



## PLANNING & ZONING COMMISSION MINUTES

August 13<sup>th</sup>, 2025, 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:** 9:49 PM

**II. Pledge Of Allegiance**

<b>III. Roll Call</b>		<b>Present</b>	<b>Absent</b>
Commissioner:	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>
	Nancy Rodriguez	<u>      </u>	<u>  x  </u>
Chairman:	Joe Bongiovanni	<u>  x  </u>	<u>      </u>

A quorum was established.

Also in attendance: Patricia Russell, Jake Boxrud

### **IV. Approval of July 9<sup>th</sup> 2025 Regular Meeting Minutes**

A motion was made by Commissioner Stewart to approve the minutes of the July 9, 2025 meeting, as submitted. This was seconded by Commissioner Legge.

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

Motion Passed.

**V. Old Business** None.



## **VI. New Business**

### **1) Amendment to a Special Use Permit for a Planned Unit Development (PUD)- 329 Thomas Place- Gateway Investment Partners LLC**

**Open: 6:31 PM Close: 7:27 PM**

**Jim Tinaglia** (Architect) was sworn in. Andy Cross introduced the petition stating that this project has abandoned elevator shafts from a PUD that was previously approved by the Village Board last year. The project stalled and did not move forward and is now being presented by the Gateway team with a few changes from the previous project. Also, zoning relief is being requested.

Mr. Tinaglia said that this project will use the base that currently exists with some modifications. There was a power point presentation showing details of this project. An R-4 underlying zoning is requested. The plan shows 231 parking stalls (1.65 parking stalls per unit). There will be both one and two bedroom units, some (22) of the one bedroom units will be 631 – 680 sq ft units. This closely aligns with what was previously approved. Plans show 148 units, 97 one bedroom and 51 two bedrooms.

There was discussion of water softeners, common storage areas for tenants, 63 garage spaces (available for rent), limited parking areas and location of mailboxes. There will be 2 elevators and lots of stairwells.

#### **Audience Comment:**

**Mariann Stanislawski** was sworn in. Ms. Stanislawski lives at 229 Thomas Lane in an over-55 community. She is concerned about traffic on Thomas Lane. The road is too narrow to handle a lot of traffic. She also stated that the water is terrible. She asked about amenities (playground, pool) and where main entrance will be located.

**Alan Ducy** was sworn in. He lives on Nippersink Road. The area is very nice. Mr. Ducy wants to know if there will be any subsidized housing in this project. Will there be restrictions on pets or vehicles. He also is concerned about the traffic.

**Janet Campbell** was sworn in. She lives on Nippersink and is concerned about traffic.

Mr. Tinaglia returned. A traffic study was done for previous project at this location and the project at 134 and Route 12. There is a construction entrance on 134 that will be used if possible. He responded to the questions asked by the audience.



**Motion to Approve:**

Commissioner Bell made a motion to approve Finding of Fact for the Planned Unit Development and Standards approving the Special Use Permit in the nature of a Planned Unit Development for the Fox Lake Gateway PUD at 329 Thomas Road as proposed in the application dated June 25, 2025. All items are satisfied (1,2,3,4,5, and 6).

Condition: Staff further reviews that Thomas Lane is built to handle the capacity of anticipated traffic.

Seconded by Commissioner Legge.

**Discussion:** None

**Roll Call Vote:**

		<b>Yea</b>	<b>Nay</b>
Commissioner:	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:	Joe Bongiovanni	<u>  x  </u>	<u>      </u>

**2) Resubdivision (consolidation) of Two Parcels- 700 Fossil Drive- Sue Bergeson**

**Open:** 7:28 PM

**Close:** 7:33 PM

Jake introduced the petition to combine 2 lots into one.

**Sue Bergeson** was sworn in. This has been a 2 year process. The current plan is to demolish the current home and rebuild it using the current footprint. The garage will be below the house.

**Audience Comment:** None.

**Motion to Approve:**

Commissioner Nakanishi made a motion to recommend approval to the Village Board for the proposed re-subdivision consolidating two properties, designated lot 29 and lot 30 on the plat of survey, into one residential property at the property commonly known as 700 Fossil Drive, Ingleside, Illinois 60041.



Seconded by Commissioner Bell.

**Discussion** None.

<b>Roll Call Vote:</b>		<b>Yea</b>	<b>Nay</b>
Commissioner:	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:	Joe Bongiovanni	<u>  x  </u>	<u>      </u>

**3) Special Use Permit to Operate a Short-Term Rental- 184 E Grand Ave-  
Steve Jergensen**

**Open:** 7:33 PM

**Close:** 8:39 PM

**Steve and Willow Jergensen** (Property Managers) were sworn in.

Jake introduced the petition. There will be a limit of 7 people (3 rooms) and 4 parking spaces.

**Steve Jergensen** stated that, due to employment opportunities, the owners of the property have moved to Australia. The property was originally intended to be the family home and a lot of work was done there before they decided to move. It does not make sense financially to sell the home. Steve and Willow will manage the property. They manage several other STR properties in Fox Lake and Willow stated that they enjoy an outstanding reputation in Fox Lake.

**Audience Comment:**

**Shirley Wagener** was sworn in. She lives at 188 Grand Avenue. Ms. Wagener has never looked better. Her concern is the density of STR's on Mineola Bay. She is also concerned about strangers in the neighborhood.

**Sue McGowan** was sworn in. She lives at 186 Grand. Ms. McGowan submitted photos of the property at 184 Grand Avenue and a plat-of-survey of 186 Grand Avenue (Attachments A and B attached). There is no access to the lake by snowmobile. She also said there are a lot of rentals around Mineola Bay.

**Annemarie Toby** submitted a letter of objection regarding this petition. (Attachment C attached).



Commissioner Swanson commented that density does not appear to be a concern. Jake Boxrud said that he is not aware of complaints regarding noise from STR's recently. Commissioner Legge suggested that it would be nice to have a map showing where the short-term and long-term rentals are located.

### **Motion to Approve**

Commissioner Swanson made a motion for approval to the Village Board the Special Use application for a Short-Term Rental permit for the property known as 184 E Grand Avenue, Fox Lake in Lake County, Illinois. The standards for Special Use have been satisfied in accordance with Village of Fox Lake Zoning Code 9-1-6-10 Subsection C. The items satisfied are 1, 2, 3, 4, 5, and 6.

The motion was seconded by Commissioner Stewart.

### **Discussion**

None.

<b>Roll Call Vote:</b>		<b>Yea</b>	<b>Nay</b>
Commissioner:	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:	Joe Bongiovanni	<u>  x  </u>	<u>      </u>

The Chairman called a 5 minute break.

The meeting was reconvened at 8:44 PM.

#### **4) Variation to Rear Yard Setback Requirement- 6715 Perkins Parkway- Zach Zielinski**

**Open:** 8:44 PM

**Close:** 8:53 PM

Jake introduced the petition. This property is currently zoned R1 and has an irregular shape and is for a 29' 5" setback.

**Zach Zielinski** was sworn in. Mr. Zielinski is the general contractor for the proposed work. The job is to create a sunroom on an existing deck and is not adding to the footprint or taking up any green space.



**Audience Comment:**

**Ryszard (Richard) and Christine Michalak** were sworn in.

They received notice of this meeting and thought (in error) it was referring to their property. The confusion was addressed and settled.

**Motion to Approve:**

Commissioner Stewart made a motion to recommend approval to the Village Board for the proposed variation to Section 9-1-4-3 outlining the R-1 District's minimum rear yard setback requirement of 40 feet to allow for the re-construction of a sunroom with a 29.5 foot setback at the property commonly known as 6715 Perkins Parkway, Fox Lake, Illinois 60020.

The motion was seconded by Commissioner Swanson.

**Discussion:** None.

**Roll Call Vote:**

		<b>Yea</b>	<b>Nay</b>
Commissioner:	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>
	Nancy Rodriguez	<u>  x  </u>	<u>      </u>
Chairman:	Joe Bongiovanni	<u>  x  </u>	<u>      </u>

Motion Passed.

**5) Special Use Permit to Operate a Short-Term Rental- 163 Arthur Avenue- Jay Ozer**

**Open:** 8:54 PM      **Close:** 9:17 PM

Jake introduced this petition. This property is a licensed short-term rental and is now being sold. The prospective new owner is applying for a new short-term rental license. The limits would be 8 people and 3 parking spaces.

**Jay Ozer** was sworn in. Mr. Ozer is new to Fox Lake and lives 30 – 35 minutes away. He has long-term and short-term rentals in Chicago and has been a realtor for 20 years. He intends to manage this property himself.



**Nick Kutsch** was sworn in. Mr. Kutsch is the current owner of this property. Mr. Kutsch is selling this property because he and his family are moving out of the area. Mr. Kutsch advised that Mr. Ozer to get to know the neighbors.

**Audience Comment:** None.

**Motion to Approve:**

Commissioner Nakanishi made a motion to recommend approval to the Village Board for the Special Use application for a Short-Term Rental permit for the property known as 163 Arthur Avenue, Fox Lake, in Lake County Illinois. The standards for the Special Use have been satisfied in accordance with Village of Fox Lake Zoning Code 9-1-6-10 Subsection C. The items satisfied are 1, 2, 3, 4, 5, and 6.

Seconded by Commissioner Swanson.

**Discussion:** No density property. Commissioner Legge is concerned about management of the property. Mr. Ozer said that he plans to manage the property himself but would consider hiring a local management person if needed.

<b>Roll Call Vote:</b>		<b>Yea</b>	<b>Nay</b>
Commissioner:	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:	Joe Bongiovanni	<u>  x  </u>	<u>      </u>

Motion Passed.

**6) Residential Zoning Ordinance Workshop #2- Draft Proposal of Reforms**

**Open:** 9:18 PM      **Close:** 9:48 PM

Jake Boxrud gave a brief power-point presentation regarding ideas for updating the current zoning ordinances. This concerns zones R-1 and R-2 properties only.

- 1) The proposed requirements would now be a function of lot size
- 2) Administrative Variation
- 3) Minor Subdivisions



There are also proposed changes to the zoning map.

Chairman Bongiovanni suggested that the discussion be tabled until our next meeting. The commissioners will consider the presentation and discuss ideas and/or questions at the September 10, 2025. Jake asked for feed-back by next Friday (August 22).

**VII. Discussion** None.

**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.*

None.

**IX. Adjournment**

Motion to adjourn was made by Commissioner Nakanishi and seconded by Commissioner Swanson.

**Affirmative Vote**

All in favor - Adjourned at 9:49 PM

Respectfully Submitted,

---

Patricia Russell