

ORDINANCE NO. 2002-054

Granting encroachment to Shem Jordan and Susanne Jordan for landscaping and construction, installation and maintenance of a brick wall with walk gate and columns, and stone paver driveway with brick curbing at 415 Shandon Street

WHEREAS, Shem and Susanne Jordan (hereinafter "Grantee") desire to utilize the tree zone right of way adjacent to their property located at 415 Shandon Street for landscaping and construction, installation and maintenance of a brick wall approximately twenty (20) feet in length, sixteen (16") inches in width and twenty-four (24") inches in height with four (4) columns five (5) feet in height, and a walk gate; and for a stone paver driveway with brick curbing along with the removal of two (2) Dogwood trees and replacement with two (2) four (4") inch caliper shade trees; 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 26th day of June, 2002, that Grantees are hereby granted the right to landscape and construct, install and maintain a brick wall approximately twenty (20) feet in length, sixteen (16") inches in width and twenty-four (24") inches in height with four (4) columns five (5) feet in height, and a walk gate; and for a stone paver driveway with brick curbing along with the removal of two (2) Dogwood trees and replacement of same with two (2) four (4") inch caliper shade trees within the tree zone right of way area adjacent to their property at 415 Shandon 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.

PROVIDED, HOWEVER, that in exercising the privileges granted under this ordinance, Grantee, its 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 and in the event the encroachment becomes in conflict with future municipal plans, said property shall be returned to the City by Grantee.

PROVIDED FURTHER that the evidence of public liability insurance naming the City as

an insured in the minimum amount of \$600,000.00 for personal injury and property damage shall be filed annually with the City Clerk by Grantee, its successors and assigns.

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:



MAYOR

ORIGINAL
STAMPED IN REC.

Approved by:



City Manager

Approved as to form:



City Attorney

ATTEST:



City Clerk

Introduced: 6/19/2002

Final Reading: 6/26/2002

file/

**interoffice
MEMORANDUM**

to: Chip Land, Acting Planning Director
from: Debbie Price, Forestry & Beautification Superintendent *DP*
subject: Encroachment request for 415 Shandon Street
date: June 17, 2002

In reference to the Jordan's proposed plan for their driveway and landscaping, the plan would require that two dogwood trees be removed. One is in poor condition, and has three trunks, 6", 5" and 4" in diameter. The other is in good condition, and has two trunks 9" and 3" in diameter.

If removal of the dogwoods is approved, the two replacement trees should be shade trees at least 4" in diameter. I recommended Zelkova trees, but would consider another type, if the homeowner requests to do so.

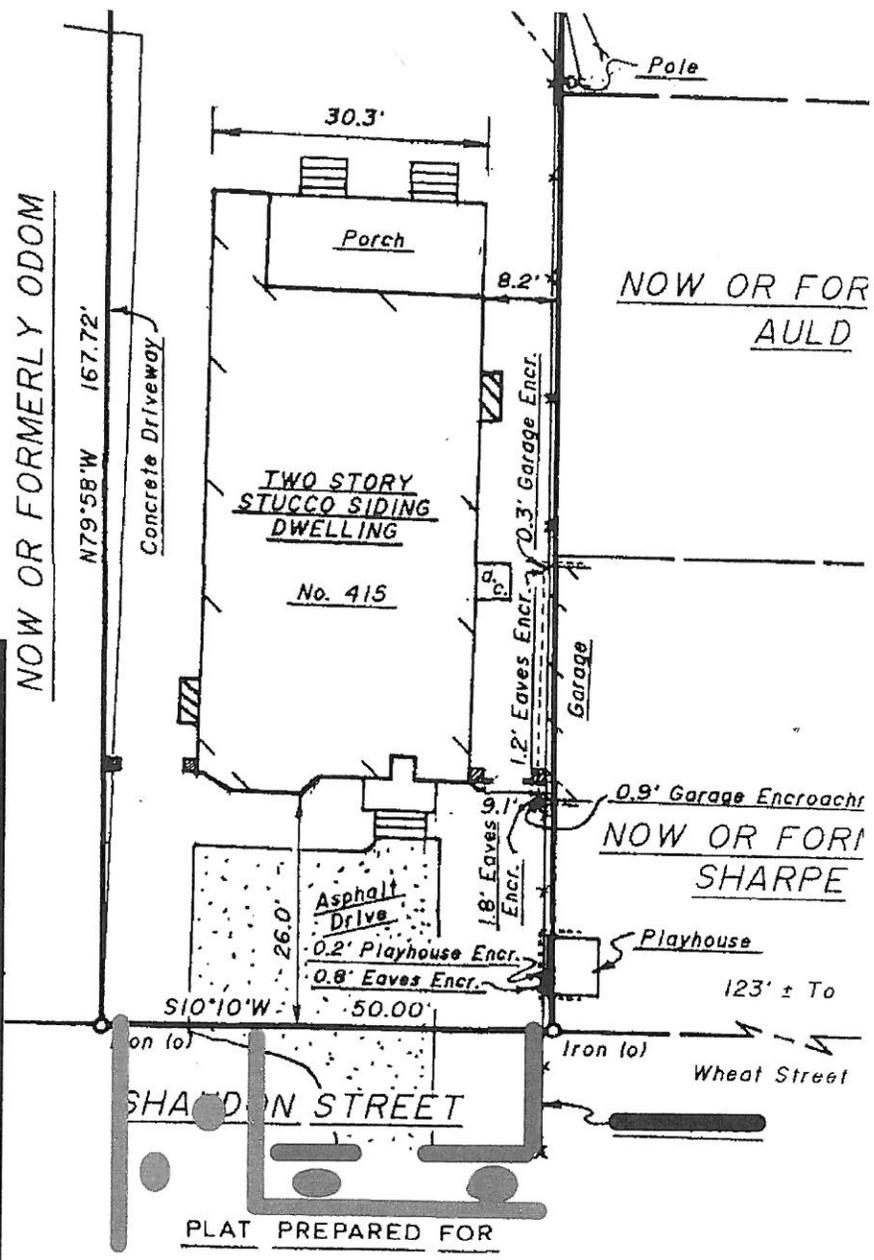
The removal of the dogwoods and planting of shade trees shall be the responsibility of the property owner.

In reference to Async of 6-18-02

cc: Wanda Dunn, Public Works Director

Key

- Blue - Dogwood trees to be moved
- Green - Replacement trees
- Purple - Brick Curb with paving
- Red - Brick Wall 4'-5' tall
- Yellow - Exist Edge of Pavement



SHEMION P. JORDAN & SUSANNE P. JORDAN

RICHLAND COUNTY, COLUMBIA, S.C.

REFERENCES:

- 1) PLAT PREPARED FOR HARVEY F. & PERRIE F. DOWD, BY DOUGLAS E. PLATT, SR. JUNE 30, 1978.
- 2) PLAT OF PROPERTY PREPARED FOR L. A. COTTER, BY TOMLINSON ENGR. CO., DATED JULY 11, 1947, AND RECORDED IN THE OFFICE OF REGISTER OF MESNE CONVEYANCE IN PLAT BOOK "L", PAGE 207.
- 3) PLAT PREPARED FOR MARY ANN ODOM, BY COX and DINKINS, INC., DATED FEBRUARY 1991, RECORDED IN PLAT BOOK NO. 52, PAGE 532B.

COX and DINKINS, INC.

ENGINEERS • SURVEYORS
 514 HOLLY STREET COLUMBIA, S.C. - 29205

JULY 19, 1991

1" = 20' 0"

I HEREBY CERTIFY THAT THE MEASUREMENTS AS SHOWN ON THE ABOVE PLAT ARE CORRECT AND THAT THERE ARE NO ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN.

I HEREBY CERTIFY THAT I HAVE CONSULTED THE FEDERAL INSURANCE ADMINISTRATION FLOOD INSURANCE RATE MAP; AND TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE SUBJECT PROPERTY IS NOT LOCATED IN SPECIAL FLOOD HAZARD ZONE A OR B.

J.S.
 REC