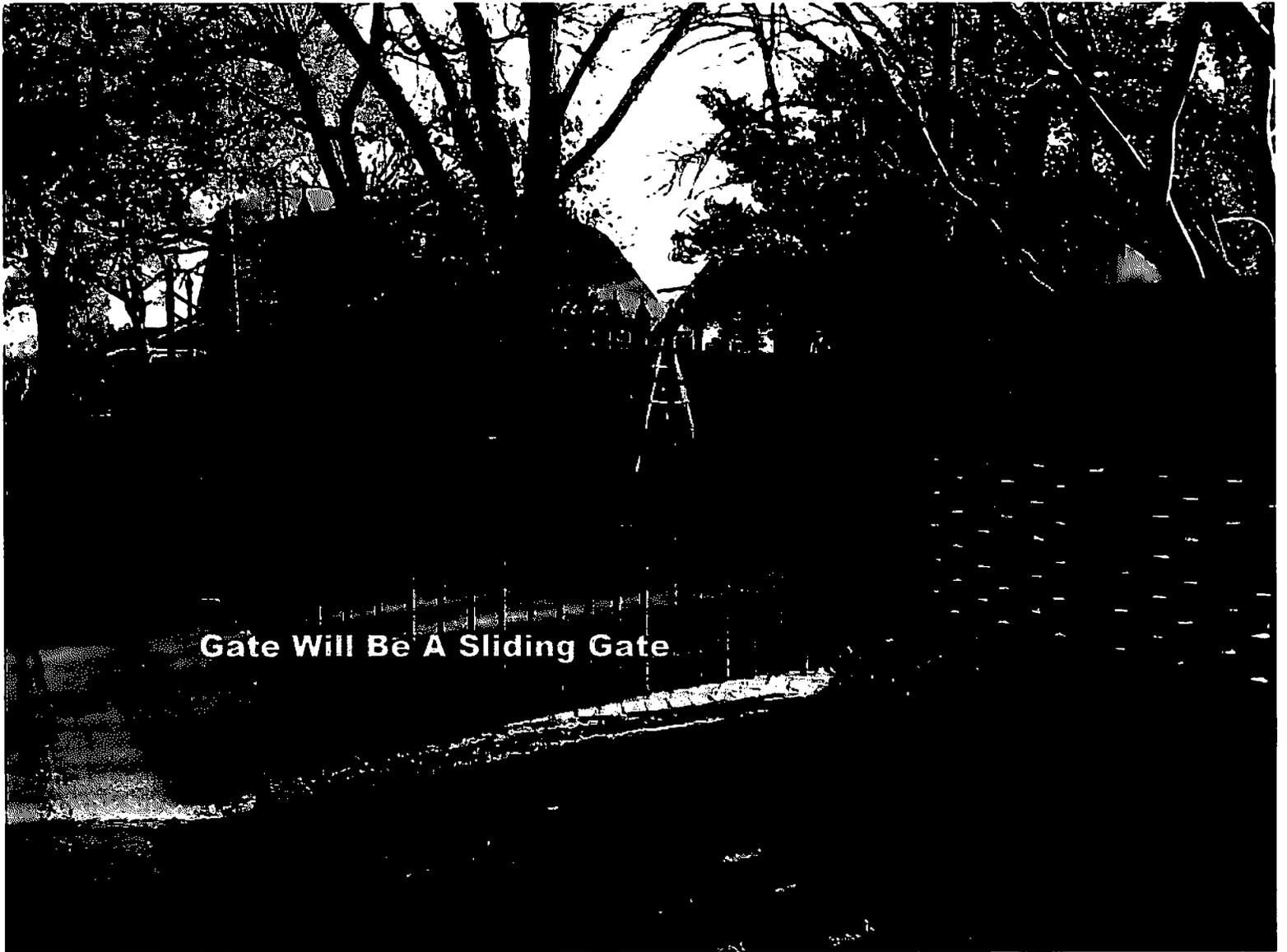


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Gate Will Be A Sliding Gate

