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# Historic building constraints prompt church to sue city

## Far-Eastside church complains a designation it never sought now keeps it from serving its members

Sep 27, 2010 | 72 Comments



St. John Church of Christ at Washington Street and German Church Road may exemplify Tudor Gothic revival architecture, but it no longer meets the congregation's needs. / Rob Goebel / The Star



Written by **Bill McCleery**

Religious liberty is being pitted against historic preservation in a federal lawsuit filed this month against the city of Indianapolis.

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Leaders of St. John United Church of Christ on the Far Eastside claim city officials have meddled in the functions of the church by forcing a historic designation on the congregation's 96-year-old building and surrounding 5-acre property on the northeast corner of Washington Street and German Church Road.

That designation has effectively killed the church's plans to sell its property and left it with a building it can no longer afford to maintain, according to the lawsuit filed Sept. 10 in U.S. District

Court in Indianapolis.

### St. John United Church of Christ

» **1855:** Founded at current location; congregation consists mostly of German immigrants.

» **1866:** Congregation replaces original building with a new one.

Structures designated by the city as historic cannot be demolished or significantly altered without the permission of the Indianapolis Historic Preservation Commission.

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"They've really done a number on us by blocking everything," said church member Larry Miller, 73, New Palestine. "We're concerned with the deteriorating of the building. We can't afford to maintain it, and without the sale of the property, we can't afford to build a new building."

The Metropolitan Development Commission approved the historic designation on Feb. 3, after city officials learned late last year that church leaders were negotiating to sell the property to a developer.

Gershman-Brown Developers wanted the property for a planned CVS store, the lawsuit claims, and intended to demolish the existing structure. The church planned to move to another site a few miles away.

The deal was a win-win, said Tim Armstrong, president of the church congregation. The building, completed in 1914, needs nearly \$1 million in repairs and renovations, Armstrong said, and most congregation members think the church's money would be better spent on a new facility.

The church's annual revenue has been about \$150,000 in recent years, church officials said.

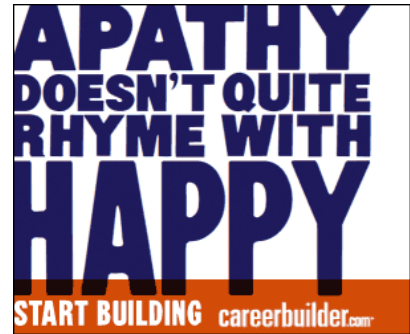
In its lawsuit, the church is asking that the city remove the historic designation and pay the church's legal fees. Representing the church, local attorney Thomas Landwerlen has enlisted the help of two Washington, D.C., lawyers, Roman Storz and Robert Greene, who specialize in cases involving religious freedom.

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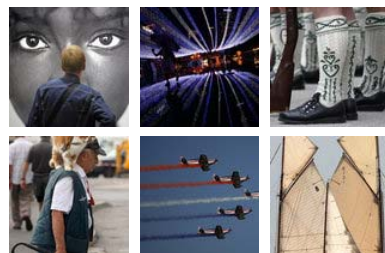
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