Chairman Bill Ashton called the meeting to order at 7:00 pm. Due to a misprint in the Agenda date, there would be no roll call, approval of agenda, or approval of minutes.

**ROLL CALL – No roll call as no official meeting**

Members Present: Chair Bill Ashton (Chair), Tom Casey, Larry Nelson, Vern Poppen, Claire Wilson, Budd Wormley

Others present: Mike Hoffman, Teska Associates, Inc.

Members Absent: John Shaw, Roger Bledsoe, 2 vacancies (Oswego Township & Big Grove Township)

In the Audience: Rhonda Miller, founder and CEO of Strong Tower of Refuge Ministries; Dan Koukol

**APPROVAL OF AGENDA**

No approval.

**APPROVAL OF MINUTES**

No approval.

**PETITIONS**

1. **15-11 Rhonda Miller/ Strong Tower of Refuge Ministries**

   **Request:** Special Use to allow a place of worship in a B3 Zoning District
   **Location:** 81 Boulder Hill Pass, Montgomery (Boulder Hill)
   **Purpose:** To allow the ministry to lease space in the existing shopping center.

   Mr. Hoffman stated that the Ministry was not a traditional type of church, with a focus more on outreach. Therefore, there would be more small activities all week long. He also stated that the current membership is small. There is more than enough parking in the shopping center for shared use. He concluded that staff has no objections with the proposed use.

   Ms. Miller stated that they are a non-denominational outreach ministry of approximately twenty-two people. She had worked with another ministry for thirty years in Aurora. As a resident of Montgomery, she wanted to do something in her own area. The outreach activities include: worship services on Sunday, bible study, training services, prayer seminars, and empowering mental and physical wholesome in family relationships. She has spoken to Frank Johnson, another pastor in the area, and they are working to coordinate services to avoid conflicts and enhance services.
Mr. Nelson asked if there would be daycare services. Ms. Miller stated in the negative.

Mr. Wormely asked about the square footage of the location. Mr. Hoffman stated it is forty-eight hundred square feet.

Ms. Wilson asked if it was vacant. Ms. Miller stated it was as they are in the clean-up phase.

Mr. Nelson asked if the special use allowed for other activities such as drug rehabilitation or daycare that may have negative impacts on the area. Mr. Hoffman reviewed the Zoning Ordinance and noted that a day care would require a separate special use, but that the code did not specifically address drug rehabilitation facilities. The Commission discussed possible restrictions for the use such as daycare, drug rehabilitation and similar activities. Mr. Nelson made a motion to add such restriction. Motion failed to gain a second.

The Commission asked for the definition of a place of worship. Mr. Hoffman read the definition as it appears in the County Zoning Code, Section 3.02:

A building, together with its accessory buildings and use, where persons regularly assemble for religious purposes and related social events and which building(s) and uses(s) are maintained and controlled by a religious body organized to sustain religious ceremonies and/or purposes.

Mr. Hoffman stated in staff’s interpretation that would not include a day care operation or a drug rehabilitation center.

Ms. Miller stated that in her previous experience she had dealt with drug rehabilitation. Her outreach was not going to specifically target drug rehabilitation; however, outreach does deal with the issues in an indirect manner as they are looking to help people. She also stated she was not going to do daycare.

Mr. Casey made a motion to accept the petitioner’s application. Mr. Poppen seconded it. Chairman Ashton made a roll call vote. Approved 6-0.

2. 15-12 Dan Koukol
Request: Major Amendment to Special Use
Location: 3485 Route 126 in Na-Au-Say Township, approximately ½ mile west of Schlapp Road
Purpose: To allow outdoor display (trailers) to be located within front yard setback. Current condition of special use is they must be setback 40’. Request is zero setback.

Mr. Hoffman stated that Mr. Koukol has had a special use permit to operate a business on the premise. At that time there was a forty feet setback for display on any equipment for sale. Petition was to reduce to zero. After reviewing the current code, agricultural zoning states a hundred feet setback from the right of way; however, it is not have a specific standard for sale of equipment. Business zoning has a ten foot setback. Staff recommends applying the same standard and requiring a ten foot setback for this Special Use. Na-Au-Say Township recommend against the proposed amendment. The Sheriff’s Office was concerned about reducing setback too far but gave no specific setback recommendation.
Mr. Nelson asked about setback for parking lots in agricultural district as it was a similar obstruction. Mr. Hoffman stated it is forty feet, but currently temporary setbacks have been reduced to ten feet from the right-of-way. Mr. Hoffman stated that there was a fence on the property line.

Mr. Koukol stated that actually the fence was inside the right-of-way by a few feet (approximately 4’). Mr. Nelson asked about the distance of the right of way of Route 126 from the centerline. Mr. Koukol stated it was fifty feet. He also stated that he actually owns to the centerline. The forty feet setback was due to a neighbor wanting to build a house across the street. Since then, the property has been sold.

Mr. Koukol stated that after discussion with staff he wanted to change the petition to a ten foot setback. He wanted to use that extra thirty feet to display equipment for sale, not for equipment that is being fixed. He stated that it would help his business with marketing.

Mr. Nelson stated that historically this special use was placed into effect due to not wanting to zone the entire area commercial. As such, it would be equitable to make the special use permit similar to current business zoning.

Mr. Nelson made a motion for a setback of ten feet from the right-of-way. Mr. Wormely seconded. Approved 6-0.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

15-08 Gary and Linda Heap – approved by the County Board on June 16, 2015
14-37 Home Occupations - Landscape Businesses- Denied by the County Board on June 16, 2015.

County Board had previously sent it back to Planning, Building, and Zoning Committee for revisions. PBZ sent it back to the County Board. It ended in a tie vote, effectively not passing.

CITIZENS TO BE HEARD/ PUBLIC COMMENT - None

NEW BUSINESS/ OLD BUSINESS

ADJOURNMENT
Ms. Wilson made the motion to adjourn. Mr. Casey seconded. Seeing no objections, meeting adjourned at 7:37 pm.

Respectfully submitted by,
Andrez P. Beltran
Economic Development and Special Projects Coordinator