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## Despite opposition, Board of Adjustment rules for 'stealth dorm' project

By Elizabeth Pagano

Despite a huge outpouring of opposition from the community, and a vocally supportive **Board of Adjustment**, plans for alleged "stealth dorms" on **Harris Street** are moving forward.

In an attempt to put a halt to the proposed duplexes at 718, 720 and 722 Harris Street, neighbors brought their case to the Board of Adjustment Monday night. They asked the board to interpret staff's decision to issue the building permits.

Even though the board voted unanimously to uphold staff's interpretation of the code, they made it clear that this was not an endorsement of the project itself. But there was little room for the board to factor in their own emotions. In the end, it came down to whether the property could be divided into three lots. Given the fact that they had been three separate lots since 1923, the board had little choice but to rule in favor of city staff.

"As much as we don't like the idea of stealth dorms and the traffic they create and all that... this is not the issue. This issue is whether or not city staff is right in their interpretation of zoning code that these three lots are three separate opportunities for building buildings." said **Chair Jeff Jack**.

**Board Member Bryan King** agreed, saying that, in his view, if the three lots were being used to build cottages, the discussion wouldn't even be taking place. He noted that the objection was not really to the sites, but the use.

Though the appellant, **P. Michael Hebert** claimed a building permit was issued in error due to the fact the three sites were "being developed as a single site," it was clear that there was a bigger problem with the plan than just a platting error. City Hall was filled with people there to show their opposition of the project. The group has also started a petition and website against stealth dorms, called "Stop Stealth Dorms," which claims there are over 70 documented stealth dorms in the Northfield neighborhood alone.

Neighbors articulated their concerns about the project. They decried plans to use an alley for access to the structure, the large number of parking spaces slated for each house, and worried about the close proximity to **Lee Elementary School**.

Herbert told the board that he felt staff was misreading the code and "shirking their duty to protect the neighborhood and school children of Lee Elementary," saying the project was incompatible with the neighborhood as well as principles of good city planning.

In March, the **Hancock Neighborhood Association** voted unanimously to ask City Council to do something to stop the development.

“Permitting this multifamily project at this location destabilizes the neighborhood and threatens the safety of our children,” said Herbert.

One property owners, **Ross Cole**, explained that he had not met with the neighborhood about his plans, though he did receive a letter that “basically threatened” him and his partners as a first communication.

“We didn't feel like we were going to get a fair shake,” said Cole. “We've never closed the book on dialogue. I think there are so many assumptions put forth. It's like if you say it out loud, it becomes truth. It's not. There is no dialogue. It's just bullying and rallying.”

**Board Member Michael Von Ohlen** told those in attendance that, despite wrestling with his decision all weekend, it was a pretty black and white case.

“I understand residents' concerns. I understand the school's concerns. But, with all due respect, what these gentlemen are doing with their lot, and the way staff has interpreted the code is, from my standpoint... correct. I don't like it. I wouldn't like it if it was happening in my neighborhood,” said Von Ohlen. He went on to encourage the neighborhood to put aside their emotions and work with the developer.

**Board Member Fred McGhee** also encouraged the neighborhood.

“I think Mr. Herbert has already hinted at his website, and the efforts to try to talk to the City Council,” said McGhee. “In my judgment, staff's interpretation is the correct one. But I encourage you to take it further, and to exercise your democratic right as citizens of our fair city.”

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