



PLANNING & ZONING COMMISSION DRAFT MINUTES

March 13th, 2024 6:30pm
66 Thillen Drive, Fox Lake, IL

The meeting was held via in-person and via Zoom conference.

I. Call To Order **Open: 6:30 PM** **Closed: 7:45 PM**

II. Pledge Of Allegiance

III. Roll Call		Present	Absent
Commissioner:	Joe Bongiovanni	<u> x </u>	<u> </u>
	Stephen Legge	<u> x </u>	<u> </u>
	Eric Swanson	<u> x </u>	<u> </u>
	Barbara Nakanishi	<u> x </u>	<u> </u>
	Jeff Bell	<u> x </u>	<u> </u>
	Michelle Stewart	<u> x </u>	<u> </u>
Chairman:	David Gauger	<u> x </u>	<u> </u>

A quorum was established.

Also in attendance: Patricia Russell, Jodi Luka, Kyle Legge, Trustee Marr

IV. Approval of February 14, 2024, Regular Meeting Minutes

A motion was made by Commissioner Swanson to approve the minutes of February 14, 2024, as submitted. This was seconded by Commissioner Legge.

Affirmative Vote: all in favor. Motion passed.

V. Old Business - None

VI. New Business

1) 4 N Pistakee Lake Rd - Special Use Permit to Operate a Short-term Rental

Open: 6:33 PM **Closed: 6:55 PM**

Zach Krachinski was sworn in.

This property is zoned B-4. There is a residence and a detached garage. Zach



lives in Michigan City and manages about 80 rentals at this time. He has arranged with some local people whom he can call if he needs anything, including a neighbor who has a key to the house. Zach is here every other week and will keep the house in good condition. There are 3 bedrooms, which means 6 adults maximum. Zach knows several of his neighbors and will introduce himself to others and give them contact information. Zach is having Com-Ed come out and bury power lines. He also said that he will be taking out the garbage every other week when he is in town. Also, he has a second parcel that will be used for parking. Mr. Krachinski said that he has improved the property and intends to continue improvements. All 6 conditions were discussed.

Audience Comments

Nathan Groenendal (on Zoom) was sworn in. He asked if this property had been rented previously. Mr. Krachinski said that he did rent on a short-term basis before he was aware of the regulations. Has not rented the short-term since he became aware. Nathan has seen a lot of reviews, but Mr. Krachinski said these are mostly from friends and/or family.

Juan Lopez was sworn in. Mr. Lopez is concerned about too many STR's on the lakefront.

Motion of Recommendation

Commissioner Bongiovanni made a motion to approve the Special Use Permit for a Short-term Rental as presented, for the property commonly known as 4 N Pistakee Lake Road, Fox Lake, IL, in accordance with Village of Fox Lake Zoning Code 9-1-6-10, subsection C. By ordinance, six standards need to be satisfied; they are 1, 2, 3, 4 5, and 6 and they are satisfied. There is one additional condition: if there is any residential development on 2 N. Pistakee Lake Road, the Special-Use for Short-term Rental for 4 N Pistakee Lake Road would be negated. This was seconded by Commissioner Bell.

Discussion

None.

Roll Call Vote

		Yea	Nay
Commissioner:	Joe Bongiovanni	<u> x </u>	<u> </u>
	Stephen Legge	<u> x </u>	<u> </u>
	Eric Swanson	<u> x </u>	<u> </u>
	Barbara Nakanishi	<u> x </u>	<u> </u>
	Jeff Bell	<u> x </u>	<u> </u>
	Michelle Stewart	<u> x </u>	<u> </u>
Chairman:	David Gauger	<u> x </u>	<u> </u>



Motion passed.

2) 16 N Pistakee Lake Rd - Special Use Permit to Operate a Short-term Rental

Open: 6:57PM Closed: 7:16 PM

Shawn Good was sworn in.

This property refers to unit 4 and unit 5 at 16 N Pistakee Lake Road. Shawn has several other short-term rentals on this property that were approved previously. These units are in one house, separated by a 90-minute fire door and are dead bolted for safety. There is an entrance from the outside for each unit. Mr. Good has also installed cameras, a noise monitor, and string lights on a dimmer so as not to disturb the neighbors. There are more than enough parking spaces. All 6 conditions were discussed.

Audience Comments

None.

Motion of Recommendation

Commissioner Bell made a motion to approve the Special Use Permit for a Short-term Rental as presented, for the property commonly known as 16 N. Pistakee Lake Road, Fox Lake, IL, in accordance with Village of Fox Lake Zoning Code 9-1-6-10, subsection C. By ordinance, six standards need to be satisfied; they are 1, 2, 3, 4 5, and 6 and they are satisfied. This was seconded by Commissioner Swanson.

Discussion

None.

Roll Call Vote

		Yea	Nay
Commissioner:	Joe Bongiovanni	<u> x </u>	<u> </u>
	Stephen Legge	<u> x </u>	<u> </u>
	Eric Swanson	<u> x </u>	<u> </u>
	Barbara Nakanishi	<u> x </u>	<u> </u>
	Jeff Bell	<u> x </u>	<u> </u>
	Michelle Stewart	<u> x </u>	<u> </u>
Chairman:	David Gauger	<u> x </u>	<u> </u>



Motion passed.

VII. Discussion

1) 188 Howard – Inquiry about a possible Short-Term Rental

Commissioner Gauger stated that this is an informal review to discuss ideas and have some indication and/or advice as to the merits of the proposed short-term rental.

Patrick Sheehan was sworn in.

Mr. Sheehan said that he has owned this home for 10 years and has done a lot of renovations to a point where the home is all new, inside, and out. For personal reasons, he can no longer live there but wants to keep it in reserve until he is able to return to this area. He sees the property being used for short-term rental as a way to offset the costs. There are 4 parking spots, it is on the lake and at the end of a dead-end street. There are 3 other STR's up the street.

The house has 3 bedrooms but only 2 will be used for STR, the third bedroom will hold his personal things and will not be used by renters. He will use a local property manager who will be available 24/7.

Several Commissioners asked if the option of a long-term rental has been considered. There was discussion about the density of STR's in the area, possible problems of traffic (especially emergency vehicles) not being able to turn around. Mr. Sheehan said that garbage trucks, mail vehicles, etc. come down the street all the time, they don't turn around – they back-up. He also said that parking is not allowed on this street.

The commissioners cannot determine the chances of success if a petition for short-term rental for this property is filed. The decision of whether to move forward with an application for short-term rental is not any part of this discussion.

VIII. Public Comment

In accordance with the Illinois Open Meeting Act, the public may address the Commission regarding any matter on the agenda or not on the agenda.

Scott Fisher – 18 N Pistakee Lake Road



Mr. Fisher is concerned about the density of short-term rentals and the number of STR's allowed in the village. This question was addressed during discussions with Mr. Sheehan earlier. The other question is how the STR's are concentrated. Chairman Gauger explained that there are no hard-and-fast rules. What we are trying to do is take the long-term residents into consideration as well as the potential STR owners.

Chairman Gauger suggested that a good source of information regarding the reasons for approval or non-approval of short-term rental applications would be to read the minutes of past hearings.

IX. Adjournment

Motion to adjourn at 7:45 PM was made by Commissioner Nakanishi and seconded by Commissioner Stewart.

Affirmative Vote: all in favor. Motion passed.

Patricia Russell, Deputy Clerk