

From: Michael Milillo [mailto:Michael.Milillo@[REDACTED]]
Sent: Thursday, January 14, 2010 08:48
To: 'Joe Sutherland'
Cc: Steve Wallace
Subject: RE: Church

Joe,

My responses are shown in **bold** following each of you questions. If you desire a more detailed and formal response please send a letter requesting a formal Zoning Interpretation along with the associated \$305.00 fee.

Thank you,

Mike Milillo
Zoning Administrator
Town of Gilbert
michael.milillo@[REDACTED]

Note: Kindly update my email address in your contacts to the above email address.

From: Joe Sutherland [mailto:[REDACTED]]
Sent: Tuesday, January 12, 2010 5:01 PM
To: Michael Milillo
Subject: RE: Church

Mr. Milillo,

Thank you for your quick response.

My address is [REDACTED]. According to Mr. Wallace's notice requiring me to end the church meetings in my home, my home is in a district zoned SF-7.

I am still in need of clarification regarding the questions that I asked you in my last letter. Specifically, I need to know, both on behalf of my church and of other churches that have expressed interest in this situation:

1. Is it your final decision that the zoning code's definition of "religious assembly" includes small church fellowships—consisting generally of only seven adults—within my home? **Yes.**

This is Small Scale Religious Assembly, which is not permitted in single-family residential structures.

2. Does the zoning code distinguish between church meetings and Bible studies, or are all church-sponsored activities banned from meeting in my home? **No. All church-sponsored events are part of religious assembly.**
3. If there is a distinction between church meetings and other types of church-sponsored activities, like Bible studies, what is the basis for that distinction? **N/A**
4. How does the “Qualifying Event” definition apply? Does it modify the definition of “religious assembly,” or is a separate definition? **It’s a separate definition and applies to more than just religious organizations.**

I asked these questions in more detail in my last message to you, but I have compressed them here out of respect for your time. The results of your decision will have a significant impact on how my church and other churches operate. I’ve already had to end the church meetings at my home and, based on the interpretation I’ve received thus far from the city, I’m concerned that the Bible studies I hold there are also banned by the zoning code. Thus, it is important that I get your official decision on this matter. If you would like for me to submit this request in a more formal manner, please just let me know, and I will do so. Otherwise, I will assume your response is your final decision.

I appreciate your help. Please let me know if I can provide any further information to help you with your response.

Thanks!

Joe Sutherland

Oasis of Truth Church

From: Michael Milillo [mailto:Michael.Milillo@[REDACTED]]
Sent: Monday, January 11, 2010 10:30

To: [REDACTED]
Cc: Steve Wallace
Subject: Church

Mr. Sutherland:

The information Steve Wallace has passed on to you (below) is correct. Please provide me with your location within the town, and I can explain whether your church is a permitted use or not.

Religious Assembly. Facilities for worship and other religious ceremonies with incidental religious education, religious bookstores, rectories and parsonages, offices, social services, day care, and community programs.

Large-Scale. Facilities on 10 acres or more.

Small-Scale. Facilities on less than 10 acres.

A “qualifying event” is any assembly, gathering, activity, or meeting sponsored, arranged, or promoted by a religious, charitable, community service, educational, or other similar non-profit organization.

Thank you,

Mike Milillo
Zoning Administrator
Town of Gilbert
michael.milillo@[REDACTED]

Note: Kindly update my email address in your contacts to the above email address.

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