

**MINUTES**  
**The Spartanburg Board of Architectural Design and Historic Review**  
**Thursday, October 13, 2016 ~ 5:30 PM**  
**City Hall Council Chambers**

Board Members Attendance: Sarah Love, Ray Trail, Will Ringo, Thomas Koenig, Joshua Turner, Brad Steinecke, Carolyn Schoepf, and Al Jolly.

City Staff: Natalia Rosario, Planner III; Julie Roland, Administrative Assistant; and Assistant City Manager Chris Story. Buddy Bush, City Building Official also attended.

Mrs. Love, the Chair, called the meeting to order at 5:30 P.M. and stated the hearing procedures. Mrs. Love recognized the eight Board Members present constituted a quorum, and she proceeded with the guidelines for the procedure of the meeting.

Mr. Jolly moved to approve the Agenda for tonight's meeting; and he was seconded by Mr. Koenig. The motion was unanimously approved by a vote of 8 to 0.

**Disposition of the minutes from the July 14, 2016 and August 11, 2016 Meetings of the Board of Architectural Design and Historic Review.**

Ms. Schoepf moved to approve the minutes from the July 14, 2016 and August 11, 2016 Meetings; and she was seconded by Mr. Teague. The motion was approved by a vote of 8 to 0.

**Old Business:**

There was no old business for discussion.

Assistant City Manager Chris Story came forward and was sworn; and he introduced Martin Livingston, Neighborhood Services Manager, who would now be handling all the housing related functions of the City, as well as cleaning up some loose ends, of which this case was one of those. He explained that Mr. Livingston would be presenting the case for the City of Spartanburg, and that Buddy Bush, City Building Official was also present.

**New Business:**

**Certificate of Appropriateness for Major Work – Consider permission to demolish the house in its entirety due to unsafe conditions (regarding lead, mold, and structurally); and is irreparable in so far as cost benefit, for the property located at 620 South Irwin Avenue in Hampton Heights. City of Spartanburg.**

Ms. Rosario, Planner III came forward and was sworn; and she submitted the report the Board Members had previously received in their meeting packets, as well as the slides and presentation into evidence as Exhibit A. She showed a slide of the location map, and an aerial photo of the property from 2012, which she said still looked about the same as was taken in 2012. More slides were shown; and she explained the condition of the house as follows: The rear portion of the house had serious damage, and a limb had fallen through the house at some point and it appeared that some sort of tree had taken root and had continued to grow causing structural and extensive damage, including the floors in that portion of the home. The bathroom had roof damage and a good bit of black mold. She explained the kitchen was in bad shape as well, and the walls were kind of buckled and also had mold problems. Ms. Rosario said the rear portion of the home was a later addition and was not visible from the public right-of-way. She showed more slides of the rest of the house that had damage but not as severe as that of the rear portion. A couple of renderings done by Campbell, Meek and Associates, Inc. and a cost sheet regarding repairing and restoring the home done in 2011 was also shown and explained to the Board Members. Ms. Rosario said they were seeking permission to demolish the entire home, or to demolish and remove the later additions to the rear of the home that were not original and try to mitigate the rest of the home. She explained there was \$30,000.00 of grant money that got the City ownership of the house to begin with; and without the \$30,000.00 being paid off on the grant, the City would not be able to transfer ownership to anyone even if someone wanted to purchase the home.

**Board Questions:**

- Mr. Ringo asked could someone explain more about the \$30,000.00 grant money involved regarding the home.

Mr. Martin Livingston, Neighborhood Services Manager came forward and was sworn. He informed the Board Members that in 2010 a non-profit organization, Preservation Trust of Spartanburg, Inc. purchased the property through a State Program call the Neighborhood Stabilization Program, which was a Federal Program designed at the time to address foreclosed properties, of which this was one of those properties. He said the intent at the time was for rehabilitation. The Preservation Trust closed at a later date, and this property lingered, and no one seemed to know why the repairs were not done. As of today there was about \$30,000 to \$35,000 used to purchase the property and now they were left with a couple of options: 1) they could take the structure entirely down, with which CDBG (Community Development Block Grant) funds could be used; 2) they could take the structure partially down and mitigate the rest of the structure which the CDBG funds could be used for as well; or 3) pay the entire grant money back which the City does not have the funding to do; or a fourth option the City had tried to do on several occasions which had not worked out was if they could get the property into a developers hands; they had discussed this with Gene Spiess and also Vivian Fisher to try and save the home, but the \$30,000 posed a big challenge. They could not add any additional restrictions to the funds which he explained the \$30,000 would need to be paid back regarding the grant. Mr. Livingston explained there was a ten to fifteen year restriction on the property, and they could not put any additional funds in it. Right now the restrictions of any homebuyer or renter, they must be at 120% median income for a single person that was about \$40,000; and for a family of four it was about \$60,000.00. He emphasized that was not something they wanted to do.

#### Board Questions:

- Mr. Trail asked if a developer was to take the house, would they have to pay the \$30,000 back to the City. Mr. Livingston said that was correct, and the City would then have to send it back to the State.
- Mr. Ringo asked what if it was rented. Mr. Livingston said you would need to find a funding source, make the repairs, and any funding the City might receive from the State or wherever would have more restrictions beyond the ten years as well.
- Mrs. Love asked what efforts the City had made to try and find a developer. Mr. Livingston said they had talked to Gene Spiess and Vivian Fisher, both of whom had expressed interest to save the house; but he explained it was very hard to find an organization who would give them \$30,000 right off the top regarding the grant that would need to be paid off as well.
- Mr. Koenig asked what if a developer wanted to purchase the property and pay off the grant as well, and try and save the house and later came back to the City at a later time and say they decided they could not make it work; would it then be possible to demolish the house at that time.
- Mr. Livingston said at that point it would probably be up to the HARB Board to decide. He explained that most developers were very smart; and he did not think a developer would spend that much money to pay off a grant like that unless they really knew they could do something with it.
- Mr. Jolly asked suppose a developer did purchase the property; would that mean essentially they were just buying a lot for \$30,000 and would the State allow that? Mr. Livingston said there would then be no restrictions on the property other than the HARB requirements.
- Mr. Ringo asked if just the back half of the house was demolished, would that clear out the grant money. Mr. Livingston said it would not.
- Mr. Ringo asked about the advantage of doing that. Mr. Livingston said it would save the structure.
- Mr. Steinecke asked Mr. Livingston regarding the demolition funds he mentioned that would pay for the demo of the back portion of the house, would that also pay to secure the house so that it could not be broken into. Mr. Livingston said yes; but that the challenge would be you would be adding more restrictions to the property. The only thing that would not add restrictions would be a demolition.
- Mrs. Love asked what happened to the \$30,000 if the property was demolished. Mr. Livingston said it remained on the property until the ten year period ended.

- Mrs. Love asked if it were demolished, would it then have to remain a vacant lot. Mr. Livingston said that was correct and after the ten year period was over, it could be transferred to the adjacent property owner next door to be part of their property, and that the State would allow that.
- Mr. Trail asked if they demolished the back portion of the house and get the remainder of the house in tact; would it just sit there with the sales price of \$30,000.00. Mr. Livingston said that was correct.
- Mr. Ringo asked if someone were to take the property and renovate it to rent; could they rent it out under those restrictions and the \$30,000 price be avoided if the City was to donate the property to someone willing to do that. Mr. Livingston said no; the city could not get the property out of its hands, unless they pay the money back.
- Mr. Livingston explained one other option he had touched on earlier that Assistant City Manager Chris Story had mentioned right before the meeting; the City could hold the property, find a developer who would be willing to front the money for the construction, make the repairs and fix it up; but that would be asking them to take an \$80,000 hit and wait ten years and then recoup their money back. Mr. Livingston did not see an investor doing this, however.
- Mr. Jolly asked a question about Martin Meek's estimate of approximately \$110,000 to fix up the house. Mr. Livingston said Mr. Meek had first given them an estimate in 2010 that was over \$67,000.00; and Lynn Coggins of Neighborhood Services Department, had put together an estimate of what today's prices would be which would be approximately \$110,000.00.
- Mr. Jolly said that would amount to at least \$140,000 in the project; and it would be sub-standard rent.
- Mr. Trail asked if they knew what the demolition cost would be. Mr. Livingston said the average demolition costs the City had been paying were \$7500.00 to \$10,000.00 assuming there was no asbestos.
- Mr. Jolly asked the Building Official if he could make some statements about the structure.

Mr. Buddy Bush, Building Official for the City came forward and was sworn; and informed the Board Members he had gone through the house today and found it to be in extremely bad shape as Ms. Rosario had explained earlier. It was worse in the back portion of the home and there was water damage, mold, rotted members, and front porch posts that leaned out. The home could be rehabbed if the addition was taken off of the rear; it was not in imminent danger of collapse but it was unsafe. It would take a lot of money to renovate the home. When you go in the front porch and the main entry room and going back to the right, it did not dip too bad; which amazed him. You would be starting over on all the utilities/electrical as well.

Mrs. Love opened the public hearing and asked anyone who wished to speak regarding the request to come forward.

- Mr. Gene Spiess of 516 Semillon Drive, Moore, S.C. came forward and said he swore to tell the truth, and that he owned a number of properties in the Hampton Heights District; and said Hampton Heights was a wonderful place to live. He felt the owners in Hampton Heights had the responsibility of maintaining their properties. He had Ms. Rosario show different slides and explained why he loved the house so much; and he explained the house was worth saving; and hoped the Board voted to not demolish the house. Mr. Spiess felt that part of the damage had been caused by neglect and letting the tree continue to grow through the roof. He said if the City would let him, he would buy a tarp and cover the hole in the roof with his money and stop the water from coming in and take the tree out. He felt if they could find \$30,000 somewhere to release the financial responsibility to the City and find a developer; he knew it could be turned around.
- Tonya Daves of 642 S Irwin Avenue came forward and said her home was two doors down from the proposed house. She had previously spoken to the City several different times about people that had expressed an interest to her about possibly purchasing the home; and she never got anywhere. She was surprised that all of a sudden something was now to be done regarding the property. Ms. Daves felt they should either get rid of the home and let the ten years go by because of the area that it was located in was not that great an area; and she explained about all the foot traffic she got from people walking that way and through her property during the day and at night. She said if they were going to do the restoration she hoped they would sell it to a homeowner (who would

at least keep it for five years) instead of a renter, because she felt a homeowner would take better care of a home, than a renter. She has had to have police called out regarding some of the rentals located near her house.

- Linda Bilanchone of 182 W. Hampton Avenue and former Chair of the Preservation Trust came forward and was sworn. She explained she was very much in favor of not demolishing the house, and hoped they could all find a way to save one more property.
- Ms. Evelyn Blakely came forward and swore to tell the truth; and said she lived next door to Ms. Daves who spoke earlier. She said she was a renter, but she was one of the good renters. Her concerns were with problems at the vacant house, including walking traffic, cats living under the house, and wild animals. She felt the property should be enclosed or fenced. Mr. Livingston explained the City only had a couple of choices.
- Mr. Lionel Boyce came forward and was sworn; said he owned the property beside 620 S Irwin Avenue; and he lived there for about twenty years. The proposed house was occupied for about ten of those years; and other than that the property had just sat there. He felt the property was an eye-sore for the community and thought it would only get worse. He was in support of demolishing the house.

Mrs. Love asked anyone else who wished to speak to come forward. No one else came forward. Mrs. Love closed the public hearing.

Board Deliberation:

- Mr. Ringo said he lived in the neighborhood and would like to see all homes restored. He did not feel it was fair for the neighbors who had to live near a house in as bad of shape as this one right next door. He wondered if they might could put some type of time limit on the house in order to find a buyer; and perhaps print out a fact sheet on it so people could understand exactly what all needed to be done; and maybe they could have a fund raiser or something in order for the City to recoup their money. He would recommend perhaps a year to give someone a chance to purchase it and if in that amount of time no one came forward; then maybe go ahead with the demolition.
- Mr. Jolly said if Mr. Spiess could get the roof covered on the house as he mentioned earlier, that would be a great start; but taking into consideration everything that had been said; that his personal opinion was the house should be demolished.

Mr. Jolly made a motion to have the house demolished; and he was seconded by Mr. Turner.

Discussion of Motion:

- Mr. Steinecke explained he felt this was a very unique property that had a lot of merit. He felt it might be best to do a partial demolition to the rear of the property as had been discussed earlier.

Mr. Steinecke made an amended motion to only demolish the rear portions of the house as was noted on the schematic drawing A1 of the Campbell Meek and Associates drawing.

Discussion of New Motion:

- Mr. Trail said he had heard that a good many developers had looked at this property before, and they had all backed off.

Ms. Schoepf said she would like to make an amendment to the motion to demolish the newer sections of the house that was in the most severe damage and put some sort of a time line on the rest of the house for a developer to take over the house; and if it was not met to then demolish the house.

Mr. Jolly asked Mr. Story if the City had the money to demolish part of the house. Mr. Story said they would be using CDBG money which would further restrict the re-use options of the remaining house.

- Mr. Ringo asked if you demolished the back portion of the house would that change the terms of the restrictions.

- Mr. Livingston said it would not. Mr. Livingston explained that the Fed's say if you demolish it would be up to the City to decide whether or not they put restrictions on it. If it was rehabbed there would be the restrictions from the grant on the property.
- Mr. Turner felt the best thing to do from a financial standpoint was for the property to be demolished.

Mrs. Love said at the moment there was a motion on the floor with no amendment. She asked was there a second for the amendment which would be to demolish a portion of the house with a timeline regarding six months before it would come back before this Board. That was not accepted.

Mrs. Love said now they must vote on the original motion and second to demolish the house. That motion failed by a vote of 2 to 6.

Mr. Steinecke made a new motion that the newer portions of the home identified by the Campbell, Meek, and Associates, Inc. drawing labeled as A1 be demolished and secured; and that a timeline of one year be given for a buyer to be found for the property, after which time if one was not found, the request could come back before the HARB Board for demolition of the rest of the structure; and he was seconded by Mr. Ringo. The motion was approved by a vote of 8 to 0.

*Update on Approved Certificate of Appropriateness for Minor Works since the August 11, 2016 Meeting – Natalia Rosario.*

Ms. Rosario went over the Certificates of Appropriateness for Minor Works that had been approved by Staff since the August 11, 2016 Meeting.

STAFF ANNOUNCEMENTS:

Mrs. Love explained there was still one Board Member vacancy on the Board.

Mrs. Roland explained regarding the Continued Education Trainings and New Board Member Training.

There being no other business, the meeting adjourned at 6:40 P.M.

  
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Sarah Love, Chair

Minutes by Julie Roland, Administrative Assistant