

# EAST DUNDEE

## PLANNING AND ZONING & HISTORIC COMMISSION AGENDA

Thursday, April 7, 2022

6:00 PM

East Dundee Police Station, 2<sup>nd</sup> Floor Meeting Room  
115 E. 3<sup>rd</sup> Street, East Dundee, IL 60118

CALL TO ORDER

SWEAR IN NEWLY APPOINTED COMMISSIONERS

ROLL CALL / DECLARATION OF QUORUM

APPROVAL OF MINUTES

1. [Planning and Zoning & Historic Commission Meeting Minutes dated December 02, 2021](#)

PUBLIC COMMENT

HISTORIC COMMISSION

NEW BUSINESS

1. [PUBLIC HEARING - to consider a request for a TEXT AMENDMENT to Chapter 157. Section 157.050\(F\)\(1\)\(m\)\(3\) to add "Firearm coating, refinishing, adding accessories and general modifications; accessory to gun shop" as a special use in the B-3 Business District](#)
  - a. Discussion and motion to approve/deny a request for a TEXT AMENDMENT to Chapter 157. Section 157.050(F)(1)(m)(3) to add "Firearm coating, refinishing, adding accessories and general modifications; accessory to gun shop" as a special use in the B-3 Business District.

**2. PUBLIC HEARING - to consider a request for a Special Use Chapter 157. Section 157.050(F)(1)(m)(3) Firearm coating, refinishing, adding accessories and general modifications; accessory to gun shop**

- a. Discussion and motion to approve/deny a Special Use Chapter 157. Section 157.050(F)(1)(m)(3) Firearm coating, refinishing, adding accessories and general modifications; accessory to gun shop
- b. Discussion and motion to approve a Findings of Fact to approve/deny a Special Use Chapter 157. Section 157.050(F)(1)(m)(3) Firearm coating, refinishing, adding accessories and general modifications; accessory to gun shop

**OTHER BUSINESS**

**ADJOURNMENT**

Village of East Dundee  
Kane County, IL  
Planning and Zoning & Historic Commission Meeting  
December 2, 2021

*Commissioner Scarpelli called the Special Historic Commission meeting to order at 7:00 p.m.  
Roll: 5 Present (Holliman, Meyer, Scarpelli, Schock and Apke). 3 Absent (Bernstein, Muscat and Steneck). Also present were Village Building Official Chris Ranieri and Village Clerk Katherine Diehl.*

**APPOINT AN ACTING CHAIRMAN:**

*Motion to appoint Commissioner Scarpelli as Acting Chairman by Schock/Holliman.  
5 Ayes (Holliman, Meyer, Scarpelli, Schock and Apke). 0 Nays. 3 Absent (Bernstein, Muscat and Steneck).  
Motion Carries.*

**APPROVAL OF MINUTES:**

**1. Special Historic Commission Meeting Minutes dated November 10, 2021**

*Motion to approve the November 10, 2021 meeting minutes by Holliman/Schock.  
5 Ayes (Holliman, Meyer, Scarpelli, Schock and Apke). 0 Nays. 3 Absent (Bernstein, Muscat and Steneck).  
Motion Carries*

**PUBLIC COMMENT: None**

**HISTORIC COMMISSION:**

**1. Certificate of Appropriateness for Signage: Alterations by Silvia – 10 E Main St., Unit 105**

- a. Discussion and Motion to Recommend Approval/Denial of a Certificate of Appropriateness for Signage: Alterations by Silvia – 10 E Main St., Unit 105

Ranieri stated that the applicant is requesting to add two signs. He explained that village code allows for only one sign. The applicant is asking for approval of both signs and will go before the Village Board to request a variance for the second sign. The hardship is due to the line of sight of the first sign due to it being set back.

*Motion to Approve the Certificate of Appropriateness for both sign requests along with the condition to remove the window banners by Apke/Schock.  
5 Ayes (Holliman, Meyer, Scarpelli, Schock and Apke). 0 Nays. 3 Absent (Bernstein, Muscat and Steneck).  
Motion Carries*

**NEW BUSINESS: None**

**OTHER BUSINESS:**

*Motion to adjourn the Historic Commission Meeting at 7:08 p.m. by Holliman/Apke.  
Motion carries by unanimous vote, meeting adjourns.*

## Memorandum



**To:** Planning and Zoning Commission  
**From:** Chris Ranieri, Building Inspector  
**CC:** Erika Storlie, Village Administrator  
**Subject:** Text Amendment to the Village Code – Chapter 157. Section 157.050(F)(1)(m)(3) and Amendment to Special Use for GAT Guns  
**Date:** April 7, 2022

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### **Action Requested:**

Staff requests the Planning & Zoning Commission Discuss and Motion to Recommend Approval or Denial of a Text Amendment to the Village Code, Chapter 157. Section 157.050(F)(1)(m)(3) adding *firearm coating, refinishing, adding accessories and general modifications*; as an accessory to Gun Shop Special Use.

Staff also requests the Planning & Zoning Commission Discuss and Motion to Recommend Approval or Denial of an amendment to the special use as requested by the applicant - Gat Guns (970 Dundee Ave, East Dundee, IL 60118).

### **Summary:**

The Bureau of Alcohol, Tobacco, Firearms and Explosives considers firearm coating, refinishing, adding accessories and general modifications as manufacturing. GAT Guns is in the B-3 zoning district, B-3 does not allow manufacturing.

1. The property is in the B-3 General Service Business District. The property has a special use permit granted in Ordinance No. 12-36, allowing (a) sales of sporting goods, firearms, ammunition, (b) an indoor pistol and archery range, (c) a firearms, weapons, and martial arts training facility, and (d) expansion of an indoor shooting and archery range.
2. The Zoning Ordinance does not allow manufacturing uses in the B-3 District. The most similar types of uses to a firearms coating use mentioned in the B-3 District, in Section 157.050(F), are “general minor repair or fix it shop,” as a permitted use, and “equipment and appliance repair shop,” as a permitted use.”
3. In order to allow firearm coating, refinishing, adding accessories and general modifications at their business, the Village need to add a text amendment and a special use as follows:

The Village has received a request from GAT Guns to amend their Special Use Permit (Ordinance No.12-36) to allow Firearm coating, refinishing, adding accessories and general modifications, accessory to gun shop.

If a motion to recommend approval is approved by the commission, the Village Code will be updated as follows (in yellow):

*Chapter 157. Section 157.050(F)(1)(m)(3)*

<b>Allowable uses of land and</b> <b>P: Permitted by-right</b> <b>S: Permitted by special use</b>	<b>Downtown Business District (B-1)</b>	<b>Community Business District (B-2)</b>	<b>Service Business District (B-3)</b>	<b>Automotive Service Business District (B-4)</b>	<b>Office District (O-D)</b>
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<b>(m) Accessory uses.</b>					
<i>1. Accessory to agricultural uses.</i>					
<i>2. Accessory to residential uses.</i>					
Accessory uses provided in accordance with the provisions of § <a href="#">157.085</a>	P	P	P		P
<i>3. Accessory to commercial uses.</i>					
Firearm coating, refinishing, adding accessories and general modifications; accessory to gun shop.			S		

- a. For a text amendment to add “Firearm coating, refinishing, adding accessories and general modifications; accessory to gun shop” as a special use in the B-3 District, in Section 157.050(F)(1)(m)(3).
- b. For an amendment to their special use to add an accessory firearm coating use to their existing gun shop special use.

The Commission may require such conditions and restrictions upon the premises benefitted by a variation as may be necessary to comply with the standards set forth in the Village Code or reduce or minimize the injurious effect of the variation upon other property in the

neighborhood. Staff is recommending that one conditions be placed upon the granting of the variation:

Condition 1: The sales of firearms modified by coating, refinishing, adding accessories and general modifications shall not exceed 25% of the total sales of the establishment.

Condition 2: The applicant shall not source parts and assemble firearms from scratch.

**Legislative History:**

In 2012 the Village Board approved a special use permit for Gat Guns to operate at their current facility located at 970 Dundee Ave, East Dundee, IL 60118.

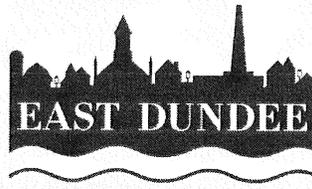
**Attachments:**

Special Use Application

Public Notice

Findings of Fact

VILLAGE OF EAST DUNDEE



APPLICATION FOR DEVELOPMENT APPROVAL:  
SPECIAL USE, REZONING AND VARIANCE REVIEW AND APPROVAL

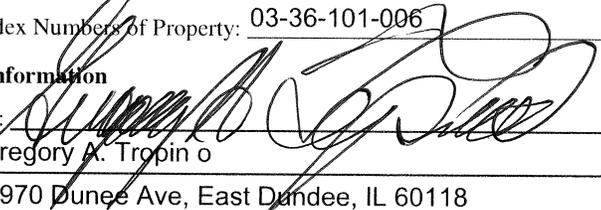
This form is to be used for all special use applications (except Planned Developments) to be heard by the Village of East Dundee. To complete the form properly, please review the accompanying *Village of East Dundee Instruction Manual for Application for Development Review*. **Failure to complete this form properly will delay its consideration.**

PART I. GENERAL INFORMATION

A. Project Information

- 1. Project/Owner Name: GAT Guns, Inc
- 2. Project Location: 970 Dundee Ave, East Dundee, IL 60118
- 3. Brief Project Description:  
GAT Guns is being processed for an 07 license with the ATF. This license will allow us to comply with the strict definition of manufacturing put forth by the ATF.  
GAT will be able to alter firearms prior to their sale which will enhance the value of a firearm. These alterations are things like color change, optic mounting or adding upgraded accessories. These add value and are simple modifications but are "manufacturing" by their definition.
- 4. Project Property Legal Description:  
SEE Attached
- 5. Project Property Size in Acres and Square Feet: approx 5 acres
- 6. Current Zoning Status: B3
- 7. Current Use Status: Retail
- 8. Surrounding Land Use Zoning: Residential and B-3
- 9. Zoning District Being Requested (if applicable): N/A
- 10. Parcel Index Numbers of Property: 03-36-101-006

B. Owner Information

- 1. Signature: 
- 2. Name: Gregory A. Tropino
- 3. Address: 970 Dundee Ave, East Dundee, IL 60118
- 4. Phone Number: 847-428-4867 Fax: \_\_\_\_\_ Email: admin@gatguns.com

C. Billing Information (Name and address all bills should be sent to)

- 1. Name/Company: same
- 2. Address: \_\_\_\_\_
- 3. Phone Number: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_

**PART III. JUSTIFICATION OF THE PROPOSED SPECIAL USE**

Please answer all questions but be concise and brief in your answers. If additional pages are needed to complete your answers, please be sure to include the appropriate and complete question number for each response. Applicants are encouraged to refer to drawings or other application materials as necessary to add clarity to their answers. **Applicants are also encouraged to refer to Special Use Criteria Section 157.224(C)(2) or Variances, Section 157.207(C) or Rezoning.**

**IF YOU ARE APPLYING FOR A REZONING PLEASE WRITE A PARAGRAPH ON WHAT THE CURRENT ZONING IS AND WHY YOU ARE REQUESTING A REZONING**

**FOR A SPECIAL USE COMPLETE THE FOLLOWING, FOR VARIANCES ONLY SKIP TO PAGE #4:**

1. Will the Special Use be injurious to the enjoyment of other property in the immediate vicinity for the purposes already permitted, nor will the special use substantially diminish and impair property values within the neighborhood?

Nothing will change in how we conduct business.

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2. Will the establishment of the Special Use impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district?

Nothing will change in how we conduct business.

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3. Have or will adequate utilities, access roads, drainage or necessary facilities be provided for?

Nothing will change in how we conduct business.

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4. Have or will adequate measures be taken to provide ingress and egress to minimize traffic congestion in the public streets?

Nothing will change in how we conduct business.

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5. How is the proposed special use in harmony with the purposes, goals, objectives, policies and standards of the Village of East Dundee Comprehensive Plan, the Zoning Ordinance, and any other plan, program, or ordinance adopted, or under consideration pursuant to official notice, by the Village?

Nothing will change in how we conduct business.

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**IF YOU ARE APPLYING FOR A VARIANCE COMPLETE THE FOLLOWING:**

1. From which specific standard of the Village Code is a Variance requested (include Code section number)?

Nothing will change in how we conduct business.

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2. For this site, what does the Code require?

Nothing will change in how we conduct business.

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3. What is proposed?

Nothing will change in how we conduct business.

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4. What unique circumstances have caused the need for a variance?

Nothing will change in how we conduct business.

Current interpretation of business practices according to BATF.

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5. What specific mitigation measures will be used to ensure that the essential character of the area will not be altered? (Suitability of Present Area)

Nothing will change in how we conduct business.

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6. Specifically, how do the particular physical surroundings, shape, or topographical condition of the property result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations are carried out?

NA

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7. Specifically, what conditions are present on the property that would not be applicable generally to other property within the same zoning classification? (Suitability of Zoning)

NA

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8. Other than financial return, what other purposes is the variance request based on?

Current interpretation of business practices according to BATF.

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9. Has the alleged difficulty been created by any person presently having an interest in the property?

NA

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10. Please give an explanation for any questions answered YES .

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|--|-----|----|
| a. Will the granting of the variation be detrimental to the public welfare? (Circle) | YES | NO |
| b. Injurious to surround properties? (Circle)  | YES | NO |
| c. Impair an adequate supply of light and air to adjacent property? (Circle)         | YES | NO |
| d. Endanger public health and safety? (Circle)                                       | YES | NO |
| e. Substantially diminish property values within the neighborhood? (Circle)          | YES | NO |
| f. Conformance to the Land Use Plan? (Circle)  | YES | NO |

Nothing will change in how we conduct business.

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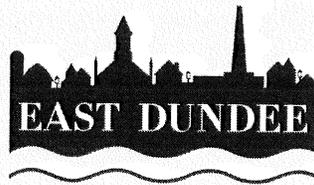
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VILLAGE OF EAST DUNDEE



**PLANNING AND ZONING & HISTORIC COMMISSION MEETING SCHEDULE**  
**MEETING TIME 7:00PM**  
**\*THURSDAY EVENING UNLESS DENOTED**

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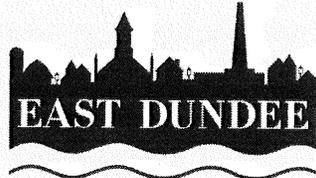
Planning & Zoning petitions must be received 35 days prior to meeting date for petitions requiring Public hearings. 15 days prior when no Public hearing is required.

**Historic Commission Meetings (as needed)**

Applications submittals must be received & approved by the Building official for presentation to the Commission minimum of 15 days prior to meeting date.

Per ordinance, the Historic Commission must meet within 15 days of application submittal acceptance date and be dully considered by the Commission or a Certificate of Appropriateness would be deemed issued for failure to meet in the designated time.

VILLAGE OF EAST DUNDEE



APPLICATION AGREEMENT  
TO PAY COSTS INCURRED AND HOLD THE VILLAGE HARMLESS

The Undersigned applicant acknowledges that the Village of East Dundee may seek advice and counsel from professional sources outside the employee staff of the Village of East Dundee in consideration of the application submitted to the Village of East Dundee by the applicant, including the services as those provided by the Village Staff, Village Attorney, Village Engineer, Planner and Fire Protection District.

The applicant further acknowledges that testimony of all witness at Public Hearings may be recorded before a court reporter and that full transcripts of the proceedings may be prepared and retained by the Village of East Dundee as part of the official record concerning the said applicant and the applicant's costs.

As an express condition in making the said application and the consideration thereof by the Village of East Dundee, the undersigned, both personally and on behalf of the applicant, agrees to hold the Village harmless and agrees to pay forthwith the costs and expenses that may be incurred by the Village of East Dundee for such professional services, including the costs and expenses of recording and transcribing any testimony at Public Hearings in connection with the said application.

The owner hereby authorizes, support and consents to this request for variation, and further authorizes, agrees and consents to allow the temporary installation and display by the Village of East Dundee of Public Notice (signage) upon the subject property.

The applicant, having read this application and fully understanding the purpose thereof, declares that the proceeding statement made are true and that the information provided herein is complete to the best of the applicant's knowledge and belief.

*[Handwritten Signature]*

Individually and for the Applicant

Date

970 Dundee Ave, East Dundee, IL 60118

847-428-4867

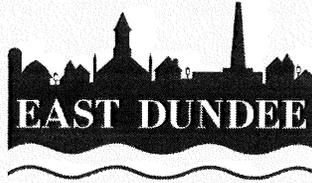
Address

Phone Number

Project Description:

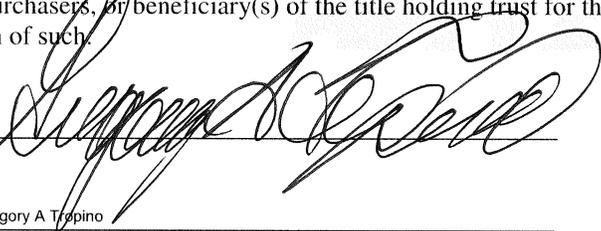
*GAT Gun Special Use  
Firearm, Coating, refinishing, add accessories  
and general modifications.  
Amending the existing Special Use Ord. 12-36*

VILLAGE OF EAST DUNDEE



**Affidavit of Ownership & Control**

I (We), Gregory A Tropino do hereby certify or affirm that I am the owner(s), contract purchaser, or beneficiary(s) of the title holding trust for the aforesaid described property and hereby make application of such.

Signature: 

Owner: Gregory A Tropino

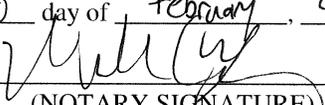
Address: 970 Dundee Ave

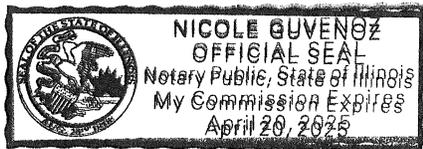
East Dundee, IL 60118

Phone: 847-428-4867

SUBSCRIBED AND SWORN TO before me this

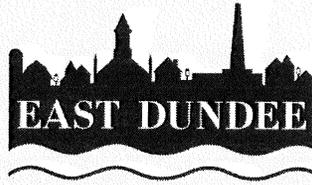
10 day of February, 2012.

  
(NOTARY SIGNATURE)



(NOTARY STAMP)

VILLAGE OF EAST DUNDEE



**Affidavit & Disclosure Agreement**

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To cover the Village expenses relating to applications for site plans, Subdivisions, Annexations, Zoning Amendments, Special Uses, Variations and the like:

Applications shall deposit the sum required based on the type and extent of the applicants project. Any bills received by the village and any costs incurred by the Village related to the project will be billed to the applicant. Upon payment of all bills to the Village the applicant will receive their deposit back.

Signature: \_\_\_\_\_

A handwritten signature in black ink, appearing to read "Gregory A. Tropino", is written over a horizontal line. The signature is fluid and cursive.

Print Name: \_\_\_\_\_

**Gregory A Tropino**

Project Address: \_\_\_\_\_

970 Dundee Ave, East Dundee, IL 60118

## LEGAL DESCRIPTION GAT GUNS

Parcel One: Lots A, 5, 6, 9, 10, 13 and 14 of Fox River Bluffs Unit No.3 in the Township of Dundee, Kane County, Illinois; and

Parcel Two: The south half of that part of Sections 25, 26, 35 and 36, Township 42 north, Range 8, east of the Third Principal Meridian, described as follows: commencing at the common corners of the above sections; thence north along the west lot of Section 25, 9.7 feet; thence northwesterly 124.15 feet on a line making an angle of 80 degrees, 51 minutes, 0 seconds, to the northwest with the west line of said Section 25, to the center line of the Elgin-Dundee Road for a point of beginning; thence southeasterly along said last course 380 feet on a line making an angle of 89 degrees, 58 minutes, 0 seconds to the southeast with the center line of Elgin-Dundee Road; thence southwesterly parallel with the center line of said road 343.9 feet; thence northwesterly 380 feet on a line making an angle of 89 degrees; 58 minutes, 0 seconds to the northwest with said last described line to the center line of the Elgin-Dundee Road; thence northeasterly on the center of said road 343.9 feet to the point of beginning, in Kane County; and

Parcel Three: A part of the northwest quarter of Section 36, Township 42 north, Range 8 east of the Third Principal Meridian, described as follows: commencing at the northeast corner of Lot 14 of Fox River Bluffs Unit Number 3, as laid out and plotted of record, for a point of beginning; thence westerly along the northerly line of said Fox River Bluffs Unit Number 3, 369.75 feet; thence northerly at right angles with said last mentioned course and along the easterly line of land now owned by Walter Eseling, a distance of 171.95 feet; thence easterly and parallel with the northerly line of said Fox River Bluffs Unit Number 3, a distance of 369.75 feet; thence southerly in a straight line to the point of beginning, in Kane County, Illinois.

State of Illinois )  
County of Kane & Cook ) SS  
Village of East Dundee )

### NOTICE OF PUBLIC HEARING

Notice is hereby given that the Plan Commission of the Village of East Dundee will hold a public hearing on April 7, 2022, at 6:00 P.M. at the Police Station 2nd Floor Meeting Room 115, E. 3rd Street, East Dundee, Illinois 60118.

A request for a TEXT AMENDMENT; to Chapter 157. Section 157.050(F)(1)(m)(3)  
a. add “Firearm coating, refinishing, adding accessories and general modifications; accessory to gun shop” as a special use in the B-3 Business District.

All interested persons will be given an opportunity to be heard. Any questions regarding this application or the public hearing process may be directed to Erika Storlie Village Administrator, 120 Barrington Avenue, East Dundee, Illinois 60118, Erika Storlie [estorlie@eastdundee.net](mailto:estorlie@eastdundee.net) , (847) 426-2822.

State of Illinois )  
County of Kane & Cook ) SS  
Village of East Dundee )

## NOTICE OF PUBLIC HEARING

Notice is hereby given that the Plan Commission of the Village of East Dundee will hold a public hearing on April 7, 2022, at 6:00 P.M. at the Police Station 2nd Floor Meeting Room 115, E. 3rd Street, East Dundee, Illinois 60118.

A request for a Special Use for the operation of Chapter 157. Section 157.050(F)(1)(m)(3)

- a. "Firearm coating, refinishing, adding accessories and general modifications; accessory to gun shop" in a B-3 Business District.

### Property Legal Description:

Parcel One: Lots A, 5, 6, 9, 10, 13 and 14 of Fox River Bluffs Unit No.3 in the Township of Dundee, Kane County, Illinois; and

Parcel Two: The south half of that part of Sections 25, 26, 35 and 36, Township 42 north, Range 8, east of the Third Principal Meridian, described as follows: commencing at the common corners of the above sections; thence north along the west lot of Section 25, 9.7 feet; thence northwesterly 124.15 feet on a line making an angle of 80 degrees, 51 minutes, 0 seconds, to the northwest with the west line of said Section 25, to the center line of the Elgin-Dundee Road for a point of beginning; thence southeasterly along said last course 380 feet on a line making an angle of 89 degrees, 58 minutes, 0 seconds to the southeast with the center line of Elgin-Dundee Road; thence southwesterly parallel with the center line of said road 343.9 feet; thence northwesterly 380 feet on a line making an angle of 89 degrees; 58 minutes, 0 seconds to the northwest with said last described line to the center line of the Elgin-Dundee Road; thence northeasterly on the center of said road 343.9 feet to the point of beginning, in Kane County; and

Parcel Three: A part of the northwest quarter of Section 36, Township 42 north, Range 8 east of the Third Principal Meridian, described as follows: commencing at the northeast corner of Lot 14 of Fox River Bluffs Unit Number 3, as laid out and plotted of record, for a point of beginning; thence westerly along the northerly line of said Fox River Bluffs Unit Number 3, 369.75 feet; thence northerly at right angles with said last mentioned course and along the easterly line of land now owned by Walter Eseling, a distance of 171.95 feet; thence easterly and parallel with the northerly line of said Fox River Bluffs Unit Number 3, a distance of 369.75 feet; thence southerly in a straight line to the point of beginning, in Kane County, Illinois.

**PIN:** 03-36-101-006

**Common Address:** GAT Guns, 970 Dundee Ave, East Dundee, IL 60118

All interested persons will be given an opportunity to be heard. Any questions regarding this application or the public hearing process may be directed to Erika Storlie Village Administrator, 120 Barrington Avenue, East Dundee, Illinois 60118, Erika Storlie [estorlie@eastdundee.net](mailto:estorlie@eastdundee.net) , (847) 426-2822.

**VILLAGE OF EAST DUNDEE, ILLINOIS**  
**Findings of Fact – Special Use**

Property Location:

GAT Guns  
970 DUNDEE AVE  
EAST DUNDEE, IL, 60118  
PIN 03-36-101-006

Special Use requested: A Special Use for Firearm coating, refinishing, adding accessories and general modifications; accessory to gun shop, with PIN 03-36-101-006 in the B-3 Business District with the recommended conditions.

Condition 1: The sales of firearms modified by coating, refinishing, adding accessories and general modifications shall not exceed 25% of the total sales of the establishment.  
Condition 2: The applicant shall not source parts and assemble firearms from scratch.

Hearing date: April 7, 2022

The Planning and Zoning Commission has made the following findings regarding the special use request:

- 1. The use is not injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood; Circle one; Yes/No/Not Applicable (N.A.), Explain:**

*The Special Use will not be injurious. The proposed use is consistent with the existing use.*

- 2. The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district; Yes/No/N.A.**

*The Special Use will not impede the orderly development of surrounding properties. The proposed site is not being altered.*

- 3. Adequate utilities, access roads, drainage or necessary facilities have been or will be provided; Yes/No/N.A.**

*N.A. All utilities, roads and drainage are existing.*

- 4. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets; Yes/No/N.A.**

*N.A. All means of ingress and egress are existing.*

Based on the information contained in the application and the testimony and evidence presented at the public hearing, the Planning and Zoning Commission voted on the approval of these findings of fact and the requested special use(s) resulting in the following vote:

\_\_\_\_ayes \_\_\_\_nays \_\_\_\_absent\_\_\_\_abstain

Date: \_\_\_\_\_  
Chairman Planning and Zoning Commission