

ORDINANCE NUMBER 20 - 39

AN ORDINANCE OF THE VILLAGE OF EAST DUNDEE, COOK AND KANE COUNTIES, ILLINOIS APPROVING VARIATIONS FOR A REAR YARD SETBACK AND OFF-STREET PARKING SPACES FOR A PROPOSED OFFICE BUILDING ACCESSORY STRUCTURE IN THE M-1 LIMITED MANUFACTURING DISTRICT AT 110 PRAIRIE LAKE ROAD, EAST DUNDEE, IL 60118

WHEREAS, the Village of East Dundee ("Village") is a home rule unit of local government pursuant to Section 6 of Article VII of the Constitution of the State of Illinois, and has the authority to exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, The Applicant is the owner of the property located at 110 Prairie Lake Road, East Dundee, Illinois, legally described in Section 2 below ("Subject Property"); and

WHEREAS, the Applicant filed an application with the Village seeking a variation from Section 157.066(A)(6)(c) requiring a rear yard setback in the M-1, Limited Manufacturing District to be not less than 40 feet in depth to allow for a rear yard setback for the proposed office building located at 110 Prairie Lake Road per the site plan (attached hereto as Exhibit A) of the Subject Property as depicted and described in the application; and

WHEREAS, the Applicant filed an application with the Village seeking a variation from Section 157.148 requiring off-street parking spaces not to be located in the front yard to allow for the parking to encroach into the front yard setback for the proposed office building located at 110 Prairie Lake Road per the attached site plan of the Subject Property as depicted and described in the application; and

WHEREAS, pursuant to Section 157.207 of the Zoning Ordinance, and the Village's home rule authority, the President and Board of Trustees of the Village (collectively the "Corporate Authorities") may provide for and allow variations to the requirements of the Zoning Ordinance when there are practical difficulties or a particular hardship with the strict compliance with the Zoning Ordinance; and

WHEREAS, the Planning and Zoning Commission of the Village convened and held a public hearing on October 8, 2020 to consider the application pursuant to the variances for rear yard setback and off-street parking spaces; and

WHEREAS, the Planning and Zoning Commission reviewed the standards set forth in Section 157.207 of the Zoning Ordinance and made a recommendation to approve the requested variations; and

WHEREAS, the Corporate Authorities have received and considered the recommendation of the Planning and Zoning Commission and the attached Findings of

Fact (attached hereto as Exhibit B) and find it to be in the best interests of the health, safety and welfare of its residents to approve the requested variations.

NOW, THEREFORE, BE IT ORDAINED by the Village President and Board of Trustees of the Village of East Dundee, Cook and Kane Counties, Illinois, as follows:

SECTION 1: Incorporation. That each Whereas paragraph above is incorporated by reference into this Section 1 and made a part hereof as material and operative provisions of this Ordinance.

SECTION 2: Variations. That the Corporate Authorities hereby grant the variations for the Subject Property, legally described as:

LOT 34 IN PRAIRIE LAKE INDUSTRIAL PARK SIXTH RESUBDIVISION, BEING A RESUBDIVISION OF LOTS 18 AND 19 IN PRAIRIE LAKE INDUSTRIAL PARK BEING A SUBDIVISION OF THAT PART OF THE SOUTHEAST QUARTER OF SECTION 13 AND PART OF THE NORTHEAST QUARTER OF SECTION 24, ALL IN TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 19, 2006 AS DOCUMENT 2006K102867, IN THE VILLAGE OF EAST DUNDEE, KANE COUNTY, ILLINOIS.

Part of PIN 03-24-226-011

Commonly known as 110 Prairie Lake Road, East Dundee, IL 60118

Variation 1

A variation from 157.066(A)(6)(c) requiring a rear yard setback in the M-1, Limited Manufacturing District to be not less than 40 feet in depth to allow for a rear yard setback for the proposed office building located at 110 Prairie Lake Road per the site plan.

Variation 2

A variance from Section 157.148 requiring off-street parking spaces not to be located in the front yard to allow for the parking to encroach into the front yard setback for the proposed office building located at 110 Prairie Lake Road per the attached site plan.

SECTION 3: Conditions. The variation is herein granted with no recommended conditions.

SECTION 4: Severability. That if any Section, paragraph or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such Section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.

SECTION 5: Repeal. That all ordinances, resolutions, motions or parts thereof in conflict herewith shall be and the same are hereby repealed.

SECTION 6: Effect. That this Ordinance shall be in full force and effect forthwith upon its adoption, approval and publication in pamphlet form as provided by law.

PASSED by vote of the Board of Trustees this 19th day of October, 2020 pursuant to a roll call vote as follows:

AYES: Trustees Lynam, Selep, Wood, Mahony, Andrsen and Kunze

NAYES: None

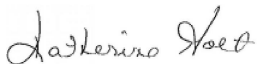
ABSENT: None

APPROVED by me this 19th day of October, 2020.



Lael Miller, Village President

ATTEST:

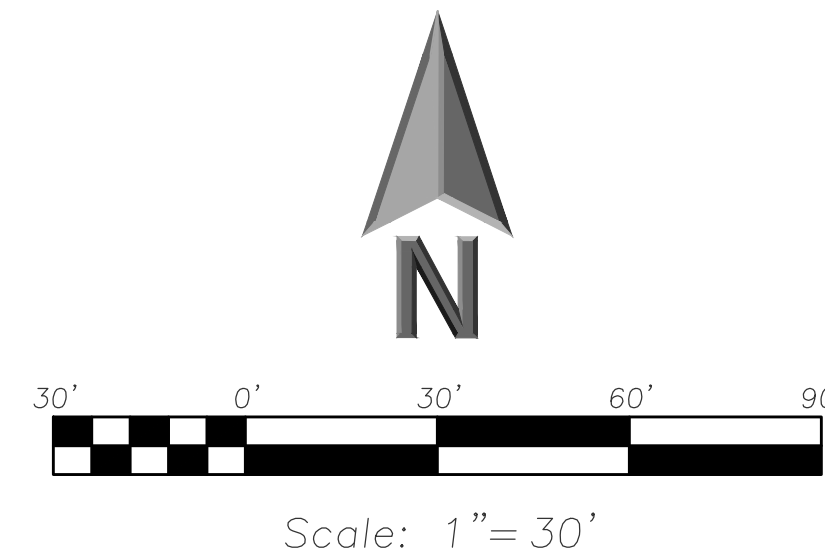
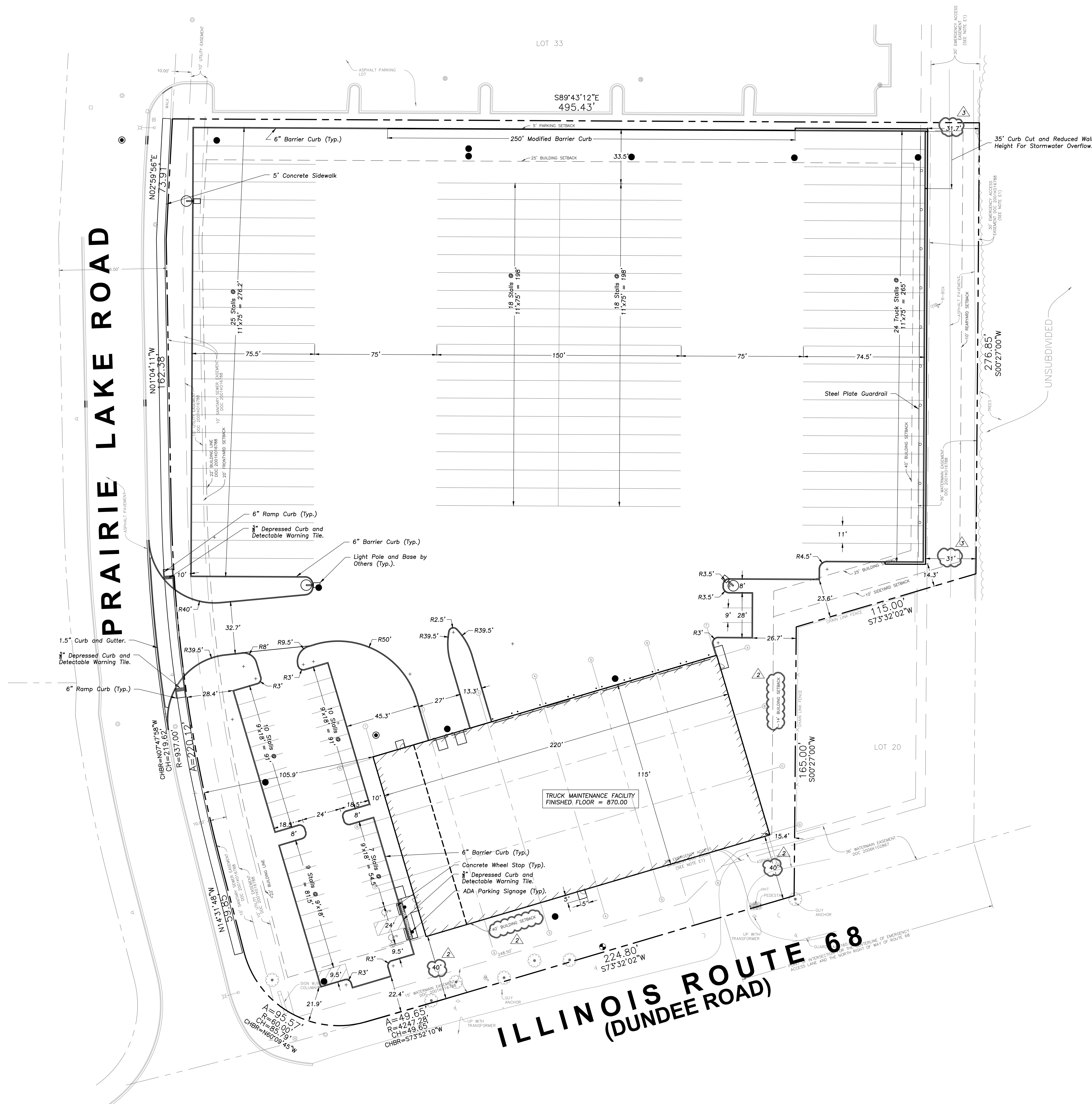


Katherine Holt, Village Clerk

Published in pamphlet form this 20th day of October, 2020, under the authority of the Village President and Board of Trustees.

Recorded in the Village records on October 20th, 2020.

EXHIBIT A



LEGEND	
EXISTING	PROPOSED
Manhole	Manhole
Catch Basin	Catch Basin
Inlet	Inlet
Storm Sewer	Storm Sewer
Sanitary Sewer	Sanitary Sewer
Water Main	Water Main
Gas Line	Gas Line
Overhead Wires	Overhead Wires
Electrical Cable (Buried)	Electrical Cable (Buried)
Telephone Line	Telephone Line
Fire Hydrant	Fire Hydrant
Valve Vault	Valve Vault
Buffalo Box	Buffalo Box
Downspout	Downspout
Gas Valve	Gas Valve
Electric Manhole	Electric Manhole
Hand Hole	Hand Hole
Light Pole	Light Pole
Utility Pole	Utility Pole
Telephone Pedestal	Telephone Pedestal
Telephone Manhole	Telephone Manhole
Ballard	Ballard
Sign	Sign
Fence	Fence
Accessible Parking Stall	Accessible Parking Stall
Curb & Gutter	Curb & Gutter
Depressed Curb	Depressed Curb
Curb Elevation	Curb Elevation
Gutter Elevation	Gutter Elevation
Pavement Elevation	Pavement Elevation
Sidewalk Elevation	Sidewalk Elevation
Ground Elevation	Ground Elevation
Swale	Swale
Contour Line	Contour Line

GEOMETRY NOTES

All Dimensions Contained Herein Reference Back Of Curb, Face Of Retaining Wall, Edge Of Pavement, Center Of Structure And Outside Face Of Building Foundation Unless Otherwise Noted.

All Pavement Striping Shall Be 4" Wide White Paint Except At ADA Stalls Per Specifications. All Cross Hatch Striping Shall Be 45° At 2'-0" Centers.

All Accessible Parking Signs (R7-8) Must Be Placed at the Center of the Space and Within 5 Feet of the Space.

Refer to Architectural Drawings for Exact Locations of All Buildings.

Refer to Architectural Drawings for Locations and Details of All Permanent Site Fencing.

PARKING CALCULATIONS

BUILDING AREA: 25,283 SF

OFFICE AREA: 2,900 SF

TRUCK MAINTENANCE AREA: 22,283 SF

OFFICE PARKING: 12 STALLS
(1 STALL / 250 SF)

MOTOR VEHICLE MAINTENANCE PARKING STALLS: 10 STALLS
(1 STALL / EMPLOYEE)

TOTAL PARKING REQUIRED: 22 STALLS

TOTAL PARKING PROVIDED: 38 STALLS

ADA PARKING REQUIRED: 2 STALLS

ADA PARKING PROVIDED: 2 STALLS

SITE DATA

SITE AREA: 228,123 SF (5.24 ACRES)

BUILDING AREA: 25,283 SF

FLOOR AREA RATIO: 0.11

TOTAL SITE AREA:

IMPERVIOUS AREA = 181,023 SF (80%)

PERVIOUS AREA = 43,995 SF (20%)

PARKING AREA (EXTENTS 0/5 5' FROM CURB):

IMPERVIOUS AREA = 154,827 SF (92%)

PERVIOUS AREA = 14,176 SF (8%)

TOTAL AREA = 169,003 SF

ERIKSSON ENGINEERING ASSOCIATES, LTD.

145 COMMERCE DRIVE, SUITE A
GRAYSLAKE, ILLINOIS 60030
PHONE: (847) 223-4804
FAX: (847) 223-4864
EMAIL: INFO@EEA-LTD.COM

PROFESSIONAL DESIGN FIRM
LICENSE NO. 184-0033220
EXPIRES: 04/30/2021

**NEW OFFICE/MAINTENANCE FACILITY
YULIVAN CARRIERS
110 PRAIRIE LAKE RD, EAST DUNDEE, ILLINOIS**

Reserved for Seal:

CHRISTOPHER M. FERN
062-063549
REGISTERED
PROFESSIONAL
ENGINEER
OF
ILLINOIS

EXPIRATION DATE: 11/30/21

No.	Date	Description
07/29/20	07/29/20	ISSUE FOR PERMIT
09/15/20	09/15/20	PERMIT CORRECTIONS
09/30/20	09/30/20	PERMIT CORRECTIONS
10/12/20	10/12/20	PERMIT CORRECTIONS

DESIGNER: CMF
APPROVED BY: CMK
DATE: 07/29/20

SHEET TITLE:
SITE GEOMETRY PLAN

SHEET NO:
C200

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

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Planning and Zoning Commission of the Village of East Dundee will hold a public hearing on October 8, 2020 at 7:00 P.M. via teleconference call by authorization of Gov. Pritzker waiving a portion of the Illinois Open Meetings act to allow local governments to hold "remote" meetings to help control the spread of COVID-19

1. A request for a variance from Section 157.066(A)(6)(c) of the Zoning Chapter of the East Dundee Village Code requiring the rear yard setback in the M-1, Limited Manufacturing District to be not less than 40 feet in depth.
2. A request for a variance from Section 157.148 of the Zoning Chapter of the East Dundee Village Code requiring off-street parking spaces not be located within the required front yard.

Property Legal Description:

LOT 34 IN PRAIRIE LAKE INDUSTRIAL PARK SIXTH RESUBDIVISION, BEING A RESUBDIVISION OF LOTS 18 AND 19 IN PRAIRIE LAKE INDUSTRIAL PARK BEING A SUBDIVISION OF THAT PART OF THE SOUTHEAST QUARTER OF SECTION 13 AND PART OF THE NORTHEAST QUARTER OF SECTION 24, ALL IN TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 19, 2006 AS DOCUMENT 2006K102867, IN THE VILLAGE OF EAST DUNDEE, KANE COUNTY, ILLINOIS.

PIN: 03-24-226-011

All interested persons will be given an opportunity to be heard.

1.5" Curb and Gutter.

S89°43'12"E
495.43'

6' PARKING SETBACK

FRONTYARD SETBACK,

Water Tower

-Setback

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: Yulian Carreras
2. Project Location: 110 Prairie Lake Rd
3. Brief Project Description: 25,000 SF Industrial Building
w/Truck Parking
4. Project Property Legal Description: SEE Attached
5. Project Property Size in Acres and Square Feet: 5.1 Acres / 225,284 SF
6. Current Zoning Status: Industrial
7. Current Use Status: Vacant
8. Surrounding Land Use Zoning: Industrial
9. Parcel Index Numbers of Property: 03761-226-011

B. Owner Information

1. Signature: [Signature]
2. Name: YULIAN G. MAWOLEK / YULIAN CARRERAS
3. Address: 251 MILWAUKEE AVE 131, BUFFALO GROVE, IL 60089
4. Phone Number: 847-999-4960 Fax: 847-783-0093 Email: YULIAN@YULIANCARRERAS.COM

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

1. Name/Company: Triumph Construction Services
2. Address: 425 N. Martingale Rd Suite 1280 Schaumburg IL 60193
3. Phone Number: 847-608 7982 Fax: 847-608 7985 Email: RSC@TriumphConstructionServices.com

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?

NA

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?

NA

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

NA

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

NA

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?

NA

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)?

Section 157.066(A)(6)(c)
M-1, Limit Manufacturing Section 157.148

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

1) Rear Yard Setback not less than 40'
2) Front yard setback not less than 22'

3. What is proposed?

1) Rear Yard Setback 14'
2) Front yard setback 10'

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

The Park Was Designed for these Set Backs
Property Would Be Unbuildable if we don't Have
those.

- 1) The original zoning was F- Factory and
the rear setback was 10 ft.
2) The plat allows for 22' Front yard setback.
Public Works does not want the parking lot over the
water main on the east side of the lot.

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)

Revisi Set Back to Previous Recorded Set Backs
The original Zoning was F- Factory
and the rear setback was 10 ft. & 22' Front yard
That zoning expired in 2001 per the
Annexation Agreement.

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?

We ARE Extending the Previous Set Backs Agreement
The Lot has a corner carved out of it that was dedicated to the Village for the water tower.

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)

We ARE Conforming with PARK Set Backs Previously Established

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

Conformance with Park

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

NO

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

- a. Will the granting of the variation be detrimental to the public welfare? (Circle)
b. Injurious to surround properties? (Circle)
c. Impair an adequate supply of light and air to adjacent property? (Circle)
d. Endanger public health and safety? (Circle)
e. Substantially diminish property values within the neighborhood? (Circle)
f. Conformance to the Land Use Plan? (Circle)

YES NO
YES NO
YES NO
YES NO
YES NO
YES NO

yes this conforms with the land use plan

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.



9/21/2005

Individually and for the Applicant

Date

425 W. Martingale Rd 1280

847-608-7982

Address

Phone Number

Project Description:

Construction of a 25,000 SF Office Warehouse

VILLAGE OF EAST DUNDEE



Affidavit of Ownership & Control

I (We), Russell Scurto et al do hereby certify or affirm that I am the owner(s), contract purchasers, or beneficiary(s) of the title holding trust for the aforesaid described property and hereby make application of such.

Signature: [Handwritten Signature]

Owner: Owners Agent

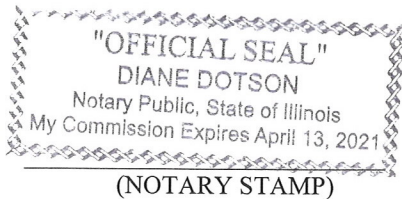
Address: 425 W. Martingale Rd Suite 1280
Schaumburg, IL 60173

Phone: 847-608-7988

SUBSCRIBED AND SWORN TO before me this

21st day of September, 2020.

[Handwritten Signature]
(NOTARY SIGNATURE)



(NOTARY STAMP)

VILLAGE OF EAST DUNDEE



Affidavit & Disclosure Agreement

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: 

Print Name: Russell Scurto III

Project Address: 110 Prairie Lake RD

Situs Address Buffer

Parcel Number: 0324226011

Distance: 250

Feet

Include Source Parcel: ☒ Yes ☐ No

This list contains situs addresses for parcels within 250 feet of parcel 0324226011†

Situs Addresses (physical locations)				
Parcel	Address	City	State	Zip
0324226011				
0324225009*	105 PRAIRIE LAKES RD UNIT A	EAST DUNDEE	IL	60118
0324225010*	105 PRAIRIE LAKES RD UNIT B	EAST DUNDEE	IL	60118
0324225011*	105 PRAIRIE LAKES RD UNIT C	EAST DUNDEE	IL	60118
0324225004				
0324226012*	120 PRAIRIE LAKES RD UNIT A	EAST DUNDEE	IL	60118-9103
0324226013*	120 PRAIRIE LAKES RD UNIT B	EAST DUNDEE	IL	60118-9103
0324226014*	120 PRAIRIE LAKES RD UNIT C	EAST DUNDEE	IL	60118-9103
0324226015*	120 PRAIRIE LAKES RD UNIT D	EAST DUNDEE	IL	60118-9103
0324226016*	120 PRAIRIE LAKES RD UNIT E	EAST DUNDEE	IL	60118-9103
0324226017*	120 PRAIRIE LAKES RD UNIT F	EAST DUNDEE	IL	60118-9103
0324226018*	120 PRAIRIE LAKES RD UNIT G	EAST DUNDEE	IL	60118-9103
0324226019*	130 PRAIRIE LAKES RD UNIT A	EAST DUNDEE	IL	60118-9130
0324226020*	130 PRAIRIE LAKES RD UNIT B	EAST DUNDEE	IL	60118-9130
0324226021*	130 PRAIRIE LAKES RD UNIT C	EAST DUNDEE	IL	60118-9130
0324226022*	130 PRAIRIE LAKES RD UNIT D	EAST DUNDEE	IL	60118-9130
0324226003	32W030 ILLINOIS ROUTE 68	EAST DUNDEE	IL	60118
0324226009	1155 ILLINOIS ROUTE 68	EAST DUNDEE	IL	60118
0324276007				

250 foot buffer of 0324226011 returned 19 parcels

*Indicates condo parcel

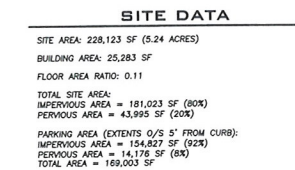
This information is based on curent GIS Parcel Data

NOTE: Condo Parcels may be included that are beyond the buffer due to the nature of how condos are mapped!

†It will not include any records that could not be compressed due to system locks in the GIS system

††Count includes only unique parcel polygons. All Condos are counted grouped by their associated "-000" communal polygon

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C200

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

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PIN: 03-24-226-011

All interested persons will be given an opportunity to be heard.

VILLAGE OF EAST DUNDEE, ILLINOIS

Findings of Fact – Variance

Property Location: 110 Prairie Lake Rd.

Variance(s) requested:

1. A request for a variance from Section 157.066(A)(6)(c) of the Zoning Chapter of the East Dundee Village Code requiring the rear yard setback in the M-1, Limited Manufacturing District to be not less than 40 feet in depth.
2. A request for a variance from Section 157.148 of the Zoning Chapter of the East Dundee Village Code requiring off-street parking spaces not be located within the required front yard.

Hearing date: October 8,2020

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

1. **The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that zoning district; Circle one; Yes/No/Not Applicable(N.A.), Explain:**

Yes, without the variances, the property would not allow for the truck parking and building as proposed.

2. **The plight of the owner is due to unique circumstances; Yes/No/N.A. and**

Yes, the property's unique circumstances limits the ability to develop the property.

3. **The variation, if granted, will not alter the essential character of the locality. Yes/No/N.A.**

Yes, the character of the locality would not be affected if the variance is granted.

For the purpose of supplementing the above standards, the Planning and Zoning Commission, in making its decision whenever there are practical difficulties or particular hardship, shall also take into consideration the extent to which the following facts favorable to the applicant, have been established by the evidence that:

1. **The particular physical surroundings, shape or topographical conditions of the specific property involved would bring a particular hardship upon the owner as distinguished from a mere inconvenience if the regulations were strictly enforced; Yes/No/N.A.**

Yes, if the regulations are strictly enforced, the Industrial buildings could not be built as proposed and, therefore, the project would not be completed. The south east corner of the lot

was carved out for the water tower and east property line has a 36 ft. easement for water main and an access road.

- 2. The conditions upon which the petition for variation is based would be applicable generally to other property within the same zoning classification; Yes/No/N.A.**

Yes, should these conditions reoccur on a development with the same zoning classification, the basis for the variation would be applicable.

- 3. The purpose of the variation is not based exclusively upon a desire to make more money out of the property; Yes/No/N.A.**

Yes. Without the variations, the overall use of the property would be affected and not viable for the trucking business.

- 4. The alleged difficulty or hardship has not been created by any person presently having an interest in the property; Yes/No/N.A.**

Yes.

- 5. The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located; Yes/No/N.A.**

Yes, the granting of the variances would not be detrimental or injurious to the surrounding properties.

- 6. The proposed variation will not impair an adequate supply of light and air to adjacent property or substantially increase the danger of fire or otherwise endanger the public safety or substantially diminish or impair property values within the neighborhood. Yes/No/N.A.**

Yes, the proposed variation would not have any of the above negative effects.

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 variation(s) resulting in the following vote:

____ ayes ____ nays ____ absent ____ abstain

Date: _____
Planning and Zoning Commission Chairman