



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 21 N. Holly Ave.

(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 21 N. Holly Ave. at 7:21pm.

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 & Zoning Commission consideration for a Special Use Permit to operate a Short-Term rental at property commonly known as 21 N. Holly Ave.

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. RTO Property spent over one hundred thousand dollars (\$120,000) on renovations at 21 N. Holly Ave.

IV. Commission Comments

Commissioner Foster reported a misprint with the available parking spaces listed in the House Rules. House Rules list two (2) available parking spaces and the actual parking spaces available are six (6).

Commissioner Schultz addressed a public remark that was made towards the commission. Commissioner Schultz was offended by the comment. He expressed his care and concern for his community and shared his thoughts on accepting change.

Commissioner Warden explained that the Planning & Zoning Commission is a recommendation board and gives their recommendation to the Village Board where the final decision is made. Commissioner Warden suggested that residents should attend the following Village Board meeting.

Commissioner Foster voiced his disapproval of this particular petition because they have already been renting the property out and the "House Rules" are consistently being broken. Commissioner Vander Weit understands the positive side of companies, such as RTO Property, turning distressed homes into Short-Term rentals. However, she stated her concern for enforcing the proper monitoring of the property.

Commissioner Schultz suggested RTO Property Manager Mark Dennis to give his cell phone number to the neighbors for any future issues that may occur. Commissioner Schultz added that it should be a requirement for all short-term rentals to provide their contact information to the surrounding neighbors. He also reminded the neighbors that if a public nuisance occurs they need to call the Police Department.

Mr. Dennis agreed and gave his cell phone number to the neighbors. Bill Powers stated he provided his business cards to the neighbors he had previously met with.

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 designed for the application created by NosieAware.

Commissioner LaPiana questioned the Guest Confirmation Agreement and the name listed as Agape Real Estate Investments, LLC.

Mr. Dennis stated this is not the agreement Airbnb allows them to use but confirmed renters do see the House Rules provided.

Commissioner Legge questioned the arrangement for moving the already scheduled bookings from the sold property to this property.

Director Day clarified that RTO Properties told him that three (3) scheduled rentals would be moving from the sold short-term rental property to the pending short-term rental property.

VI. Public Comment

Resident Patrick Innis voiced his concerns of the elevated noise that would occur with allowing short-term rentals. Mr. Innis asked the Commission how they feel about short-term rentals in their neighborhoods.

Commissioner Warden mentioned that noise issues can arise with long term renters or even new owners of the property. Commissioner Warden advised that if a noise issue does occur, residents need to contact the police department.

Commissioner Vander Weit added that if a noise complaint has been validated by the Police Department for a short-term rental, that information will then be relayed to the Village.

Director Day explained the process after receiving complaints through the police department. The police department has the approved short-term rentals listed in their software system. If there are multiple violations or calls for service at any of these properties they will notify the Village. A public hearing before the Village Board is then conducted to decide whether or not the special use permit is to be revoked.

Commissioner Foster responded that this particular property is in the neighborhood where he lives. Commissioner Foster explained that he was comfortable having short-term rentals because they are now being regulated. If the short-term rental property becomes a public nuisance, the special use permit may be revoked.

Commissioner LaPiana mentioned that he has two (2) short-term rentals pending in his neighborhood, and understands the concerns.

Mr. Innis questioned why the property has already been rented out before the petition has been passed. Resident and business owner Mariann Working also stated her concern over the property being rented out before the petition has been passed.

Director Day explained that RTO Property had a Special Use Permit for Short-Term rentals on Hillside that recently sold with current bookings. RTO Property was allowed to move those already scheduled bookings to 21 N. Holly since they had already applied for the Special Use Permit for Short-Term rentals.

Resident Louis Carow told the commission about a bachelorette party that was held at the property a month and a half earlier. Mr. Carow believes that the monitoring RTO Property has in place is ineffective. The property manager did not know about the bachelorette party taking place until two (2) days after it took place.

Resident Kathy Garland also stated her concern over monitoring and believes it is not being done properly because of the rules she has seen being broken.

Resident Ester Busch stated she spoke with a renter who told her they rented 21 N. Holly and not the property on Hillside.

Resident Dan Story explained why he objects to the petition. The constant flow of strangers so close to his property is affecting his families' quality of life and it is creating security concerns. Renters are parking on his property and dogs are running through his yard.

VII. Motion

Commissioner LaPiana made a motion to approve the petition of RTO Property, LLC requesting a Special Use Permit to operate a Short-Term Rental at 21 N. Holly Ave. in accordance with the Standards set forth in section 9-1-6-10-C of the Fox Lake Zoning Ordinance, Seconded by Commissioner Foster.

Discussion: None

Roll Call Vote:

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

Motion did not pass.

VIII. Adjournment

Chairman Gauger closed the hearing at 8:24pm.

Respectfully submitted by,

Brigitte Weber
Brigitte Weber
Deputy Clerk