



## 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 Michelle Stewart requesting a Special Use Permit to operate a short-term rental at 23 Atwater Parkway

#### I. Call to Order

Commissioner Foster called to order the Public Hearing for the Petition submitted by Michelle Stewart requesting a Special Use Permit to operate a short-term rental at 23 Atwater Parkway at 6:32pm.

#### 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 Petitioner, Michelle Stewart, is seeking Planning & Zoning Commission's consideration for a Special Use Permit to operate a short-term rental at the property commonly known as 23 Atwater Parkway.**

Petitioner Michelle Stewart presented the Commission Board with her request to obtain a Special Use Permit to operate a short-term rental. Michelle stated she has operated a short-term rental at the property for several months, before being made aware of the short-term rental ordinance. Ms. Stewart explained that once she was informed about the short term rental ordinance, she filed the required documents and passed the building inspection. The property is currently on hold for renting until the required hearing procedures are followed and the decisions have been finalized. Michelle explained that she works with Airbnb which requires the homeowners to follow a strict review process for potential renters. Michelle said she does not allow renters to have pets at her

property and has surveillance. Ms. Stewart stated she has not had any complaints from neighbors and has had all positive, five (5) star reviews.

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

Commissioner Foster and Commissioner Fenneman both agreed that 23 Atwater Parkway was a nice place.

Commissioner Warden shared her experiences with renting through Airbnb and agreed that they have a very strict rent policy. Commissioner Fenneman also agreed with the strict renting policies.

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

Commissioner Fenneman asked where parking was available for guests.

Ms. Stewart stated five (5) parking spaces are available on the property's driveway.

Commissioner Vander Weit asked how reckless "partying" is controlled through the rental company.

Ms. Stewart explained that she has an insurance policy through Airbnb with specific regulations that must be followed in addition to her own renters insurance.

Commissioner Foster asked if the property was part of a homeowners association.

Ms. Stewart said her property was not part of a homeowners association but the park by the lake was. Michelle also stated that her renters are notified that the park is not available for use by short-term renters.

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

Resident John Vileta commented having had experienced bad situations with a neighbor having short-term rentals in the past. Mr. Vileta said he believed they rented their home out on their own, not through a short-term rental company.

Director Day explained the short-term rental process and regulations that the Village of Fox Lake currently has in place to eliminate the problems that came up in the past.

Resident Joyce Sjostrom recited notes documented by herself and some of her neighbors of some concerns they had: Beaches for use of owners and residents only, strangers, safety of children, parking & traffic, all day and night parties, narrow channel for boat use and change in taxes.

Director Day addressed the hotel/motel tax that will be enacted after this year's budget season which will affect taxes to the renters and be a benefit for the Village and residents. The hotel/motel tax has to be used toward tourism activities.

Resident Diana Vileta questioned the notification process for future short-term rentals in the neighborhood.

Director Day explained the process of obtaining a special use permit which requires a public hearing and notices sent by certified mail to everyone within a three hundred foot (300 ft.) radius of the subject property.

Resident and President of the Atwater Park Association Allen Knasal addressed the Commission Board with concerns of renters using the common property park that is only intended for use by homeowners of the Atwater Park Association.

The Atwater Park Association is currently voluntary.

Commissioner Foster suggested that by having a stronger, mandatory association could help with raising money for the park and regulate such issues.

Director Day stated that by adding stipulations to the special use permit could help with the concerns of renters using the private park.

Resident Louis Igyarto expressed his concerns with public nuisance at unregulated short term rentals that he has dealt with in the past.

Director Day explained that the Village of Fox Lake Police Department is notified of the properties that have a special use permit for short-term rentals. If issues of public nuisance, such as public health, safety, morals, comfort or general welfare are reported there is a process in place to address the issues and possible revocation of the special use permit.

## **VII. Motion**

*Commissioner Schultz made a motion to approve the petition for a special use permit to operate a short-term rental at property commonly known as 23 Atwater Parkway with the added amendment that guests are not allowed to use the private park, Seconded by Commissioner Vander Weit.*

Discussion: None

*Roll Call Vote:*

Commissioner Schultz	Aye
Commissioner Vermillion	Absent
Commissioner Warden	Aye
Commissioner Foster	Aye
Commissioner Vander Weit	Aye
Commissioner Fenneman	Aye
Chairman Gauger	Absent

## **VIII. Adjournment**

Commissioner Foster closed the hearing at 7:29pm.

Respectfully submitted by,

  
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Brigitte Weber  
Deputy Clerk