

Village of Fox Lake

Short Term Rental

Petition Packet
Planning & Zoning Commission



Community Development

66 Thillen Dr.
Fox Lake, IL 60020
www.foxlake.org
(847)587-3176
(847)587-3980 Fax

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Process Overview

Petitions are to be filed with the Community Development Department.

STEP 1	PRE- APPLICATION MEETING: Although this step is optional, we highly recommend the Petitioner schedule a meeting with the Community Development Director to discuss the feasibility of the proposed.
STEP 2	PETITION PACKET SUBMITTAL: Completed Application Packet returned to the Community Development Department.
STEP 3	STAFF REVIEW: Upon receipt of a completed petition packet, staff will conduct a review and contact Petitioner with any questions. Petitioner will address any concerns and resubmit, if required. Once approved by staff, a meeting date will be set and the petitioner will be notified of meeting date.
STEP 4	ACTION BY THE PLANNING & ZONING COMMISSION: Commission will review petition and make a recommendation to the Village Board.
STEP 5	ACTION BY THE VILLAGE BOARD: Village Board will review the Petition and Commission recommendation at the next available meeting. If approved, the ordinance will be drafted.
STEP 6	ADOPTION OF ORDINANCE: Village Board will vote on Ordinance at the next regularly scheduled meeting. Copy of adopted Ordinance will be sent to the petitioner.

Submittal Checklist

It is strongly suggested that petitioners review the material in this packet, and applicable chapters of the Village Code.

The following documentation is included;

- ┌ **Petition and Application:** Must be completed and the signatures of the petitioner notarized (there are notaries on staff at the Village).
- ┌ **Proof of Ownership:** Must provide one of the following;
 - a. Warranty Deed
 - b. Trust
 - c. Title Policy
 - d. Fully executed lease or fully executed contract to purchase. A Letter of Authorization from the Owner of Record is required if an agent is designated or if the owner's signature is not on the petition.

- ┌ **Map of Parking:** Must demonstrate location and maximum number of cars for overnight parking. May be included on plat of survey or aerial.
- ┌ **Plat of Survey:** The plat must show all improvements to the property as they currently exist.
- ┌ **Legal Description:** Provide in electronic format the Legal Description from Plat of Survey. (Microsoft Word or email. No PDF's.)
- ┌ **Contiguous Property Owners Listing:** Village will determine who the contiguous property owners are. (See [Notification Requirements](#).)
- ┌ **Proof of Insurance:** Must cover rental use.
- ┌ **Response to Applicable Standards (for Special Use only):** A written response to the applicable Standards must be provided that specifies in detail why each of the standards is true or being met.
- ┌ **Copy of Rules and Regulations:** Must include contact information for the property manager, police and fire.
- ┌ **Copy of Lease/Contract:** Must state minimum stay shall be no less than two (2) days and maximum stay shall be no more than thirty (30) days.
- ┌ **Short Term Rental Registration Form:** Required for rental inspection that has to be completed prior to the Public Hearing.
- ┌ **Application Fee:** The application fee is due at time of submittal. You will be invoiced for additional fees including 1st class and certified mailing fees, newspaper publication fees, public hearing sign fees, attorney/legal fees, engineering fees, Village planning fees and any outside consultant review fees necessitated by the requested action. (See Consultant Services Agreement)

Fee Schedule

Action	Filing Fee	Additional per Meeting
Rezoning, other than to Manufacturing District	\$400.00	\$700.00
Rezoning to Manufacturing District	\$600.00	\$1,000.00
Variation	\$400.00	\$700.00
Special Use	\$400.00	\$700.00
Special - PUD or Reclamation Overlay District	\$600.00	\$1,500.00
Appeals from Building Commissioner's Ruling	\$400.00	\$700.00
Special Meetings or Hearings	\$300.00	\$700.00
Additional or Continued Meetings	-	\$700.00
Preliminary Plat Review	\$20.00 per lot with \$200.00 minimum	\$300.00

Meeting Deadlines

Meeting Date	Your Submittal Deadline	Village Notification Deadline
January 13, 2021	December 11, 2020	December 25, 2020
February 10, 2021	January 8, 2021	January 22, 2021
March 10, 2021	February 5, 2021	February 19, 2021
April 14, 2021	March 12, 2021	March 26, 2021
May 12, 2021	April 9, 2021	April 23, 2021
June 9, 2021	May 7, 2021	May 21, 2021
July 14, 2021	June 11, 2021	June 25, 2021
August 11, 2021	July 9, 2021	July 23, 2021
September 8, 2021	August 6, 2021	August 20, 2021
October 13, 2021	September 10, 2021	September 24, 2021
November 10, 2021	October 8, 2021	October 22, 2021
December 8, 2021	November 5, 2021	November 19, 2021

Notification Requirements

The Community Development Department will prepare a Legal Notice. Notice Requirements are as follows;

1. Certified Mailing to Contiguous Property Owners:

The Village is responsible for mailing the Legal Notice to all contiguous property owners.

2. First Class Mailing:

The Village is responsible for mailing the Legal Notice to all property owners via first class mail within a three hundred foot (300') buffer of the boundaries of the property.

3. Publication of Hearing:

The Building and Community Development Department will publish the Legal Notice in a newspaper of general circulation within the Village.

4. Posted Notice:

A Public Notice sign shall be posted on the property so that it is clearly visible from a public street. The signage required for this notification will be installed by the Village upon receipt of the required fee.

NOTE: Publishing of the Legal Notice is to be made not less than fifteen (15) days, no more than thirty (30) days prior to the hearing.

Application for Public Hearing

LOCATION INFORMATION		
Address:		
City:	State:	Zip:
PIN(S):		
Legal Description (Found on Plat of Survey):		
PROPERTY DESCRIPTION		
Existing Zoning:	Existing Use:	
Surrounding Zoning:	Surrounding Use:	
Lot Size (SQ FT):		
PETITIONER INFORMATION		
Name:		
Address:		
City:	State:	Zip:
Phone:	Email Address:	
Petitioner is: <input type="checkbox"/> Property Owner <input type="checkbox"/> Lessee <input type="checkbox"/> Contract Purchaser		
PROPERTY OWNER INFORMATION		
Name:		
Address:		
City:	State:	Zip:
Phone:	Email Address:	
REQUESTED ACTIONS		
REQUIRED SIGNATURES		

*The undersigned states under oath that they are the **Legal Owner / Contract Purchaser / Lessee** of record as described in this application. The statements made in foregoing application are true in substance and fact.*

Signature: _____

Date: _____

STATE OF ILLINOIS }

COUNTY OF LAKE } SS.

BEFORE THE PLANNING & ZONING COMMISSION VILLAGE OF FOX LAKE

TO: HONORABLE CHAIRPERSON AND MEMBERS OF THE PLANNING & ZONING COMMISSION

PETITION FOR SPECIAL USE

NOW comes , owner of the following described real estate, to wit:

Legal Description:

The property is presently zoned under the Village Ordinance as and the property is currently used as

The Petitioner plans on using the property for following: property and requests the

The Petitioner stated the following in support of their request:

WHEREFORE, your Petitioner requests that your Honorable Body, pursuant to your rules and regulations, will hold a public hearing as provided for by the Statutes and as a reason of said hearing recommended to the Village Board of Trustees, that the Village of Fox Lake Zoning Ordinance be so amended to grant the Petitioner's request.

Common Address of Property: PIN(S):

I, , depose and say that the above statements are true and correct to the best of my knowledge and belief. I agree to be present in person or by representation when this petition is heard before the Plan Commission.

Dated this ___ Day of _____, 2021.

SIGNATURE OF PETITIONER

Subscribed and sworn to before me

Dated this ___ day of _____, 2021.

NOTARY PUBLIC

Consultant Services Agreement

I, _____, understand that I am responsible for all additional fees including 1st class and certified mailing fees, newspaper publication fees, public hearing sign fees, attorney/legal fees, engineering fees, Village planning fees and any outside consultant review fees necessitated by the required action.

Subject Property Information:		
Address:		
Responsible Party Information:		
Name:		
Address:		
City:	State:	Zip:
Phone:	Email Address:	

6-1-11: DEVELOPMENT FEES:

Administrative Fees: Whenever any escrow is established pursuant to subsection A of this section, the village shall be entitled to deduct from the escrow the sum of ten percent (10%) of any sums paid out by the village from said escrow as an administrative fee for the handling of said funds. The petitioner and owner of the affected property shall sign a reimbursement of fees agreement on forms provided by the village prior to any action being taken. Supplemental Effect: The requirements of this section shall be supplemental to any and all other fees and charges to be paid by the entity making the request. (Ord. 2015-02, 1-13-2015).

9-4-5: REVIEW FEES:

No final approval shall be given until all review fees and outside consultant fees have been paid, and in the event that any review fees or outside consultant fees are not paid within ten (10) days after billing, the building commissioner may suspend or revoke any permit issued by the village. The hourly rates to be charged by outside consultants shall be the standard hourly rates charged to the village by the outside consultant. If resubmittals are required and comprehensive review of the resubmittals are required, then an additional review fee may be required based upon the estimated staff time and outside consultant cost required for the review. (Ord. 2004-49, 8-24-2004)

Signature of Petitioner:

Date:

Response to Standards for Special Use

When considering the requested action, the Plan Commission must determine the following Findings of Fact exist. Please provide a written response to each of the standards listed below. The response to each should thoroughly explain how the requested will meet the established criteria.

1. That the establishment, maintenance or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare. ***(Please explain how granting the request will not have an adverse impact on the community.)***
2. That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. ***(Please explain how granting the request will not have an adverse impact, specifically on contiguous and adjacent properties. Also, please explain how the request will not have a negative impact on the property values in the surrounding area.)***
3. That the establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district. ***(Please explain how granting the request will not have an adverse impact on future development of the surrounding area.)***
4. That adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided. ***(Please address availability of utilities, access to roads, and drainage.)***
5. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets. ***(Please indicate what steps have been or will be taken to ensure that all entrances and exits will not increase traffic congestion.)***
6. That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the village board of trustees.

Standards for Amendment

Where the purpose and effect of the proposed amendment is to change the zoning classification of a particular property, the plan commission shall make findings based upon the evidence presented to it in each specific case with respect to the following matters:

1. Existing uses of property within the general area of the property in question.
2. The zoning classification of property within the general area of the property in question.
3. The suitability of the property in question to the uses permitted under the existing zoning classification.
4. The trend of development, if any, in the general area of the property in question, including changes, if any, which have taken place since the day the property in question was placed in its present zoning classification.

General Procedure for Public Hearing

Anyone wishing to speak must be sworn in. Those speaking are asked to use the microphone and to speak clearly. Please begin by stating your name, address and note if you have been sworn in. Being sworn in does not obligate you to speak, but you must be sworn in should you decide to speak.

The Plan Commission may impose reasonable limitations on evidence or testimony, such as time limits and barring repetitious, irrelevant or immaterial testimony. Time limits, if imposed, shall be fair and equally administered.

The following process will be followed for each petition on the agenda:

1. The public hearing will be called to order.
2. Anyone wishing to speak will be sworn in.
3. Village Staff will present their report regarding the petition, after which the Plan Commission may ask questions of the Staff.
4. The Petitioner will present testimony regarding their petition, after which the Plan Commission may question the Petitioner and any of the Petitioner's witnesses.
5. Members of the public may ask questions and offer any sworn testimony (comments, opinions, etc.).
6. After the public has completed its commentary, the Plan Commission may question any member of the public who has spoken regarding their testimony.
7. The Petitioner may then cross-examine any member of the public who has spoken.
8. The Petitioner is afforded an opportunity to make a closing statement.
9. Motion.
10. Deliberation by the Plan Commission.
11. Roll Call Vote.

Note: These general guidelines are provided as an aid to those in attendance at Plan Commission meetings, to help them to follow and participate in the public hearing process. These guidelines are not binding and may be amended or deviated from as the Commission determines to be necessary.



Village of Fox Lake
 Building & Community Development
 66 Thillen Dr. Fox Lake, IL 60020
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FOR OFFICE USE	
ZONING:	_____
RECORD NUMBER:	_____

SHORT TERM RENTAL REGISTRATION

LOCATION INFORMATION

Address:		
City:	State:	Zip:

PROPERTY DESCRIPTION

Square Footage:	<input type="checkbox"/> Single Family <input type="checkbox"/> Multi Family
Number of Bedrooms:	Number of Parking Spaces:

PROPERTY OWNER INFORMATION

Owner Name:		
Address:		
City:	State:	Zip:
Phone:	Fax:	
Email Address:		

RESPONSIBLE PARTY (MUSH BE REACHABLE ON TWENTY FOUR (24) HOUR BASIS)

Owner Name:		
Address:		
City:	State:	Zip:
Phone:	Fax:	
Email Address:		

INSPECTION: An inspection is required every six (6) months. **OCCUPANCY:** Rented for the purpose of overnight lodging for a period of not less than two (2) days and not more than thirty (30) days other than ongoing month-to-month tenancy granted to the same renter for the same unit. A maximum occupancy of two (2) adults per bedroom with no limit for children. **CERTIFICATE OF COMPLIANCE: Issuance of Certificate:** After the code official has determined that a rental dwelling is in compliance with all applicable property maintenance laws, ordinances, and regulations, the code official shall issue a certificate of compliance to the owner or person in charge of a rental dwelling. The certificate of compliance shall be valid until another inspection is required. **Certificate Required:** Subject to the provisions of subsection C of this section, no owner or person in charge of a rental dwelling may permit the occupancy of the dwelling by any lessee or tenant without having a valid certificate of compliance for the dwelling.

The Owner agrees to indemnify, defend and hold harmless the Village for damages or claims resulting from violation of the standards for short-term housing rentals. All of the information provided in the application is true and correct to the best of my knowledge.

Signature of Applicant

Date



**VILLAGE OF FOX LAKE
66 THILLEN DRIVE
FOX LAKE, IL 60020
MUNICIPAL TAX RETURN**

Business Name: _____

TAXPAYER FEIN#: _____ Reporting Period _____

Address: _____

Under penalty as provided by law, I declare that I have examined this return and accompanying schedules and to the best of my knowledge and belief it is true and correct and is taken from the books and records of the business for which this is filed. All returns must be filed on or before the last day of the calendar month succeeding the end of the filing period.

City: _____ State: _____

Zip Code: _____ Phone: _____

Taxpayer's signature _____ Date _____

Preparer's signature _____ Date _____

Print Name and Title _____

Print Name and phone number _____

HOTEL / MOTEL ESTABLISHMENTS: HOTEL TAX (a) (b)

TOTAL GROSS RENTAL & LEASING RECEIPTS:	1.	<input type="text"/>
AMOUNT OF TAX: (line 1 multiplied by 5.0%)	2.	<input type="text"/>
INTEREST ON LATE PAYMENT: (line 2 multiplied by 1.0% per month for each month the tax remains unpaid). Remittances required monthly by the 15 th day of the quarter. Interest shall be paid on taxes paid after the 25 th day of the month immediately following the month the return is to be filed.	3.	<input type="text"/>
PENALTY FOR LATE PAYMENT: (line 2 multiplied by 5% up to \$500)	4.	<input type="text"/>
TOTAL HOTEL / MOTEL TAX & CHARGES DUE: (line 2 + 3 + 4) Forward to line "A" below	5.	<input type="text"/>

RESTAURANT / TAVERN ESTABLISHMENTS: PLACES FOR EATING TAX (a) (b)

TOTAL GROSS FOOD AND BEVERAGE RECEIPTS: Gross receipts from the sale of food, alcoholic beverages and non-alcoholic beverages.	6.	<input type="text"/>
AMOUNT OF TAX: (line 6 multiplied by 1.5% if before April 2018 and 0.5% thereafter)		<input type="text"/>
INTEREST ON LATE PAYMENT: (line 7 multiplied by 1.0%) Taxes must be paid by the 20 th day of the month following the reporting period, normally every month, unless you are filing IL Sales Tax Returns on a quarterly or annual basis. Interest shall be paid on taxes paid after the 25 th day of the month immediately following the month the return is to be filed.	8.	<input type="text"/>
PENALTY FOR LATE PAYMENT: (line 7 multiplied by 5% up to \$500)	9.	<input type="text"/>
TOTAL PLACES FOR EATING TAX AND CHARGES DUE: (line 7 + 8 + 9) Forward to line "B" below	10.	<input type="text"/>

LINE A: TOTAL HOTEL / MOTEL TAX DUE	A.	<input type="text"/>
LINE B: TOTAL PLACES FOR EATING TAX DUE:	B.	<input type="text"/>
LINE C: TOTAL TAXES AND CHARGES DUE:		<input type="text"/>

(a) Submit a copy of your Illinois ST-1, ST-2, Hotel Operator's Tax form(s) for the same period.
(b) Gross receipts exclusive of tax

Please make checks payable to the "Village of Fox Lake" and mail your return and tax payment to:

**Village of Fox Lake
66 Thillen Drive
Fox Lake, IL 60020**



**VILLAGE OF FOX LAKE
66 THILLEN DRIVE
FOX LAKE, IL 60020
MUNICIPAL TAX RETURN
GENERAL INSTRUCTIONS**

If your business name, address, operation, or ownership has changed, please contact the Finance Director at 847-587-3968.

Every Owner, Manager or Operator of a hotel, motel, restaurant, tavern, and eating establishment in the Village of Fox Lake must file a Municipal Tax return by the due date each month or quarter as required. If no business is transacted during the month and there are no receipts, write the word "none" in the spaces where amounts are required.

Receipts, complete and accurate records, books and accounts in detail of all receipts shall be kept at the place of business or such other place in the Village as may be designated in writing by the person liable for collection of the tax. All such books, records and accounts shall be open to inspection by the Village of Fox Lake at all reasonable times during business hours.

SPECIFIC INSTRUCTIONS

HOTEL / MOTEL ESTABLISHMENTS - HOTEL TAX

- Line 1 - **GROSS RECEIPTS FROM THE BUSINESS OF RENTING, LEASING OR LETTING ROOMS IN A HOTEL OR MOTEL**
The amount represents the grand total from all gross rental receipts from such renting, leasing or letting; excluding, however, gross receipts obtained from tenting, leasing or letting to permanent residents of a hotel.
- Line 2 - **TAX AMOUNT** - Enter on this line the tax due by multiplying the receipts subject to tax on Line 1 by the tax rate listed of 5%.
- Line 3 - **INTEREST FOR LATE PAYMENT**
Enter the interest due for late payment or filing. The interest is calculated as follows: 1.00% of the amount on Line 2 for each month or fraction of a month from the due date until the tax is paid. When a portion of the total tax amount due has been previously remitted, interest applies to the unpaid portion of Line 2. Interest is applied on balances paid after the 25th day of the month immediately following the month the return is filed.
- Line 4 - **PENALTY FOR LATE PAYMENT**
When a return or payment is filed late, the 5% up to a \$500 penalty is applicable to the entire amount on Line 2. When a portion of the total tax amount due has been previously remitted, enter 5% of the unpaid portion of Line 2. The penalty is applied to amounts paid after the 25th day of the month immediately following the quarter the return is to be filed.
- Line 5 - **TOTAL HOTEL/MOTEL TAX AND CHARGES DUE** – The amount is the addition of lines 1 + 2 + 3 + 4 and forward the amount to line A.

RESTAURANT AND TAVERN ESTABLISHMENTS – PLACES FOR EATING TAX

- Line 6 - **TOTAL GROSS FOOD AND BEVERAGE RECEIPTS**
The consideration received, valued in money, whether received in money or otherwise, including cash, credits, property and services, at a place for eating that includes prepared food, alcoholic and nonalcoholic beverages furnished at the place for eating. Gross receipts do not include amounts paid for federal, state and local taxes, including the tax levied by this section, and do not include amounts paid as gratuities for the employees of the place for eating.
- Line 7 – **TAX AMOUNT** - Enter on this line the tax due by multiplying the receipts subject to tax on Line 6 by the tax rate listed of 1.50% on receipts prior to April 1, 2018, and 0.5% on receipts thereafter.
- Line 8 – **INTEREST FOR LATE PAYMENT**
Enter the interest due for late payment or filing. The interest is calculated as follows: 1.00% of the amount on Line 7 for each month or fraction of a month from the due date until the tax is paid. When a portion of the total tax amount due has been previously remitted, interest applies to the unpaid portion of Line 7. Interest is applied on balances paid after the 25th day of the month immediately following the month the return is filed.
- Line 9 - **PENALTY FOR LATE PAYMENT**
When a return or payment is filed late, the 5% up to a \$500 penalty is applicable to the entire amount on Line 7. When a portion of the total tax amount due has been previously remitted, enter 5% of the unpaid portion of Line 7. The penalty is applied to amounts paid after the 25th day of the month immediately following the month the return is to be filed.
- Line 10 - **TOTAL PLACES FOR EATING TAX AND CHARGES DUE** – The amount is the addition of lines 6 + 7 + 8 + 9 and forward the amount to line B.

IMPORTANT FILING INFORMATION:

Please submit a copy of your Illinois ST-1, ST-2, and Hotel Operators Tax form(s) for the same period. To avoid penalties, you must fill out this return completely. *If any information is omitted, this return will be deemed incomplete. This return must be mailed in sufficient time to be postmarked by the U.S. Postal Service on or before the due date printed on the front of this form.*