

**ORDINANCE NO.: 2011-053**

*Granting an encroachment to Benedict College for placement and maintenance of a concrete walkway within the right of way area adjacent to 2315 Laurel Street, Richland County TMS #11408-07-17*

ORIGINAL  
STAMPED IN RED

WHEREAS, Benedict College, (hereinafter "Grantee") desires to utilize a portion of the right of way area adjacent to 2315 Laurel Street, Richland County TMS #11405-07-17, for installation and maintenance of a concrete walkway approximately five (5') feet six (6") inches in width and two (2') feet in length and four (4") inches in depth, as shown on the attached drawing; 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 20th day of September, 2011, that Grantee, its successors and assigns, is hereby granted the right to utilize a portion of the right of way area adjacent to 2315 Laurel Street, Richland County TMS #11405-07-17, for installation and maintenance of a concrete walkway approximately five (5') feet six (6") inches in width and two (2') feet in length and four (4") inches in depth, as shown on the attached drawing.

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 or maintenance shall be repaired to the satisfaction of the City Manager. Improvements constructed within the encroachment by or on behalf of Grantees shall be maintained by the Grantees 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.

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 vehicles safely traveling or to persons safely walking along the

ORIGINAL  
STAMPED IN RED

roadways.

2. 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.

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.

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 Grantees, their 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 Grantees, in consideration of the above privilege, shall at their expense provide for protection and, if necessary, relocation of all utilities that might be within this area to the satisfaction of the City Manager.

Requested by:

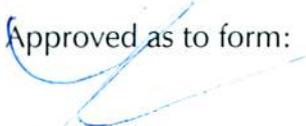
Benedict College

  
MAYOR

Approved by:

  
City Manager

Approved as to form:

  
City Attorney

ATTEST:  
  
City Clerk

Introduced: 9/6/2011

Final Reading: 9/20/2011

**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 catimmons@columbiasc.net ) should be contacted regarding the insurance requirements.

Date: June 30, 2011 Property Owner: Benedict College

Applicant's Name if different from Property Owner: \_\_\_\_\_

Contact Information: Telephone Number: 803-705-4846 Fax Number: \_\_\_\_\_

Mailing address: 1600 Harden Street, Columbia E-mail address: \_\_\_\_\_

Encroachment Location (Address): 2315 Laurel Street, Columbia

(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: R11408-07-17

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

If Other - specify: \_\_\_\_\_

Dimensions (height/width/length): 5.6' (width) x 2' (length) x 4" (depth)

(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: 3,000PSI Concrete slab

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. 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 Jaco	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



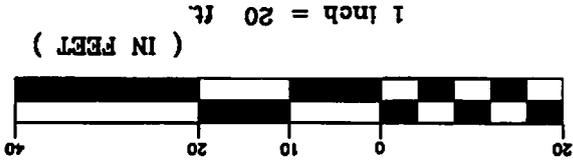
Matter No.: 11071050  
 Attorney: AG/OLA  
 Date In: 7/7/11  
 File No.: 2011-053  
 Date Out: 8/24/11

**BENEDICT COLLEGE  
HEALTH CLINIC RENOVATIONS  
CITY OF COLUMBIA**

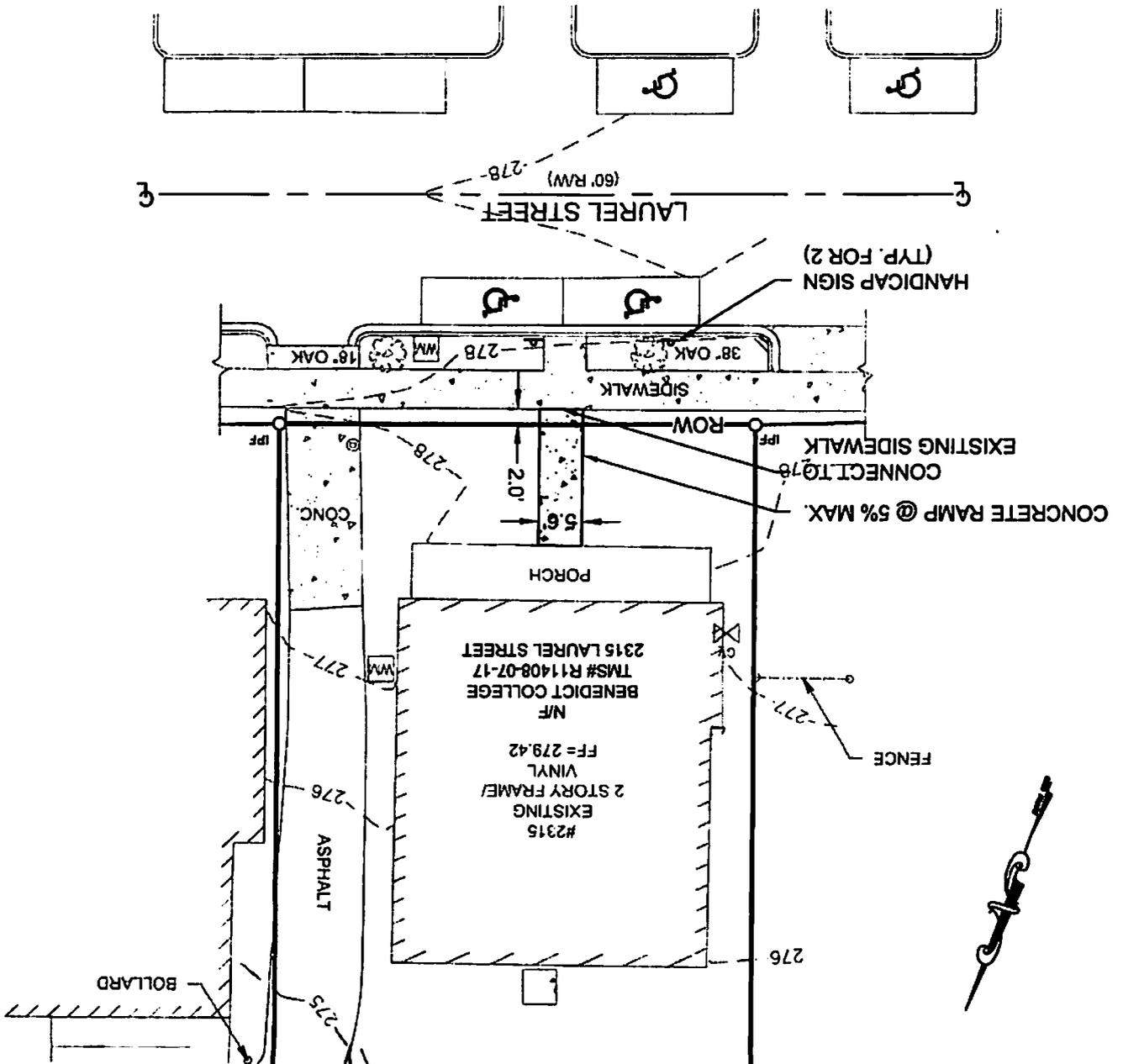
**SITE PLAN**

JUNE 10, 2011

**GRAPHIC SCALE**



7 Clusters Court  
Columbia, SC 29210  
Voice: (803) 772-8420  
Fax: (803) 772-9120  
Email: [consult@chaoinc.com](mailto:consult@chaoinc.com)



**Photograph of Encroachment Area & Narrative  
For  
Benedict College Health Clinic Renovations City Of Columbia**

2315 Laurel Street, Columbia  
June 10, 2011



Photo 1

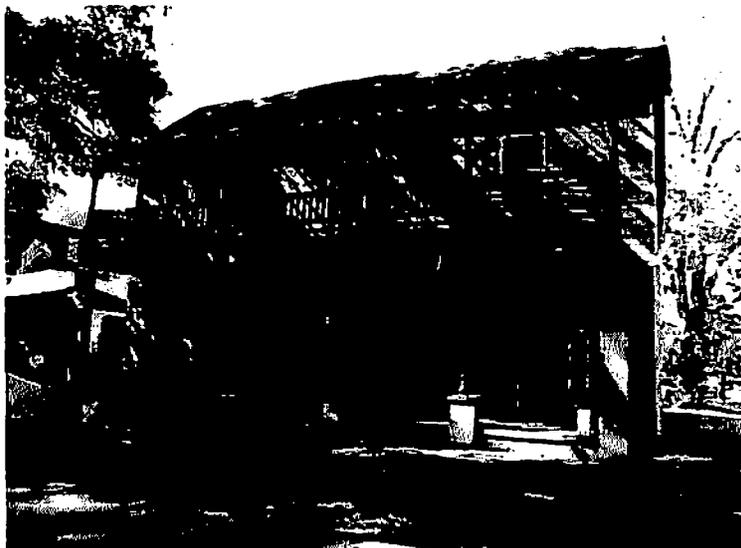


Photo 2

**Narrative:** Remove the existing concrete step and walkway and install a concrete ramp (5% slope max.) from the porch to the existing concrete sidewalk on City of Columbia ROW.



**CITY COUNCIL  
ENCROACHMENT SUMMARY  
2011-053**



**2315 Laurel Street**

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<b>Subject Property:</b>	Adjacent to 2315 Laurel Street
<b>Council District:</b>	2
<b>Proposal:</b>	Request approval for installation and maintenance of a concrete walkway approximately five (5') feet six (6") inches in width and two (2') feet in length and four (4") inches in depth
<b>Applicant:</b>	Benedict College
<b>Staff Recommendation:</b>	Approve
<b>Conditions:</b>	Standard conditions

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<b>Detail:</b>	The applicant requests approval to remove and replace a walkway to connect the structure to the public sidewalk. Staff finds no adverse impacts from this request.
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<b>CITY AGENCY COMMENTS FOR ENCROACHMENT</b>	
<b>Planning &amp; Development</b>	Recommend Approval
<b>Streets</b>	Recommend Approval
<b>Utilities &amp; Engineering</b>	Recommend Approval
<b>Traffic Engineering</b>	Recommend Approval
<b>Fire Department</b>	Recommend Approval
<b>Forestry</b>	Recommend Approval
<b>Land Development</b>	Recommend Approval

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