



PLANNING & ZONING COMMISSION MEETING MINUTES

66 Thillen Drive, Fox Lake, IL 60020

August 14th, 2019 6:30pm

**Public Hearing for the Petition of RTO Property requesting a Special Use permit to operate a Short-Term Rental at 27 Lakeside Lane
(Continued from July 10th, 2019)**

I. Call to Order

Chairman Gauger opened the public hearing for the petition of RTO Property requesting a Special Use permit to operate a Short-Term Rental at 27 Lakeside Lane at 6:30pm.

II. Roll Call

Present

Commissioner David Schultz

Commissioner LaPiana

Commissioner Niki Warden

Commissioner Tim Foster

Commissioner Debra Vander Weit

Commissioner Legge

Chairman David Gauger

Staff Present

Community Development Director Donovan Day

III. Hearing

The Petitioner, RTO Property LLC, is seeking Planning and Zoning Commission consideration for a Special Use permit to operate a Short-Term rental at property commonly known as 27 Lakeside Lane.

Owner of RTO Property William Powers provided some background information of the company. RTO Property is a property developer in Lake County. They currently own and manage over two hundred (200) annual rentals and twenty (20) Short-Term rentals. Both properties being petitioned by RTO Property were acquired through a non-profit organization, the Affordable

Housing Corporation of Lake County. The purpose is to take distressed &/or abandoned homes and renovate them so that they are no longer a blight in the community.

Short-Term Property Manager for RTO Property, Mark Dennis, explained the Short-Term rental information booklet provided to the commission. Mr. Dennis stated the property is target marketed to families and the House Rules specifically prohibit parties or behavior that would be detrimental to the public welfare. All guests are required to review and accept the House Rules and pass the Guest Screening process prior to booking. Mr. Dennis explained the Security System with remote access and the noise detection sensors installed in all the properties. The property will be professionally managed, maintained and cleaned. Garbage days are also monitored.

IV. Commission Comments

Chairman Gauger referred to an unfortunate situation, which was before the Village adopted regulations for short-term rentals, but caused a burden to many residents. For this reason, the Village of Fox Lake adopted regulations for short-term rentals in October 2015. The regulations allow the use of properties for short-term rentals while creating a process to control the use of properties to prohibit any such use from having a detrimental effect on a neighborhood.

Chairman Gauger suggested that RTO Property give contact information to the neighbors. Mr. Powers & Mr. Dennis both agreed to do so.

Commissioner Foster reported a discrepancy between the petition and the house rules regarding parking spaces. The petition states six (6) parking spaces and the house rules list four (4). There are four (4) available parking spaces.

Director Day informed the commission that many municipalities are being sued by short-term rental brokers because Supreme Courts in many states have ruled that property owners have the right to rent out their property. As a result, an out-right ban or limiting how many short-term rentals allowed is unconstitutional in most cases.

Commissioner Foster suggested RTO Property to add "No Parking in the Street" to the House rules.

William Powers and Mark Dennis agreed to do so.

V. Commission Questions

Commissioner LaPiana asked if the security monitoring system was an application or a professional service.

Mr. Dennis explained that the noise level monitoring and noise detectors are specifically created for the application by NosieAware.

Commissioner Legge requested confirmation that RTO Property collects a garbage fee from the renter and that the fee covers both inside and outside the property.

Mr. Powers and Mr. Dennis confirmed.

VI. Public Comment

Resident John Vileta expressed his disagreement with allowing short-term rentals due to past experiences he encountered before the Village adopted the regulations.

Resident Ruth Igyarto voiced her concern over the limited parking areas and possible excessive garbage along Lakeside Lane. Mrs. Igyarto questioned what possible advantages occur with allowing short-term rentals.

Commissioner Schultz agreed that there are disadvantages that may arise with having short-term rentals. However, if the short-term rentals are managed properly, the disadvantages would be minimal. Commissioner Schultz pointed out that having someone take a distressed, abandoned property and rehabilitating it raises the neighborhood property value.

Chairman Gauger added that if the holder of a special use permit fails to comply with the conditions, or if a public nuisance has resulted from the use, the special use permit may be revoked. This process offers protection to the neighbors.

Resident Diana Vileta expressed her disapproval of short-term rentals and reported the problems she had calling the police in the past, before the short-term rental ordinance was in place. Mrs. Vileta suggested adding a fence around the property to help with the parking issues.

Director Day explained that in the past there was a big disconnect between the Police Department and Village Hall. Now, with the current Village Administrator and Chief of Police there are open lines of communication and all departments work together very well.

VII. Motion

*Commissioner Foster made a **motion** to approve the petition of RTO Property, LLC requesting a Special Use permit to operate a Short-Term rental at property commonly known as 27 Lakeside Lane in accordance with the Standards set forth in section 9-1-6-10-C of the Fox Lake Zoning Ordinance, with the Condition to change the petition to four (4) parking spaces instead of six (6), Seconded by Commissioner Legge.*

Discussion: None

Roll Call Vote:


<i>Commissioner David Schultz</i>	<i>Aye</i>
<i>Commissioner LaPiana</i>	<i>Aye</i>
<i>Commissioner Niki Warden</i>	<i>Aye</i>
<i>Commissioner Tim Foster</i>	<i>Aye</i>
<i>Commissioner Debra Vander Weit</i>	<i>Aye</i>
<i>Commissioner Legge</i>	<i>Aye</i>
<i>Chairman David Gauger</i>	<i>Aye</i>

All in favor

VIII. Adjournment

Chairman Gauger closed the hearing at 7:20pm.

Respectfully submitted by,


Brigitte Weber, Deputy Clerk