

**PLANNING AND ZONING COMMITTEE
MEETING MINUTES
July 25, 2007**

The Planning and Zoning Committee of the DeKalb County Board met on July 25, 2007 at 7:00 p.m. in the Conference Room East located in the DeKalb County Administration Building. In attendance were Committee Members Roger Steimel, Marlene Allen, Anita Turner, Vince Faivre, Michael Haines and Pat Vary, and staff members Paul Miller and Rebecca Von Drasek.

Mr. Steimel, Planning and Zoning Committee Chairman, called the meeting to order, and noted that all members from the Committee were present except Mrs. Dubin and Ms. Turner.

APPROVAL OF MINUTES

Mr. Haines moved to approve the minutes of the June 27, 2007 meeting of the Planning and Zoning Committee, seconded by Ms. Vary, and the motion carried unanimously.

APPROVAL OF AGENDA

Ms. Allen moved to approve the agenda, seconded by Mr. Faivre, and the motion carried unanimously.

SPECIAL USE PERMIT EXTENSION

Mr. Miller provided a brief history of the Special Use Permit approved for the Christ Community Church property to date. The County Board passed Ordinance 2005-19 on September 21, 2005, which granted a Special Use Permit to Christ Community Church on property located on the west side of North First Street in Mayfield Township. Section 9.02.B.8. of the County Zoning Ordinance requires that substantial construction shall commence within one year of the effective date of the permit, after which time the Permit shall terminate. However, the regulation allows that the time period may be extended through appeal to and approval by the Committee. The Planning and Zoning Committee granted an extension of the original one-year period to begin substantial construction at its meeting on August 23, 2006. The deadline for commencement of construction of the Church is now September 21, 2007. The Church has requested another extension of the deadline to commence construction. The Committee was asked to consider the Special Use extension and decide on a specific date by which substantial construction of the church shall commence.

Larry Breeden, Pastor for the Church, made a brief presentation requesting the extension of the Special Use Permit. He emphasized the substantial investment the Church has already made in the property and reminded the Committee of the Letter of Credit for \$540,000 which the Church has provided to the County for its Site Development Permit. Mr. Breeden also introduced Rick Hoffman, who has been retained by the Church for the

purpose of selling off the additional acreage. The sale of this property is needed to finance the construction of the Church. Mr. Hoffman indicated that the balance of the property would be marketed to investors looking to hold the site for future development.

Ms. Vary inquired if construction was dependent upon the sale of the remaining 67 acres? Mr. Breeden reiterated the Church's current financial commitments to the County and explained the Church's preference to not expend funds beyond a 20% of their worth. Ms. Vary also noted the difference in the letter's extension request from December, 2009 and the Church's revised request of a one year extension to September, 2008. Mr. Breeden indicated that Mr. Miller had discouraged any request beyond a year. Mr. Breeden then said that it would be appreciated if the crop cycle could be considered in the extension, as the 26 acres have row crops and could again next year.

Mr. Haines pointed out that the special use extension was not intended to allow an applicant to maximize on their finances. He noted, on the other hand, that the Committee may want to make an exception for a not-for-profit organization such as a church.

At this time, Ms. Anita Turner joined the meeting.

Mr. Faivre indicated that the applicant had been given the opportunity to begin construction and should understand that this was a special request for the second extension. He also felt that the risk of the crop loss was not uncommon to tenant farmers who are accustomed to development projects beginning prior to harvest. Mr. Miller added that the timing of any date by which substantial construction must commence would affect the viability of any crops on the 26 acres. If the deadline is September 21, 2008, the crops would not likely to have been harvested, necessitating the Church to request yet another extension.

There followed a discussion about the options for row crop use of the 26 acres in light of the need to commence substantial construction before the ground freezes but after crops have been removed.

Mr. Faivre made a motion to approve the Special Use through September 21, 2008. The motion was seconded by Mr. Haines.

Mr. Steimel asked if the deadline could be extended to October 15, 2008 to allow the applicant additional time to harvest any crop on the property. He noted that soy bean would be able to be harvested by the end of September.

Ms. Vary made a motion to amend the deadline by which construction must commence to October 15, 2008, seconded by Ms. Allen. Four voted "yes" for the amendment, and two, Mr. Faivre and Mr. Haines, voted "no." The motion to amend the original motion passed.

The amended motion, extending the deadline by which substantial construction must have commenced on the Christ Community Church to October 15, 2008, carried unanimously.

ADDITIONAL ITEMS –Mr. Miller provided the Committee with a copy of the information he had received from Mr. Hey at Waste Management regarding operations at the landfill last year. Mr. Haines ask if the Tipping Fees were different for trucks coming from other counties outside of DeKalb. Mr. Steimel indicated they were not.

ADJOURNMENT -- *Ms. Vary moved to adjourn, seconded by Ms. Turner, and the motion carried unanimously.*

Respectfully submitted,

Roger Steimel
Planning and Zoning Committee Chairman

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