

ATTACHMENT 7

NOVIT & SCARMINACH, P. A.

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September 26, 2019

Marc Orlando, ICMA-CM, AICP
Town Manager -Town of Bluffton
20 Bridge Street
Bluffton, SC 29910

Re: 9 Bruin Road
Bluffton, SC

Dear Mr. Orlando:

This letter requests the removal of the structure located at 9 Bruin Road (the 'Property') owned by my clients, the Heirs of Bessie Joinder, as a contributing structure in the Old Town section of Bluffton. The property is not in the Historic District but was listed as a contributing structure in the South Carolina Statewide Survey of Historic Resources prepared in 1994 and 2008.

The Property which is comprised on two structures¹ – a house and a small open air shed. The house is comprised of two parts. Per the South Carolina Statewide Survey Site Form completed in 1994² ("Exhibit A"), the original "half", i.e., the northern portion of the structure, was constructed "c1930". This section of the structure has been significantly modified over the years including substantial reconstruction in the late-1990s using "common construction materials" after it was substantially destroyed due to extensive fire damage. The other "half" of the structure was built as an add-on in the late 1940s³. It is structurally unsound and unfit for occupancy with no inherent extraordinary or significant features.⁴

Based on an inspection of the property by a structural engineer in mid-2019 ("Exhibit B"), it would not be cost-effective to rehabilitate the property and the structures should be demolished. The shed appears to be derelict and a potential public nuisance; upon inspection, the shed appears to have recently been inhabited by animals and/or homeless individuals.

1 The "garage" listed on Exhibit A has subsequently been either demolished or has fallen down.

2 Note that the Form does not indicate that the structure was "contributing".

3 The Beaufort County real property tax records indicated that this portion was built in 1946.

4 Note the original portion of the structure was over fifty years old in 1994 but the "add-on" was not.

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Photographs of the Property are included in Exhibit B.

When the property was determined to be an historic resource, the Town's Unified Development Ordinance ("UDO") had not yet been adopted. It is our understanding that the criteria used to determine "historic resource" status in 1994 was South Carolina Regulation's Section 12-122 and 123. Those regulations provide a non-exclusive list of four Categories of Significance that may apply in the case of buildings over 50 years old. The four Categories are:

1. Architecture;
2. Culture;
3. Engineering; and
4. History.

Due to the modifications to the original half of the structure after the fire and the common construction of the add-on portion, we believe that the structure has no historical, architectural, cultural or engineering significance and should not have been placed on the contributing structure list. The structure meets none of the Section 12-123 criteria other than being over fifty years old.

Turning to the UDO which was not adopted when the Property was determined to be an historic resource, none of the ten criteria set forth for purposes of determining "Contributing Structure" status set forth in UDO Section 3.25 apply to the Property.

Finally, we are not able to determine if the owners of the property were ever made aware of the possibility or the fact that the property was being considered a contributing structure or had become one. In the mid-1990s, the property was vacant. Mrs. Joiner had lived in the property until her death in 1965. After her death, one of her children lived in the property until her death in 2006 and the property has sat vacant since that time.

According to the State Historic Preservation office, the initial survey upon which the historic structure designation was based was most probably communicated via "informational meetings . . . held for the general public" as well as "through local newspapers, local historical or neighborhood groups." In connection with the application for recognition on the National Register of Historic Places, because the Property is not within the Bluffton Historic District, the State Historic Preservation Office did not notify the Property owner about the National Register, i.e., the Property's status as a contributing structure. We have been unable to determine if the owners were provided with proper notice by any other means or entity.

Based upon the information set forth herein, which clearly supports the removal of the structure and the shed⁵ from the "Contributing Structure List", please initiate the process for

⁵ It is actually unclear from the records if the shed is included in the contributing structure designation.

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Town Council to take the necessary procedural steps to remove the structures at 9 Bruin Road from the list of Contributing Structures.

If you have any questions or comments regarding any of the above or if you require additional information or documentation, please do not hesitate to contact me.

Yours truly,

NOVIT & SCARMINACH, P.A.



Elizabeth B. Mayo

Enclosures
cc: Dorothy J. Singleton
EBM:mfl

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K) CONSTRUCTION METHOD

masonry (1)
frame ~~(2)~~
log (3)
steel (4)
other (0)

L) EXTERIOR WALLS

weatherboard ~~(3)~~
beaded weatherboard (2)
shiplap (3)
flushboard (4)
wood shingle (5)
stucco (6)
tabby (7)
brick (8)
brick veneer (9)
stone veneer (10)
cast-stone (11)
marble (12)
asphalt roll (13)
synthetic siding (14)
asbestos shingle (15)
pigmented structural glass (16)
other (0)

M) PORCH DETAILS

chamfered posts (1)
turned posts (2)
supports on pedestals (3)
columns (4)
posts ~~(5)~~
piers (6)
pillars (7)
freestanding posts (8)
balustrade (9)
apron wall (10)
turned balusters (11)
decorative sawn balusters (12)
slat balusters (13)
other sawn/turned work (14)
insect screening ~~(15)~~
porte cochere (16)
other (0)

N) CHIMNEY MATERIAL

brick ~~(3)~~
stuccoed brick (2)
stone (3)
brick & stone (4)
other (0)

O) ROOF MATERIAL

composition shingle (1)
pressed metal shingle (2)
wood shingle (3)
slate (4)
raised seam metal ~~(5)~~
other metal (6)
rolled roofing (7)
not visible (8)
tile (9)
other (0)

P) FOUNDATION

not visible (1)
brick pier ~~(2)~~
brick pier with fill ~~(3)~~
brick (4)
stuccoed masonry (5)
stone pier (6)
stone (7)
concrete block (8)
slab construction (9)
basement (10)
raised basement (11)
other (0)

Q) DECORATIVE ELEMENT

MATERIAL
cast-iron (1)
pressed metal (2)
terra cotta (3)
granite (4)
marble (5)
cast stone (6)
brick (7)
wood ~~(8)~~
pigmented glass (9)
stone (10)
stucco (11)
other (0)

R) INTERIOR FEATURES (list)

18. HISTORIC OUTBUILDINGS AND STRUCTURES:

none (1)
none visible (2)
garage ~~(3)~~
garage w/living area (4)
shed (5)
kitchen (6)

tenant house (7)
other house (8)
office (9)
barn (10)
tobacco barn (11)
dairy (12)

crib (13)
smokehouse (14)
slave house (15)
privy (16)
well (17)
springhouse (18)

store ~~(19)~~
windmill (20)
chicken coop (21)
silo (22)
washhouse (23)
root cellar (24)
other (0)

19. SURROUNDINGS: residential ~~(3)~~ residential/commercial (2) commercial ~~(3)~~ rural (4) rural community (5) industrial (6) other (0)

20. ADDITIONAL DESCRIPTIVE COMMENTS: 17(p) porch & rear has pierced brick wall fill 17(n) exposed rafters
18 garage wood shingle w/ metal roof & doors; store of plywood w/ hung low window that makes it appear historic, but date uncertain

21. ALTERATIONS iron supports for side door stoop; rear (N) facade particle board

HISTORICAL INFORMATION

22. Theme(s): _____ 23. Period(s): _____ 24. Important persons: _____

25. Architect(s): _____ Source: _____

26. Builder(s): _____ Source: _____

27. Historical data _____

28. Informant/Bibliography _____

PROGRAM MANAGEMENT

29. Quadrangle name: Bluffton 30. Photographs: prints ~~(1)~~ slides (2) negatives ~~(3)~~

31. Other documentation: survey back-up files (1) National Register files (2) tax act files (3) grant files (4) state historical marker files (5) environmental review files (6) HABS/HAER (7) SCIAA (8) other (0) # _____

32. Recorder name/firm Jennifer D. Brown 33. Date recorded 7 / 28 / 94

South Carolina Statewide Survey Site Form

CONTINUATION AND PHOTOGRAPHS

Continuation: _____

(Attach photos here)

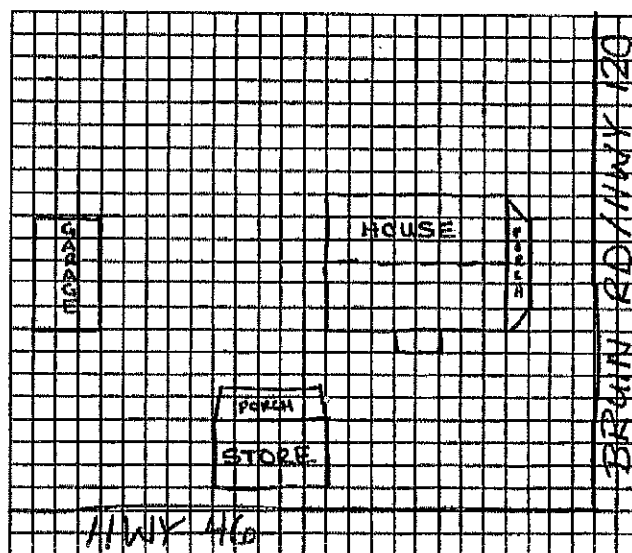


Photo #	Photo Index #	View of	N, S, E, W
	R3,F15	S facade	NE
	R3,F16	N Facade	SE
	R3,F17	store (N fac)	SE
	R3,F18	garage (W fac)	E

Date Taken/Recorded by: 8-5-94/JDBrown



CPW
ENGINEERING, LLC

5 HOBONNY PLACE
HILTON HEAD ISLAND, SC 29926

LICENSED IN:

GEORGIA

NEW JERSEY

NEW YORK

NORTH CAROLINA

SOUTH CAROLINA

TENNESSEE

TEXAS

April 30, 2019

Novit & Scarminach, P.A.

The Jade Building Suite 400

Attn. Elizabeth B. Mayo, via email only to: emayo@ns-lawfirm.com

52 New Orleans Road

Hilton Head Island, SC 29928

Re: Evaluation of Building Structures
9 Bluffton Road
Bluffton, SC

Dear Ms. Mayo:

This is to follow-up the two site visits made on April 23 & 26, 2019. During the first visit, I met with Taiwan Scott who provided a brief, verbal history of the house that I inspected. The second visit was to evaluate the barbeque shed situated close to the sidewalk on Bluffton Road (S.R. 46). At the end of the written portion of this report are several photos referenced in the text.

The House

Apparently, the house has a history of a few modifications over the years since the owner used to live in the original part of the house (the northern half) which suffered a fire and was reputedly rebuilt in the mid to late 1990s. It is the portion of the house that, while run down, has a roof leak (photo 15) and shows some signs of structural fatigue, is in fair condition. It is certainly not "historic" in the sense that it is not "architecturally significant." It is comprised of common construction materials. I found that some areas of the floor had deflected, especially near the utility closet wall where the depression measured in the floor is about $\frac{3}{4}$ " in two feet (photo 16). The condition of the wood floor system seen in the crawlspace (photo 12) is in fair condition. However, it is founded on individual concrete block piers, which tend to be unstable if not tied together with grade beams. Also, it is noted that the wood floor structure is not physically tied down to these piers with metal straps.

Reputedly, the other, more deteriorated half of the house was built as an add-on to the original structure in the late 1940s. It is structurally unsound and unfit for occupancy, which thereby deems the entire building unfit for occupancy. The floor is very weak in certain areas of the hallway (photo 11) and living room (photo 13) due to deteriorated sheathing and joists. The roof framing appears inadequate (photo 14). I found a decayed perimeter beam (photo 10) and a displaced support beam (photo 8).

Based upon the overall structural condition of the building and the fact that, in my opinion, there is no inherent extraordinary or significant features; and that it would not be cost-effective to rehabilitate, I recommend that the building be demolished, thereby providing an opportunity to improve this area of "Old Town Bluffton."

TEL: 843/342-5090
EMAIL: CPWENGR@HARGRAY.COM

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The Barbeque Shed

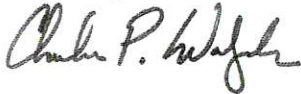
I have no historic information on this structure, but after inspecting it, it can be classified as a derelict building and potential public nuisance. As can be seen in photos 17 through 24, the building is in a state of neglect and suffers severe deterioration of its roof, floor, siding and foundation. It is unsafe to enter this structure. It appears to have harbored animals and perhaps homeless individuals.

Therefore, it is my opinion, that this shed also be scheduled for demolition.

If you have any questions, please feel free to call.

Very truly yours,

CPW Engineering, LLC



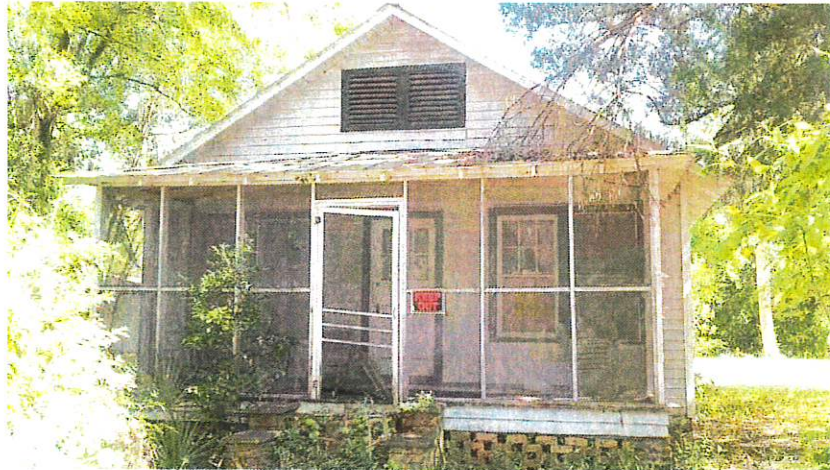
Charles P. Walczak, PE
President

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1. West Side (facing Bluffton Road) – left: circa 1990s; right: circa 1940s



2. South Side (facing Bruin Road) – 1940s



3. North Side – 1990s

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4. East Side



5. East Side – old section on left; rebuilt on right;



6. Northwest corner – Rebuilt section

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7. Foundation – Rebuilt on left; old on right



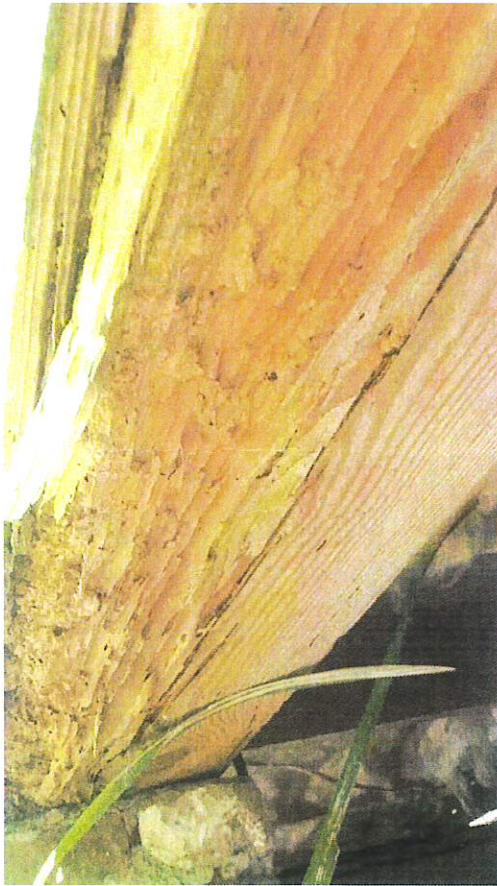
8. Crawlspace of old section (note deflected support beam)



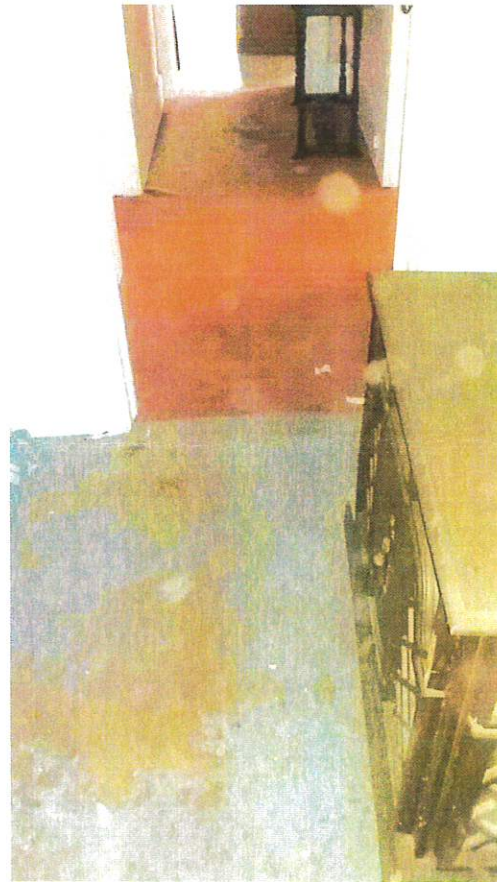
9. Brick pier of old section (mortar joint failure at base)

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10. Decayed perimeter support beam



11. Weak/hazardous floor area (old section)



12. Crawlspace of new section

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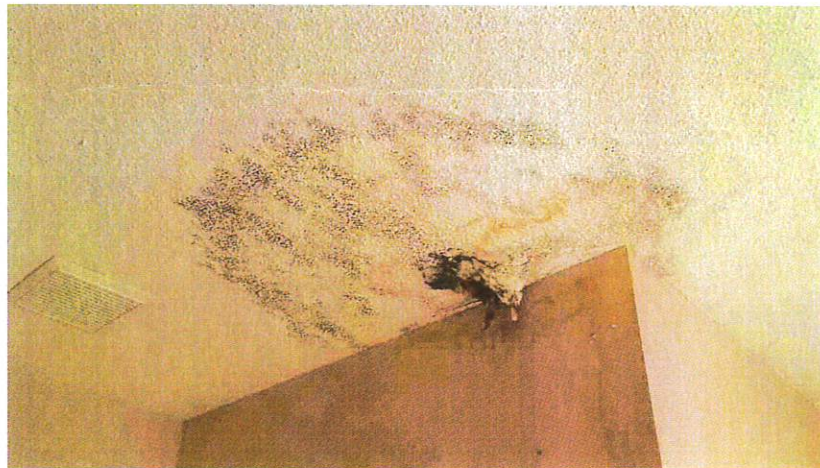
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13. Weak floor near south entrance – hazardous



14. Ceiling collapse – old section. “Skeletal” roof structure.



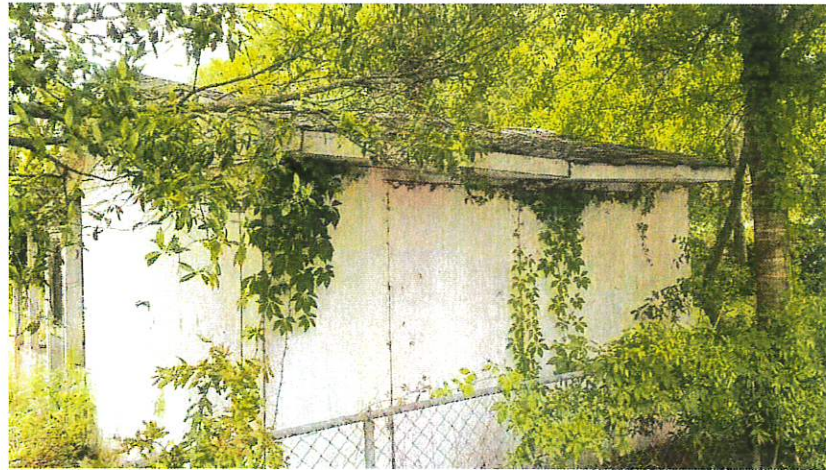
15. Roof leak – new section

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16. Floor deflection – new section



17. West side (front) of BBQ shed, facing Bluffton road; roof deteriorated



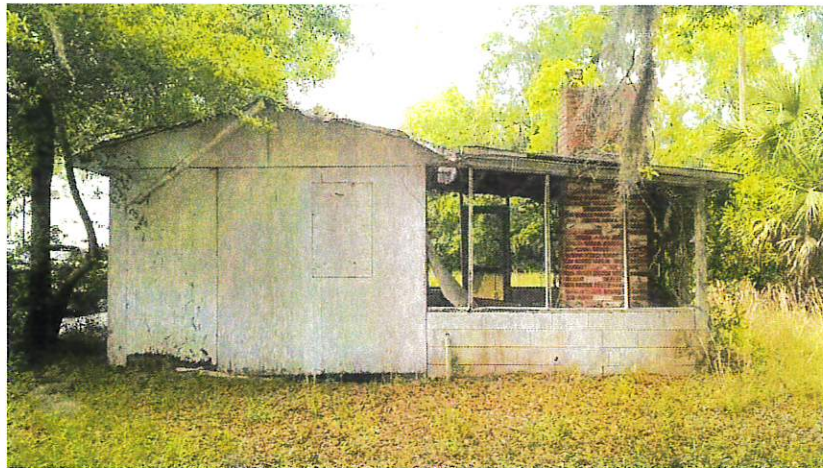
18. East side (rear) of BBQ shed; severe deterioration

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19. North side of BBQ shed



20. South side of BBQ shed



21. Deteriorated roof of BBQ shed

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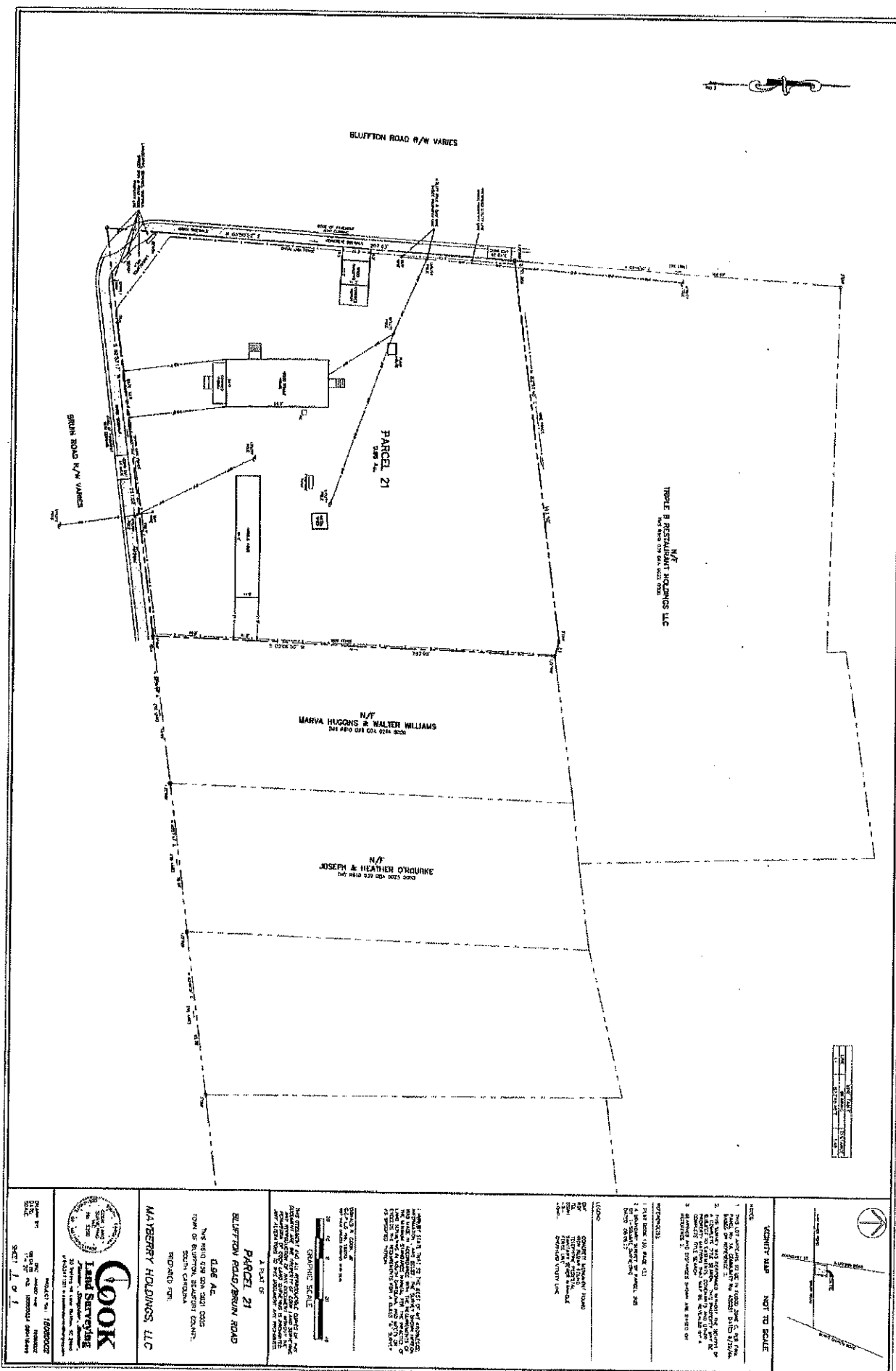
22. Deteriorated floor of BBQ shed



23. Foundation damage at BBQ shed



24. The barbeque pit





7018 1830 0001 5135 8607



U.S. POSTAGE >>> PITNEY BOWES
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02 4W
0000351108 OCT 16 2019

Marc Orlando, ICMA-CM, AICP
Town Manager -Town of Bluffton
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Bluffton, SC 29910