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A meeting of the Historic District Review Board was held on **July 8, 2015 at 2:00 p.m.** in the City Hall Planning Conference Room, 1911 Boundary Street. In attendance were Chairman Joel Newman, board members Quinn Peitz, Chuck Symes, and Barbara Laurie, and Lauren Kelly. Erica Dickerson was absent.

In accordance with the South Carolina Code of Laws, 1976, Section 30-4-80(d) as amended, all local media were duly notified of the time, date, place, and agenda of this meeting.

### **CALL TO ORDER**

Chairman Newman called the meeting to order at 2:01 p.m.

### **MINUTES**

**Mr. Peitz made a motion, second by Ms. Laurie, to approve the minutes of the June 10, 2015 meeting. Mr. Symes gave the stenographer notes on the sequence of items that he believed were out of order, but they were not, a point the stenographer later clarified for him. The motion to approve the minutes as amended passed unanimously.**

### **PUBLIC HEARING: 1310 WASHINGTON STREET – Major Demolition**

**Chairman Newman opened this public hearing.** Ms. Kelly said this property is in the Northwest Quadrant and is listed as circa 1910; it is on the 1924 Sanborn map, so it was built between 1912 and 1924. She reviewed changes that had been made to the structure. The city has worked with the owner for over 5 years, she said, and it's been vacant and deteriorating for at least 10 years. The owner has been issued a repair or demolish order for the building, Ms. Kelly said. The cottage is contributing because of its age and because it's a traditional freedman's cottage house type. It's not unique architecture, though, and while it's unfortunate to lose a piece of history, staff feels the house is making a negative contribution, currently, to the rest of the block and the neighborhood. There are 3 vacant buildings next to it; they are likely to remain that way with this dilapidated structure there. Staff recommends final approval for demolition.

**Lisa Driver Wilson** is among the heirs of the estate. She said the correct address is 408 Green Road. Her great-great-great-grandfather owned this house. She lives at 1305 Washington Street. She had come to the meeting to protest the demolition. **Elijah** and **Sarah Seabrook** were tenants of the house, she said, and she collected rent from them with her mother. Ms. Wilson described some of the history of the house, others around it, and a building/shotgun house that she said formerly had adjoined the house as a rental, until a storm knocked a tree down on this plat, and then it was demolished. When Ms. Wilson moved back to Beaufort in 2007, "a lot of homes had been demolished." She said this house was built in 1876, and "the wrong dates are on the house"; she believes the address/street names are also wrong.

Ms. Wilson said the city shouldn't demolish this house because it has historic value. The

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builder was the only black mayor in Beaufort. She believes that the city is trying to “corner” the vacant lots. She believes the house “adds character” to the neighborhood, and she “has more research to do on her inheritance.” There’s been interest in the house, she said; someone from Century 21 realtors had looked at it, but then the record of that was lost.

Ms. Wilson said that she knows there are “plans to build on these lots” and “to develop (her) inheritance.” She said she agreed that it “should be cleaned up,” but she thinks her “inheritance should be left alone.” She added that her “identity has been compromised,” and she believes “people have signed documents” using her name. She feels like this demolition is part of an effort “to acquire all of the plats” in the area.

Ms. Wilson described some other houses in the area. Chairman Newman said the information she gave is “confusing”: the history, the address, when it was built, and the ownership are all in question for Ms. Wilson, but the Board had been given specific information. Ms. Wilson said Ms. Anderson had asked her to contact Mr. Seabrook, but she doesn’t “believe that person exists”; now there’s someone she’s looking into who is *claiming* to be Mr. Seabrook.

The Board doesn’t determine who owns the property, Chairman Newman told Ms. Wilson, or what it costs to restore or remove it. The Board only decides if it should be restored or demolished. Ms. Kelly said the city had agreed to represent the applicant, who is the person listed as the property’s owner, because he does not live in the area. There being no further comment, **Chairman Newman closed this public hearing.**

#### **PUBLIC HEARING: 1310 PALMETTO STREET – Major Demolition**

**Chairman Newman opened this public hearing.** This property and the next property under consideration for demolition, on Heyward Street, are both on the Beaufort County Historic Site Survey, Ms. Kelly said, but they are not in the Historic District. If the Board denies the demolition, there’s a 180-day stay period, and then the building can be demolished.

The city has issued a repair or demolish letter for the building at 1310 Palmetto Street, which is circa 1930, and staff is requesting final approval for its demolition. Chairman Newman said it doesn’t look like the pictures Ms. Kelly showed because it’s now covered with vegetation: “It’s a plant.” There was some general discussion of the correct address.

The city has been working with the owner, **Valerie Jackson**, for at least 6-7 years to maintain the property and the building, Ms. Kelly said. Since it’s a city-initiated demolition, if the Board approves it, it would have to go before council and receive another public hearing. Staff recommends demolition of the building as a whole, Ms. Kelly said, with the provision that the elements of historical value – the columns and windows – could be salvaged and reused in other projects.

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Ms. Jackson said she grew up in this house, and the real address is 1308. She's not here to protest the demolition, but Ms. Kelly had said that the city had been working with the property owners, and Ms. Jackson wanted the Board to know "That is a straight out lie." Ms. Jackson said she and her daughter "have paid property taxes on it throughout the years," as had her mother in the past. She had signed paperwork ("before city hall was built") for the city to do maintenance on the property before it was in its current state, but "they did not do it." She said she has no problem with the building being torn down.

Ms. Laurie asked Ms. Kelly who had been communicating with Ms. Jackson; Ms. Kelly she had thought **Dawn Boren**, the previous codes enforcement official, had communicated with Ms. Jackson about the state of the building and maintenance, and there were notes to that effect. **Libby Anderson** said the city corresponds with whomever is on the tax record for the property. She pointed out that five or so years ago, the city had an amnesty program, which entailed an agreement with the property owner wherein the city would cut the grass *once* to get an overgrown, neglected private property to the condition where the property owner could then maintain it with regular lawn equipment. Ms. Jackson agreed but said, "That one time never happened." She added that they had also applied for a city grant to make improvements on the property but never heard anything about it. Ms. Anderson said the city's Project Repair had offered a grant for up to \$7500, but it was only for owner-occupied homes, so a vacant house like this would not have been eligible. **Janon Jackson** said it was occupied when the grant was applied for. They have been paying taxes, she said, but she has "yet to see anything that you're talking about . . . with my name on it . . . except the tax receipt."

**Captain Steve Bass**, codes enforcement, said he had taken pictures of the property, prepared an assessment, and mailed a certified letter to "Campbell's Heirs," but they wouldn't sign for the letter, and it was returned to him "several times." It was then sent priority mail with tracking, and it was received but not responded to. He said he had proof that he had sent the assessment, pictures, and the repair or demolish letter, and that these materials were first refused and then accepted. Ms. Jackson said he had sent it to the wrong address. Captain Bass said that because this property is close to the courthouse and the police department, it creates a potential hazard, so it's a priority. **Chairman Newman closed this public hearing.**

#### **PUBLIC HEARING: 414 HEYWARD STREET – Major Demolition**

**Chairman Newman opened this public hearing.** Ms. Kelly said this house is circa 1945; it is on the survey, but it is not in the historic district. The request for demolition is city-initiated. There are no architectural elements that are emblematic of Beaufort. The owners are interested in the demolition of the structure and will proceed with it if it's approved.

Neighbors who were interested in what was happening to the property said there are raccoons living in it, and the front room had filled up with rain because of roof holes

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that had been made by falling trees. **Chairman Newman closed this public hearing.**

### **REVIEW OF FULL BOARD PROJECTS**

#### **1310 Washington Street, Identified as District R120, Tax Map 4, Parcel 349**

Major Demolition

Applicant: Elijah Seabrook, Jr. (HR15-17)

*The applicant is requesting approval for demolition of this structure.*

Chairman Newman asked **Maxine Lutz** if Historic Beaufort Foundation had any comments. Ms. Lutz said, "It's a shame to lose this property" because it represents an important history. "It's not one of a kind," and they would be interested in restoring, but at this time, they are not able to do that. They support the demolition, but if there are salvageable materials, they would like access to them to maybe put in storage for future use. Chairman Newman said they don't know the physical condition of the structure and "whether any part of the historic fabric remains" in the interior.

Chairman Newman asked Ms. Wilson if she had returned to Beaufort in 2007. She said there was a grant for a "questionable amount" – she believed \$175,000 – "to restore my house," where she lives now, "but instead they closed the 4 operable fireplaces." She said there may be mantles or other elements of value in the house under discussion that they wouldn't know about if it's bulldozed, and those belong to her, so she feels they should go into the house first, and she would like to go in, too, since she hasn't been in it since the 1960s. She said she moved to Beaufort permanently in 2007.

Chairman Newman asked what had been done in the last 8 years to clarify who owns this house. Ms. Wilson said there had been no one to watch over the houses her relatives had owned, except for her aunt, who was living in another heirs' property on Green Road, and who had died in 2010. In the 8 years Ms. Wilson has been here, she has "not been able to take care of all this" on her own. She said her ownership of the house is clear because her grandparents had owned it. When she was in high school, Ms. Wilson recalled, she knew there had been "a verbal altercation" about the house she had referred to earlier, at which she and her mother collected rent. In the time since she has been back in Beaufort, Ms. Wilson said, she has been "detained financially," and had been prevented "by location," since she was not living here, "from doing what I was supposed to do to take care, not only of this house, but of other houses . . . on the estate."

Chairman Newman asked Ms. Wilson what actions she would take to resolve this matter if the Historic District Review Board were to vote not to demolish this. The city has a record of someone else owning it, he reminded her, and that person has asked that it be demolished. Ms. Wilson replied, "I'm legally going to family court with 'aka Elijah Seabrook'," whom she stated again she does not believe exists. She feels this claim is related to other legal problems she has had and to others who are claiming houses are theirs that she believes are part of her inheritance. Other houses on her current block

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are also in dispute, she said, and she wants to know if they belong to them. She has tried to talk to Mr. Seabrook but was hung up on, and she has never met him face-to-face.

Chairman Newman asked if there was question about when this house was built. The city's contention is based on maps. He asked if she believed this structure was built after the Civil War, in the 1800s. She said she doesn't know if Mr. Seabrook is the owner, and she doesn't know the exact age of the house.

Ms. Laurie asked Ms. Kelly how Mr. Seabrook's identification had been verified and how they've communicated with him – if it had been in person, by letter, etc. – and how it had been determined that he was the correct property owner. Ms. Kelly said they "have documented correspondence with him for, I believe, the past 5 or 6 years." Ms. Anderson said he hadn't been seen in person and lives in New York. The communication on such matters starts with letters, she said, which are sent to the property owner on record with the Beaufort County tax assessor. The intention is to start a dialogue and to have the owner call, which Mr. Seabrook did.

Mr. Peitz asked if taxes were paid, or if there were a lien. Ms. Anderson said there's no lien; if there were, the house would go up for sale after a year. Mr. Peitz said Mr. Seabrook is obviously paying the taxes then. Ms. Wilson said *she* has "paid the taxes on the estate every year," but she knows that "people have gone down and paid on the taxes after I have paid the taxes, and that should not be." The "city is getting double monies," she said, because people who aren't actually heirs to the property are also paying. Though she's gone to the assessor's office and "filed proper change of address" information, Ms. Wilson said she hasn't received her taxes since 2010, and doesn't know why, since she's "following the protocol."

Ms. Wilson said her ancestors "owned a lot of land," which "kept them going," but it's being "manipulated, monopolized," which "needs to stop. The truth needs to be known," since the city staff has never met Mr. Seabrook. When she spoke to him, she was hung up on, but his "voice sounds familiar . . . almost like an heir."

Mr. Symes asked if it was known "when Elijah Seabrook, Jr. gained title to the property." Ms. Kelly looked at the tax record and said in 2014, Elijah and Sarah, whom she assumed were his parents, transferred to Elijah, Jr. Ms. Kelly said that "cannot be because they're dead." Ms. Jackson agreed: "They've *been* dead" for some time. Chairman Newman said their estate could have done it. "There's a lot of probate going on," Ms. Wilson said, and she believes "there's a lot of illegal activity going on around the estate," so she's asking that the house be "preserved" because of its history. The bricks, for example, would be valuable, she believes. She said she has "the right to keep this house from being bulldozed down."

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Chairman Newman asked Ms. Wilson, if the Board were to table the matter, if she would “actively pursue clarifying the ownership,” and “if you clarified the ownership . . . and it was yours, are you going to restore this house?” Ms. Wilson said emphatically, “Yes.” Mr. Peitz asked her how much time she would need to do that. Ms. Wilson replied that because of a disability, and because she’s doing this on her own, “it’s going to take time.” She agreed that she “hoped to have something together by the beginning of the year.”

**Chairman Newman moved to table the proposed demolition of 1310 Washington Street for 6 months, to be brought back up for review by whomever is determined to be the owner. Mr. Peitz seconded the motion.** Ms. Laurie said she thought it might be important to include the person who is designated as the owner per the tax records, “so that they would know what’s going on . . . and be prepared” since Ms. Wilson has said she is planning legal action. Ms. Laurie asked that **the motion be amended to include that the person identified as the owner on the tax records, whom city staff has been communicating with, be advised of what has gone on in this meeting. Chairman Newman agreed, and Mr. Peitz seconded the addition to the motion. The motion passed unanimously.**

**1310 Palmetto Street, Identified as District R120, Tax Map 1, Parcel 170**

Major Demolition

Applicant: City of Beaufort (HR15-19)

*The city is requesting approval for demolition of this structure.*

**Mr. Peitz made a motion to approve the demolition.** There was a question raised about Ms. Jackson’s concerns about the difference in the house number on record, and Ms. Kelly said that “appears to have happened because lots were consolidated” from 3 into one irregularly shaped lot, per the tax map. Ms. Anderson said it no longer has an address, and addresses do periodically change; 911 changed some addresses on Ribaut Road in the past few years. The best way to track property is by property identification numbers, which no one can change.

Mr. Peitz asked who owns this property. Ms. Jackson said, “Its heir’s property,” and she pays the taxes. He asked her what she is “supporting or not supporting.” Ms. Jackson said again that she has no problem with the demolition; her only problem is “the records leading up to the demolition,” because the city said it did things that she says it didn’t do. Mr. Peitz asked if Ms. Jackson would support the demolition if the city responded to any outstanding questions she had, and Ms. Jackson said she would. She also said Historic Beaufort Foundation was welcome to go into the property and see if there were elements they wanted to save before the demolition. Mr. Symes asked if Ms. Jackson was aware of her financial obligations to the city for the demolition, and she replied, “I’m willing to pay, but it won’t be in one block” payment, because she doesn’t have a lot of money. She can pay in installments.

Ms. Lutz asked, if it’s heirs’ property, if only one heir can approve the demolition.

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Chairman Newman said the heirs didn't ask for it: the city is asking for demolition, so the Board approves or denies the city's request. Ms. Lutz asked if the other heirs need to be notified. Ms. Wilson said she is also involved because she is "a very close relative" of Ms. Jackson.

**Mr. Symes seconded Mr. Peitz's motion. Mr. Peitz revised his motion for approval of the demolition on the condition of communication with the heirs about the demolition, but that should not affect the approval to demolish. Chairman Newman said the motion should also include that salvageable materials may be taken from the site for reuse if someone wants them. Mr. Symes seconded the additions to the motion. The motion passed unanimously.**

**414 Heyward Street, Identified as District R120, Tax Map 3, Parcel 509**

Major Demolition

Applicant: City of Beaufort (HR15-20)

*The city is requesting approval for demolition of this structure.*

**Mr. Symes moved to approve the demolition. Mr. Symes seconded the motion. The motion passed unanimously.** Chairman Newman said he'd seen the property, and it's "completely restorable," and an easy restoration project, so he feels "it's too bad somebody doesn't just do that." Ms. Lutz said the Historic Beaufort Foundation Preservation Committee agreed, but it's "not the only one of its kind."

**708 Pinckney Street, Identified as District R120, Tax Map 4, Parcel 676,**

Alterations, Additions

Applicant: Tom Michaels for Marty Miley (HR15-21)

*The applicant is requesting approval for residential modifications.*

Ms. Kelly said the structure, located in The Point, is a non-contributing structure, circa 1970. The applicant wants to raise the house to get it above the base flood elevation, to remove the existing garage and concrete porch in the rear and construct a new side and rear addition as well as a new porch, and to replace the current roof with a gabled roof. Mr. Peitz asked the primary purpose of doing this, and Chairman Newman said, "flood insurance."

**Marty Miley**, who has the property under contract, said, "It's too expensive to lift" the house. Ms. Kelly asked if he were withdrawing his application, and Mr. Miley said he would like to get the Board's opinion on other options as comments, rather than as a formal submission. There was general agreement to this. Mr. Miley said they had thought lifting the house would work, but when they looked at costs, doing so was too expensive.

They didn't realize the house was below flood level, so they proposed a small addition to get another bedroom and bathroom. Now it's a 2-bedroom, 2-bath house, which doesn't work for his needs. Mr. Miley is not sure because of the guidelines in regard to 50% of the appraised value, that he can do the addition. Chairman Newman said the

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Board has no purview in that regard, and because the house is non-contributing and without historical value, the Board has nothing to vote on. If Mr. Miley wants to do an addition that would come to the Historic District Review Board for evaluation, or if he wants to remove it and replace it with a new structure, that would come to the Board for suitability.

Mr. Peitz said he is glad it was cost-prohibitive to raise it, so that, as a non-conforming structure, it wouldn't "end up on stilts" in a neighborhood full of houses from previous centuries. There was a general discussion of houses that have been lifted to meet the flood elevation. Ms. Lutz said this house has "some mid-century qualities" that she "would hope would be retained." Mr. Peitz said the Board would work with Mr. Miley "in any possible way" to help him with an addition, rather than the elevation. Mr. Miley said the idea of doing the elevation "is driven by insurance costs." Chairman Newman said he doesn't necessarily agree with Mr. Peitz. Mr. Miley agreed with Chairman Newman that the drawings for the renovations weren't beautiful, but "We're working with the box we have." Chairman Newman suggested Mr. Miley look at an elevation project on East Street that **Chuck Ferguson** had done and compare it to photos of what was there before, because the initial structure was unremarkable and raising it improved it a great deal. He said Mr. Ferguson is good at identifying "the value of the box," so he could maybe do that for Mr. Miley.

Mr. Peitz "respectfully disagree(d)" with Chairman Newman, because he feels, "as a matter of policy, to put non-conforming houses on stilts, unless you were going to really redo them . . . is kind of like putting them on display (when) they're already non-conforming by definition" in the neighborhood they're in.

Mr. Symes said he understands the desire to elevate houses above the flood plain, and he would entertain raising it the minimum amount Mr. Miley needs, but he agrees with Mr. Peitz's point; if Mr. Miley could afford it, Mr. Symes feels, he should make an effort to make the house look like it fits in the surrounding environment more.

### **UPDATES**

Ms. Kelly said the windows in the Yacht Club are "2-over-2 all over" the building. Ms. Kelly also noted 1005 Harrington, a small cottage that Chairman Newman had helped the applicant to configure the wing. Chairman Newman said he had seen the applicant and he "is so excited" about the work that's been done as a result of the chairman's suggestion. Ms. Kelly said they had put in the wrong kind of windows, but "they are going to fix them."

Mr. Symes suggested that before voting on a motion, each person on the Board should be asked specifically if (s) he has any comments.

Ms. Laurie asked if the comments she had emailed Ms. Kelly would be "part of official documentation." Ms. Kelly said they can be included as part of the minutes if she'd like,

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and Ms. Laurie thanked her. Ms. Kelly said the comments were in reference to the standards of rehabilitation being too high. Ms. Kelly said she and Ms. Laurie could talk about that, and Ms. Kelly would report their comments back to the Board in an effort to develop a better solution. Ms. Laurie said this might in general lead to “a template to look at across the community,” rather than just for one person’s project.

Chairman Newman said people tend not to pay attention to their property if there’s no one living in a house there, and it becomes degraded, but the assessor makes the assessment based on the land *and* the building, without looking “keenly” at the building’s livability. So people find themselves continuing to pay taxes on something they should “fix up and rent” or should apply to demolish, which, even if there’s a lien on the property for paying those costs over time, could be cheaper than continuing to pay tax “on (a) structure that is unusable.” An applicant at the prior month’s Historic District Review Board meeting had experienced that: paying taxes on an unused building for years, and Mr. Peitz said he recalled that, on reassessment that property’s value had gone from \$30,000 to \$110,000. Chairman Newman said the ability to sell the property decreases because potential buyers see “a huge impediment” on the property in the form of demolition or restoration costs.

Ms. Laurie said the underlying basis of the problem is that the property owners do not have the money to do anything to the property or “the resources to draw the funding in,” so their property will have little value if they sell it, and an investor can buy it at that low cost and then “benefit from the Bailey Bill,” because *they* have the money to do what needs to be done to the property, unlike most of the homeowners in the Northwest Quadrant, who are “not in that economic range.” Ms. Laurie said it’s a systemic issue, and there’s no single answer. Her concern is to look at matters from the homeowner’s point of view and to determine as a Board what they can do to help homeowners and then work with them.

There being no further business to come before the Board, the meeting adjourned at 3:28 p.m.