



## PLANNING & ZONING COMMISSION MEETING MINUTES

66 Thillen Drive, Fox Lake, IL 60020

August 14<sup>th</sup>, 2019 6:30pm

**Public Hearing for the Petition of Sheila Byrnes requesting a Special Use permit to operate a Short-Term rental at 144 Eagle Point Rd. Units A & B**

### 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 144 Eagle Point Rd. Units A & B at 8:30pm.

### 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, Sheila Byrnes, is seeking Planning & Zoning Commission consideration for a Special Use Permit to operate a Short-Term rental at property commonly known as 144 Eagle Point Rd. Units A & B.**

Ms. Byrnes acquired the property about two (2) years ago. There are two (2) buildings on the property. Ms. Byrnes and her family have their primary residence on the property. The other building with units A&B had an existing long-term renting situation where Ms. Byrnes had difficulty gaining control. Sheila has had to rehabilitate the building because of the damage that was left from the long term renters. Ms. Byrnes spent a lot of time on her House Rules in order to

have control and help prohibit the renters from causing a detrimental effect on the neighborhood. Sheila stated she has zero tolerance for parties and any rules being broken.

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

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

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

Resident Ed Schultz voiced his concern over the square footage of the building where renters would stay and stated the problems they had with this property being part of Section 8 Housing. Mr. Schultz also read & submitted a letter by Linda Halvorsen where she stated her concern and disagreement with allowing a short-term rental.

Commissioner Vander Weit explained that if the property is given the Special Use Permit for a Short-Term rental than it will no longer be part of the Section 8 Housing.

Resident Ed Lobue questioned how short-term rentals would give the owner more control than long term rentals.

Commissioner Schultz explained the strict screening process that short-term rental brokers require.

Resident Peg Dalton voiced her approval of allowing a short-term rental at this property. Ms. Dalton detailed the problems they had when the property was being rented out as a long term rental. Ms. Dalton agreed that short-term rentals give the owner more control.

Resident Mary Petkovic shared her disagreement with allowing a short-term rental. Ms. Petkovic spoke of the problems that occurred with drugs and fighting while the property was a long term rental.

Commissioner Foster explained how long term renters have more legal rights than the homeowners.

Resident Linda Dalka stated concern over the possible excessive traffic that may occur.

Resident Paul Ranieri questioned the process when a short-term rental property receives a violation.

Director Day reviewed 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.

Director Day added that out of the seven (7) currently approved Short-Term Rentals in the Village, there hasn't been one complaint made.

Resident Sally Palm stated her concern of the lakefront.

It was suggested that Ms. Palm contact the Fox Waterway Agency.

#### **VII. Motion**

*Commissioner Warden made a motion to approve the petition of Sheila Byrnes requesting a Special Use permit to operate a Short-Term rental at the property commonly known as 144 Eagle Point Rd. Units A & B 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>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 9:13pm.

Respectfully submitted by,

Brigitte Weber  
Brigitte Weber  
Deputy Clerk