

# ATTACHMENT 2

Lisa Sulka  
*Mayor*  
Larry Toomer  
*Mayor Pro Tempore*  
Stephen Steese  
*Town Manager*



*Council Members*  
Fred Hamilton  
Dan Wood  
Bridgette Frazier  
Kerry Guzman  
*Interim Town Clerk*

April 26, 2023

Eugene Marks  
55 Flicker Street  
Bluffton, South Carolina 29910

TRANSMITTED ELECTRONICALLY  
[eugene.marks.jr@gmail.com](mailto:eugene.marks.jr@gmail.com)

RE: 9 Bruin Road, Joiner House, Failed Rough-HD Inspection

Mr. Marks,

This letter serves as a follow-up to the failed Rough-HD inspection, and subsequent communication further explaining the failed inspection, for the property at 9 Bruin Road, known as the Joiner House.

On April 13, 2023, Katie Peterson, AICP, Senior Planner and I completed the Rough-HD inspection in association with permit RNEW-08-22-2266. Upon inspection the following items were found to be noncompliant with the approved Certificate of Appropriateness – HD (COFA) (COFA-03-22-016484):

1. **Porch Columns:** The approved COFA and Building Permit included the reconstruction of the existing, 7-bay front porch. Upon inspection, it was found that a 5-bay front porch had been framed. While a formal reinspection has not taken place, it appears this item has been addressed as of the date of this letter.
2. **Windows.** One of the conditions of approval for the COFA was that all windows practicable be repaired rather than replaced, and should windows be beyond repair, additional information regarding the proposed replacement windows be provided for review and approval by Staff prior to installation.

The windows installed on the building are noncompliant with UDO Section 3.18.3. Application Review Criteria for the following reasons:

- a. The windows installed were not the same windows approved by Staff and as specified in the Building Permit: DH Marvin Elevate windows.
- b. Staff was not provided additional information regarding the Pella Lifestyle windows prior to installation, and has not approved them as required by the COFA.
- c. The Pella Lifestyle windows installed do not meet the Arm's Length Rule, meaning they are not indistinguishable from the original windows at an arm's length. (UDO 5.15.6.A. and Traditional Construction Patterns (TCP) Chapter 6 and Chapter 8 Section 21)
- d. The Pella Lifestyle windows installed do not match the old in design and texture. (UDO 3.18.3.A., Secretary of the Interior's Standards for the Treatment of Historic Properties, Standard 6)

*Theodore D. Washington Municipal Building*  
20 Bridge Street P.O. Box 386 Bluffton, South Carolina 29910  
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3. **Piers:** The historic pier locations have brick façade piers, however, they are visibly veneer, only one brick deep and did not reflect the requirements of the Certificate of Appropriateness approval. The façade must wrap towards the center of the house on both sides of the piers to appear as though it is a true pier.
4. **Brick Skirting Between Piers:** Pierced brick skirting has been added between the piers from the stoop on the left side of the house to the principal façade. The COFA and Building Permit reflects hog board panels between the piers. No historical documentation of brick between the piers at this location was a portion of the application. The COFA and Building Permit require any changes from the approved plans to be submitted for review and approval prior to moving forward. As no documentation was provided and any evidence of brick skirting at the building's original location has since been destroyed, the brick skirting must be removed and replaced by the hog boards as indicated on the approved plans.

These items must be corrected prior to passing the Rough-HD Inspection, and subsequent inspections. Alternately, to allow for forward progress on the site, town staff can review a plan, in writing from the Applicant, which outlines a timeline prior to Final-HD inspection for the correction of these items. Should a plan be submitted, it should be noted that a Final Inspection will not be passed until all items are completed.

In accordance with Section 8.B. of the of Historic Preservation Commission Rules of Procedure, as adopted February 6, 2013, Notice of Appeal must be delivered to the Department of Growth Management within (10) days of the decision becoming public record by issuance or denial of a permit, or the filing of a written decision in the office of the UDO Administrator. The Rules of Procedure may be found at the following link:

<https://www.townofbluffton.sc.gov/DocumentCenter/View/2049/HPC-Rules-of-Procedure-PDF>

If you have any questions, comments, or I can be of further assistance, please contact me at (843) 706-4529 or kicard@townofbluffton.com.

Sincerely,



Kevin P. Icard, AICP  
Director of Growth Management

Cc: Heather Colin, AICP, Assistant Town Manager

Attachment: Signed Inspection Report Rough-HD 3.17.2023  
March 24, 2023 COFA-03-22-016484 Approval Letter

# ATTACHMENT 2

## INSPECTION WORKSHEET (INSP-253392-2023)

<b>Case Number:</b>	RNEW-08-22-2266	<b>Case Module:</b>	Permit Management
<b>Inspection Date:</b>	04/17/2023	<b>Inspection Status:</b>	Failed
<b>Inspector:</b>	Katie Peterson	<b>Inspection Type:</b>	R - Rough Historic District
<b>Job Address:</b>	9 1 Bruin Road, 1 Bluffton, SC 29910	<b>Parcel Number:</b>	R610 039 00A 0021 0000


Contact Type	Company Name	Name
Applicant	Element Construction	Brandon Edwards
Electrical Contractor	Maxwell Electric Co. Inc. - USE THIS A	Joseph Maxwell
Engineer	Sapp Structural	Brian Sapp
Local Contact	Element Construction	Brandon Edwards
Mechanical Contractor	Tidelands Air Conditioning	Brett Eason
Owner	209 Bruin Road LLC	NA NA
Plumbing Contractor	Oak Forest Plumbing, LLC - USE THIS	Michael Chapman
Primary Contractor	Element Construction	Brandon Edwards

Checklist Item	Passed	Comments
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## INSPECTION WORKSHEET (INSP-253392-2023)

Checklist Item	Passed	Comments
Other - Comments	False	<p>It is the responsibility of the primary contractor to ensure that all requirements set forth by the HPC in approval COFA-03-22-016484 have been met. The following items are noncompliance as of the date of this inspection and must be corrected:</p> <ol style="list-style-type: none"> <li>1. Brick lattice has been installed between the piers on the portion between the principal facade (behind the front porch) and the side stoop of the left elevation where there should be horizontal wood slats matching those installed on the rest of the structure.</li> <li>2. The front porch column configuration is not representative of the historic and approved configuration. The porch has been installed as a 5 bay porch when it should be 7, as indicated on the elevations and in the COFA approval letter.</li> <li>3. The brick veneer piers are visibly false and do not maintain the appearance of true piers. The veneer must wrap deep enough to maintain the appearance of the historic configuration.</li> <li>4. The windows which have been installed contain what appear to be snap-in muntins rather than true divided lites, as the historic structure contained. The COFA approval indicates that any new materials which are proposed to replace exterior materials must be provided for review prior to installation for approval by Town Staff. No product materials have been provided to staff at this time. Further, the Building Permit, which indicates the historic windows shall be retained to the greatest extent possible, with any replacement windows to be Marvin Elevate windows, a wood window with a traditional appearance and a simulated divided lite profile very close to a true divided lite product. The Pella windows installed do not meet the requirements of the COFA approval and must be replaced by either the historic windows which were in place, the DH Marvin Elevate wood windows with traditional muntins as shown on the approved COFA and Building Permit plans for new windows when the historic windows could not be reused, or an alternate suitable window provided to staff for review and approval prior to installation.</li> </ol> <p>While this inspection has failed, in order to ensure continued progress on the site while the corrections are being made, this inspection may be conditionally passed once a plan, in writing from the contractor/owner, outlining how the items above will be corrected has been received and satisfactory reviewed by Town Staff.</p>


 Date:  
 2023.04.14  
 12:15:27-04'00'

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*Council Members*  
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Bridgette Frazier  
Kimberly Gammon  
*Town Clerk*

March 24, 2023

Eugene Marks  
55 Flicker Street  
Bluffton, SC 29910

Mr. Marks:

On July 6, 2022 the Town of Bluffton Historic Preservation Commission approved the Certificate of Appropriateness to allow the reconstruction of the 1,248 SF Contributing Resource, known as the Joiner House towards the eastern property line of the same parcel identified as 9 Bruin Road in the Old Town Bluffton Historic District and zoned Neighborhood Core-HD (COFA-03-22-016484) with the following conditions:

1. Per 3.18.3.A, Secretary of the Interior's Standards for Rehabilitation #5, additional information regarding the proposed reconstruction of the front screened porch and side portico must be provided to staff for staff level review as not enough information has been provided to ensure they meet the standards of this section.
2. Per 3.18.3.A. of the UDO, Secretary of the Interior's Standards for Rehabilitation #6, drawings for features which will be reconstructed (the porch and side portico) must be provided for review as not enough information has been provided to complete this review.
3. Per Section 5.15.6. of the UDO, to ensure the architectural standards have been met for materials, dimensions, and configurations, plans for all areas of the structure which will be dismantled and rebuilt, or new construction must be provided to ensure compliance with this section.
4. Per Section 5.15.6.I. additional information is required regarding the proposed rear elevation as not enough information was provided to complete the review of the proposed window in the location of the existing door.
5. The metal columns on the side portico shall be retained.

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March 24, 2023

6. The Applicant retain all original components to maximum degree as reasonably and economically feasible.
7. The Applicant provide any substitutes to original windows, doors, brick foundation, brick piers, and roofing panels must be submitted to staff for a determination as to the appropriateness of the substitute materials.
8. The proposed location is appropriate as it matches the angle of the contributing structure in accordance with section 5.15.5.F.5 of the UDO.
9. Drawings be provided for review, and for approval at Staff level, for the reconstructed porch and side portico.

Drawings dated 07.22.22 were provided to show all four elevations. Town Staff indicated areas which did not meet the conditions above in the stamped plans. A final Certificate of Appropriateness was issued. All conditions of this letter must be reflected in the field. Areas which were shown to not meet the conditions above included:

1. Perimeter piers shall reflect current conditions, specifically in width and material appearance on the new structure;
2. The new porch must reflect current configuration which is 2 bays deep and 7 bays wide, and is not reflected in the existing or proposed drawings as such;
3. Any new materials which are proposed to replace exterior materials must be provided for review prior to installation on the structure for approval by Town Staff;
4. The front and side doors shall be repaired rather than replaced, and windows restored rather than replaced in all locations possible. It should be noted that only bedrooms require 5 SF egress.

Following the issuance of the Certificate of Appropriateness, an amendment to allow revisions to the landscape plan, including the installation of a split rail fence, a maximum of 42" in height to be installed as shown on the Revised Landscape Plans Dated MAR 14, 2023. No changes to the structure are included in this amendment. The proposed amendment was found to be in accordance with the requirements of the UDO and did not substantially deviate from the basic design approved by the HPC; therefore, Town Staff approved and stamped the Landscape Plans dated MAR 14, 2023.

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March 24, 2023

Any person aggrieved by the decision of the HPC may file an appeal pursuant to the South Carolina Code of Laws, Section 6-29-900 et sequitur within 30 days.

Upon issuance, a Certificate of Appropriateness (COA) remains valid for two (2) years from this approval date (07/06/2022). If the project is not substantially complete within the time limit, the COA expires.

Please be advised that a COA is not a permit to begin construction. All necessary permits and licenses prior shall be obtained prior to commencing construction. Please contact the Town of Bluffton Customer Service Center at (843) 706-4522 if you have any questions.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Katie Peterson', written over a light blue horizontal line.

Katie Peterson, AICP  
Senior Planner  
Department of Growth Management