

February 25, 2020 – Presented for approval.

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1 R2020-18: TO AUTHORIZE THE TEMPORARY OBSTRUCTION FOR  
2 CONSTRUCTION PURPOSES OF 2,600 SQUARE PORTION OF AN ALLEY  
3 LOCATED ADJACENT TO 918 N. OCEAN BOULEVARD TO SPANN ROOFING  
4 AND SHEET METAL, INC. FOR A CONSTRUCTION AND STAGING AREA FOR  
5 THE STRUCTURE LOCATED AT 918 NORTH OCEAN BOULEVARD TO RUN  
6 FROM, MARCH 1, 2020 THROUGH MARCH 31, 2020.

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7 **Applicant/Purpose:** Spann Roofing & Sheet Metal, Inc. (applicant) /to temporarily  
8 close an alley for use as a construction staging area  
9

10 **Brief:**

- 11 • The owners of 918 N. Ocean Boulevard will be doing roof work.
  - 12 • The contractor is requesting to temporarily obstruct 2,600 sf of an adjacent
  - 13 alley to serve as a construction staging area.
  - 14 • The work is scheduled to last a month, 3/1/20 -3/31/20
- 15

16 **Issues:**

- 17 • Public use of this portion of the adjacent alley will be temporarily
  - 18 closed/restricted during the construction period.
  - 19 • This portion of the alley is planned to be closed/restricted thru 3/31/20.
  - 20 • Contractor is required to return staging area to a condition, which is equivalent
  - 21 to which existed before construction.
  - 22 • Contractor agrees to indemnify & hold City harmless from any claims, which
  - 23 may arise from the obstruction in this area.
- 24

25 **Public Notification:** Normal meeting notification.

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27 **Alternatives:** None considered.

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29 **Financial Impact:** Per ordinance 2006-20, the encroachment fee = \$650.

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31 **Manager's Recommendation:** I recommend approval.

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33 **Attachment(s):** Proposed resolution.

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**RESOLUTION R2020-18**

**CITY OF MYRTLE BEACH            )  
COUNTY OF HORRY                )  
STATE OF SOUTH CAROLINA        )**

**TO AUTHORIZE THE TEMPORARY  
OBSTRUCTION FOR CONSTRUCTION  
PURPOSES OF 2,600 SQUARE FEET  
PORTION OF AN ALLEY LOCATED  
ADJACENT TO 918 N. OCEAN BLVD TO  
SPANN ROOFING AND SHEET METAL, INC.  
FOR A CONSTRUCTION AND STAGING  
AREA FOR THE STRUCTURE LOCATED AT  
918 N. OCEAN BLVD TO RUN FROM MARCH  
1, 2020 THROUGH MARCH 31, 2020.**

The City Council of the City of Myrtle Beach hereby resolves that Spann Roofing & Sheet Metal, Inc. (hereinafter referred to as "the applicant"), having shown good cause, be allowed to temporarily obstruct a 2,600 square foot portion of an alley adjacent to 918 N. Ocean Blvd, for use as a construction staging and storage area from March 1, 2020 Through March 31, 2020.

IT IS FURTHER RESOLVED that applicant shall be required to secure the sites by a manner approved by the City Engineer.

IT IS FURTHER RESOLVED that permission for the applicant to obstruct this public right-of-way is granted on the condition that the applicant shall comply with all applicable provisions of Ordinance No. 86-33, as amended by Ordinance No. 87-31. Also, following the approved duration of the obstruction, the applicant shall restore the public right-of-way to a condition equivalent to that which existed before the granting of the obstruction.

IT IS FURTHER RESOLVED that permission for the applicant to obstruct this public right-of-way is granted on the condition that the applicant shall agree to indemnify and hold harmless the City of Myrtle Beach, its officers, employees and agents from any claims or actions of any nature which may arise as a result of the above mentioned obstruction, and shall continuously maintain in effect an amount and type of liability insurance as shall be required by the City of Myrtle Beach.

SIGNED this 25<sup>th</sup> day of February 2020.

ATTEST:

\_\_\_\_\_  
BREDNA BETHUNE, MAYOR

\_\_\_\_\_  
JENNIFER STANFORD, CITY CLERK

## CONSTRUCTION ENCROACHMENT FEE CALCULATION FORM

Contractor: Spann Roofing & Sheet Metal, Inc.

Project: 918 N Ocean Blvd

Address: 918 N Ocean Blvd

Encroachment Period    Start Date :    3/1/2020    End Date:    3/31/2020

Area of Encroachment:    1,000

April - August:    x    \$0.50    x    =    \$0.00  
(# Months)    (SF Area)

September - March    1    x    \$0.25    x    2600    =    \$650.00  
(# Months)    (SF Area)

**TOTAL    \$650.00**

Parking Meters: \_\_\_\_\_ meters at \$10.00 per day per meter:

**TOTAL FOR LEASES AND METER RENTALS :**

City Ordinance #86-33

Fee for encroachment April through August \$0.50 per square foot per month

Fee for encroachment September through March \$0.25 per square foot per month



### **APPLICATION FOR A TEMPORARY CONSTRUCTION ENCROACHMENT PERMIT**

This application is to request a Temporary Construction Encroachment use of public alley or right-of-way in the City of Myrtle Beach. Requests for encroachment and/or non-exclusive use are considered by City Council at their regularly scheduled meetings on the second and fourth Tuesdays at 7:00 p.m. in the Courtroom of the Law Enforcement Center at 1101 Oak Street. **TO BE PLACED ON THE COUNCIL'S AGENDA, THE COMPLETED APPLICATION MUST BE SUBMITTED FIFTEEN (15) DAYS PRIOR TO THE REGULARLY SCHEDULED MEETING AT WHICH CONSIDERATION OF THIS REQUEST IS DESIRED.**

The following shall be submitted with a request for Encroachment or Non-Exclusive Use of Public Property:

\$100.00 Non-refundable Filing Fee (per Application) Spann Roofing & Sheet Metal, Inc.  
Applicant

5 Sets of Site Plans Indicating the following Items: 918 North Ocean Blvd  
Address

1. Recent boundary survey of adjacent property, preferably no larger than 11" X 17"
2. Total square footage of encroachment
3. Coastal Protection Lines (both City and State, if applicable)
4. Pedestrian walkways and/or Vehicular use areas
5. Fence or barrier to secure area
6. Emergency Service Access

Proof of ability to obtain General Liability Insurance Coverage

Required terms: (1) Minimum Combined single limit of liability of \$1,000,000 per occurrence for bodily injury and property damage. (2) City of Myrtle Beach named as an "Additional Insured". (3) Provide the City thirty (30) days prior written notice of cancellation or modification. (4) Provide the City an acceptable certificate of insurance prior to construction and for the duration of the encroachment. Insurance may be provided by property owner or applicant.

Hold Harmless Indemnification Agreement

**This application in no manner implies approval or acceptance of the proposed encroachment by the City of Myrtle Beach nor does the City waive its right and privilege to deny such application or to remove any encroachment.**

#### **GENERAL SCOPE OF ENCROACHMENT:** (Check all applicable)

- ☐ Storage Area ☒ Staging Area ☐ Crane Location Area  
☐ Other (Specify) \_\_\_\_\_

Expected duration of encroachment: Months 1 Days 0

Total square footage occupied by encroachment: 2,600

Description and justification: (Attach additional pages, if necessary):

Activity in Area: loading and unloading materials, tearing of existing roof & lowering debris into dump trucks, loading

Cont. on next page...

**GENERAL SCOPE OF ENCROACHMENT (Cont.)**

Address of Construction site: 918 North Ocean Blvd. MB SC 29577

Tax map parcel no. of Construction Site: 1810708011

Legal description of Construction Site (Section, Block, Lot): \_\_\_\_\_

**APPLICANT INFORMATION:**

Applicant name: Spann Roofing & Sheet Metal, Inc.

Key contact person: Ben Griffith

Mailing address: 459 Allied Drive Conway SC 29526

Telephone: 843-458-8446 Fax: 843-347-9719

The undersigned hereby certifies that all information and attachments are true and correct to the best of my (our) knowledge and belief.

Jessica Jorgensen  
Signature of Applicant or Duly Authorized Agent

2/14/20  
Date

\_\_\_\_\_  
Signature of Co-Applicant/Agent

\_\_\_\_\_  
Date

**FOR OFFICE USE ONLY:**

RECEIVED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

FILING FEE RECEIPT NO: \_\_\_\_\_ DATE: \_\_\_\_\_

**DEPARTMENTAL REVIEW**

\_\_\_ ZONING \_\_\_ ENGINEERING \_\_\_ FIRE \_\_\_ POLICE \_\_\_ RISK MANAGER

**FINAL ACTION**

APPROVED DISAPPROVED DATE

MYRTLE BEACH CITY COUNCIL RESOLUTION ☐ ☐ \_\_\_\_\_

new materials.

Equipment being used: dump trucks, reach forklift, & portable toilet.

Equipment & unloading/loading will be done at times that would minimize impact on stores that are located on this side of the building. Everything will be removed from this side of the building by 3:00 pm each day. Work days will be Monday - Friday.

CITY OF MYRTLE BEACH )  
COUNTY OF HORRY )  
STATE OF SOUTH CAROLINA )

HOTEL HARMLESS INDEMNIFICATION AGREEMENT

The following terms and conditions are hereby incorporated as provisions for Issuance of Temporary Construction Encroachment Permit Number \_\_\_\_\_ issued to: \_\_\_\_\_

Herein "Permittee", at the vicinity of the job address specified on said Permit Application, and in compliance with Ordinance Number 86-33 as amended by Ordinance Number 87-31 and a Resolution (copy attached), adopted by the Mayor and Council for the City of Myrtle Beach:

"Permittee agrees to protect, defend, indemnify and hold the City, its officers, employees and agents free and harmless from and against any and all losses, penalties, damages, settlements, costs, charges, professional fees or other expenses and liabilities of every kind and character arising out of or relating to any and all claims, liens, demands, obligations, actions, proceedings or causes of action of every kind in connection with or arising out of Permittee's use of any right-of-way, as approved under ordinance numbers and resolution referenced herein, that are due to the negligence of Permittee, its officers, employees or agents. Permittee further agrees to investigate, handle, respond to, provide defense for the same at its sole expense and to bear all other costs and expenses related thereto."

PERMITTEE

Eric Allgeier  
WITNESS

Jessica Jorgensen  
DATE 2/14/20



