



## PLANNING & ZONING COMMISSION MEETING MINUTES

66 Thillen Drive, Fox Lake, IL 60020

March 13<sup>th</sup>, 2019 6:30pm

### **Public Hearing for the Petition of the Village of Fox Lake to amend Section 9-1-4-3-B-3 of the Zoning Ordinance regarding Contiguous Parcels**

#### **I. Call to Order**

Commissioner Foster called to order the Public Hearing for the Petition of the Village of Fox Lake to amend Section 9-1-4-3-B-3 of the Zoning Ordinance regarding Contiguous Parcels at 7:44pm.

#### **II. Roll Call**

##### **Present**

Commissioner David Schultz

Commissioner Niki Warden

Commissioner Tim Foster

Commissioner Debra Vander Weit

Commissioner Peter Fenneman

##### **Staff Present**

Community Development Director Donovan Day

##### **Absent**

Commissioner Stephanie Vermillion

Chairman David Gauger

#### **III. Hearing**

**The Village of Fox Lake is seeking Planning and Zoning Commission consideration to delete Section 9-1-4-3-B-3 from the Village of Fox Lake Zoning Ordinance.**

Community Development Director Donovan Day presented the Village's request to delete Section 9-1-4-3-B-3 of the Village of Fox Lake Zoning Ordinance. This would allow owners of legally subdivided lots to petition for a variance to expand their residence without combining adjacent vacant lots.

Director Day referred to two (2) sections of the Fox Lake Zoning Ordinance:

- Section 9-1-5-1-B-4 allows lots that were rendered legal non-conforming by passage of new setback, bulk, and use regulations to eligible for the construction of a single family home as long as the home conforms as much as possible to today's standards.

- Section 9-1-4-3-B-3 requires an owner of property that was rendered legal non-conforming due to the passage of updated setback, bulk and use regulations to combine an otherwise buildable lot in order to negate the need for a variance for building within front, rear and side yard setbacks.

The two sections conflict with one another and renders vacant lots under one ownership unbuildable if a new home is to be constructed that may need a variance. For instance, there are several vacant lots on Fortress Drive that are within the R2 Zoning District and are sixty (60) feet wide. The lots were legally subdivided according to the requirements at the time they were subdivided. Subsequent setback regulations required lots within R2 Zoning Districts to be no less than sixty-five (65) feet wide, thereby rendering these lots legal non-conforming. The lots are under the same ownership. The owner of the vacant lots would have to combine two (2) lots to build a single-family home, and isn't afforded the right to seek a variation to construct a home within combining lots.

#### **IV. Commission Comments**

None

#### **V. Commission Questions**

None

#### **VI. Public Comment**

None

#### **VII. Motion**

*Commissioner Fenneman made a motion to amend section 9-1-4-3-B-3 of the Fox Lake Zoning Ordinance, Seconded by Commissioner Vander Weit.*

Discussion:

*Director Day added he would inform the Village Attorney of the agreed removal of the zero yard set-back which would then go to the Village Board at the next Village Board Meeting for discussion.*

*Roll Call Vote:*

<i>Commissioner Schultz</i>	<i>Aye</i>
<i>Commissioner Vermillion</i>	<i>Absent</i>
<i>Commissioner Warden</i>	<i>Aye</i>
<i>Commissioner Foster</i>	<i>Aye</i>
<i>Commissioner Vander Weit</i>	<i>Aye</i>
<i>Commissioner Fenneman</i>	<i>Aye</i>
<i>Chairman Gauger</i>	<i>Absent</i>

#### **VIII. Adjournment**

Commissioner Foster closed the hearing at 7:53pm.

Respectfully submitted by,



Copies of the ordinance discussed is available for review at the Village Hall or on our web site at [www.foxlake.org](http://www.foxlake.org)

Brigitte Weber  
Deputy Clerk