HEARING OFFICER –Kelly Conference Room #155
February 22, 2017 @ 2:00 p.m. – Record of Meeting

The Hearing Officer meeting was held on Wednesday, February 22, 2017 in the Kelly Conference Room #155. Hearing Officer present: Scott Robinson.

REPORTS RESOLUTIONS AND COMMUNICATIONS: None at this time.

PETITIONS:

- V-03-17 **Joseph Anderson (Hoosier Heights)**
  1008 S. Rogers St.
  Request: Variance from maximum height standards in the Residential Core (RC) zoning district.
  Case Manager: Jackie Scanlan

Scanlan said Staff recommends approval of this petition based on the written findings including the two conditions outlined in the staff report.

Mark Cornett is representing the petitioner. Ernesto Castaneda is also present because he worked with me on the overall project. There are extenuating circumstances with existing grades that have led us to appear before the Hearing Officer. We became involved with this after the initial BZA process. The architect who did the original work was from Louisville, KY and due to distance and other reasons we have taken over the project. In doing so, during additional survey work we found existing grade conditions to be inconsistent with some of the approval process of the original petition. So we came back to the Planning Department and talked to them about working with the existing grades. Obviously, we cannot alter alley grades or the courtyard grades of the existing church because of historic reasons. We would like to get these clerical issues resolved.

Scott Robinson, Hearing Officer, asked Jackie if BZA supported the original recommendation.

Scanlan: Yes.

Robinson wanted to clarify that sometimes the height maximum is perceived to be an exact measurement but in reality that isn't always the case. I would like to have some flexibility. It's my understanding that the Historic Preservation Commission (HPC) looks at the relative with respect to historic structures. So I think for point of clarification the 42 feet or maybe "Shall not exceed the height of the church." I think that's what the basis of the discussion has been.

Cornett said we would be happy with that.

Robinson: We've had past cases where people have literally been arguing over several inches and I don't want it to come down to that. Again, I will clarify that on the conditions. I want to allow for some flexibility as long as it doesn't exceed the height of the church. The parking lot and landscaping will be dealt with as part of the permitting process when you move forward with the building permit.

Public Comments:

Paul Ash is proxy for the McDoel Gardens N.H. Association. My concern is more about drainage. When I look out my kitchen window that's what I'll be looking at—wham! This high wall. I explained to the neighbors that this just has to be because repurposing a church is difficult. We have the highest confidence in Marc Cornett. From what we know about Joe Anderson, it seems like he'll be a good neighbor. I would definitely give them some wiggle room. We're not going to be arguing about a few inches here or there.

Susan Debkowski lives on Allen Street. She simply came to the meeting to learn more about the project.

****Robinson approved V-03-17 based on the written findings, including the two conditions outlined in the staff report with the slight clarification of condition #2 to state, "The height maximum is 42 feet or the addition shall not exceed the height of the existing church. The addition must be consistent with COA-16-66 as outlined by the Historic Preservation Commission (HPC)."**

Meeting adjourned.