

# HISTORIC PRESERVATION COMMISSION



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## STAFF REPORT Department of Growth Management

MEETING DATE:	July 2, 2025
PROJECT:	COFA-04-25-019719 Nellie and Leroy Brown Cottage, 34 Thomas Heyward Street – The Demolition of a Contributing Resource
APPLICANT:	Jason Alexander, Owner
PROJECT MANAGER:	Glen Umberger, Historic Preservationist

**APPLICATION REQUEST:** The Applicant, Jason Alexander as owner, requests that the Historic Preservation Commission approve the following application:

A Certificate of Appropriateness to allow the demolition of the approximate 1,054 SF Contributing Resource known as the Nellie and Leroy Brown Cottage, located at 34 Thomas Heyward Street (Tax Parcel R610-039-00A-0223-0000) in the Old Town Bluffton Historic District and zoned Neighborhood Conservation-HD.

**INTRODUCTION:** The Applicant has proposed the demolition of the existing “Nellie and Leroy Brown Cottage,” a Contributing Resource; a proposal to construct a new structure at the location will be determined under a separate, future COFA-HD application. The Resource was first surveyed in September 2001 as part of the South Carolina Statewide Historic Resources Survey (Site #046-0100)(Attachment 5) and was subsequently surveyed in 2008 when it was listed as “Contributing” to the locally designated Old Town Bluffton Historic District (Attachment 6). In 2019, the Resource was again surveyed as part of the *Town of Bluffton Historic Resources Update* (Attachment 7).

The cottage was constructed in 1942 by Nelson and Nora Brown, who served as the butler and maid at Grove Point Plantation in Savannah that was purchased by George and Bessie Mercer that same year. George Mercer, who was the half-brother of musician Johnny Mercer, also owned the nearby “Mercer House” at 127 Bridge Street. In 1949, the Browns’ son, Leroy acquired the property with his wife Nellie. Leroy was employed by Great Dane Trailers in Savannah and Nellie worked for the Long Family, who owned the nearby Hancock-Long House at 123 Bridge Street. According to family sources, the cottage has not been altered since it was constructed. The property was acquired by the Applicant in March 2025. The Applicant has provided an as-built survey of the parcel (Attachment 8).

The Applicant has also provided a structural report prepared by Thomas & Reel dated April 7, 2025 which states that “the structure was boarded up and barricaded due to a previous environmental issue and deemed a biohazard by others and considered unsafe to enter (unlabeled Attachment 9). In addition, the report found that the roof, wood framing, floor, and foundation all showed significant signs of structural deterioration. The Applicant also provided a mold report, dated May 6, 2024 stating an “unhealthy indoor environment” and an “abnormal condition” of fungal growth (Attachment 10). Further, the Applicant also provided a limited asbestos bulk sampling report, dated April 21, 2025 which states that “an immediate danger and hazardous condition to human health does exist [and] noted that roof structure and floor system was collapsing and unsafe conditions were present” (Attachment 11). A wood infestation report, dated March 18, 2025 has also been provided by the Applicant (Attachment 12).

**HISTORIC PRESERVATION COMMISSION ACTIONS:** As described in UDO Section 5.15.1, Old Town Bluffton Historic District Intent, the regulatory requirements, design guidelines and materials are not intended to “discourage creativity or force the replication of historic models” but to set forth a framework in which the diversity that has always characterized Bluffton can continue to grow. It is the charge of the HPC to assess the interpretation of these guidelines as they pertain to applications using the established review criteria.

As granted by the powers and duties set forth in Section 2.2.6.E.4. of the UDO, the Historic Preservation Commission has the authority to take the following actions with respect to this application:

1. Approve the application as submitted by the Applicant;
2. Approve the application with conditions; or
3. Deny the application as submitted by the Applicant; or
4. Pursuant to Section 3.18.5.B.2., the HPC may find that the preservation and protection of the Contributing Resource and the public interest will be best served by postponing a decision for a designated period not to exceed 180 days.

**REVIEW CRITERIA & ANALYSIS:** Town Staff and the Historic Preservation Commission are required to consider the criteria set forth in Section 3.18.5.B. of the UDO, as adopted April 9, 2024 in assessing an application for a Certificate of Appropriateness – Historic District (HD) for the Demolition of a Contributing Resource. The applicable criteria are provided below followed by a Staff Finding(s) based upon review of the application submittals to date.

1. Section 3.18.5.B.1. The Historic Preservation Commission shall consider the following in its consideration of an application for a Certificate of Appropriateness-HD for the demolition of a Contributing Resource, either in whole or in part:

- a. The construction date, history of ownership, development, use(s), and other pertinent history of the Contributing Resource, and the reason for the request;

*Finding.* Based on the information and materials submitted, Staff believes this criterion has been met.

- b. A report prepared by a State of South Carolina registered professional structural engineer with demonstrated experience in historic preservation detailing the structural soundness of the Contributing Resource supported by findings, including clear and convincing evidence that demolition is necessary, in whole or in part, to alleviate a threat to public health or public safety;

*Finding.* Based on the information and materials submitted, Staff believes that this criterion has been met.

- c. Evidence that demolition is required to avoid exceptional practical difficulty or undue hardship upon the owner of the property and that no other reasonable alternatives to demolition exist, including but not limited to relocation. If exceptional practical difficulty or undue hardship is claimed, evidence shall be provided to demonstrate that the applicant did not have the opportunity to discover the nature of the difficulty or undue hardship, and that application of standards would deprive the applicant of reasonable use and economic return on the property;

*Finding.* The Applicant has provided documentation that the property is uninsurable (Attachment 13). Staff believes that this criterion has been met.

- d. Consistency with applicable principles set forth in the Old Town Bluffton Master Plan and Town of Bluffton Comprehensive Plan;

*Finding.* Based on the information and materials submitted, Staff believes that this criterion has been met.

- e. Compliance with all applicable requirements in the Applications Manual.

*Finding.* Based on the information and materials submitted, Staff believes this criterion has been met.

2. Section 3.18.5.B.2. In considering the criteria for demolition, the Historic Preservation Commission may find that the preservation and protection of the Contributing Resource and the public interest will be best served by postponing a decision for a designated period not to exceed 180 days.

During the period of postponement, the HPC shall consider what alternatives to demolition may exist. Consideration by the HPC shall include:

- a. Alternatives for preservation of the structure, either in whole or in part, including consultation with civic groups, interested private citizens, and other boards or agencies (both private and public);

*Finding.* The Applicant has provided letters in support of demolition by interested private citizens, including Nellie Brown's "daughter," Jane Hancock Long (Attachment 14). Staff believes this criterion has been met.

- b. If other alternatives for preservation cannot be identified, including relocation, and the preservation of the Contributing Resource is clearly in the interest of the general welfare of the community, investigation of the potential of the Town to acquire the property.

*Finding.* Based on the information and materials submitted, Staff believes this criterion has been met.

**STAFF RECOMMENDATION:** It is the charge of the HPC to assess and interpret the standards and guidelines set forth in the UDO as they pertain to applications using the review criteria established in the UDO and to take appropriate action as granted by the powers and duties set forth in Section 2.2.6.E.2. Town Staff finds the following requirements of Section 3.18.3.A. and Section 3.18.5.1. of the Unified Development Ordinance will need to be met:

1. Per Section 3.18.3.A., any future buildings on the property will require a Certificate of Appropriateness-HD approval prior to construction.
2. Per Section 3.18.5.B.3.b., in granting a Certificate of Appropriateness-HD for demolition, the Historic Preservation Commission may impose such reasonable and additional conditions, which may include deconstruction of historic building components for re-use.
3. Per Section 3.18.5.B.3.b., the process for demolishing a Contributing Resource, including documentation to be provided, shall comply with demolition guidelines approved by Town Council.
4. Per Section 3.25.4., the demolition of a Contributing Resource does not remove its designation as a Contributing Resource to the Old Town Bluffton Historic District. Town Council alone has the authority to remove the Contributing Resource designation.

**ATTACHMENTS:**

1. Location Map
2. Zoning Map
3. Application and Narrative, including Exhibits
4. HPRC Comments, dated May 27, 2025
5. 2001 Survey Sheets (046-0100)
6. 2008 Survey Sheets (046-0100)
7. 2019 Survey Sheets (046-0100), edited
8. As Built Survey rev. 07/16/2024
9. Structural Engineer Report
10. Mold Report
11. Asbestos Report
12. Wood Infestation Report
13. Insurance Denial Letter
14. Letters of Support