

ORDINANCE NO.: 2009-067

*Granting an encroachment to the Laurens Street Homeowners Association for installation and maintenance of a brick wall and columns with iron fencing within the right of way area adjacent to 1020 Laurens Street, 1022 Laurens Street, 1024 Laurens Street, 1026 Laurens Street, 1028 Laurens Street and 1030 Laurens Street, known as Richland County TMS #11405-11-30, 11405-11-31, 11405-11-32, 11405-11-33, 11405-11-34 and 11405-11-35*

WHEREAS, the Laurens Street Homeowners Association, (hereinafter "Grantee") desires to utilize a portion of the right of way area adjacent to the property at 1020 Laurens Street, 1022 Laurens Street, 1024 Laurens Street, 1026 Laurens Street, 1028 Laurens Street and 1030 Laurens Street known as Richland County TMS #11405-11-30, 11405-11-31, 11405-11-32, 11405-11-33, 11405-11-34 and 11405-11-35, for installation and maintenance of a brick wall and columns with iron fencing approximately five (5') feet in height and one hundred twenty-six (126') feet in length within the right of way area, 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 2nd day of September, 2009, that Grantee, its successors and assigns, is hereby granted the right to utilize a portion of the right of way area adjacent to 1020 Laurens Street, 1022 Laurens Street, 1024 Laurens Street, 1026 Laurens Street, 1028 Laurens Street and 1030 Laurens Street known as Richland County TMS #11405-11-30, 11405-11-31, 11405-11-32, 11405-11-33, 11405-11-34 and 11405-11-35, for installation and maintenance of a brick wall and columns with iron fencing approximately five (5') feet in height and one hundred twenty-six (126') feet in length within the right of way area, 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 Grantee 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.

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

1. Fence cannot impede fire department access;
2. Column height and width cannot impede sight distance.

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 Grantee, its 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 its 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:

Laurens Street Homeowners Association



MAYOR

Approved by:



Interim City Manager

Approved as to form:



City Attorney

Introduced: 8/19/2009

Final Reading: 9/2/2009

ATTEST:



City Clerk

Submit by Email

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...

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.

Date: 6/18/09 Applicant's Name: Lauren st homeowners
Telephone Number: 803-254-3795 Fax Number: 803-748-7335
E-mail address: asod@aol.com qsod@aol.com
Encroachment Location (Address): 1020 through 1030 Laurens St, Columbia, SC 29201

Encroachment type: X Wall X Fence Irrigation System Landscaping/Other
If wall or fence - dimensions: 4.5x126 (height/length) construction material: brick, iron
Please provide photographs and drawing or site plan drawn to scale.

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)

Outdoor dining/decoration No. of chairs: No. of Tables
Number of planters: Business Hours: Other:

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

Table with 4 columns: Contact, Department, Telephone Number, Fax Number. Lists various city departments and their contact information.

Last Revised: 8/25/2008

Matter No.: 09060983
Attorney: Shari Ardis
Date In: 6/25/09
File No.: 2009-067
Date Out: 7/2/09



**A.L. SAAD COMPANIES**

REAL ESTATE DEVELOPMENT, SALES, LEASING &amp; MANAGEMENT

**City of Columbia Encroachment Request  
 Laurens St. Homeowners Assoc.  
 1020-1030 Laurens St. 29201  
 Tax map number(s) R11 405-11-30 through R11402-11-35**

**South end of proposed decorative and protective all/fence there are cubs at the main entrance to the property.**

**There are no city streets or any other type of trees or scrubs involved**

**We request a decorative and protective iron fence with brick columns in keeping with many others in this University neighborhood area to offer security to residents from increased foot traffic and panhandlers. We have suffered many and increasing incidents of theft, break-ins (2), curious motor traffic to the rear of our units and trespassing pets. There are small children playing in this grassed area bordered by speeding university students on Laurens St. This decorative barrier provides obvious safety. The two columns at the entrance will clarify that this is private property and assist with the emergency address identification of these residences. At present there are over 15 homes with similar wall/fences within 3 blocks in this University neighborhood. This enhances the efforts by the neighborhood and city to identify this distinct neighborhood begun by the installation of period lighting 4 years ago.**

**We are in essence completing a wall initially started and paid for by the city in front of half of our development for vehicle safety. It has inadvertently resulted in an unsettling and unfinished appearance.**

**We plan to pay for this improvement and maintain it ourselves. The city built wall has saved at least 3 individuals from crashing down a ravine causing damage to this wall. The city has repaired this wall twice. We would like to extend this excellent "crash barrier" to the end of our property.**

**We will have the structure included in our property insurance and hold the city of Columbia harmless.**

**Respectfully submitted,**

**Cindy & Al Saad  
 Smythe & Kim Rich  
 Paula Eargle  
 Don Dubey  
 Leonard Cooper  
 Richard Fields  
 Laurens St. Property Owners Assoc.**

**Photos under another lettering:**

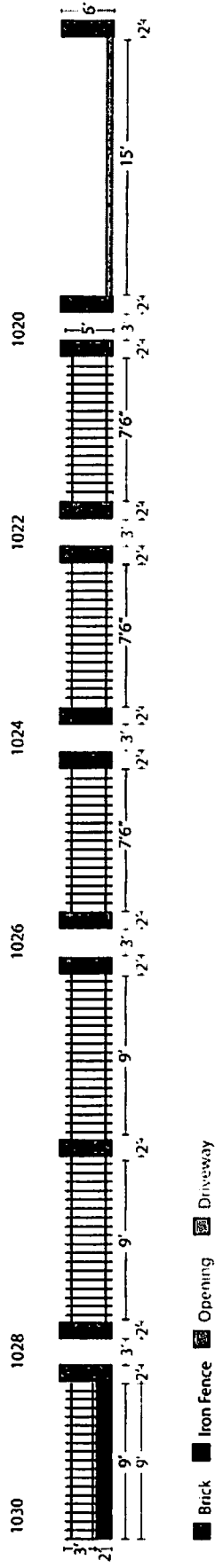
**ALFRED L. SAAD, III  
 PRESIDENT**

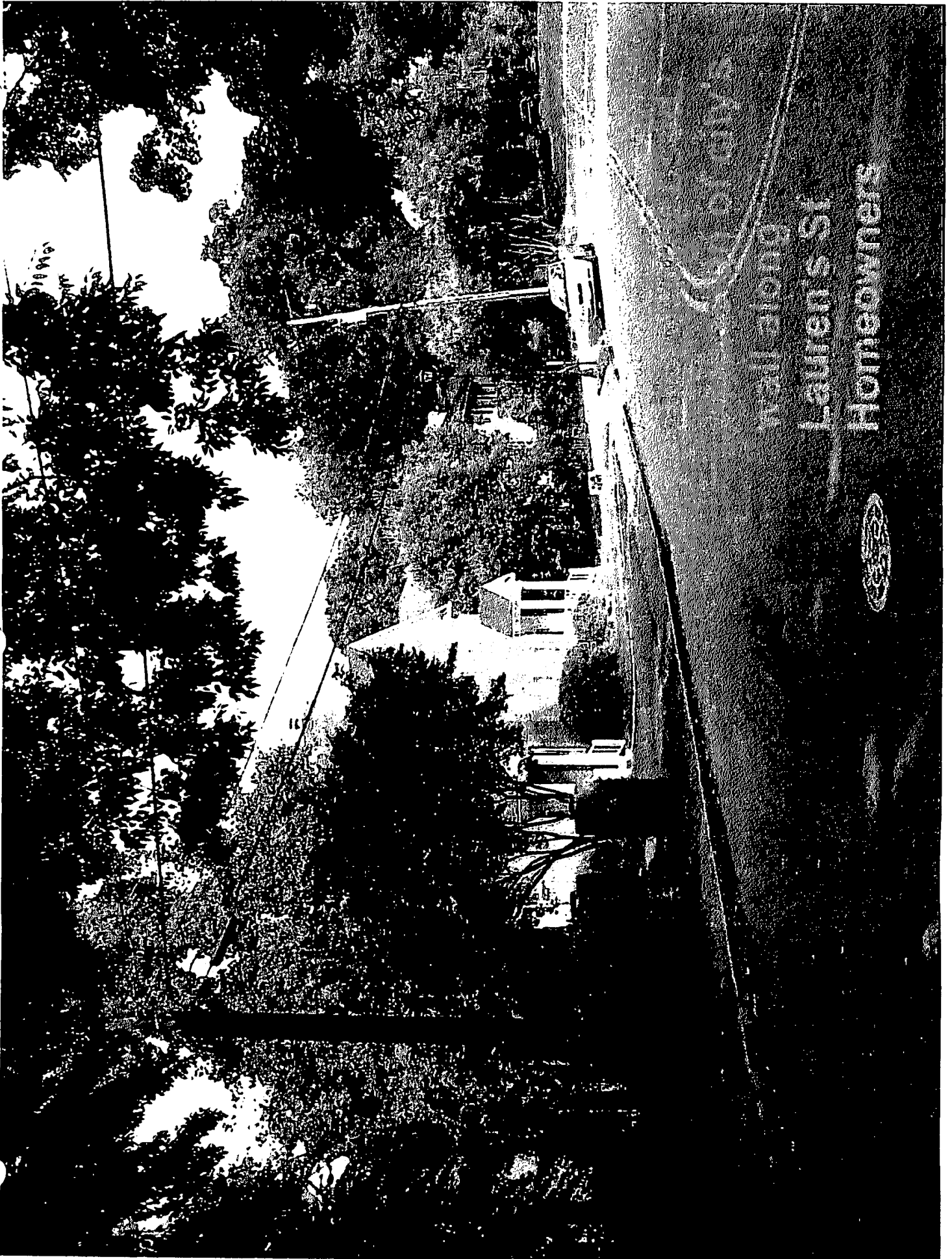
**1201 HAMPTON STREET  
 SUITE 2B-4  
 COLUMBIA, SC 29201**

**POST OFFICE BOX 5764  
 COLUMBIA, SC 29250**

**803-254-3795 PHONE  
 803-748-7335 FAX**

*Laurens Place*





LAUREN'S ST  
HOMEOWNER

