



PLANNING & ZONING COMMISSION DRAFT MINUTES

November 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 **Close:** 7:44 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> </u>	<u> x </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, Jake Boxrud

IV. Approval of October 9th, Regular Meeting Minutes

V. A motion was made by Commissioner Bongiovanni to approve the minutes of October 9, 2024, as submitted. This was seconded by Commissioner Stewart .

		Yea	Nay	Abstain
Commissioner:	Bongiovanni	<u> x </u>	<u> </u>	<u> </u>
	Legge	<u> </u>	<u> </u>	<u> x </u>
	Swanson	<u> x </u>	<u> </u>	<u> </u>
	Bell	<u> x </u>	<u> </u>	<u> </u>
	Stewart	<u> x </u>	<u> </u>	<u> </u>
Chairman:	Gauger	<u> x </u>	<u> </u>	<u> </u>

Motion Passed

VI. Old Business - None



VII. New Business

1) 2025 Planning & Zoning Meeting Dates

Open: 6:34 PM

Close: 6:35 PM

Audience Comments

None

Motion to Approve:

A motion to approve the 2025 Planning and Zoning Commission meeting dates as presented was made by Commissioner Stewart and seconded by Commissioner Swanson.

Discussion - None

Roll Call Vote		Yea	Nay
Commissioner:	Bongiovanni	<u> x </u>	<u> </u>
	Legge	<u> x </u>	<u> </u>
	Swanson	<u> x </u>	<u> </u>
	Bell	<u> x </u>	<u> </u>
	Stewart	<u> x </u>	<u> </u>
Chairman:	Gauger	<u> x </u>	<u> </u>

2) Short-term Rental Moratorium

Open: 6:36 PM

Close: 7:34 PM

Jodi Luka recapped the background of the moratorium and the reasons for it:

- 1) Ability to enact a clearer Short-term Rental License revocation process;
- 2) Define the term “density” as it relates to quantity of short-term rentals in a specific area;
- 3) Clarification of occupancy, whereas children are unlimited therefore, owners add additional beds under the “unlimited children” clause;
- 4) Seek further direction when conditional bedroom limits are imposed within a timeline.

Jodi has had discussions with outside counsel Ancel Glink to determine what practices have been working in other towns and which, if any, might be useful to our village. Jodi reports that only a few calls have been reported to her from the police department regarding community complaints. It was discussed that any notice of violations should



be addressed to the property owner and referred to the manager later, if the owner requests it or if the owner is not responsive. It is the responsibility of the property owner to keep the village updated as to contact information. This can be included in our application packet. Also, our village attorney recommends that, if a review of a STR license occurs due to violations, the Village Administrator should be doing the review and making the final decision to revoke a license or not.

Commissioner Legge feels that there should not be a cap on the number of STR's in the village. He feels the commissioners need to be the decision makers at the hearings. If the commission is doing its job properly, limits are not needed. In order to save time and finances for the applicants, staff can give guidance and informal hearings can be helpful. Although the application process takes a lot of staff time and effort, it is our responsibility to assist and inform the public.

There was discussion of whether or not to have a limit on the number and location of STR's, also preference of having owner-occupied STR's and partial rentals (rent part of house). There are several STR's in town that are not renting very often. Single room rentals are not allowed in the village. Counsel has recommended that we do not define "density". Rather, look at the individual circumstances, the nature of the community, the specific neighborhood, utilities, etc, and see if the character of the neighborhood would be affected. A community in our area has recently put a 1,000-foot radius limit on STR's based on not negatively affecting the character of a neighborhood.

Our current rules state 2 adult occupants per bedroom and unlimited children. It is recommended that occupancy be defined by The International Residential Code. This has a minimum size requirement to be considered a bedroom, window size, egress points, closets, etc. Occupancy limit would be based on the size of the bedrooms. Calculation of bedroom size will be supplied to the commissioners in the memo cover letter for each submission. A cap of 10 occupants is suggested. A higher capacity limit would require a variance.

Audience Comments

An audience member stated that she has seen advertisements for STR stating a capacity of 17. It was suggested that there are several properties where that could be correct.

Motion to Approve:

A motion was made by Commissioner Bongiovanni for a favorable recommendation for the changes to the Short-term Rental Ordinances as presented.

Seconded by: Commissioner Bell

Discussion: None



Roll Call Vote		Yea	Nay
Commissioner:	Bongiovanni	<u> x </u>	<u> </u>
	Legge	<u> x </u>	<u> </u>
	Swanson	<u> x </u>	<u> </u>
	Bell	<u> x </u>	<u> </u>
	Stewart	<u> x </u>	<u> </u>
Chairman:	Gauger	<u> x </u>	<u> </u>
Motion Passed			

VIII. Discussion

Jodi Luka stated that there will be a special working session with the Village Board of Trustees and the Planning and Zoning Commission on Tuesday, December 3, regarding the Comprehensive Plan for the village. The meeting will be held at the Lake Front Park Building, upstairs. The meeting is expected to begin at 6 PM but if you can't be there by 6 - please come anyway. The doors will be open.

143 Plus More Creative has opened. This store has limited days and limited hours. She teaches painting and is a great shop for downtown. Please stop by.

Commissioner Bell asked about 104 Sayton Road. That was supposed to be a "doggy daycare". There were some issues between the franchise and the building owner so, at this time they are doing some work on the building while trying to figure out what to do.

Honda has submitted plans for their new building. Some changes are being made so the engineering reviews are on hold. When excavating, they found underground tanks which has caused some delay.

The Big Hollow re-zoning petition has been finalized. We are working with the owners and developers on the re-development agreement and are starting to solidify plans. PUD plans will probably come before the commission at the February 2025 meeting.

The solar farm petition will be back for the December PZC meeting.

Chairman Gauger said that he has submitted his paperwork to run for Trustee in the upcoming (April 2025) election.

IX. 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.



Terri Meyers was sworn in. At the PZC meeting last month, it was stated that, for the Big Hollow housing project, certain tests (traffic tests, EPA tests, etc) had to be done. Have those tests been done and what were the results?

Jodi stated that the tests have not been run yet. They had to be sure that everything was approved through the Village Board before starting the tests. When all the tests are completed, the PUD (including the tests) will be brought before the commission for consideration.

Ms. Meyers also asked about the dispensaries in town. There are 3 dispensaries at this time and that is the maximum number allowed in the village.

Adjournment

Motion to adjourn was made by Commissioner Bell and seconded by Commissioner Legge.

Affirmative Vote

All in favor - Adjourned at 7:44 PM

Respectfully Submitted,

A handwritten signature in blue ink that reads "Patricia Russell". The signature is written in a cursive style.

Patricia Russell, Deputy Clerk