



AGENDA
LOVES PARK ZONING BOARD OF APPEALS
June 15, 2023

CITY COUNCIL CHAMBERS
100 HEART BOULEVARD
5:30 P.M.

1. Roll call and declaration of a quorum
2. Reading and approval of the minutes from the **May 18, 2023** meeting
3. Report from the Zoning Office – None
4. Unfinished business –
 - A. 7703 Forest Hills Road** – A Special Use Permit for 100% office space in the CR (Commercial Retail) Zoning District.
5. New business –
 - A. 6174 Commonwealth Drive** – A Zoning Map Amendment for the eastern, portion of parcel 12-03-102-033 from the R2 (Two-family Residential) Zoning District to the R3A (Four-family Residential) Zoning District.
6. Public participation & comment
7. General discussion
8. Adjournment

Andrew Quintanilla
Zoning Officer



Minutes of the Loves Park Zoning Board of Appeals

Date: May 18, 2023 Time: 5:30 P.M.

1. Chairman: Benjamin Danielson call the meeting to order at: 5:45 PM

Members Present:	<u>Lyndi Toohill</u>	<u>Benjamin Danielson</u>
	<u>Luke Carlson</u>	<u></u>
	<u>Cathy Nelson</u>	<u></u>
Members Absent:	<u>Madeleine Stucky</u>	<u>Don Daniels</u>
Others Present	<u>Andrew Quintanilla (Staff)</u>	<u></u>

Mr. Danielson informed petitioners of the second meeting (CDC) in the process to be held on **May 25, 2023** in Council Chambers here at Loves Park City Hall.

2. Minutes

Mrs. Nelson moved to approved the minutes from the **April 20, 2023** meeting. Second by Mr. Carlson. Motion carried by vote.

3. Zoning Office Report - None

4. Unfinished Business

A. HJS Subdivision

Petitioner: Ryan Fitzgerald - Shorewood Development Group, Jeff Linkenheld - Arc Design Resources

GENERAL DISCUSSION:

Mr. Fitzgerald offered his apologies to the board for not being present to represent the petition in the previous month.

Mr. Linkenheld stated that is looking to pursue development of the Rockford Speedway property. He stated that they are looking to pursue redevelopment of the frontage on 173 corridor with various retail out lots. The Rockford Speedway will remain in operation for the remaining of the year. Mr. Linkenheld stated that they were looking to break grown on development in August of this year (2023).

Mr. Linkenheld addressed the board regarding board comments that were discussed in the prior meeting. He stated that the comments were appreciated, and the revised plat, was changed to reflect concerns from the committee.

Mrs. Nelson thanked the applicant to addressing concerns from the board, and for making the changes on that were on the original plat. She stated the plat before them

was a better reflection of what the City was looking for as part of the development for this area. Concerns that she had in the original submission were addressed and thanked the applicant for making the revisions.

Mr. Carlson asked the applicant what was the long-term plan for the property behind the lots.

Mr. Fitzgerald stated that he had spent a considerable amount of time working with City Staff working on alternates for that area. He stated that they are in a holding period right now due to on line retailers, such as Amazon, who have made big box development difficult. He stated that they were going to pursue retail, but anticipate some other use behind the out lots created. He stated that it could be multi-family, industrial, or some other business that would be more of an improvement over the Speedway or some big empty hole. He stated that we was working with Steve Thompson, Nathan Bruck, and the Mayor to determine future site development.

Ms. Nelson stated that because the applicant mentioned multi-family, he would be required to come back to the committee to pursue zoning changes. Mrs. Nelson also stated multi-family wouldn't be permitted because the properties were zoned commercial.

Mr. Fitzgerald stated that if they were going to pursue multi-family it would be done in conjunction with the City as a partnership, but that they would come back for all necessary approvals.

Mr. Quintanilla inquired as to prospective end-users for the out lots currently.

Mr. Fitzgerald stated that they do have prospects. He stated that they were focusing on the out lots first, and they were pursuing retail uses, as the sales tax generated by retail was important for Loves Park. He stated that retail is the basis for the development agreement between his company and the City. He stated that there was interest from car wash establishments, convenience stores, and other sales tax generating uses. He stated that the uses will be retail with an emphasis on generating sales tax. He explained that his discussions with Staff and the Mayor emphasized the importance of sales tax generating businesses, and they tied the incentive package to drive them towards sales tax generating businesses.

Mr. Fitzgerald stated that construction would begin in August of 2023, with development beginning on a westerly-easterly path, pausing at Burden Road. If demand was there to continue development out to Forest Hills Road, development would happen through lot 7, as shown on the plat for this year.

BOARD DISCUSSION:

Mrs. Nelson stated that all her concerns from the prior month have been addressed. The new plat reflects all recommended changes and that it would be appropriate to

vote for its approval.

Mrs. Nelson made a motion to approve the tentative plat of the HJS Subdivision. Mr. Carlson second the motion.

NO OBJECTORS PRESENT

MOTION APPROVED: 4-0

5. New Business

A. 7703 Forest Hills Road - A Special Use Permit for 100% office space in the CR (Commercial Retail) Zoning District.

Petitioner: Bader Badran

Petitioner was not present.

Mrs. Toohill made a motion to lay the petition over until the June 15, 2023 meeting. Mr. Carlson second the motion.

MOTION APPROVED: 4-0

B. 4101 Galleria Drive - A Special Use Permit for a hotel in IL_CR (Light Industrial Commercial Retail) and the E. Riverside/I90 Overlay District.

Petitioner: Guy Pisani - Holladay Properties

GENERAL DISCUSSION:

The petitioner will discuss both items together, but a vote for each zoning request will be done separately as mentioned by Mrs. Nelson.

Mr. Pisani provided background for the hotel chain. He stated that he was present to represent for the special use and variance requested by the applicant.

Mr. Pisani stated that hotels are not inherently permitted in the Overlay, and was asking for consideration to build the hotel at 41XX Galleria Drive.

He stated that the hotel will be beneficial to the City with traffic counts being 65,000 cars on Interstate 90, and 25,000 vehicles using Riverside daily. Mr. Pisani explained how the hotel will benefit the two hospitals, Javon Bea and St. Anthony, the Sports Core facility, and other medical office buildings serving the area. The hotel will accommodate all these facilities, and contract workers who stay nearby with the increased development in the region.

Mr. Pisani stated that the development company builds and retains all of its hotel assets, so there is no concern on the facility changing hands. Retention was important for the portfolio, with the oldest hotel being over 30 years old in South Bend, Indiana.

Mr. Pisani stated that the parcel is 1.78 acre parcel that they are looking to subdivide for this development. The parcel will allow them build the 4 story, 122 room hotel, with 125 parking spaces to accommodate guests and employees.

Mr. Pisani moved to discuss the signage for the property. He stated that they are requested a 50 foot pole sign for the hotel, with an EMC reader. The signage for any hotel is important. It will give them the visibility, branding, and exposure for all hotels. Mr. Pisani discussed the important of the exposure and the importance for the hotel given that the hotel will be sitting back so far from the interstate and from Riverside Boulevard.

BOARD DISCUSSION:

Mrs. Nelson mentioned signage on the façade of the hotel, and the prospects of signage on multiple sides of the building. Mrs. Nelson explained to Mr. Pisani that the only signage that will be permitted for the hotel is on the west side of the building facing Galleria Drive.

Mr. Pisani said that he understands the building will not be allowed to bear signage on any frontage, but on Galleria Drive. He was fine with this.

Mr. Pisani indicated that he was aware, and fine with the conditions placed on the SUP for the approval.

Mr. Quintanilla asked the applicant if the signage was going to be enough exposure for the hotel. Mr. Quintanilla asked the applicant if the hotel was going to be 147 feet as presented in the illustrations.

Mr. Pisani stated the building will be 46'10", the elevation height was incorrect on the drawings.

Ms. Nelson commented that there was no indication where the sign would go. Mr. Quintanilla referred Mrs. Nelson to the site plan and the location of the 50 foot pylon sign, being on the southwest entrance.

Mrs. Nelson stated that she was agreeable to the Special Use Permit given the use of the property and need in the area. She also stated that she was in agreement to allow a 50 foot sign for visibility. She also stated that the sign is a necessity not only for visibility, but for directing guests to the property.

Mr. Danielson stated that the sign would be a benefit to the hotel given it's proximity to the sports complex nearby.

NO OBJECTORS PRESENT

Mrs. Nelson made a motion to approve a Special Use Permit for a hotel in IL_CR

(Light Industrial_Commercial Retail) and the E. Riverside/I90 Overlay District for 4101 Galleria Drive with the following conditions.

1. The Special Use Permit expires with the change of property or business ownership.
2. The applicant shall also provide an 8 foot, in depth, landscape buffer, which spans the frontage observing ingress/egress. The applicant shall provide a landscape plan for this area within 30 days of the approval of the special use. The business/property owner shall be responsible for the maintenance, repair, and replacement of all landscape plants, trees, and materials. All landscape areas shall be tended too, and be maintained in a healthy growing condition, free from refuse, debris, and weeds at all times.
3. The trash enclosure shall be poured concrete or masonry and not exceed a height of six feet.
4. The Special Use Permit shall be renewed 1 year from the date of approval.

Mr. Toohill second the motion.

NO OBJECTORS PRESENT

MOTION APPROVED: 4-0

- C. 4101 Galleria Drive - A Variance to allow a 50 foot pylon sign from a maximum allowable 8 foot high monument sign in IL_CR (Light Industrial_Commercial Retail) and the E. Riverside/I90 Overlay District.**

Mrs. Nelson moved to approve a Variance to allow a 50 foot pylon sign from a maximum allowable 8 foot high monument sign in IL_CR (Light Industrial_Commercial Retail) and the E. Riverside/I90 Overlay District for 4101 Galleria Drive

Mr. Carlson second the motion

NO OBJECTORS PRESENT

MOTION APPROVED: 4-0

- D. 7422 E. Riverside Boulevard - A Special Use Permit for a car wash in IL_CR (Light Industrial_Commercial Retail) and the E. Riverside/I90 Overlay District.**

Petitioner: Krisandra Lippart - CWP West, Inc., Carol Lockwood, Attorney for the family.

GENERAL DISCUSSION:

The applicant stated that she was seeking approval from the City for a Special Use Permit for a car wash, Mister Car Wash. She explained that the facility will be a conveyor car wash with guests to remain in their cars. She stated that the car wash facility allows for longer car wash times to give vehicles a better cleaning.

Mrs. Lippart provided background information on Mister Car Wash.

BOARD DISCUSSION:

Mrs. Nelson asked the applicant if she was aware of the conditions placed on the approval for the car wash. Mr. Lippart indicated that she was, and that they were agreeable. She stated that the civil engineer for the project will revise the plans to reflect the landscape buffer on E. Riverside.

Mrs. Nelson voiced her approval for the Special Use Permit. She stated that it isn't dissimilar to other car washes that have recently come through for approval.

Mr. Quintanilla pointed out that the site plan shows a right in and right out on E. Riverside Boulevard, as well as, there being a cross access easement across the north part of the development.

Mrs. Lippart explained that there is access recorded on this property. The recorded access allows for maintenance and repairs to the cell tower on the eastern portion of the parcel, but should not be problematic. The access will serve the cell tower and the car wash. She also stated that she did reach out to Mercy about the development and they were supportive of the prospect.

NO OBJECTORS PRESENT**MOTION APPROVED: 4-0**

Mrs. Nelson made a motion to approve a Special Use Permit for a car wash in IL_CR (Light Industrial_Commercial Retail) and the E. Riverside/I90 Overlay District for 7422 E. Riverside Boulevard with the following conditions

Conditions:

1. The Special Use Permit expires with the change in property or business ownership.
2. The applicant shall also provide an 8 foot, in depth, landscape buffer, which spans the frontage observing ingress/egress. The landscape buffer shall be filled with dark brown mulch. The business/property owner shall be responsible for the maintenance, repair, and replacement of all landscape plants, trees, and materials as presented on the landscape plan. All landscape areas shall be tended too, and be maintained in a healthy growing condition, free from refuse, debris, and weeds at all times. Irrigation shall be provided for all landscape areas.
3. The trash enclosures shall be poured concrete or masonry to adequately shield containers within the enclosure. Material within the enclosure shall not extend above the height of the enclosure, be secured by a solid gate, and not exceed a height of six feet. The use of chain link fences and slats shall be prohibited.
4. The Special Use Permit shall be renewed 1 year from the date of approval.

Mrs. Toohill second the motion

MOTION APPROVED: 4-0

6. Public Participation and Comment

None

7. General Discussion

None

Mr. Carlson moved that the meeting be adjourned. Second by Mrs. Toohill. Motion carried by vote.
The meeting adjourned at 5:45 p.m.

Secretary, Andrew Quintanilla



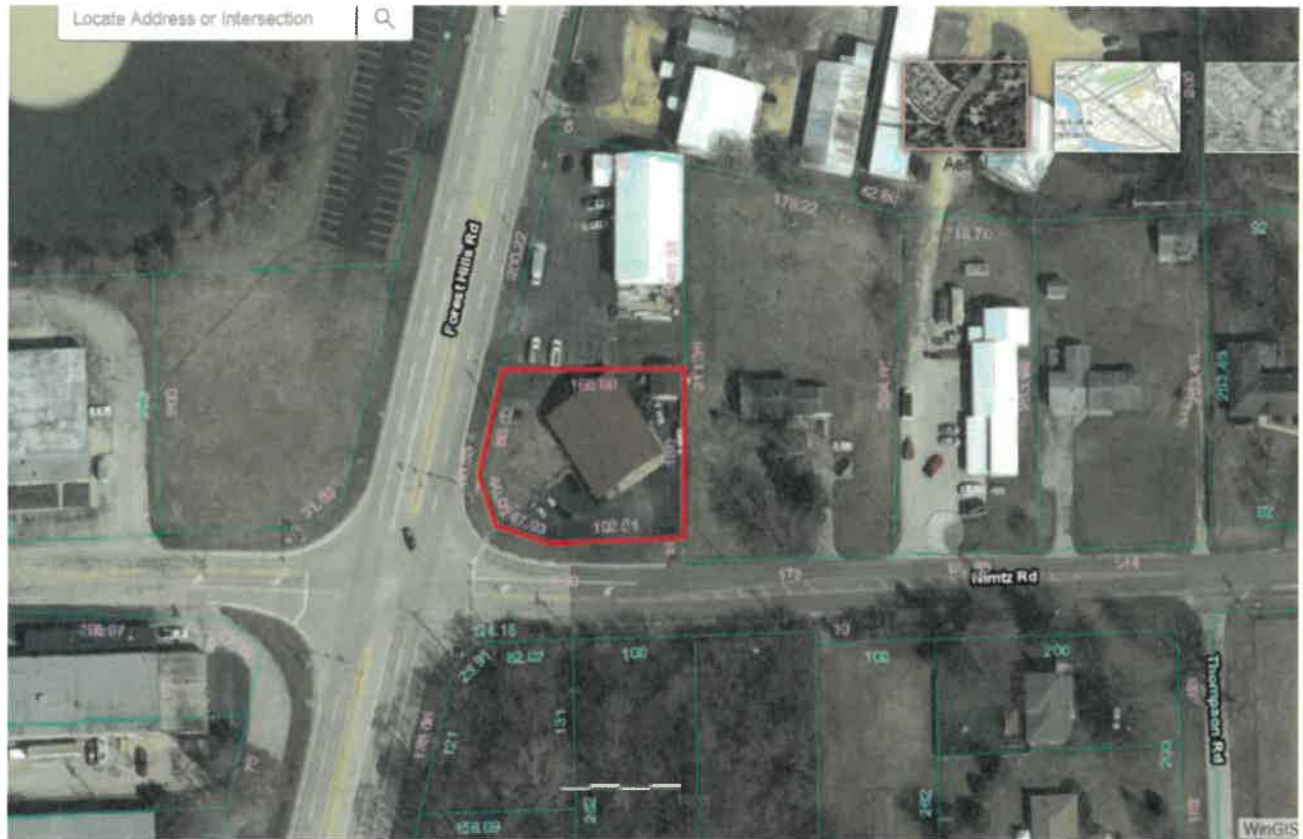
ZONING BOARD OF APPEALS

Community Development Department

Date: May 18, 2023

SUBJECT:	A Special Use Permit for 100% office space in the CR (Commercial Retail) Zoning District.		
LOCATION:	7703 Forest Hills Road		
ZONING DISTRICT:	North	CR (Commercial Retail)	
	South	CR (Commercial Retail) & R1 (Single Family Residential)	
	East	CR (Commercial Retail)	
	West	IL (Light Industrial)	
PROPERTY INFORMATION:			
Building Requirements:			
Requirement for CR:	Front yard BS:	30 feet	
	Side yard BS:	5 feet	
	Rear yard:	20 feet	
Provided:	Front yard:	32 feet, 44 feet	Existing
	Side yard:	38 feet	Existing
	Rear yard:	20 feet	Existing
Landscaping:			
Required	The required planting strip shall be a minimum of eight feet in depth and span the width of the each frontage, excepting areas required as ingress/egress. Parcels containing more than one frontage will be required to provide a continuous planting strip where possible, on all frontages. The mounded landscape buffer is required to provide a combination of trees (including evergreens), shrubs, ground cover and some combination of live plants that shall be salt tolerant.		
Provided	The landscape plan provided shows that some of the landscaping will be provided, however, the proposal does not identify plants or quantities of each.		
Dumpster enclosure:			
Required	A dumpster enclosure is required for commercial development. Dumpster enclosures are required to be poured concrete, or some form of masonry and appropriately located on the parcel for access.		
Provided	The site plan does not show that a dumpster will be provided.		
Parking:			
Required	The required parking for the development is 6 parking stalls, one of which is required to be an accessible stall.		

Provided	The development is proposing 14 parking stalls, one of which is an accessible stall.
Signage:	
Required	A monument sign, not to exceed 8 feet, shall be permitted.
Provided	The location of the sign is the only information provided on the site plan. It is an existing monument sign.
Findings:	The establishment of the special use will not be detrimental to the public health or general welfare of the existing businesses. The zoning request is to allow 100 percent office space for an office and show room. Office uses have a low impact in commercial retail. Office uses do not increase noise levels or generate much traffic congestion to the area, relative to other permitted uses in commercial retail. The use will not be injurious to existing uses already permitted in the zoning district. The establishment of the use will not adversely impact property values in the area. The owner of the property is making needed improvements to the property and the building. The establishment of the use will not impede or impact the normal orderly development for this area. The area is comprised of more existing light industrial uses than there are commercial uses. The owner is planning on making this property the site of his business, which will provide a showroom and offices for employees.
RECOMMENDATION:	<p>Approval - A Special Use Permit to allow 100 percent office space in the CR (Commercial Zoning District.</p> <p>Conditions:</p> <ol style="list-style-type: none"> 1. The Special Use Permit expires with the change of property ownership. 2. The property owner shall provide staff with a landscape plan within 30 days of approval. The landscape bed shall be 8 feet in depth as indicated on the site plan. The business/property owner shall be responsible for the maintenance, repair, and replacement of all landscape plants and materials. The landscape beds shall be tended too, and be maintained in a healthy growing condition, free from refuse, debris, and weeds at all times. All landscaping shall be completed on or before July 31, 2023. 3. The applicant shall not be required to provide a dumpster enclosure, however, trash receptacles shall be stored within the building. 4. The Special Use Permit shall be renewed 1 year from the date of approval. 5. Freestanding signage shall comply with Section 102-284 of the City's zoning code.
ATTACHMENTS:	See attachments
ZONING BOARD RECOMMENDATIONS:	<div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;">APPROVAL / DENIAL / TABLED</div> <div style="text-align: right;">Vote: _____</div> </div>
CONDITIONS:	AS PRESENTED / AMENDED / N/A
AUDIENCE COMMENTS:	<div style="border-bottom: 1px solid black; height: 15px; margin-bottom: 5px;"></div> <div style="border-bottom: 1px solid black; height: 15px; margin-bottom: 5px;"></div> <div style="border-bottom: 1px solid black; height: 15px;"></div>



Zoning: CR (Commercial Retail)

Parcel 08-32-427-017

Address: 7703 Forest Hills Road

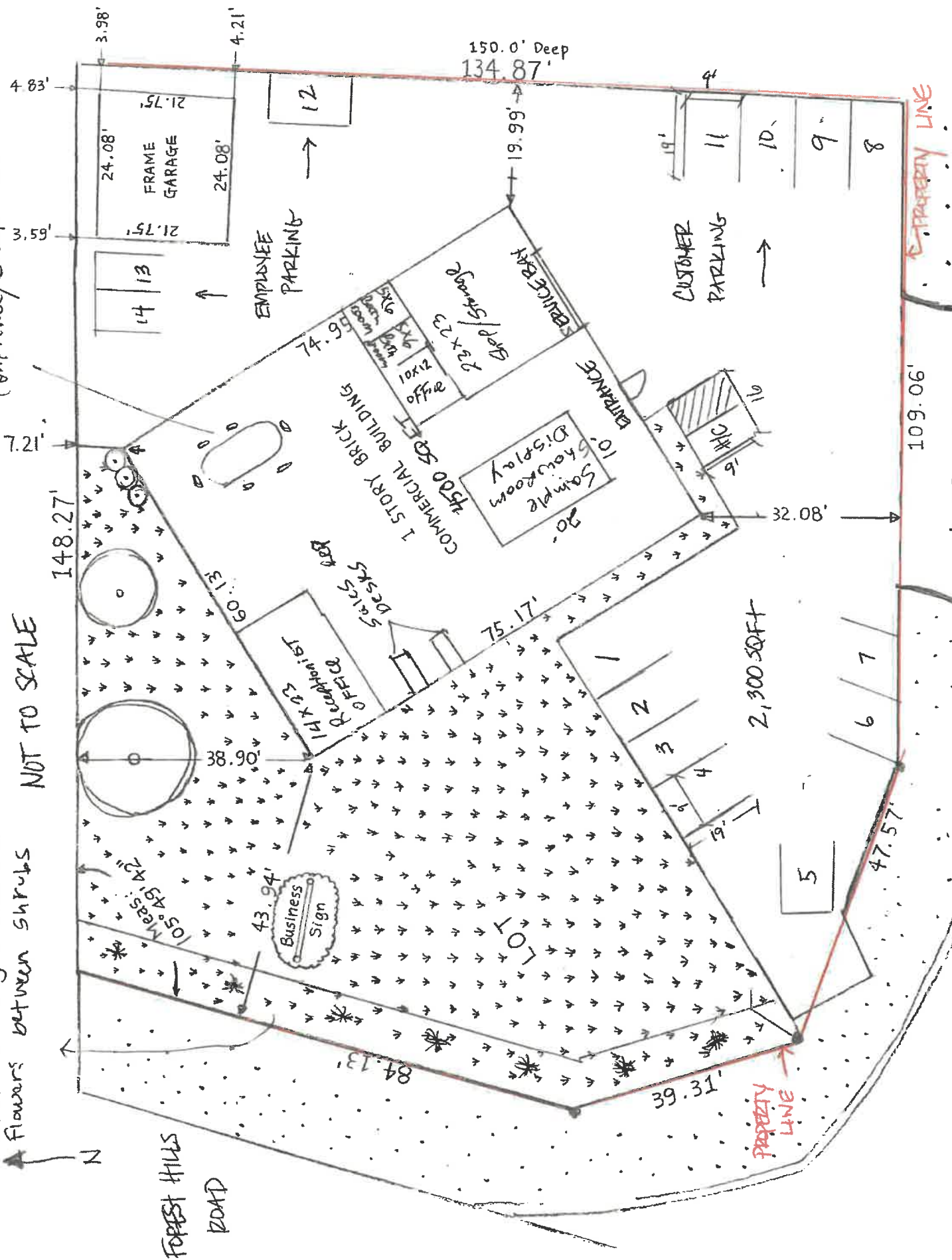
Property Owner: Bader Badran
11154 Shaw Road
Rockford, Illinois 61114

Applicant: Bader Badran
7703 Forest Hills Road
Loves Park, Illinois 61111

FOREST HILLS
ROAD

NOT TO SCALE

Confrence/Break area



Recommended Findings of Fact of City Staff based on the information provided by the applicant

Findings as Required by Loves Park Ordinance - Each enumerated finding must be met before a petition for a special use may be approved.

Mark "Yes," if the findings have been considered and found to be relevant and true. Mark "No," if the findings have been considered and found to be not true. If you mark "No," please explain why in the space provided below each finding. Mark "N/A," if the findings are not applicable to the situation.

7703 Forest Hills Road

ZBA

- 1 _____ The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.

Reason:

- 2 _____ The special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, not substantially diminish and impair property values within the neighborhood.

Reason:

- 3 _____ The establishment of the special use will not impede the normal orderly development and improvement of the surrounding property for uses permitted in the district.

Reason:

- 4 _____ Adequate utilities, access roads, drainage and/or necessary facilities have been, are being, or will be provided.

Reason:

- 5 Adequate measures have been or will be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets.

Reason:

- 6 The special use shall, in all other respects, conform to the applicable regulations of the district in which it is located. The zoning officer shall forward the board of appeal's decision and records to the city council within ten days after action or within 45 days from the date of the public hearing if no action has been taken by the board of appeals.

These findings are based on staff interpretation of the required findings necessary for approval of a Special Use Permit. The Zoning Board of Appeals must indicate whether or not all the findings have been considered to substantiate the approval of a special use.

These findings have been adopted as the official Findings of Fact for the City of Loves Park, Zoning Board of appeals agenda item: **7703 Forest Hills Road**
SUP 100% office

Chairman
Benjamin Danielson

Signature

Date



ZONING BOARD OF APPEALS

Community Development Department

Date: June 15, 2023

SUBJECT:	A Zoning Map Amendment for the eastern portion of parcel 12-03-102-033 from R2 (Two-family) Residential Zoning District to the R3A (Four-family Residential) Zoning District.	
LOCATION:	6174 Commonwealth Drive	
ZONING DISTRICT:	North	R3A (Four-family residential)
	South	R1 (Single Family Residential)
	East	R1 (Single Family Residential)
	West	CR (Commercial Retail)
PROPERTY INFORMATION:		
Requirement for R3A:	Front yard building setback:	30 feet, and 30 feet (secondary frontage)
	Side yard building setback:	6 feet
	Rear yard building setback:	25 feet
	Lot size:	14,600 square feet
	Lot square feet p/unit:	3,650 square feet
	Lot width:	80 feet
Provided:	Front yard building setback:	30 feet, and greater than 30 feet (secondary frontage)
	Side yard building setback:	30 feet, and greater than 30 feet (secondary frontage)
	Rear yard building setback:	25 feet
	Lot size:	26,276 square feet
	Lot square feet p/unit:	6,569 square feet
	Lot width:	86 feet
Findings:	<p>The proposed amendment would not interfere with the policies and proposals of the city area comprehensive plan. The portion of the property that the applicant wishes to develop for four family residential is already zone for residential uses. The proposed amendment would be consistent with the framework the city has cultivated to continue development in this area of the city and in an orderly manner. The proposed amendment would not allow buildings or uses incompatible with existing uses or intended uses for future development. The area has been developed for four family dwellings over the years. The senior development to the north, is zoned R3A with a SUP, four family development on the southern part of Commonwealth Drive, which is also possible with a SUP. Four family R3A development established in the area has not been detrimental for existing uses. The R3A zoning map amendment would not promote land overcrowding, as the proposed area of development, does meet the standards for development in the R3A zoning district. The map amendment will not adversely impact the public safety or general welfare of the residents in the area. There is no risk of bodily harm that would result from the zoning change. The amendment will not promote incompatible uses or generate nuisances to the vicinity.</p>	

RECOMMENDATION:

ATTACHMENTS:

ZONING BOARD
RECOMMENDATIONS:

CONDITIONS:

AUDIENCE COMMENTS:

Approval - A Zoning Map Amendment for the eastern portion of parcel 12-03-102-033 from the R2 (Two-family Residential) Zoning District to the R3A (Four-family Residential) Zoning District.

See attachments

APPROVAL / DENIAL / TABLED

Vote: _____

AS PRESENTED / AMENDED / N/A



Zoning: R2 (Two-family Residential)

Parcel 12-03-102-033

Address: 6174 Commonwealth Drive

Property Owner: Edwin Carlson
7155 Windsor Lake Parkway
Loves Park, Illinois 61111

Applicant: John Sweeney
3502 Applewood Lane
Rockford, Illinois 61114

1/4" = 1' 0"



COMMONWEALTH DRIVE

LOT 1
(7.208 S.F.)

LOT 2
(0.278 S.F.)

SUNSET TERRACE

REAR YARD
REAR SETBACK NOT
LESS THAN 25 FEET

SIDE YARD
SIDE YARD NOT
LESS THAN 5 FEET
AND A
SIDE YARD OF NO
LESS THAN 15 FEET

UTILITY EASEMENT

- NOTES:
1. ALL SETBACKS TO BE MAINTAINED TO 10' MIN.
 2. ALL SETBACKS TO BE MAINTAINED TO 10' MIN.
 3. ALL SETBACKS TO BE MAINTAINED TO 10' MIN.
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 9. ALL SETBACKS TO BE MAINTAINED TO 10' MIN.
 10. ALL SETBACKS TO BE MAINTAINED TO 10' MIN.

Rev.	Date	Description
1	10/10/2020	Initial Design
2	10/10/2020	Final Design

Sheet Info:

ACME

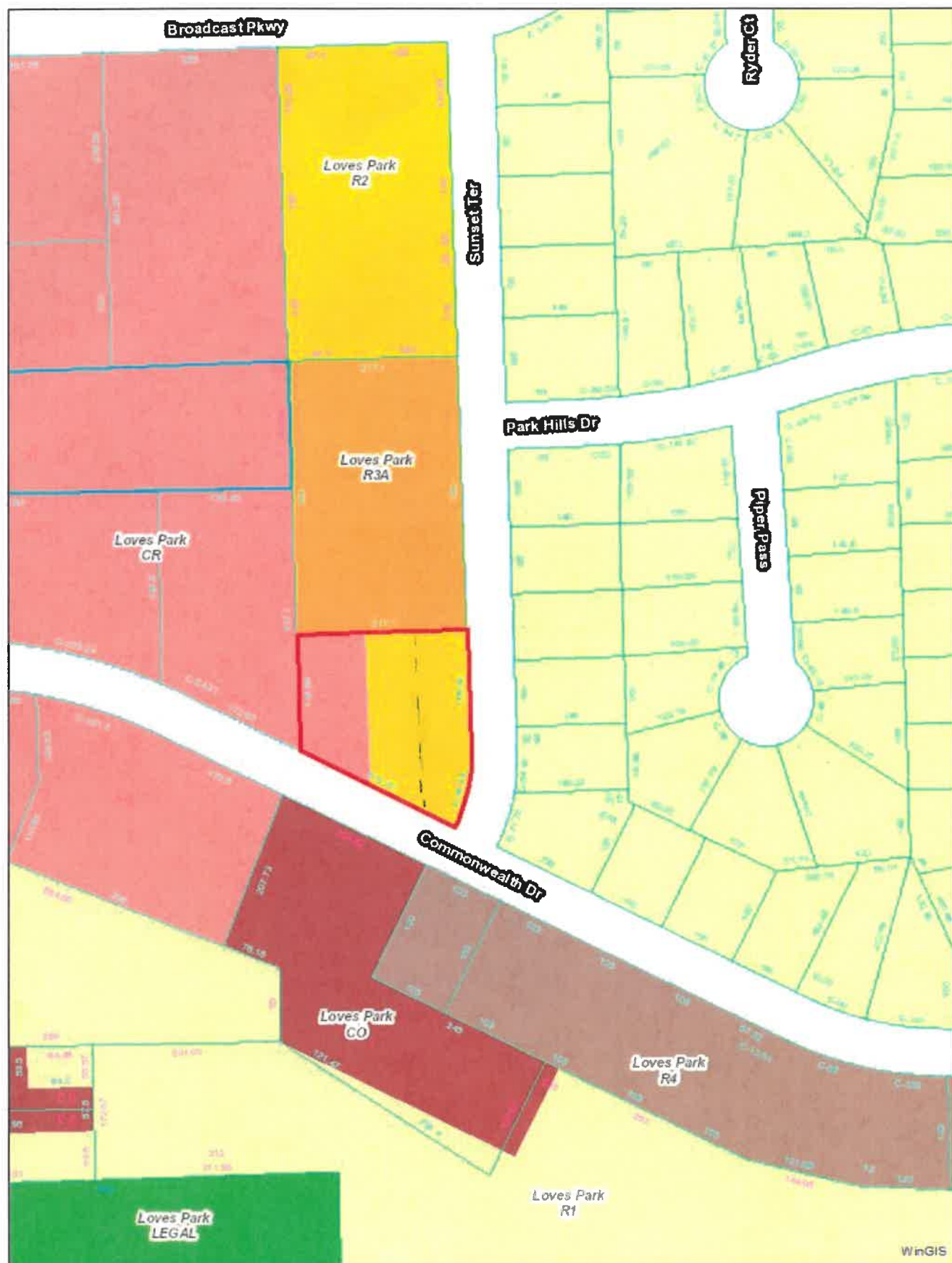
Owner:

10/10/2020

A100

Tyrawa Development
Owner
6174 Commonwealth Drive
Loves Park, IL





Recommended Findings of Fact of City Staff based on the information provided by the applicant

Findings as Required by Loves Park Ordinance - Each enumerated finding must be considered before a petition for a map amendment may be approved.

Mark "Yes," if the findings have been considered and found to be relevant and true. Mark "No," if the findings have been considered and found to be not true. If you mark "No," please explain why in the space provided below each finding. Mark "N/A," if the findings are not applicable to the situation.

6174 Commonwealth Drive

ZBA

- 1 ☐ The proposed amendment would not interfere with the policies and proposals of the city area comprehensive plan adopted by the city council.

Reason:

- 2 ☐ The proposed amendment would be consistent with the framework the city has cultivated to continue city development in a very orderly manner.

Reason:

- 3 ☐ The proposed amendment would not permit uses, buildings, or structures incompatible with the character of development or intended uses within specified zoning districts.

Reason:

- 4 ☐ Any additions, alterations, or remodeling of existing buildings or structures would not be modeled in such a way as to avoid the restrictions and limitations imposed on the ordinance.

Reason:

- 5 ☐ The proposed amendment would not promote the overcrowding of land and undue construction of structure.

Reason:

- 6 _____ The public health, safety, morals, comfort, peace, and general welfare of the people would be promoted as a result of the proposed amendment.

Reason:

- 7 _____ The risk of bodily harm to a person or damage to personal property or chattels by fire, explosion, toxic fumes and other hazards would not become more likely as a result of the proposed amendment.

Reason:

- 8 _____ The proposed amendment would not encourage the prevention of incompatible uses or nuisances.

Reason:

These findings are based on staff interpretation of the required findings necessary for approval of a map amendment. The Zoning Board of Appeals must indicate whether or not all the findings have been considered to substantiate the approval of a zoning map amendment.

These findings have been adopted as the official Findings of Fact for the City of Loves Park, Zoning Board of Appeals agenda item: 6174 Commonwealth Drive
ZMA from R2 to R3A

Chairman

Benjamin Danielson

Signature _____

Date _____