

**Village of Third Lake
87 N Lake Ave.
Plan Commission/Zoning Board of Appeals
April 8, 2025
MINUTES**

1. Chairman Jamie Reap called the meeting to order at 7:01 p.m.
2. Roll Call
 - Present: Kemp, Klausner, Lizzo, Reap, Van Wie, Zeck
 - Absent: None
 - Also present: Halleran, Novak, See attached sign-in sheet
3. Visitor Comments
 - a. Chris Press provided a document "Third Lake Zoning Petition", see attached
 - b. Comments from Tom Morthorst submitted via email dated April 4, see attached
4. **Continuation of Public Hearing File No. Z25-03-011 Amendment to Zoning Ordinance**

Transcribed by US Legal Services 4/8/25

5. Unfinished Business
6. New Business
 - Motion by Lizzo, seconded by Van Wie to pass Zoning Ordinance to the Board of Trustees with 2 notes. See attached recommendation from commissioners.**

Voice Vote:

Ayes: All Nays: None

MOTION CARRIED

7. Adjournment

Motion by Lizzo, seconded by Van Wie to adjourn the meeting at 9:08 p.m.

Voice Vote:

Ayes: All Nays: None

MOTION CARRIED

Approved:


Jamie Reap, Chairperson

ATTEST:


Kelly Novak, Village Clerk

April 16th, 2025

Public Hearing Z25-03-11-01

Text Amendments to Zoning Ordinance

Original Date: 11 March 2025

Continued to: 08 April 2025

The Village of Third Lake has proposed to amend several Sections of Chapter 32 of the Village Code, also known as the Zoning Ordinance, to revise and reorganize various regulations of the Zoning Ordinance, in order to reflect the updated provisions of the Purpose and Intent Stated in Section 32-1.

Public comment covering all of the text amendments presented and all of the topics and regulations of those text amendments was sought and received during the Public Hearing, which largely included comments regarding Section 32-206 entitled, "Recreational Vehicle Parking in Residential Districts." The residents in attendance conveyed their dissatisfaction with the changes proposed in Section 32-206. Consequently, the Planning and Zoning Commission recommends to the Village Board that the proposed text amendments to Chapter 32 be approved and adopted with two revisions:

First, omit the proposed provisions of Section 32-206 and substitute the following language: Recreational Vehicle Parking is allowed in all street yard and side yard setbacks in R-2 and R-3 residential zones with no time or seasonal limits. No more than two Recreational Vehicles may be stored on any R-2 or R-3 lot.

Second, Table 6, Permitted Encroachments Into Required Yards. Revise notes in Rear Yard and Lake Yard to clarify that P, min from Building Set Back line, (not from lot line) = Minimum Side yard in the District.

Respectfully Submitted by the Plan Commission of the Village of Third Lake, Illinois

VILLAGE OF THIRD LAKE

SIGN-IN SHEET

DATE: 4/8/25

MEETING: Planning & Zoning
Public Hearing

Name	Address	Phone	E-mail
Teresa Carreno	10 N. Lake		
Chris Press	26 N. Lake	772-475-3024	capress87@gmail.com
Kim Press	14 N. Lake	847-489-6161	moondancer225@gmail.com
Debbi Lee	37 S. Lake	847-445-0508	
Brad Deke	33 S. Lake	224 330 7870	braddeke@comcast.net
Jim Brand	23 N. Lake	847-223-2593	1487RAND@BROADCAST.NET
Dan Reese	45 N. Lake	847 223 8245	dreese99@comcast.net
Matt Lambert	62 N. Lake	224-475-9882	MLambert3722@gmail.com
Andrea Grieslo	102 N. Lake ave	847-989-9350	andrea.grieslo@gmail.com
Donna Golcher	79 N. Lake Ave	847-223-2988	
Carrie Rye	23 S. Lake Ave	847-977-2759	clprdr94@gmail.com
Jim Rye	23 S. Lake Ave	847 977 2490	CJ.Rye@shcglobal.net
Patricia Stoner	13 Sunshine Ave	847 323 2440	freeda76@gmail.com
Kendra Saemann	43 N. Lake Ave.	847-977-7049	KSaemann@gmail.com

VILLAGE OF THIRD LAKE

SIGN-IN SHEET

DATE: 4/8/25

MEETING: Planning Zoning
Public Hearing

Name	Address	Phone	E-mail
Tracy Treadle	52 N Lake Ave	847.361.4764	tracy.treadle@gmail.com
Chris Treadle	52 N Lake Ave	847.514.7612	chris.treadle@gmail.com
Sue Young	29 N. Lake	847.445.4677	sueyoung90@gmail.com
Jason Lizzo	28 N. Lake	847-833.8404	Misterjag11@yahoo.
Deale Weir	85 N Lake	847 904 3715	
Sean Tu	17 N Lake	847 849 7403	tu-sean@hotmail.com
Kimberly Mote	34582 N Lake Shore St	847-623-3931	LMATEJHE@MCHS7.NET
Don O'Leary Reese	45 N. Lake Ave	847 338 8845	drose@comcast.net
JIM BLAND	23 N. Lake Ave	847-223-2593	LMRBLAND@COMCAST.NET
Deaf Hank	215 Lake Ave	224 515 6881	dyrewhick@gmail.com
Dan Penny	27 N. Lake Ave	847 976 1301	penny27@comcast.net
John Jackson	63 N Lake	847 376 1948	

Third Lake zoning petition

I am opposed to prohibiting Recreational Vehicle parking in street yards and side yards in the R-2 and R-3 zones. Recreational Vehicle parking is currently allowed in those yards, all year in the R-2 zone under Article 111, section 11, paragraph B (15) (3) of the existing Village of Third Lake Zoning Ordinance.

I would like the proposed Zoning Ordinance to allow Recreation Vehicle parking in all street yard and side yard setbacks in R-2 and R-3 residential zones with no time or seasonal limits.

Sunshine Subdivision Totals	
Percentage of houses that responded and signed	91.80%
Total number of occupied houses	89
Houses That Signed	56 Houses
Houses with someone home and did not sign	5 Houses
Houses with no one home	28
Total resident signatures	84 Residents
Total number of houses that responded	61
Percentage of all houses that signed	62.92%

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Name	Street Address	Date	Signature
Ashley Mikels	11 Sunshine	3-29-25	Ashley Mikels
Jim Prochnow	17 sunshine	3-29-25	Jim Prochnow
Mary D'Andrea	4 N Lake Ave	3/29/25	Mary D'Andrea
Sharon Kordt	49 N. Lake Ave	3/29/25	Sharon Kordt
Zy [unclear]	65 N. Lake Ave	3/29/25	Zy [unclear]
Lauren Kerton	65 N Lake Ave	3-29-25	Lauren Kerton
Matt Lambert	62 N Lake Ave	3/29/25	Matt Lambert
Andrea Grzeslo	62 N Lake Ave	3/29/25	Andrea Grzeslo
Randall Walkowiak	68 N LAKE AVE	4/5/25	Randall Walkowiak
Diane Wilk	68 N Lake Ave	4/5/25	Diane Wilk
Gregg Guent	16 S Lake Ave.	4/5/25	Gregg Guent

Third Lake zoning petition

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Name	Street Address	Date	Signature
Robert Lizzo	7 S. LAKE AVE	3/21/2025	[Signature]
Diane Lizzo	7 S. Lake Ave	3/21/2025	[Signature]
Jerry Morgan	11 S. Lake Ave	4/1/2025	[Signature]
Laura Morgan	11 S Lake Ave	4/1/25	[Signature]
KONA LKE	15 S LAKE	4/21	[Signature]
[Signature]	8 S Lake	4/2	[Signature]
Diane Johnson	29 South Lake	4/2	[Signature]
Sarah Symczuk	13 S LAKE	4/2	[Signature]
James Pye	23 S. Lake Ave	4/2	[Signature]
Aidan Pye	23 S Lake Ave	4/2	[Signature]
Carrie Pye	23 S Lake Ave	4/2	[Signature]
Janet Depke	33 S. Lake Ave	4/2	[Signature]
Rosemary B. Lick	37 S. Lake Ave	4/2	[Signature]
PATT Kure	39 S. Lake Ave		[Signature]
Rick Ruettinger	39 S. Lake Ave		[Signature]
Greg W. Wilson	19 S Lake Ave		[Signature]
Brad Depke	33 S Lake Ave		[Signature]
ERIK KRONLIEF	15 S. LAKE AVE		[Signature]

Third Lake zoning petition

I am opposed to prohibiting Recreational Vehicle parking in street yards and side yards in the R-2 and R-3 zones. Recreational Vehicle parking is currently allowed in those yards, all year in the R-2 zone under Article 111, section 11, paragraph B (15) (3) of the existing Village of Third Lake Zoning Ordinance.

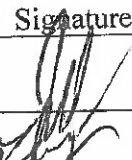
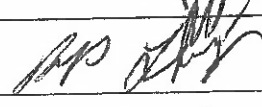
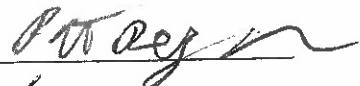

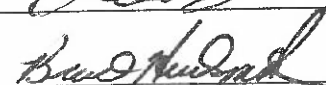
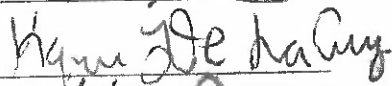
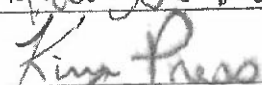




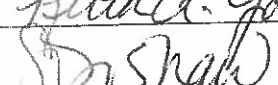
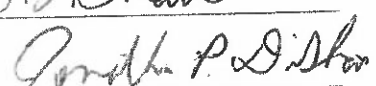
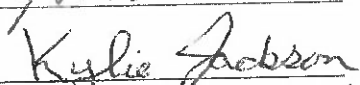


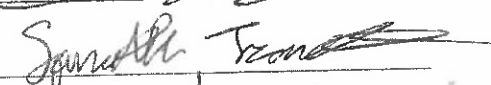
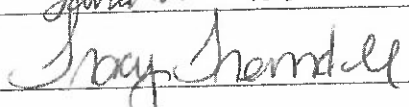
I would like the proposed Zoning Ordinance to allow Recreation Vehicle parking in all street yard and side yard setbacks in R-2 and R-3 residential zones with no time or seasonal limits.

Name	Street Address	Date	Signature
Marie L. Wilentz	22 N Lake Ave	3-29-25	Marie L. Wilentz
Sean Tu	17 N Lake Ave	3-29-25	Sean Tu
Ken TRABUNY	26 N Lake Ave	3-29-25	Ken TRABUNY
Patricia Jackson	18 N. Lake Ave	3-29-25	Patricia Jackson
Brandon Jackson	18 N. Lake Ave	3-29-25	Brandon Jackson
Dylan Jackson	18 N. Lake Ave.	3-29-25	Dylan Jackson
Carol Mettner	90 Lakeline	3/30/25	Carol Mettner
Don Lemay	27 N. Lakeline Ave.	3/29/25	Don Lemay
Nancy H. Halden	36 N Lake Ave	3-29-25	Nancy H. Halden
Brad Roberts	46 N Lake Ave	3/29/25	Brad Roberts
Bob HAMEISER	47 N. LAKE AVE.	3/29/25	Bob HAMEISER
Kathleen Liles	36 N. Lake Ave	3/29/25	Kathleen Liles
Ali Young	29 N. Lake Ave.	4/4/25	Ali Young
Bailee Luzzo	28 N Lake Ave.	4/4/25	Bailee Luzzo
Dale Wendt	85 N. Lake Ave	4/4/25	Dale Wendt

Third Lake zoning petition

I am opposed to prohibiting Recreational Vehicle parking in street yards and side yards in the R-2 and R-3 zones. Recreational Vehicle parking is currently allowed in those yards, all year in the R-2 zone under Article 111, section 11, paragraph B (15) (3) of the existing Village of Third Lake Zoning Ordinance.


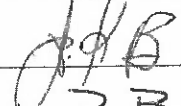
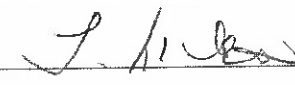



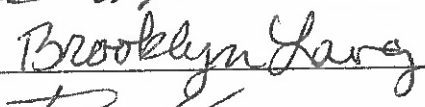
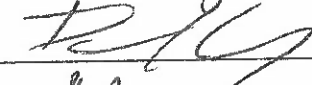
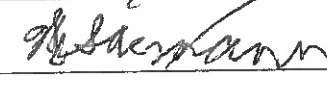

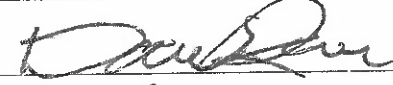
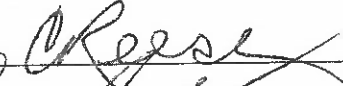

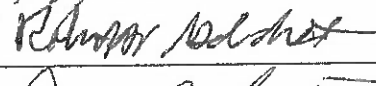
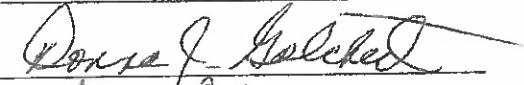
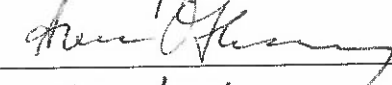



I would like the proposed Zoning Ordinance to allow Recreation Vehicle parking in all street yard and side yard setbacks in R-2 and R-3 residential zones with no time or seasonal limits.

Name	Street Address	Date	Signature
JASON LIZZO	28 N	3-28-25	
ROBERT LEARN	16 N	3-28-25	
Patrick Regan	64 N	3-28-25	
Amel Alderson		3-28-25	
Brian Kudach	6 N	28 MAR	
Karina De La Cruz	45	3-28-25	
Kim Press	14	3-28-25	
Esther Tobias	80	3-28-25	
John Jackson	63 N	3-28-25	
Gillic Joslyn	43 N	3-28-25	
Beth A. Young	72 N	3-28-25	
Stacey Dishaw	60 N	3-30-25	
Jonathon P. Dishaw	60 N	03/30/25	
Kylie JACKSON	63 N	03/31/25	
MARY ELSA GUSEK	53 N	3-31-25	
Chris Trendle	52 N	3/31/25	
Samantha Trendle	52 W	4/1/25	
Tracy Trendle	52 N	4/1/25	

Third Lake zoning petition

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Name	Street Address	Date	Signature
Chris Press	26 N Lake	3/29	
Jim Bland	23 N. LAKE	3/29	
Pt Bland	23 N. Lake	3/29	P.B.
Jenna Libby	21 N. LAKE	3/29	
Joseph Cohen	21 N. LAKE	3/29	
Tesira Carrera	10 N. Lake	3/29	
Evan Adams	30 N Lake	3/29	
Brooklyn Lang	30 N Lake	3/29	
Daniel Lang	30 N LAKE	3/29	
Klausmann	43 N LAKE	3/29	
Kendra Saemann	43 N. Lake	3/29	
Dan Reese	45 N. Lake	3/29	
Chf Reese	45 N. Lake	3/29	
Craig Couillard	56 N. LAKE	3/29	
Ramon Waldman	79 N LAKE	3/29	
Donna Gelich	79 N Lake	3/29	
Gene O'Loughlin	57 N. Lake	4/1	
R. V. Hutz	57 N. Lake	4/1	
Susan Young	29 N. Lake	4/4	
Charm Young	29 N Lake	4/4	

Third Lake zoning petition

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Name	Street Address	Date	Signature
David Greenberg	41 N. Lake Ave.	4-6-25	David Greenberg
Linda Greenberg	41 N. Lake Ave.	4-6-25	Linda Greenberg

Fwd: Draft Zoning Ordinance

1 message

Tom Morthorst <tmorthorst@icloud.com>
To: Jim Bland <jimbland@comcast.net>

Fri, Apr 4, 2025 at 7:38 PM

Sent from my iPhone

Begin forwarded message:

From: Tom Morthorst <tmorthorst@icloud.com>
Date: March 10, 2025 at 8:33:33 PM EDT
To: Butch Buckley <bbuckley@thirdlakevillage.com>
Subject: Draft Zoning Ordinance

For the past five years my wife and I have owned a camper van recreational vehicle and have parked for one or more nights in friends or family members driveways. Sometimes we slept overnight in the RV other times we slept inside their home. As I read the Draft Zoning Ordinance, it does not currently permit a visitor driving a Recreational Vehicle to park in a residential driveway. While strongly opposing permanent living in a recreational vehicle on any Village residential property, we feel it appropriate to allow occasional short term recreational vehicle visitors in a Village residential driveway.

This is my suggested language to allow friends and family to park their recreational vehicles in a Village residents driveway for a short period of time.

Page 70 Section 32-206 5) d)

Add to the existing language at the end...

except for a period of up to seven consecutive days and limited to a maximum of six times per year. Its is the obligation of the occupant of the zoning lot to provide the visiting recreational vehicle license plate number and the arrival and departure date to the Village in advance.

This notification would be similar to the existing notification to the Village required when a vehicle is going to be parked on a Village street overnight.

Thank you for your consideration.

Tom Morthorst
Sent from my iPhone

IN RE: VILLAGE OF THIRD LAKE
PLAN COMMISSION PUBLIC HEARING

REPORT OF PROCEEDINGS at the hearing of the
above-entitled matter held at 87 North Lake Avenue,
Third Lake, Illinois, on the 8th day of April, 2025,
commencing at the hour of 7:00 o'clock p.m.

PLANNING AND ZONING COMMISSION:

MR. JAMIE REAP

MR. MATTHEW VanWIE

MR. DAVID KEMP

MR. ROBERT LIZZO

MR. BILL ZECK

MR. KEVIN KLAUSNER

A P P E A R A N C E S:

STORINO, RAMELLO & DURKIN, By
MR. THOMAS J. HALLERAN
9501 Technology Boulevard, Suite 4200
Rosemont, Illinois 60018
(847) 318-9500
thalleran@srd-law.com

On behalf of the Village of Third Lake.

Also Present:

Ms. Kelly Novak, Village Clerk

* * *

1 MR. REAP: Let's call the meeting to order,
2 please.

3 Welcome, everybody. We will call the
4 meeting on April 8, 2025, Planning Commission
5 meeting, continuation of the public hearing.

6 Actually, first, we need to do a roll call.

7 MS. NOVAK: Reap.

8 MR. REAP: Here.

9 MS. NOVAK: Kemp.

10 MR. KEMP: Here.

11 MS. NOVAK: Klausner.

12 MR. KLAUSNER: Here.

13 MS. NOVAK: Lizzo.

14 MR. LIZZO: Here.

15 MS. NOVAK: VanWie.

16 MR. VanWIE: Here.

17 MS. NOVAK: Zeck.

18 MR. ZECK: Here.

19 MR. REAP: Okay. We're all here. There are
20 no minutes to make a motion on since we're continued
21 from the last meeting.

22 So this is a continuation of public hearing
23 Z25-03-11-01, and I would like to have a motion to
24 reconvene the public hearing from March 11, 2025

1 regarding an application for text amendments to the
2 Village of Third Lake -- to the Village of Third Lake
3 Zoning Ordinance.

4 MR. VanWIE: So moved.

5 MR. REAP: And the second.

6 MR. KLAUSNER: Aye.

7 MR. REAP: All approved, aye.

8 MR. LIZZO: Aye.

9 MR. KEMP: Aye.

10 MR. ZECK: Aye.

11 MR. KLAUSNER: Aye.

12 MR. REAP: Okay. I'm going to make a
13 statement, please.

14 The Petitioner, Village of Third Lake, has
15 submitted a revised ordinance amending the Village of
16 Third Lake Zoning Ordinance. This revised ordinance
17 as presented to the Planning Commission has been
18 posted on the Village's website and made available
19 for inspection in person at the Village Hall. So,
20 hopefully, all interested parties have had a chance
21 to do that.

22 So what we're going to do is take this time
23 to listen to whatever all of you have come away with
24 having looked at it on the website and seeing what

1 the revisions are. There's some things that got
2 moved around. Some definitions got moved into a
3 better place within the document to flow better. A
4 few things were refined. Those were shown clearly.

5 I guess, what I would like to do is throw it
6 out to the audience here, and if you would like to
7 comment, please stand up and state your name so that
8 we have a record of it.

9 PUBLIC HEARING ATTENDEE: I would like to
10 start with a question. I'm Dan Penny, 27 North Lake
11 Avenue.

12 And my question is I would like to get
13 clarity on the goals of the changes specifically
14 around the side yard issue that we're here all to
15 speak about. You know, I understood codification is
16 one of the goals. Are there any other important
17 drivers for pushing this through?

18 MR. REAP: Well, the ordinance as a whole is
19 way, way overdue to be updated.

20 PUBLIC HEARING ATTENDEE: I understand. I
21 was on the Board when this -- when this process
22 started, so I get that. I'm just trying to see if
23 there's other issues that are driving forces.

24 If we're going to have open discussion, I

1 want to understand what's motivating the driving of
2 this particular change.

3 MR. REAP: Well, I think having an ordinance
4 that is applicable to all people fairly across the
5 board, all lots, all residents, and not to create a
6 whole series of non-conforming situations was the
7 goal.

8 PUBLIC HEARING ATTENDEE: We have a lot of
9 non-conforming lots that are driving this in the
10 first place so --

11 MR. REAP: In the first place.

12 PUBLIC HEARING ATTENDEE: -- you're not
13 going to change the whole Sunshine subdivision into
14 conforming lots, right?

15 MR. REAP: Well, no, we can't.

16 PUBLIC HEARING ATTENDEE: So we have to
17 accept that reality to start with.

18 MR. REAP: Right. More of what I think the
19 issue that's being contested here is the
20 un-conforming uses within the lots that are already,
21 you know, dictated by the law within the City. So
22 that's part of what we're trying to get at was to
23 eliminate the possibility of having a whole series of
24 non-conforming uses all over the place that are

1 precipitated by the non-conforming lots, perhaps, to
2 some extent, but to limit that to get things to where
3 everyone's on an even board. You know, the ordinance
4 applies to all residents equally I think was one of
5 the overriding ideas here.

6 Ma'am.

7 PUBLIC HEARING ATTENDEE: Kendra Saemann,
8 43 North Lake.

9 I think it probably would be very helpful if
10 you could stipulate specifically the measurement of
11 space that we're all talking about. I think there's
12 some miscommunication, but what's the actual
13 ordinance read for how many feet back from the road
14 into your land, and, therefore, so we know
15 specifically what the facts are.

16 MR. REAP: Well, this is one of the aspects
17 that was changed from last month to this month. Let
18 me get it, so I can read it to you exactly. You
19 probably had the opportunity to read it yourself.

20 Here we are. Okay. So what we're talking
21 about is Section 32-206, I believe, if I'm
22 understanding your question --

23 PUBLIC HEARING ATTENDEE: Yes.

24 MR. REAP: -- recreational vehicle parking

1 in residential districts.

2 PUBLIC HEARING ATTENDEE: Perfect. Thank
3 you.

4 MR. REAP: So I think the clause that gets
5 to what you're asking is 32-206 sub A, sub 1, which
6 reads: Outdoor parking and storage of recreational
7 vehicles is prohibited within 30 feet of any street
8 lot line, except temporary parking for loading,
9 unloading, and maintenance for a period not to exceed
10 72 consecutive hours is permitted for a maximum of
11 four times per calendar year.

12 So 30 feet back from the street lot line I
13 think is the answer to your question.

14 PUBLIC HEARING ATTENDEE: Yes, it is. Thank
15 you.

16 MR. REAP: Yes, sir.

17 PUBLIC HEARING ATTENDEE: Brendan Shield,
18 2 Crows Nest Court, Mariner's Cove.

19 Does that include your driveway as well?
20 So, hypothetically, if I'm pulling my boat out into
21 the driveway to load it up, so that counts as one of
22 my four days a year? Because it says 30 feet from
23 the road. So I can only load my boat four times a
24 year?

1 MR. REAP: Well, no, you have to -- I mean,
2 we understand that there will be times where your
3 dock is not in and you've got to get your boat in and
4 so we're trying to accommodate that sort of --

5 PUBLIC HEARING ATTENDEE: From my
6 understanding, I was told that it would be strictly
7 enforced.

8 MR. REAP: I'm sorry. I'm not following
9 your questioning exactly.

10 PUBLIC HEARING ATTENDEE: Well, I'm saying
11 is if I pull the boat into my driveway out of my
12 garage and I'm loading it and I'm not in the boat and
13 it's hooked up to my trailer, that would count as one
14 of my four times a year, would it not?

15 MR. REAP: I think you're taking a pretty
16 narrow interpretation of --

17 PUBLIC HEARING ATTENDEE: Well, that's
18 what it says.

19 PUBLIC HEARING ATTENDEE: It says four times
20 a year.

21 PUBLIC HEARING ATTENDEE: That's what it
22 says.

23 PUBLIC HEARING ATTENDEE: Four times a
24 year --

1 PUBLIC HEARING ATTENDEE: Up to 72 hours but
2 it says only four times a year.

3 PUBLIC HEARING ATTENDEE: Four times a year.

4 MR. REAP: Okay.

5 PUBLIC HEARING ATTENDEE: So an hour is one
6 of those four times.

7 MR. KLAUSNER: Okay. Let me say this, if I
8 can.

9 MR. REAP: Sure.

10 MR. KLAUSNER: You're just loading your
11 boat. You're not really parking it there for a great
12 length of time.

13 PUBLIC HEARING ATTENDEE: Well, I mean,
14 sometimes you're waiting for friends to come over,
15 whatever the case may be, somebody drives by and
16 reports me for having my boat in the driveway, then
17 I'm going to have to worry about whatever.

18 PUBLIC HEARING ATTENDEE: That's one day.
19 That's one day. That's one report.

20 PUBLIC HEARING ATTENDEE: I mean, the rule
21 is the rule. If I'm caught speeding and I don't get
22 a warning because I thought it was a little bit too
23 fast, if the cop says I was going five miles an hour
24 over, I don't get to argue to that point, and if the

1 rule is the rule in the thing, then that's the rule.

2 MR. REAP: Okay. So you're saying if I hook
3 up my boat to my car and I pull the boat forward out
4 of my garage --

5 PUBLIC HEARING ATTENDEE: Well, the way that
6 I read it was unless it's a motorized vehicle with --
7 that can actually drive, it's not basically allowed
8 to be parked in the driveway, period. That's the way
9 that I read it.

10 MR. REAP: No. It's not supposed to be in
11 your driveway, no.

12 PUBLIC HEARING ATTENDEE: So that's where I
13 would think it would be a problem, being a motorboat
14 community, then you would want to encourage people to
15 use the facilities and use that type of stuff versus
16 taking it away. Or maybe I did have to get it out of
17 storage and sometimes it takes over four days or what
18 about when the lake's red-flagged and you've got to
19 put your stuff somewhere?

20 PUBLIC HEARING ATTENDEE: Or your boat lift
21 breaks or your boat breaks.

22 PUBLIC HEARING ATTENDEE: Four days is not a
23 lot.

24 PUBLIC HEARING ATTENDEE: I think it's

1 excessive.

2 PUBLIC HEARING ATTENDEE: It's extremely
3 unreasonable.

4 PUBLIC HEARING ATTENDEE: This has been a
5 boating community --

6 MR. VanWIE: If I may.

7 MR. REAP: Yes.

8 MR. VanWIE: The -- I don't want to do a
9 back-and-forth here, but it does say under the --
10 under revisions, it says: Recreational vehicles
11 being loaded, unloaded, or maintained and a
12 recreational vehicle owner operated by the guest of
13 the occupant of the dwelling do not count towards the
14 maximum number if parked or stored for no more than
15 72 consecutive hours.

16 So if you park it for 71 hours, it says it
17 would not count towards the maximum number or is
18 that --

19 PUBLIC HEARING ATTENDEE: You're allowed up
20 to 72 hours.

21 MR. VanWIE: Or is that the -- is that
22 the -- okay, but that -- that pertains to the
23 maximum. Your question is the four times per year.

24 PUBLIC HEARING ATTENDEE: That's -- that's

1 the issue, yes.

2 PUBLIC HEARING ATTENDEE: Do you live on the
3 lakeside?

4 PUBLIC HEARING ATTENDEE: I live --

5 PUBLIC HEARING ATTENDEE: I know, but are
6 you on the side of the lake?

7 PUBLIC HEARING ATTENDEE: No.

8 PUBLIC HEARING ATTENDEE: So you're across
9 the street. So you always have to launch your boat.

10 PUBLIC HEARING ATTENDEE: Correct.

11 MR. VanWIE: I mean, okay. So going a
12 little further up in the revisions, there's an
13 exception for temporary parking for loading,
14 unloading, and maintenance for a period not to exceed
15 72 consecutive hours permitted, a maximum of four
16 times per calendar year.

17 PUBLIC HEARING ATTENDEE: Yes, that's what
18 he's saying.

19 PUBLIC HEARING ATTENDEE: Maximum four.

20 PUBLIC HEARING ATTENDEE: So he doesn't live
21 on the lakeside, and he has to launch his boat every
22 time he goes into the water, and, therefore -- I
23 don't know -- those of you who own boats, you load
24 them, you put coolers on them, you put towels on

1 them, you put rafts on them, you put kids on them,
2 whatever, you put all that on them, and if he doesn't
3 have a dock or a pier, he's got to do that every
4 single time he puts his boat in the water.

5 PUBLIC HEARING ATTENDEE: And for
6 maintenance.

7 PUBLIC HEARING ATTENDEE: So, in other
8 words, also if I'm not on the lakeside, I have a
9 fishing boat and I want to go fishing, you're telling
10 me that I can't leave it in my driveway or on the
11 side of my house?

12 MR. REAP: You could leave it on the side of
13 your house.

14 PUBLIC HEARING ATTENDEE: As long as it's at
15 least 30 feet from the street.

16 MR. REAP: As long as it's 30 feet from the
17 street.

18 PUBLIC HEARING ATTENDEE: So now -- you
19 know, now that the road is wider, so I don't
20 understand how I can enjoy the lake, which is one of
21 the reasons why we built here, that I now can't keep
22 my fishing boat in my driveway on the trailer hooked
23 up so that we can just take it and launch it if we
24 want to and bring it back; is that -- is that what

1 I'm understanding? Like, I no longer can park my
2 fishing boat in my driveway if I want to?

3 MR. REAP: Correct.

4 PUBLIC HEARING ATTENDEE: Interesting.

5 MR. REAP: Yes.

6 PUBLIC HEARING ATTENDEE: Dan Reese,
7 45 North Lake.

8 I guess one of the things I'm wondering is
9 in Sunshine, which has been here over a hundred
10 years, it's never been a problem to park a boat on
11 your lot. I don't understand why now all of a sudden
12 it's a problem.

13 I've been told that it has to do because the
14 lakefront people have a privilege that the other
15 people don't have. Well, if I look across the
16 street, that lot has the ability to park a boat on
17 their lot in the backyard within the setback. Come
18 across the street to us, we don't have a backyard.
19 The only place we can park a boat is in our street
20 yard, and that has not been a problem for a hundred
21 years. Why is it a problem now?

22 MR. VanWIE: Could you elaborate on you had
23 mentioned you had heard that this was --

24 PUBLIC HEARING ATTENDEE: Butch told me.

1 MR. VanWIE: -- a privilege.

2 PUBLIC HEARING ATTENDEE: The mayor told me.

3 MR. VanWIE: The mayor told you, okay.

4 PUBLIC HEARING ATTENDEE: The mayor told me
5 it was a privilege that Section R2, which is the
6 shoreline, R3, which is across the street, the mayor
7 told me that the reason for the change was because we
8 had a privilege that the rest of the Village didn't
9 have in that we could park by the street, but the
10 problem is everybody else can park in their backyard.
11 We don't have a backyard.

12 MR. REAP: Well, no, most people cannot meet
13 the --

14 PUBLIC HEARING ATTENDEE: The people across
15 the street -- the people across the street from us
16 have plenty of room. They can park their boat.

17 MR. REAP: They back up to the forest
18 preserve.

19 PUBLIC HEARING ATTENDEE: In Sunshine
20 subdivision, the majority of the homes are lakefront.
21 They're R2. The minority of homes are backed up to
22 the forest preserve or the monastery. They're
23 allowed to put stuff in their backyard, and they can
24 put it all the way up to the property line within --

1 within that 30-foot setback, but for some reason, we
2 can't. And I guess I don't understand why.

3 PUBLIC HEARING ATTENDEE: Can I --

4 PUBLIC HEARING ATTENDEE: Yeah.

5 PUBLIC HEARING ATTENDEE: Can I add to that
6 point? Again, Dan Penny, 27 North.

7 We've lived here 25 years, not as long as
8 some of the people here but a pretty good time. We
9 tore down our garage shortly after we moved in, and
10 we got approval to put in a three-car garage, and at
11 the same time we paved all alongside our garage
12 because that was within the ordinance that we would
13 be able to park our trailers there; that was -- that
14 was done within the ordinance, and now what this
15 change is saying, that area that I've paid to pave
16 and then had to repave it when I had to have my sewer
17 tore out and get it repaved, is no longer viable
18 where I've been doing it for almost 25 years for me
19 to park those trailers because we want to make it the
20 same as Mariner's Cove, and I think that's not fair.
21 I think that -- which goes to your point about, you
22 know, we've done this -- and those of us who have
23 done the right thing not parking on grass where it
24 can create a problem, issue, we've tried to do the

1 right thing per the ordinances. Now you're changing
2 the ordinances and going to force me to repave my
3 backyard area further to be able to park my trailers.
4 I don't think it's fair.

5 PUBLIC HEARING ATTENDEE: We have exactly
6 the same problem. We built a garage around the old
7 zoning ordinance. We paved an area that we were
8 allowed to park the boat, and now all of a sudden
9 with a stroke of a pen we don't have a spot on the
10 lot to park our boat unless we block our garage,
11 which is absurd.

12 PUBLIC HEARING ATTENDEE: So I would like
13 you to consider that when you're making your
14 recommendation to the Board.

15 MR. REAP: Back here first.

16 PUBLIC HEARING ATTENDEE: I'm Kim Press at
17 14 North Lake.

18 I just have a very quick question just for
19 my own clarification. If you have a home that backs
20 up -- say, the backyard backs up to someone else's
21 backyard or home, like some of the homes on Sunshine,
22 can they -- is parking a boat in the backyard
23 allowed?

24 MR. REAP: No.

1 MR. VanWIE: No.

2 PUBLIC HEARING ATTENDEE: So then that
3 statement regarding --

4 PUBLIC HEARING ATTENDEE: Well, but how many
5 lots back up to another lot? Maybe one?

6 PUBLIC HEARING ATTENDEE: I don't know.

7 PUBLIC HEARING ATTENDEE: Five. I think
8 there's five.

9 PUBLIC HEARING ATTENDEE: There's five.

10 PUBLIC HEARING ATTENDEE: No, it's just
11 everybody is being affected.

12 PUBLIC HEARING ATTENDEE: If you go
13 across -- if you go across all of North Lake Avenue,
14 nobody backs up to anything.

15 PUBLIC HEARING ATTENDEE: No, I think you're
16 not understanding. I'm sorry. I'll just clarify.

17 You made a statement about how the people on
18 the lake have a privilege and you're wondering --

19 PUBLIC HEARING ATTENDEE: That's what --
20 Butch said that.

21 PUBLIC HEARING ATTENDEE: Right. So the
22 question that I have, because I was one of the
23 persons that went around getting the petition signed
24 to go against this ordinance, and the question that I

1 asked was basically if you live on Sunshine, right,
2 and your -- or in our neighborhood and your backyard,
3 you can walk out to your backyard and you look out
4 and someone else's backyard or someone else's home is
5 there, I'm not saying there's more than one or five
6 or however many, it was just a basic -- the question
7 I had is can you then park your boat in the backyard,
8 and the answer was no.

9 So I was just clarifying that there are
10 others that also are going to have to suffer as a
11 result of this ordinance and not be allowed to park
12 their boats in their backyards, and if their
13 driveways are less than 30 feet, then they also can't
14 park in the front. So then where do they go? Do
15 they have to spend their money to -- I'm just
16 speaking out for people that maybe might not be the
17 type of person to speak up or might be shy or maybe
18 isn't even here. Where do they go with their boats?
19 If they don't have the luxury of having an extra
20 garage to keep their boat in and they can't park in
21 their backyard because they overlook someone else's
22 property and they can't park in their driveway
23 because their driveway is not 30 feet or it's just
24 barely 30 feet, what do they have to do? Do they

1 have to rent a space and pay rent so that they can
2 park their boat and then if they want to go take
3 their boat on the lake, they then have to go to their
4 storage space, hook it up there, drive it to the
5 lake, and then they're done with their boating and
6 they have to come back and put it back in storage? I
7 guess that's kind of the question that I was asking
8 just to paint the picture so everyone can kind of
9 understand what's happening. That's all. I
10 wasn't -- you know.

11 PUBLIC HEARING ATTENDEE: No, I agree. I
12 think that's --

13 PUBLIC HEARING ATTENDEE: Just painting a
14 picture.

15 PUBLIC HEARING ATTENDEE: -- that's a good
16 point. I think from -- all I was talking about was
17 the vast majority.

18 PUBLIC HEARING ATTENDEE: Right. I just
19 added; that's all, but thank you.

20 PUBLIC HEARING ATTENDEE: Yes.

21 PUBLIC HEARING ATTENDEE: We're all in the
22 same boat is what you're saying.

23 PUBLIC HEARING ATTENDEE: Yes.

24 PUBLIC HEARING ATTENDEE: No pun intended.

1 PUBLIC HEARING ATTENDEE: So Jim Bland,
2 23 North Avenue.

3 MR. REAP: Excuse me.

4 PUBLIC HEARING ATTENDEE: And my family has
5 been here for 109 years. I've got the oldest house
6 on the lake.

7 I'm talking on behalf of two people. So I'm
8 reading on behalf of Tom Marquartz. And Tom has got
9 a recreational vehicle. He wants to be able to have
10 people come and visit him. And he has some
11 suggestion for page 70, Section 32-206 and wants to
12 add the following language: Except for a period of
13 up to seven consecutive days and limit it to a
14 maximum of six times a year. It is the occupation of
15 the occupant of the zoning lot to provide visiting
16 recreational vehicle license plate number and the
17 arrival and departure date to the Village in advance.
18 This notification would be similar to the existing
19 notification to the Village required when a vehicle
20 is going to be parked on a Village street overnight.

21 That is Tom's language.

22 Could you pass that forward to them? Thank
23 you.

24 And I'm speaking on behalf of myself. We

1 have a neighbor with three vehicles that have been
2 sitting on this lot, a bus and boat for a single lot.
3 I have parked my boat on our side lot, which is free.
4 There is no -- there is no house on it whatsoever.
5 If I were to have to park my boat behind my garage,
6 that would mean I would have to get rid of my wife's
7 garden. I would be in divorce court the next day.

8 PUBLIC HEARING ATTENDEE: Yes, you would.

9 PUBLIC HEARING ATTENDEE: That can't happen.
10 That can't happen. We would like to be able -- and
11 one of the big problems here is the fact that you've
12 got a very, very old community, mixed housing types
13 construction, and you're trying to put more modern
14 types of things in place with a community that has
15 got that type of mixed residential use. And so I
16 would like to be able to park my boat in my side lot,
17 which is free and clear of any structure. And in
18 terms of the things that are written here, there's
19 identification of an adult lounge but there is no
20 definition of side lot. So it would be useful to go
21 back through the definitions that you've got for
22 different types of zoning and make certain that you
23 define those things in greater detail.

24 Thank you.

1 MR. REAP: This is a -- a side lot is a lot
2 that has no permanent structure built upon it, yes?

3 PUBLIC HEARING ATTENDEE: As it exists right
4 now, yes.

5 MR. REAP: Okay. And the way the ordinance
6 is written is it doesn't count as a place to store
7 things because there's no permanent residence on it.

8 PUBLIC HEARING ATTENDEE: Correct, that's
9 the way the ordinance reads now.

10 MR. REAP: Yes.

11 PUBLIC HEARING ATTENDEE: I certainly would
12 like to be able to park my boat there. It's well off
13 of -- it's well off of the street. It's more than
14 30 feet off the street.

15 PUBLIC HEARING ATTENDEE: You've been
16 parking there for 106 years, right?

17 PUBLIC HEARING ATTENDEE: Yes, but we have
18 good neighbors.

19 PUBLIC HEARING ATTENDEE: Same trailer,
20 different boat.

21 MR. REAP: Yes, sir.

22 PUBLIC HEARING ATTENDEE: So I spent --
23 well, at the last meeting, somebody asked had anybody
24 done any surveys. I spent the last two days walking

1 the lakeshore tallying the impact of every property
2 to this legislation. I only had time to do R2. R3
3 certainly needs it, but I only did R2.

4 78 percent of the properties are affected.
5 39 percent have to remove trees, landscaping, or
6 fencing to comply with this. 34 percent already have
7 parking at less than 30 feet, so any addition of
8 paving doubles the paving. 33 percent don't have
9 sufficient space on their lot to add required
10 parking. 28 percent have 50-foot lots, and they have
11 to locate it far enough back and right next to the
12 house. I'm not sure how that's a cosmetic
13 improvement. 25 percent have to locate the
14 recreational vehicle directly in front of their house
15 but 30 feet or more back from the road. And
16 17 percent have to block their garage to comply with
17 these regulations. That's a pretty huge impact.

18 MR. VanWIE: Are these actual in-place
19 current uses or are you speaking hypothetically?

20 PUBLIC HEARING ATTENDEE: I'm walking the
21 lakeshore looking at each property saying, okay, if I
22 want to park an RV on that property --

23 MR. VanWIE: So hypothetical. They --
24 they're not actually --

1 PUBLIC HEARING ATTENDEE: It's not -- no.

2 MR. VanWIE: They may or may not be parking
3 a boat right now but --

4 PUBLIC HEARING ATTENDEE: And they may not
5 own a boat at this moment and they as owners may not
6 own a boat but they may sell the house --

7 MR. VanWIE: Okay. No, you answered my
8 question.

9 PUBLIC HEARING ATTENDEE: But in terms of
10 the impact -- the impact on this Village, the impact
11 on R2, it directly affects 78 percent of the
12 lakeshore. And I'll remind everybody that the
13 lakeshore here is bigger, has more residences than
14 the rest of Third Lake combined. It's bigger than
15 the lakeshore in Druce Lake. It is the largest
16 lakefront section in the Village, but we're making it
17 the most restrictive. It's -- it's unbelievable that
18 we would impose so many restrictions on existing
19 residences with a stroke of a pen.

20 PUBLIC HEARING ATTENDEE: One further point
21 to your question is that I think there's a number of
22 people in this room that probably store their boats
23 for the winter. So if you're going through and doing
24 a head count -- for me, example, I store my boats for

1 the winter and I can get them summer-ized at -- but
2 it's in the three, four, five summer months that I
3 park them on the side of my garage. So if you're
4 looking and doing your surveys in the winter, you're
5 understating the true impact to the residents.

6 PUBLIC HEARING ATTENDEE: I have a question.

7 MR. REAP: I think he was first.

8 PUBLIC HEARING ATTENDEE: Go ahead. That's
9 fine.

10 PUBLIC HEARING ATTENDEE: No, go ahead.

11 PUBLIC HEARING ATTENDEE: Rhonda Stoner,
12 13 Sunshine.

13 I have a question. Is there a possibility
14 that there could be two separate ordinances, one for
15 R2 because they are limited on their space from
16 property line on the street to the lake, and a
17 different one for R3 because -- R3, correct?

18 MR. REAP: Yes.

19 PUBLIC HEARING ATTENDEE: R1.

20 PUBLIC HEARING ATTENDEE: R1.

21 MR. REAP: No, 3.

22 MR. LIZZO: 3.

23 PUBLIC HEARING ATTENDEE: Okay. Because
24 most of those properties --

1 PUBLIC HEARING ATTENDEE: 3 is the seminary.

2 MR. LIZZO: 1 is the seminary.

3 PUBLIC HEARING ATTENDEE: Most of those
4 properties along Lake have room on their side to go
5 the 30 feet back. And like I live on Sunshine --

6 PUBLIC HEARING ATTENDEE: No, they don't.

7 PUBLIC HEARING ATTENDEE: -- so if I'm -- if
8 I'm to understand this, I can't put a boat in my
9 backyard. I can't put it in my 62-foot driveway
10 either, correct?

11 PUBLIC HEARING ATTENDEE: Correct.

12 PUBLIC HEARING ATTENDEE: Even though it's
13 30 feet off the lot line.

14 PUBLIC HEARING ATTENDEE: Well, you could
15 put it 30 feet back on your driveway, but it would
16 block your garage.

17 PUBLIC HEARING ATTENDEE: Right, but I could
18 put it up to my garage.

19 PUBLIC HEARING ATTENDEE: Right.

20 PUBLIC HEARING ATTENDEE: My garage -- from
21 where my garage is to my street is 62 feet and some
22 inches, so I could put a boat there.

23 MR. REAP: To answer your question from the
24 top there, we're not going to have two ordinances.

1 PUBLIC HEARING ATTENDEE: It was just a
2 thought. It was just a thought that could -- because
3 I understand the streets. The lakeside people, you
4 know, they're packed for space. They're packed for
5 space. Okay.

6 PUBLIC HEARING ATTENDEE: And it's only for
7 72 hours you can park it there.

8 PUBLIC HEARING ATTENDEE: Chris Trendle,
9 52 North.

10 My family has been here for six generations
11 now. I'm the fifth. We had some people run out.
12 Kim was one of them. We -- to kind of go off of
13 Dan's numbers, we kind of asked the people what they
14 thought of all of this, something that was asked of
15 you at the last meeting but no action was taken.

16 Of the people that we surveyed, just shy of
17 92 percent want you to throw the whole thing out; no
18 ordinances. That's a pretty staggering number. If
19 whoever was working on all of this, the consultant,
20 whoever, actually talked to the people they're
21 affecting, they'd understand this. They'd understand
22 why everybody's here and why we're upset about it,
23 but we keep getting this blah, blah, blah, and
24 nothing is getting changed. 30 feet back doesn't fix

1 jack.

2 PUBLIC HEARING ATTENDEE: Jack, jack.

3 PUBLIC HEARING ATTENDEE: Yeah.

4 PUBLIC HEARING ATTENDEE: What he said.

5 PUBLIC HEARING ATTENDEE: Get rid of it.

6 This is a lake community. We're going to have
7 trailers. We're going to have RVs. We're going to
8 have boats, and guess what, we want to use them,
9 period.

10 PUBLIC HEARING ATTENDEE: That's why we are
11 here.

12 PUBLIC HEARING ATTENDEE: That's why we're
13 here.

14 PUBLIC HEARING ATTENDEE: Exactly.

15 PUBLIC HEARING ATTENDEE: We're not here to
16 be Schaumburg. We're not here to be fricking
17 Lake Geneva. We're here to be here. And this has
18 been like this, like Jim said, over a hundred years
19 and now we're coming in and changing everything.
20 Why?

21 MR. REAP: I think in the back -- in the --
22 or --

23 PUBLIC HEARING ATTENDEE: Bob Kowalke,
24 15 South Lake.

1 This new ordinance and what you're going to
2 recommend to the Board, now, the way I'm listening to
3 it, if I sold my hundred-year-old home, would that --
4 would the real estate have to put these restrictions
5 in there that they can or cannot do with a boat or an
6 RV? It's going to restrict the sales and my
7 property.

8 MR. REAP: It would be the same for
9 everyone.

10 PUBLIC HEARING ATTENDEE: That's why we're
11 here.

12 PUBLIC HEARING ATTENDEE: That's why we're
13 here.

14 PUBLIC HEARING ATTENDEE: We don't want
15 that.

16 PUBLIC HEARING ATTENDEE: That doesn't
17 sound -- that doesn't sound -- it doesn't.

18 PUBLIC HEARING ATTENDEE: Can I piggyback on
19 that?

20 MR. REAP: Sure. Go ahead.

21 PUBLIC HEARING ATTENDEE: Kendra Saemann,
22 43 North.

23 I built a house here two-and-a-half years
24 ago. I had an architect. I had a builder. I came

1 quite frequently to the Village Hall. I've worked at
2 the Village Hall myself. We had no idea of these
3 restrictions when we decided to build our home in the
4 configuration that we did. We turned down an offer
5 that we walked away from, a counter-offer, for a home
6 in Mariner's Cove for the reason of we could store
7 our boat and no longer have to pay for storage during
8 the calendar year. We were coming off of a house in
9 Wisconsin where we had to do that. We understood the
10 cost of tax space to be on the water, not such a
11 privilege as I found out, to also now maybe have to
12 bear the cost of storing my boat, my RV, and my
13 trailer, which was not disclosed to me at time of
14 purchase or time of build, and that was just
15 two-and-a-half years ago. And I just want to say
16 that much.

17 MR. REAP: Okay. And I could respond this
18 way to that. It's always been a maximum of two
19 around the entire Village of Third Lake.

20 PUBLIC HEARING ATTENDEE: It wasn't
21 disclosed to me.

22 PUBLIC HEARING ATTENDEE: It's never been
23 enforced.

24 MR. REAP: Well, it was in -- it was in our

1 2002 zoning ordinance.

2 PUBLIC HEARING ATTENDEE: It wasn't
3 enforced.

4 PUBLIC HEARING ATTENDEE: It's never been
5 enforced.

6 PUBLIC HEARING ATTENDEE: It's never been
7 enforced.

8 PUBLIC HEARING ATTENDEE: My builder was
9 down here asking; didn't get information, didn't get
10 the full information about restrictions when we built
11 on this lake.

12 MR. LIZZO: Can I correct that, Jamie?
13 It's two recreational vehicles but utility
14 trailers --

15 PUBLIC HEARING ATTENDEE: I didn't know
16 about the 30 feet back from the road.

17 MR. LIZZO: That didn't --

18 PUBLIC HEARING ATTENDEE: That's not from
19 the road; that's the problem.

20 PUBLIC HEARING ATTENDEE: That's what
21 they're proposing.

22 PUBLIC HEARING ATTENDEE: It's not
23 30 feet from the road.

24 MR. LIZZO: But it's currently -- it

1 currently is -- you're currently allowed to park in
2 your first 30 feet of the road.

3 PUBLIC HEARING ATTENDEE: And I think we're
4 saying many of us built or modified our places to the
5 Village's specifications so that we could park our
6 trailers and now you're saying you can't do that any
7 longer.

8 You know, we're -- we are non-conforming
9 lots. We're not Mariner's Cove. I know you said
10 we're not going to have different -- between the two
11 sides, but we are different.

12 PUBLIC HEARING ATTENDEE: But they are
13 different, yes.

14 PUBLIC HEARING ATTENDEE: And we're all here
15 because we were -- wanted to be in a small lake
16 community, and we did everything to abide by the
17 rules of that community and now that we're built and
18 we're stuck with what we have in our small
19 non-conforming lots, you want to add another change
20 to our regulations that will impact us. It's not
21 right. It's not fair.

22 MR. REAP: Well, we're not addressing the
23 lots. We understand there are lots --

24 PUBLIC HEARING ATTENDEE: Yeah, I know, but,

1 I mean, but you're addressing the lot because of the
2 limited space that we have that you're addressing
3 with where we can park our vehicles.

4 MR. REAP: Non-conforming uses is what we're
5 talking about.

6 PUBLIC HEARING ATTENDEE: Yeah, well, we
7 have -- by definition, we have non-conforming lots;
8 that's why there's non-conforming uses and that's why
9 the old ordinances allowed for those uses because it
10 recognized that we have these non-conforming lots
11 that we were stuck with historically.

12 MR. REAP: All right.

13 PUBLIC HEARING ATTENDEE: Just another
14 question. May I ask if none of this has been an
15 issue in the past and all these people have not
16 had problems --

17 PUBLIC HEARING ATTENDEE: For 106 years.

18 PUBLIC HEARING ATTENDEE: What's that?

19 PUBLIC HEARING ATTENDEE: For 106 years.

20 PUBLIC HEARING ATTENDEE: For 106 years. So
21 I was at the last meeting and the only reason that I
22 could hear, and this is why I'm asking the question,
23 was someone mentioned that our neighborhood looks
24 like a campsite. And so I'm curious if there was

1 another reason, maybe a logical reason, as to why
2 these changes are being pushed, because according to
3 the numbers that we have, most of the neighborhood
4 likes our neighborhood the way it is. So if someone
5 could just give -- just answer my question, like why?
6 What's the logic? Because I don't understand.

7 MR. REAP: As I said at the outset of the
8 meeting, we're trying to give uniformity across the
9 entire Planning and Zoning Ordinance for the entire
10 Village.

11 PUBLIC HEARING ATTENDEE: But she's asking
12 what has changed that's prompting this now?

13 PUBLIC HEARING ATTENDEE: Yeah, why is that
14 now an issue?

15 PUBLIC HEARING ATTENDEE: Why is that now an
16 issue?

17 PUBLIC HEARING ATTENDEE: Why a priority
18 that requires us all to be here right now?

19 PUBLIC HEARING ATTENDEE: 91 percent say no.

20 MR. REAP: One at a time, please.

21 What we know from having had -- having had
22 to use the 2002 ordinance over these years is that it
23 is a pretty poor resource when it comes to applying
24 zoning principles fairly and uniformly across the

1 entire Village. This thing was sorely in need of
2 being updated, and that's really the basis for where
3 this started.

4 PUBLIC HEARING ATTENDEE: That's not true.

5 PUBLIC HEARING ATTENDEE: That's -- but
6 you -- that's what you're saying, but according to
7 these numbers, that's not reality. So I'm looking at
8 this from a perspective of reality and logic, not
9 based on -- and please don't take offense to this --
10 not based on your opinion or your opinion or your
11 opinion, but I'm talking about numbers, which are
12 logical, and I'm talking about reality, which is that
13 we have numbers that say that most of the people in
14 this area are not in agreement with what you're
15 saying. You're saying that it's not a good way to do
16 things, but everyone here says that it is, because
17 everyone here is happy with the way that it's been.
18 So, therefore, I'm still looking for an answer as to
19 a logical reason as to why we're making these changes
20 or pushing for these changes.

21 PUBLIC HEARING ATTENDEE: What's driving it?

22 PUBLIC HEARING ATTENDEE: Logic, not an
23 opinion.

24 MR. REAP: The need to update the existing

1 zoning ordinance that's --

2 PUBLIC HEARING ATTENDEE: What prompted it?

3 What --

4 PUBLIC HEARING ATTENDEE: I spoke with Butch
5 on this, and his number one thing that he -- I don't
6 know if he's here. He can --

7 PUBLIC HEARING ATTENDEE: He is.

8 PUBLIC HEARING ATTENDEE: I see him right
9 there.

10 PUBLIC HEARING ATTENDEE: But his number one
11 thing is he said the lawyers told him that we could
12 not codify our laws if we had these discrepancies
13 between different areas. So I'd -- I'd like to know
14 if that's -- if that's the driving forces that our
15 legal team is recommending to the Village to do this.
16 Can the lawyer speak to that?

17 MR. REAP: Tom, do you want to --

18 MR. HALLERAN: Sure.

19 MR. REAP: Do you want to address that?

20 MR. HALLERAN: It's -- the Village code was
21 recently codified. As far as the zoning ordinances
22 go, it is a policy decision, but the policies being
23 that there was not uniformity. So that's why the --
24 I believe the Village contracted with the consultant

1 or engaged a consultant to advise them on their
2 amendment of the zoning code.

3 PUBLIC HEARING ATTENDEE: So I think I -- I
4 think you're saying that there was a legal
5 restriction to us having different --

6 MR. HALLERAN: For different districts?

7 PUBLIC HEARING ATTENDEE: Yes, for different
8 districts, right, if you will.

9 MR. HALLERAN: There is not, no.

10 PUBLIC HEARING ATTENDEE: Okay. So it's not
11 a legal issue. It was a policy issue.

12 MR. HALLERAN: Correct.

13 PUBLIC HEARING ATTENDEE: Okay. A policy of
14 the Village.

15 MR. HALLERAN: Correct.

16 PUBLIC HEARING ATTENDEE: Starting with the
17 president and the Board of Trustees.

18 MR. HALLERAN: Yes. There's no --

19 PUBLIC HEARING ATTENDEE: By definition,
20 that would be their policies.

21 MR. HALLERAN: Right.

22 PUBLIC HEARING ATTENDEE: Okay. Understood.
23 Thank you. That helps me clarify it very much.

24 PUBLIC HEARING ATTENDEE: Jason Lizzo,

1 28 North.

2 If you want to take away the trailer
3 ordinance and you're worried about what's going to
4 happen over at the other subdivision, Mariner's Cove,
5 don't they have an HOA that's going to --

6 PUBLIC HEARING ATTENDEE: Supercede.

7 PUBLIC HEARING ATTENDEE: -- supercede the
8 rules that we have here? Like, even though we don't
9 have a policy here on we can't park 30 feet, they
10 have it because they have a homeowners association;
11 is that correct?

12 MR. REAP: There are covenants that govern
13 Mariner's Cove. They're not nearly as complete as
14 the zoning ordinance for the Village as a whole. I
15 would say that 90-odd percent defers to the Village
16 Planning and Zoning Ordinance as opposed to the
17 Mariner's Cove ordinance.

18 PUBLIC HEARING ATTENDEE: So right now they
19 can put boats in their driveway?

20 MR. REAP: No.

21 PUBLIC HEARING ATTENDEE: So they can't. So
22 if you -- if you lift the restrictions, the
23 restrictions are still where they want them over
24 there, right?

1 PUBLIC HEARING ATTENDEE: Meaning their HOA
2 still --

3 PUBLIC HEARING ATTENDEE: Their HOA is going
4 to tell them you can't do that, even though
5 Third Lake says you can. So I don't see an issue
6 with lifting it, getting rid of it.

7 MR. REAP: Third Lake does not say you can.

8 PUBLIC HEARING ATTENDEE: If we did I'm
9 saying. I'm saying if we -- like Chris said, get rid
10 of that rule. Get rid of the 30-foot rule. Get rid
11 of it. We don't want it. It doesn't matter over
12 there if you guys want it, because there is a rule in
13 effect that will put it back in effect in
14 Mariner's Cove. So if you lift it, there's still --

15 PUBLIC HEARING ATTENDEE: Nothing changes.

16 PUBLIC HEARING ATTENDEE: Exactly. Nothing
17 changes. Here, we want -- you guys have what you
18 want; it's happy.

19 MR. VanWIE: But Mariner's Cove is not the
20 petitioner here. It's the Village of Third Lake.

21 PUBLIC HEARING ATTENDEE: Right, but that --
22 you're taking --

23 MR. VanWIE: The Village of Third Lake is
24 the petitioner.

1 PUBLIC HEARING ATTENDEE: But they're taking
2 Mariner's Cove into consideration when passing this
3 rule.

4 MR. VanWIE: That's -- you're speculating
5 that.

6 PUBLIC HEARING ATTENDEE: No, that was --

7 PUBLIC HEARING ATTENDEE: No, that's what
8 they said. I'm pretty sure you're wrong.

9 MR. VanWIE: Then that should be addressed
10 with the Village of Third Lake, not with the Planning
11 and Zoning Committee.

12 PUBLIC HEARING ATTENDEE: But that's what
13 your commissioner said was they wanted it to be
14 consistent with Mariner's Cove.

15 MR. VanWIE: And, perhaps, he was just
16 passing along what he had heard from the Village
17 but --

18 PUBLIC HEARING ATTENDEE: But he said --

19 PUBLIC HEARING ATTENDEE: He said multiple
20 times --

21 MR. REAP: Hold on. Hold on. I can speak
22 for myself.

23 PUBLIC HEARING ATTENDEE: Yes, please.

24 MR. REAP: What I'm saying is that the

1 Village as a whole deserves to have a Planning and
2 Zoning Ordinance that affects everyone equally and
3 fairly.

4 PUBLIC HEARING ATTENDEE: Right.

5 MR. REAP: Everyone.

6 PUBLIC HEARING ATTENDEE: But your HOA is --
7 so if you lift it, it's still fair for everybody.
8 The HOA is what's going to make it unfair, correct?

9 MR. REAP: Well, no.

10 PUBLIC HEARING ATTENDEE: No?

11 MR. REAP: Because right now it's written in
12 a particular way and that's what we're talking about.

13 PUBLIC HEARING ATTENDEE: What is written in
14 a particular way?

15 MR. REAP: The proposed Chapter 32 to the
16 Village ordinance.

17 PUBLIC HEARING ATTENDEE: For the boat and
18 trailer parking?

19 MR. REAP: The Village code.

20 No, the entire thing. The Planning and
21 Zoning Ordinance is Chapter 32 of the entire Village
22 code, okay?

23 PUBLIC HEARING ATTENDEE: I'm not asking --

24 MR. REAP: So Chapter 32 has been written

1 based on what our consultant has gleaned from towns
2 all around northern Lake County to come up with their
3 best advice on the way --

4 PUBLIC HEARING ATTENDEE: Sure.

5 MR. REAP: -- to update what we have going
6 on in this town.

7 PUBLIC HEARING ATTENDEE: That's great.
8 That's advice. That's not -- we don't have to abide
9 by their advice.

10 PUBLIC HEARING ATTENDEE: Yes.

11 PUBLIC HEARING ATTENDEE: The people of
12 Third Lake are speaking and telling you what they
13 want.

14 PUBLIC HEARING ATTENDEE: And you're not
15 listening.

16 PUBLIC HEARING ATTENDEE: And I'm just
17 speaking about one particular ordinance with a
18 restriction of trailer parking. I'm saying if you
19 take that away and leave that out, it's not going to
20 affect anyone but us here based on the HOA over
21 there.

22 MR. REAP: In the back.

23 PUBLIC HEARING ATTENDEE: All right.

24 Tracy Trendle, 52.

1 Can you please go back and read what the
2 attorney said?

3 MR. VanWIE: I'm sorry. Are you asking me?

4 PUBLIC HEARING ATTENDEE: No, I'm asking
5 her, the stenographer.

6 MR. REAP: She's asking if you can go back
7 in the record and read what Tom said.

8 MR. HALLERAN: I can clarify if you have a
9 question.

10 PUBLIC HEARING ATTENDEE: No, that's okay.
11 I just want -- I want it to be read back because I
12 want to make sure when I make my comment.

13 PUBLIC HEARING ATTENDEE: It's a policy
14 issue and not a legal issue.

15 MR. REAP: Everyone wait, please.

16 (Whereupon, the record
17 was read as requested.)

18 PUBLIC HEARING ATTENDEE: So the Village of
19 Third Lake went out and hired a consultant and this
20 consultant -- now, this is -- this is how I'm hearing
21 it from all of you for several meetings.

22 The consultant went around Lake County to
23 different lake communities to gather information.
24 The Village of Third Lake, Sunshine is very unique.

1 I don't even know if something else like it exists in
2 Lake County, but why would the Village pay for a
3 consultant to go around Lake County and to look at
4 other lake communities that are probably not even in
5 comparison to ours and never once asked a resident in
6 this community, whether it's this side or
7 Mariner's Cove, what they thought?

8 This consultant doesn't know us. This
9 consultant doesn't know what this Village wanted,
10 liked, appreciated, why they bought their homes, why
11 they have six, seven, eight generations of families,
12 why you have multiple homes of families. I mean, you
13 have -- you know, we live in one house. My
14 mother-in-law lives in another. Jason lives in one
15 house. You know, Rob lives in another. Kim lives
16 in -- I mean, you have families in here. You have
17 multiple generations of families in this community
18 and not once did it occur to you to have a consultant
19 talk to any resident.

20 PUBLIC HEARING ATTENDEE: Is that accurate?
21 The consultant didn't talk to anybody that's going to
22 be affected by this?

23 PUBLIC HEARING ATTENDEE: No, it is not --

24 PUBLIC HEARING ATTENDEE: They just --

1 PUBLIC HEARING ATTENDEE: They did not --
2 they did not talk to anybody in this community and
3 you said that at the last meeting.

4 PUBLIC HEARING ATTENDEE: The Commission met
5 with the consultant.

6 MR. REAP: Excuse me. I do not know if the
7 consultant -- I'm going to assume the consultant did
8 not talk to any of you.

9 PUBLIC HEARING ATTENDEE: Correct. No.

10 MR. REAP: But we were not part of that
11 process.

12 PUBLIC HEARING ATTENDEE: Is there anyone
13 from the Board --

14 PUBLIC HEARING ATTENDEE: But you are
15 going --

16 PUBLIC HEARING ATTENDEE: -- that can answer
17 that question definitively?

18 PUBLIC HEARING ATTENDEE: You literally are
19 taking advice from a consultant who never spoke to a
20 resident on what we should have as an ordinance. Do
21 you -- I don't know how much you pay in
22 Mariner's Cove for taxes, but I can tell you that our
23 tax bills in this subdivision are absolutely
24 astronomical, they're ridiculous, but we pay for them

1 because of what we have and what we've been allowed
2 and what people have been allowed to build. But you
3 are going to take some consultant's opinion on what
4 Sunshine subdivision should be versus asking multiple
5 generations of people what they would like Sunshine
6 to be.

7 PUBLIC HEARING ATTENDEE: Is there any way
8 to share the consultant?

9 MR. REAP: Name.

10 PUBLIC HEARING ATTENDEE: John Jackson,
11 63 North Lake. I've been here, again, 51 years.

12 What comps did they use in Lake County? I
13 think we have a right to know what subdivisions they
14 comped. Are they lake communities? Are we sure of
15 this? Because going around, working where I work,
16 I've been in a lot of these lake communities in
17 Lake County and they have trailers. So are we
18 talking -- I think we have a right to know what the
19 comps were that they used.

20 PUBLIC HEARING ATTENDEE: Can we see the
21 consultant's --

22 PUBLIC HEARING ATTENDEE: And who the
23 consultant was.

24 PUBLIC HEARING ATTENDEE: It

1 was Robert Hupp.

2 PUBLIC HEARING ATTENDEE: Is there a public
3 document? Are we -- are we open to be able to see
4 the consultant's report? Is it on the website?

5 PUBLIC HEARING ATTENDEE: Now, be careful
6 about giving consultants a bad name.

7 PUBLIC HEARING ATTENDEE: No, not all
8 consultants.

9 PUBLIC HEARING ATTENDEE: I just want to
10 hear -- I want to know what comps he used. What lake
11 communities did he --

12 MR. REAP: I don't have the information.

13 PUBLIC HEARING ATTENDEE: -- get
14 recommendations from?

15 MR. REAP: I don't have the information.

16 PUBLIC HEARING ATTENDEE: Do we even know if
17 he used lake communities?

18 MR. REAP: I don't -- I don't have the
19 information.

20 PUBLIC HEARING ATTENDEE: Is it published?
21 Is it on --

22 MR. REAP: I don't know if it's published.
23 I've never seen it.

24 PUBLIC HEARING ATTENDEE: It should be

1 public. You've never seen --

2 PUBLIC HEARING ATTENDEE: You've never seen
3 the recommendations?

4 MR. REAP: No, we saw the document that was
5 prepared by these professional co-consultants.

6 PUBLIC HEARING ATTENDEE: You don't -- you
7 don't know where the comps came from and I have to
8 say okay.

9 PUBLIC HEARING ATTENDEE: Hi.

10 MR. REAP: Hi.

11 PUBLIC HEARING ATTENDEE: My name is
12 Andrea Grzeslo, and I live at 62 North Lake.

13 So I see a couple things kind of just in
14 general, that the zoning needs to be updated, agreed.
15 However, I feel that the general decision to try to
16 update this ordinance with the 30-foot rule was kind
17 of based off taking the level that the Sunshine
18 community is and kind of raising it to the guidelines
19 in which, generally, Mariner's Cove adheres to
20 currently. I'm against that. I feel that the
21 ordinance should be placed so that there is no
22 restriction, and if Mariner's Cove or other
23 ordinances want to be in place for how people store
24 the recreational vehicles, that that should be dealt

1 with on their homeowners association or their
2 guidelines for their community.

3 You said that typically they default to the
4 general Village's ordinances, but, no offense, that's
5 not our problem. If they need to update things and
6 make tighter regulations based off their community,
7 they can do that on their own as to make an HOA or
8 something that they then can vote on and agree to as
9 part of their division. I don't think that we should
10 be held to that same standard as -- you know, for the
11 many reasons we've already pointed out, among the
12 different lot sizes, the inconvenience being held to
13 building codes, et cetera, et cetera. And even
14 though a consultant -- it doesn't even matter,
15 honestly, I feel like who they were or what they
16 said -- because it is just that. It's, you know, an
17 overview plan of the suggestions that they would
18 make. They probably looked at Mariner's Cove and
19 said, hey, this looks pretty good, let's apply it to
20 everybody, and we're all here to try to explain that
21 we disagree with said consultant, let's lower that
22 barrier down back to the rules that everyone agreed
23 with, and if, you know, there is a separate issue
24 with one of the other communities based on that, they

1 can change that without affecting everybody else.

2 MR. REAP: Part of the problem was that what
3 existed here that did affect R2 lots was not
4 enforced, and that's part of the problem.

5 PUBLIC HEARING ATTENDEE: Whose -- whose
6 enforcement issue was it? Because, once again, the
7 ordinance as it's written is different from the
8 enforcement. Those are two separate areas.

9 PUBLIC HEARING ATTENDEE: And if you can't
10 enforce the current, then how are you going to
11 enforce the new?

12 PUBLIC HEARING ATTENDEE: Well, and the
13 current ordinance --

14 MR. REAP: Hold on. Please, one at a time.
15 One at a time.

16 PUBLIC HEARING ATTENDEE: Sorry.

17 MR. REAP: I believe you were next, ma'am.

18 PUBLIC HEARING ATTENDEE: Just -- Sue Young,
19 29 North.

20 Mariner's Cove is a beautiful community. I
21 mean, it's a desired community, and I think ours is
22 also a beautiful community. I don't think they're
23 the same community. There's other things besides
24 just where we park our boats that -- I mean, we don't

1 have street lights. We don't have sidewalks. We
2 don't want street lights, and we don't want
3 sidewalks. We like our dark community. We like --
4 it's a dead end. We like the street we live on.

5 You know, we didn't come -- you know, why
6 was the boat parking and recreational trailer parking
7 the thing you decided was the straw on the camel's
8 back and nothing else?

9 MR. REAP: Dan.

10 PUBLIC HEARING ATTENDEE: Well, two things.
11 We have three different residential zones, R1, R2 and
12 R3. Why? We have a legal structure in place to have
13 differential requirements. Why would you even create
14 three residential zones when one zone would do? So
15 why do all the rules for all the zones need to be the
16 same?

17 Second issue. There's a statement in here
18 that basically grandfathers the use of the older
19 properties, but there's a disclaimer that expressly
20 pulls out the ability for recreational vehicles. So
21 we're grandfathered but it's taken away. It's either
22 grandfathered or it's not. What's going on?

23 MR. REAP: You can't have grandfather
24 non-conforming uses because it undermines --

1 PUBLIC HEARING ATTENDEE: It's in -- it's in
2 the ordinance.

3 MR. REAP: It undermines the entire new
4 proposed ordinances.

5 PUBLIC HEARING ATTENDEE: It's -- it's in
6 the ordinance.

7 PUBLIC HEARING ATTENDEE: I'll give you the
8 citation in a minute.

9 PUBLIC HEARING ATTENDEE: Bob Kowalke,
10 15 South Lake.

11 As a P and Z Board, it is your job to make a
12 recommendation to our Board; that is correct?

13 MR. REAP: Correct.

14 PUBLIC HEARING ATTENDEE: So my question to
15 you is how can you make a recommendation to the Board
16 if what you have is tainted by someone who never
17 interviewed anybody on this side of the lake?

18 PUBLIC HEARING ATTENDEE: Exactly.

19 PUBLIC HEARING ATTENDEE: That doesn't --
20 that's ridiculous. I've been around a long time,
21 and, hopefully, I'll be around a little bit longer to
22 see this --

23 PUBLIC HEARING ATTENDEE: A lot longer.

24 PUBLIC HEARING ATTENDEE: -- a lot longer to

1 see -- realize that -- you have to have common sense
2 to sit on that Board, and right now that's not
3 happening.

4 MR. VanWIE: The recommendation doesn't
5 necessarily have to be a rubber stamp. The
6 recommendation that we make to the Board or to the
7 Board of Trustees does not have to be a yes or no
8 recommendation.

9 PUBLIC HEARING ATTENDEE: Yeah, but your
10 information is tainted.

11 MR. VanWIE: That -- that's irrelevant. I
12 just told you that we --

13 PUBLIC HEARING ATTENDEE: How is it
14 irrelevant?

15 MR. VanWIE: I just told you that our
16 recommendation doesn't have to be a yes or a no. If
17 you believe it's tainted and if there are
18 Board Members or Commissioners here who believe like
19 you do, then we don't necessarily have to make that
20 recommendation.

21 PUBLIC HEARING ATTENDEE: The hearing --
22 this hearing is part of you getting all their
23 information on what the people that are impacted feel
24 about this, right? And now you know 92 percent of

1 the people that will be impacted are against this
2 change, so that's import for your recommendation.

3 PUBLIC HEARING ATTENDEE: Correct.

4 MR. REAP: Well, for --

5 PUBLIC HEARING ATTENDEE: Hopefully,
6 important information.

7 And one other thing I just want to say as
8 long as I'm talking. You used the term fair and
9 equal. Fair and equal are two different things.
10 Things can be fair but unequal because of their
11 circumstances. We have non-conforming lots. Is it
12 fair to make us adhere to the -- to conforming lot
13 requirements? I don't think that that's fair. It
14 might be equal, but it's not fair.

15 MR. REAP: Okay. And the R2 lots are
16 considered separately.

17 PUBLIC HEARING ATTENDEE: Right, but you're
18 taking away one of the things that are allowed on the
19 R2 lots because of the fact that they're
20 non-conforming, which is parking our vehicle.

21 PUBLIC HEARING ATTENDEE: The grandfather
22 clause is 32-202(b)(2). So there is a grandfather
23 clause in there, but it takes away the RVs. So which
24 is it, we're grandfathered or we're not?

1 MR. REAP: Yes, sir.

2 PUBLIC HEARING ATTENDEE: Bob Hameister,
3 47 North Lake Avenue.

4 To kind of dovetail onto Dan's point, we do
5 have an R2 and an R3. Apparently, for that to be
6 plotted out, there was a purpose in that, whether
7 it's -- whether it's fair to say that it's
8 preferential because you're on the lake or not, I
9 mean, it's not a kind word that there certainly is a
10 differentiation and it's directed by our -- it's been
11 directed and considered when they started putting the
12 regulation together in the old write-up.

13 The R3 was going to operate differently than
14 R2. So to her point, you can't -- why can't you have
15 two different regulations? You actually have that
16 laying right in front of you. You can treat the lake
17 differently than you can treat across the street.
18 One thing I was told when I made that argument in a
19 meeting was but it's unfair, it's unfair. It's
20 unfair that we have unregulated lots; that's unfair.
21 It just -- it has to be dealt with. And you
22 certainly have before you, and certainly in front of
23 the consultant, that you have an opportunity to make
24 a differentiation here, and you can -- you can blow

1 this bridge up that's been being built to try to put
2 everybody under the same tent. It just can't be
3 done.

4 God bless you guys. You know, my heart goes
5 out to you. I've sat up there, and, you know, the
6 fireworks is not fun. So just I hope -- I hope the
7 ears are open, the minds are open as we go forward to
8 make adjustments. I don't think blowing it up is a
9 good idea.

10 PUBLIC HEARING ATTENDEE: I'm just going to
11 stand since I haven't been called on.

12 MR. REAP: Go ahead.

13 PUBLIC HEARING ATTENDEE: Brad Depke,
14 33 South. I've got to represent some of the
15 Southsiders around here.

16 I moved here about 12 years ago solely
17 for -- I mean, I was only two miles away across the
18 street. I wanted this to be a retirement home. I
19 moved here because it had a lake and it had motorized
20 vehicles; that's why I'm not on Druce Lake. So the
21 whole purpose of moving here was for lake toys.
22 Within two months of closing on my house, I had a jet
23 ski. The following year I got a pontoon boat from my
24 neighbor. As a matter of fact, I think I can

1 represent 33, 35, 37, 39 and 41 South. We all have
2 boats that are probably not in compliance with this
3 new ordinance. So to speak to the point of the
4 privilege, yes, we do have a privilege of being on a
5 lake. Absolutely.

6 PUBLIC HEARING ATTENDEE: And pay for it.

7 PUBLIC HEARING ATTENDEE: And we pay for it.
8 You took my line.

9 PUBLIC HEARING ATTENDEE: Sorry.

10 PUBLIC HEARING ATTENDEE: We have the
11 privilege that we pay almost twice in taxes, but we
12 know that. I knew that when I moved in. And it's
13 okay. Do I like it? No, but I pay for it. And you
14 want to take that away from me.

15 The 35-foot restriction, well, some houses,
16 garages don't have the bandwidth for 35-feet.
17 Impossible. You can't enforce it, so you're forcing
18 us to go move our trailers somewhere. We've been
19 talking about the boats and all that mostly, but when
20 the boats are in the water, there's a trailer. We
21 haven't talked a lot about that, but it's kind of the
22 same thing.

23 PUBLIC HEARING ATTENDEE: Some lots you
24 can't.

1 PUBLIC HEARING ATTENDEE: Hang on. Let's
2 just talk one at a time.

3 MR. REAP: Thanks.

4 PUBLIC HEARING ATTENDEE: The trailer, you
5 know, where is it going to go? We talked about the
6 side lot. Well, I do have a side lot, because that's
7 35 South next to me but it doesn't have a house on it
8 so I don't know if I can put it there. To put it on
9 33, I'm supposed to put it around the side of my
10 house into my backyard to ruin that \$18,000 taxation
11 view? No, I don't think you should be able to do
12 that to me. What's the -- would you want that for
13 your house, to put a trailer? And let's talk about
14 moving the trailer. It's a trailer for a ton boat.
15 Have you ever tried to move that manually, maybe in
16 the rain with the mud and then the ruts? It's just
17 not going to -- it's not feasible to do that on a
18 regular basis.

19 Another thing, I have a boat. People have
20 pontoon boats. I live in what's called the
21 Lenny Beckman house, okay. So now you all know the
22 correlation. Poor Lenny couldn't be here. I'm sure
23 if he was here, he would want to be here on this
24 because what would he do with his pontoon boat? You

1 can't put that in a garage. There's no way. So
2 where do you go? So now you're going to force the
3 homeowner to spend thousands of dollars to go store
4 it somewhere. You can't have it.

5 So the question -- and I don't know if you
6 can answer this now between the six of you. You hear
7 the 91 percent and the 40 people that are here. Are
8 you guys willing after all this advice of everyone to
9 give us a non-voting measure to say that you would be
10 willing to drop the boating ordinances that you're
11 proposing now, the trailer ordinance? Would the six
12 of you --

13 MR. REAP: We're not going to have that
14 poll.

15 PUBLIC HEARING ATTENDEE: Why not?

16 MR. REAP: We're not going to have that
17 poll. And I guess this is probably as good a time as
18 any to bring up the point that hasn't come up yet is
19 that everyone sitting here always has the route to
20 apply for a variance for this.

21 PUBLIC HEARING ATTENDEE: Come on.

22 PUBLIC HEARING ATTENDEE: Why?

23 PUBLIC HEARING ATTENDEE: What does that
24 mean?

1 PUBLIC HEARING ATTENDEE: Why is that
2 necessary?

3 PUBLIC HEARING ATTENDEE: 92 percent of the
4 people are saying this is not okay, and we're
5 supposed to bend over and make this happen?

6 PUBLIC HEARING ATTENDEE: Okay. So I was
7 actually going to ask the same question he did.
8 Hearing that you have 92 percent of this subdivision
9 not in favor of this, you hear how everybody is
10 passionate about this, are you -- do you really still
11 want to move forward and create that kind of
12 community? Something to think about because you said
13 that you won't take a poll and I know -- I know some
14 people's feelings, but I have a whole different
15 ordinance that I have a question about so we're going
16 to kind of --

17 MR. REAP: No, let's stay on point, please.
18 We're talking about the revisions to the current
19 ordinance.

20 PUBLIC HEARING ATTENDEE: Let's do the boat
21 one first. Let's finish the boat one first.

22 PUBLIC HEARING ATTENDEE: All right. Well,
23 we're not going to get through that one and then he's
24 going to cut us off.

1 PUBLIC HEARING ATTENDEE: Are you guys -- is
2 it your guys' job to make a recommendation of what
3 is -- what we want or is it --

4 PUBLIC HEARING ATTENDEE: What they want.

5 PUBLIC HEARING ATTENDEE: -- what a
6 consultant wants? Like, what is -- what is the
7 purpose -- what are you guys supposed to base your
8 information on and take --

9 MR. REAP: We sort out the information that
10 we're presented, and through the public hearing
11 process, we hear what everyone else has to say and
12 what the input is. We've heard from the R2 residents
13 loud and clear on this, certainly. I haven't seen
14 any R3 residents here.

15 PUBLIC HEARING ATTENDEE: I'm R3.

16 PUBLIC HEARING ATTENDEE: I'm R3.

17 PUBLIC HEARING ATTENDEE: Any even number.

18 PUBLIC HEARING ATTENDEE: I'm R3.

19 PUBLIC HEARING ATTENDEE: Right here.

20 PUBLIC HEARING ATTENDEE: There's a lot of
21 us here.

22 MR. REAP: Okay.

23 PUBLIC HEARING ATTENDEE: That being said,
24 I'm R3. I don't want someone telling me I can't put

1 my boat anywhere or whatever. I mean, I want -- if I
2 want to park it in the first 30 feet, I want to be
3 able to do that. I'm probably not ever going to, but
4 I want that right. I pay taxes on the property.
5 It's my property. If my neighbor doesn't like it, he
6 has every right to come up to me and ask me, hey, do
7 you mind moving that; no problem. I would not have a
8 problem with anyone coming up to me saying would you
9 mind -- you know, I'll comply with that. But for
10 Board Members to tell me that I can't park something
11 on my property doesn't seem right. Everyone here
12 would probably agree with me, and that's why we're
13 here. This is the majority telling you please remove
14 this, remove this section from the proposal.

15 PUBLIC HEARING ATTENDEE: And we vote.

16 MR. REAP: Donna, you had a question.

17 PUBLIC HEARING ATTENDEE: I did. I just --
18 I think it's -- you're not -- how do I say this?
19 We're Sunshine. We're the older community.

20 PUBLIC HEARING ATTENDEE: Yes.

21 PUBLIC HEARING ATTENDEE: Mariner's Cove is
22 the newer one. It doesn't match. What they have and
23 what they do in Mariner's Cove is entirely different
24 than over here. They have curbs. They have

1 lighting. They have paved streets. They --

2 PUBLIC HEARING ATTENDEE: City water.

3 PUBLIC HEARING ATTENDEE: City water.

4 Everything. It's like -- so you need two zoning
5 ordinances. You need two zoning ordinances. If you
6 want to put this --

7 PUBLIC HEARING ATTENDEE: If you want it to
8 be equal, it should be equal on all accounts.

9 PUBLIC HEARING ATTENDEE: -- into effect and
10 make it the same thing for everyone, you have to have
11 two zoning ordinances, especially for these boats and
12 trailers and summer -- you know, the mobile homes,
13 because it's not working. It's not working.

14 PUBLIC HEARING ATTENDEE: Sorry.

15 PUBLIC HEARING ATTENDEE: In response to
16 your comment about how you don't see any R3 people
17 here, I'm just going to make the statement that I
18 personally went to homes and you can look -- I think
19 you have a copy of all of the signatures.

20 MR. LIZZO: No.

21 PUBLIC HEARING ATTENDEE: It was presented.

22 PUBLIC HEARING ATTENDEE: It was given -- it
23 was.

24 I mean, you just said that you haven't heard

1 from any R3 residents, where are all the R3 residents
2 because I don't see any here. I think those were
3 your exact words. I may have gotten one wrong,
4 forgive me if I did. However, in response to that
5 comment, please have a look at the petition, because
6 you will see who signed it. You can see the address
7 of every single person; that's 91.8 percent. You can
8 see where they live, which home they live in, and
9 what section they're in. And, I'm sorry, but I find
10 that comment to be -- that wasn't -- that just left a
11 bad taste in my mouth, sorry. But that was -- just
12 he has the papers.

13 PUBLIC HEARING ATTENDEE: They won't look at
14 them.

15 PUBLIC HEARING ATTENDEE: It's saying where
16 you live.

17 PUBLIC HEARING ATTENDEE: Let's just give
18 them the benefit of the doubt.

19 MR. HALLERAN: I think it was read into the
20 record. It will be -- it will be made part of the
21 written record.

22 PUBLIC HEARING ATTENDEE: Okay.

23 PUBLIC HEARING ATTENDEE: Printed them out
24 for nothing, I guess.

1 PUBLIC HEARING ATTENDEE: So in a perfect
2 world, I put my boat in by Memorial Day, stays in the
3 lake the whole time, and I pull it out after
4 Labor Day. In the real world, I have high water to
5 deal with that I have to -- where I have to pull the
6 boat out or it will damage things, the water doesn't
7 go down right away, might take longer than 72 hours,
8 might take a week. I don't know. I might have a
9 mechanical failure. I've got to pull the boat out to
10 deal with that. There are all sorts of things that
11 happen. My goal is to have my boat in the water.
12 The only time I ever pull it out of the lake is if I
13 have a problem. If I have a problem, what's the
14 problem with me dealing with the boat on my property?
15 I mean, we're just trying to get through life here
16 and enjoy the lake and in no way do I want my boat in
17 my driveway. I want it in the lake. It's only out
18 of the lake because there's a problem.

19 PUBLIC HEARING ATTENDEE: Diane's had her
20 hand up for a long time.

21 PUBLIC HEARING ATTENDEE: Bob can go first.

22 MR. REAP: Yes, sir.

23 PUBLIC HEARING ATTENDEE: You know, it seems
24 to me that the consensus is 90 to zip, you know.

1 PUBLIC HEARING ATTENDEE: 91.8.

2 PUBLIC HEARING ATTENDEE: And, you know, I
3 don't see why -- now, I've sat on that side of the
4 bench for 25 years, and there's no reason, you know,
5 coming out of my brain right now why something can't
6 be considered as a boating referendum where all of us
7 have a chance to vote on it and that will take care
8 of the whole problem.

9 Oh, Bob Kowalke, 15 South Lake.

10 PUBLIC HEARING ATTENDEE: We know you, Bob.

11 MR. REAP: Yes, sir.

12 PUBLIC HEARING ATTENDEE: Diane Walkowiak,
13 68 North Lake, R3.

14 PUBLIC HEARING ATTENDEE: R3.

15 PUBLIC HEARING ATTENDEE: Just saying.

16 So, you know, we've been here for almost
17 30 years now, and I have to say that one of the
18 reasons why we landed here is because I didn't want
19 the rules of Prairie Crossing. I didn't want the
20 rules of Mariner's Cove. I didn't want that. I saw
21 a little postage sized stamp piece of property that I
22 can build up to the sky but it was mine and it was my
23 husband's and we built our family here. We built a
24 beautiful home. And we have the most incredible

1 neighbors, you know.

2 So Pops Jackson or Renal's dad, Dan's
3 grandpa, comes over to me the day that we bought the
4 property and we're sitting there. And he comes and
5 he looks at me because he's like way over six foot,
6 with those beady blue eyes that he had, and he goes
7 what are you doing here. And I was like we just
8 bought the property. So our neighbor, Mr. Young,
9 realizing that it wasn't even up for sale, he builds
10 a line of trees. Now, he didn't know that he was
11 going to love us or my children, for that matter, and
12 we are like family. And that's what's so cool about
13 this. It's because when we did want to buy a boat, I
14 went across the street to the DeRues who adopted us
15 like from day one and said can we put a boat in your
16 pier and they said yes. Now, I don't know how it
17 works nowadays. I'm just grateful that I can still
18 do that. But I do want a fishing boat that can go
19 back and forth and leave it on my property because
20 it's my property.

21 Now, you can't -- I can appreciate your
22 roles. Your position is so hard, and I understand
23 that and I do have empathy for you right now, but
24 here's what I don't have empathy for. I don't have

1 empathy for something that they're not listening. We
2 can't do a blanket statement for the entire Village,
3 because we're all different. And one of the draws of
4 this community, this little Sunshine subdivision,
5 yes, we probably do need to look at it a little bit
6 differently. We have things that are grandfathered
7 for 106, 109 years, and that has to be preserved
8 because that's why we love it here. So there's got
9 to be a way. There's always a way. Through
10 attorneys there's always a way, you know, right? Am
11 I wrong?

12 PUBLIC HEARING ATTENDEE: This isn't a legal
13 issue, remember. It's a policy issue.

14 PUBLIC HEARING ATTENDEE: You're right.
15 Whatever it is, I don't care. Policy or not, you
16 need to remember why people want to be here in
17 Sunshine subdivision and not over at Mariner's Cove.
18 And it can't be looked at the exact same way. It
19 just can't be.

20 You know, we've got -- what are you going to
21 do? Like, tell them that they can't -- they have to
22 take down their garages or, you know, heaven forbid,
23 when, you know, the time comes that the Youngs pass
24 away, that all of a sudden, you know, they can't have

1 certain things the way they've always had certain
2 things, or even the DeRues' property because they've
3 got that garage that's right up along the road. You
4 know, those impact generations, and they impact our
5 ability to sell our homes. Although, I love it here.
6 I don't want to leave, but you give me too many rules
7 and I'm out of here.

8 PUBLIC HEARING ATTENDEE: Here, here.

9 PUBLIC HEARING ATTENDEE: Here, here.

10 PUBLIC HEARING ATTENDEE: Yes.

11 PUBLIC HEARING ATTENDEE: And I don't have
12 setbacks on either side of my house to get to the
13 back to put in my boat or the trailer. I don't have
14 that. And if you looked at the R3 zone, none of us
15 really do.

16 You're R2.

17 PUBLIC HEARING ATTENDEE: No, we're 3.
18 We're 3.

19 PUBLIC HEARING ATTENDEE: It's okay. We
20 love you; don't you worry.

21 But do you see what I'm saying? There is a
22 difference. We are not the same as the entire
23 Village. This is why we're here. It's little
24 Sunshine subdivision. We don't have an HOA.

1 Nothing. It's just us, so...

2 PUBLIC HEARING ATTENDEE: We aren't equal.
3 We're different.

4 PUBLIC HEARING ATTENDEE: I just would like
5 that to be addressed. In these proposals, maybe we
6 can propose back can there be differences and what
7 can we do about them, because it is very different on
8 this side than that side, so...

9 MR. REAP: Thank you.

10 MR. VanWIE: I'm sorry. Did you say you
11 were R2 or R3?

12 PUBLIC HEARING ATTENDEE: 3.

13 MR. VanWIE: R3, okay. Thank you.

14 PUBLIC HEARING ATTENDEE: One more thing.

15 MR. REAP: His hand was --

16 PUBLIC HEARING ATTENDEE: He can go. It's
17 fine.

18 PUBLIC HEARING ATTENDEE: I'm sorry.

19 PUBLIC HEARING ATTENDEE: 37 Private Road --
20 oh, wait. It was Private Road when we bought, but we
21 were forced to change it to Lake Avenue. But,
22 anyway, why can't we just use common sense? What --
23 I don't understand what's going on here. I mean, I'm
24 sure some of you people -- if this affected some of

1 yous -- yous -- the yous -- if this affected any of
2 you, this wouldn't even be an issue, but it doesn't
3 I'm sure. I know it does for some, but this doesn't
4 make sense.

5 MR. REAP: Thank you.

6 PUBLIC HEARING ATTENDEE: And just a
7 sidenote on that, this is my neighbor, and when I
8 park my boat in my 35 Private, now Lake, I went up to
9 him and said do you mind if I park my boat here
10 because it's kind of blocking the view to your house.
11 He said it don't bother me, it's fine. He parks his
12 boat off the side of the road, that piece of road
13 that we own. You guys don't own it. We own it.

14 PUBLIC HEARING ATTENDEE: Yes.

15 PUBLIC HEARING ATTENDEE: And he parks his
16 boat on the side. He goes do you mind if I park my
17 boat over there. I said, no, I used to park mine
18 over there. So we have a relationship and it's okay
19 with our neighbors looking at each other's boat
20 because it's a boating community.

21 PUBLIC HEARING ATTENDEE: I have a less
22 passionate question. I'm sorry. Chris, 52 North.
23 I'm R3 as well, also representing an R2.

24 When everybody is saying 30 feet from the

1 road, 30 feet from the road, it's -- is it 30 feet
2 from the edge of the road or is it 30 feet from the
3 lot line?

4 PUBLIC HEARING ATTENDEE: The lot line.

5 MR. LIZZO: The lot line.

6 PUBLIC HEARING ATTENDEE: And how far off
7 the road is that?

8 MR. LIZZO: In some cases as much as
9 16 feet.

10 PUBLIC HEARING ATTENDEE: So you're talking
11 about five feet off the road.

12 PUBLIC HEARING ATTENDEE: Worst case.

13 MR. LIZZO: Worst case.

14 MR. VanWIE: Is that -- that's in Sunshine
15 or is that throughout the entire Village?

16 MR. LIZZO: It's in Sunshine. In Sunshine.
17 There's a 40-foot easement on the road and --

18 MR. VanWIE: Well, the easement doesn't
19 dictate the property line.

20 MR. LIZZO: The right of way. I'm sorry,
21 right of way.

22 So in the case of south Sunshine, for
23 instance, the road is almost maybe a foot or two off
24 of the R2 property, which means the 40-foot --

1 16 feet of that is into the driveway of the people on
2 the R3 zone; that's probably the worst-case scenario.
3 It could be anywhere from 5 feet to 16 feet.

4 PUBLIC HEARING ATTENDEE: So it's 35 to
5 45 feet, not 30 feet from the road.

6 MR. LIZZO: Correct.

7 PUBLIC HEARING ATTENDEE: That's going to
8 push a lot of things.

9 MR. LIZZO: Yes.

10 PUBLIC HEARING ATTENDEE: Even worse.

11 MR. LIZZO: Yes.

12 PUBLIC HEARING ATTENDEE: And then you have
13 a 25-foot boat trailer.

14 PUBLIC HEARING ATTENDEE: Exactly. It's
15 insane.

16 MR. REAP: Sorry. I have to write it down.

17 MR. VanWIE: Yes.

18 MR. REAP: Yes, ma'am.

19 PUBLIC HEARING ATTENDEE: I'm sorry. Just
20 real quick. Would you mind telling us of the folks
21 that are representing from the Zoning Board here how
22 many of you actually live in Sunshine neighborhood?

23 Two of you. Two of you.

24 MR. LIZZO: Yes, I'm on the lake.

1 PUBLIC HEARING ATTENDEE: One on the lake.

2 MR. REAP: Yes.

3 PUBLIC HEARING ATTENDEE: Andrea Grzeslo,
4 62 North again.

5 I -- I'm just wondering if the suggestion I
6 came up with earlier as rejecting this ordinance,
7 codifying the zoning as it was previously and leaving
8 any regulations in regards to trailers, recreational
9 vehicles up to a specific HOA or something like that
10 per the areas that want it, is that a possible
11 solution?

12 MR. REAP: No, not tonight. Tonight we are
13 having a continued public hearing regarding a
14 document that's already produced. We're talking
15 about that.

16 PUBLIC HEARING ATTENDEE: Correct. No, I
17 guess I'm just trying to think, kind of, past this,
18 because it seems, from what I'm gathering, that it
19 seems like the way people feel about this ordinance
20 specifically is that it should be turned down, we
21 should reject the recommendation put forth by the
22 consultant and leave the general -- the blanket
23 ordinance that is not basically an ordinance right
24 now, to leave things as they are, that should be

1 what's made official, and that if anybody feels that
2 further recommendation should be made, for example,
3 to the Mariner's Cove facility, that that should be
4 dealt with outside of planning -- or zoning, that
5 that's not a zoning issue, that we should leave that
6 issue to an HOA. As far as zoning goes, it seems
7 like there's a pretty clear consensus that this
8 should just be turned down.

9 PUBLIC HEARING ATTENDEE: Go away.

10 PUBLIC HEARING ATTENDEE: Or revised.

11 MR. LIZZO: Can I answer your question?

12 PUBLIC HEARING ATTENDEE: Yes.

13 PUBLIC HEARING ATTENDEE: Or revised before
14 codification.

15 PUBLIC HEARING ATTENDEE: Correct.

16 MR. LIZZO: It's been a while we've been
17 working on this, and there's a lot of good things in
18 here that I would not say let's go back to the old
19 ordinance.

20 PUBLIC HEARING ATTENDEE: Okay.

21 MR. LIZZO: The issue here I think that
22 everybody has is really just in this one section.

23 PUBLIC HEARING ATTENDEE: Okay.

24 PUBLIC HEARING ATTENDEE: Correct.

1 MR. LIZZO: And this whole thing, because of
2 that, I think it's more than likely let's -- let this
3 Board -- after the public --

4 MR. REAP: Comments.

5 MR. LIZZO: -- comments close, we're going
6 to discuss this, and I think that section needs to be
7 changed.

8 PUBLIC HEARING ATTENDEE: Correct.

9 PUBLIC HEARING ATTENDEE: Thank you.

10 MR. LIZZO: And the rest of this, there's a
11 lot of good stuff in here so let's not --

12 PUBLIC HEARING ATTENDEE: Sorry, not to --
13 sorry, not to reject all of that, but the primary
14 issue people are having in regards to the storing of
15 recreational vehicles.

16 MR. LIZZO: Yes. Maybe we can make another
17 suggestion, you know, after this public comment
18 section closes --

19 PUBLIC HEARING ATTENDEE: Yes.

20 MR. LIZZO: -- we're going to -- we're
21 scheduled to discuss this, correct? And I think at
22 least I've heard -- I've heard the same thing from
23 everybody, and I've heard all the comments. I'm
24 anxious to get on to the point where we can discuss

1 this.

2 PUBLIC HEARING ATTENDEE: I agree.

3 MR. REAP: And with that --

4 MR. LIZZO: That would mean, kind of,
5 closing these comments.

6 PUBLIC HEARING ATTENDEE: Sure.

7 PUBLIC HEARING ATTENDEE: That's -- I feel
8 like I'm trying to, kind of, just summarize them
9 instead of repeating some of these same comments and
10 beating a dead horse. Let's just get to the fact
11 that everybody kind of I feel like on this page is --
12 everyone's on the same page in regards to that. You
13 know, and, like I said, I think keep them separate,
14 keep the issues of the people who want the stronger,
15 you know, more rules about 30 feet, whatever,
16 whatever, leave that to the parties that be to decide
17 that through an HOA, not zoning. I think they should
18 be kept separate, that is my suggestion, and I think
19 it is -- you know, as I said, everyone I feel like
20 has been pretty well-heard on that.

21 MR. REAP: All right. And, with that, I see
22 hands are still shooting up. Are we -- is there
23 anything else that we really haven't talked about
24 that --

1 PUBLIC HEARING ATTENDEE: Yes.

2 PUBLIC HEARING ATTENDEE: Yes.

3 PUBLIC HEARING ATTENDEE: There are other
4 ordinances.

5 MR. VanWIE: Jamie, may I ask the Village
6 attorney --

7 MR. HALLERAN: Yes, I can opine on that.

8 I know that you may have comments about
9 another ordinance that's not the zoning ordinance,
10 but this is the Planning Commission hearing, public
11 hearing for just the zoning ordinance so that's --

12 PUBLIC HEARING ATTENDEE: Well, it is part
13 of the zoning, isn't it?

14 PUBLIC HEARING ATTENDEE: It's a different
15 section.

16 MR. HALLERAN: Which? Is it part of the
17 ordinance that was presented to the Planning and
18 Zoning Commission?

19 PUBLIC HEARING ATTENDEE: Well, yeah, it's
20 part of this new ordinance.

21 PUBLIC HEARING ATTENDEE: 186 pages.

22 PUBLIC HEARING ATTENDEE: Just a different
23 section.

24 MR. HALLERAN: Okay. If it's part of

1 this -- if it's part of the zoning ordinance, then it
2 can --

3 PUBLIC HEARING ATTENDEE: It's in here, and
4 it's a change.

5 PUBLIC HEARING ATTENDEE: I've got one
6 that's kind --

7 PUBLIC HEARING ATTENDEE: So can I -- can I
8 ask it? All right.

9 MR. VanWIE: I would like to ask the Village
10 attorney a question.

11 MR. REAP: Please.

12 MR. VanWIE: It's my understanding that the
13 recommendation that we make is strictly advisory.

14 MR. HALLERAN: Correct.

15 MR. VanWIE: And so, hypothetically, we
16 could turn -- we could recommend against the new
17 ordinance. The Village Board of Trustees still has
18 the ability to approve what we rejected.

19 MR. HALLERAN: That is correct.

20 MR. VanWIE: Thank you.

21 PUBLIC HEARING ATTENDEE: Is your
22 recommendation going to be public knowledge?

23 MR. HALLERAN: Yes, it will be public.

24 PUBLIC HEARING ATTENDEE: It will be public?

1 MR. HALLERAN: It will be public. It will
2 be in this open meeting.

3 PUBLIC HEARING ATTENDEE: Yes. No, I know
4 they're going to discuss it after the meeting.

5 MR. HALLERAN: Okay.

6 PUBLIC HEARING ATTENDEE: You're going to
7 discuss it and make a recommendation. Is that
8 recommendation --

9 MR. HALLERAN: That deliberation process and
10 recommendation will happen in the public open
11 meeting. It's just that the public comment portion
12 will be closed, and then it will be the
13 Commissioners' time to deliberate, make comments, and
14 then there will be a call for a recommendation one
15 way or another. So you're welcome to, obviously,
16 stay. It's an open meeting tonight.

17 I'm sorry. Did that answer your question?

18 MR. VanWIE: Yes. So, again, just for
19 clarification's sake, we're not -- we don't have the
20 power to essentially veto this ordinance. The
21 ultimate decision --

22 PUBLIC HEARING ATTENDEE: You can pull it
23 out.

24 MR. VanWIE: -- regardless --

1 PUBLIC HEARING ATTENDEE: They'll make
2 recommendations.

3 MR. VanWIE: Regardless of what we
4 recommend, the Board of Trustees can take this
5 verbatim or they can make their own changes or they
6 can do whatever they want.

7 MR. HALLERAN: That is correct.

8 MR. VanWIE: They can approve and codify
9 what we reject.

10 MR. HALLERAN: That is correct.

11 MR. VanWIE: Okay.

12 MR. HALLERAN: Yes, you're a recommending
13 body, and they can, you know, choose to --

14 PUBLIC HEARING ATTENDEE: So this -- so this
15 meeting is to include the changes that were made
16 since last meeting. When the last one wrapped up, I
17 was under the impression that you guys were going to
18 go back to the drawing board and discuss things, kick
19 it around, but that hasn't happened. The changes
20 were made independent of that in what I would presume
21 should be an open meeting but probably wasn't.

22 MR. REAP: There was no meeting since the
23 last meeting.

24 PUBLIC HEARING ATTENDEE: Well, wait a

1 minute, if it's an exception to the opening meeting,
2 there has to be documentation on every change and the
3 reason why; that's part of the open meetings, so...

4 MR. HALLERAN: This is just the ordinance
5 that the Village has presented. So the Village was
6 the one -- was the body that made --

7 PUBLIC HEARING ATTENDEE: But any business
8 that the Village does has to be noticed in an open
9 meeting.

10 MR. HALLERAN: Correct, but there was no
11 business. This is the continuation of the meeting
12 from March, so...

13 PUBLIC HEARING ATTENDEE: So rewriting the
14 ordinance isn't something that falls under the --

15 MR. HALLERAN: No, their preparation of the
16 ordinance for presentation is not a requirement to be
17 an opening meeting. It's being presented now.

18 PUBLIC HEARING ATTENDEE: All right.

19 MR. HALLERAN: And it was posted on the
20 website and open for public inspection.

21 PUBLIC HEARING ATTENDEE: Well, I saw that,
22 but who was the author of it? It wasn't this group.

23 MR. HALLERAN: No. It was the Village,
24 correct.

1 MR. REAP: Yes.

2 PUBLIC HEARING ATTENDEE: What does that
3 include?

4 PUBLIC HEARING ATTENDEE: So the Village --
5 sorry. Tesi Carrera, 10 North Lake Avenue.

6 PUBLIC HEARING ATTENDEE: What zone?

7 PUBLIC HEARING ATTENDEE: R3.

8 So the last meeting that we had was the
9 first open discussion that we had and then you
10 guys -- this is the next meeting that we had. Since
11 that meeting and this one, you guys posted online a
12 new draft, and you're stating that that is not open
13 to the public for a new draft for discussions? That
14 was my question.

15 MR. HALLERAN: It is. That's what's
16 before -- we've been discussing today.

17 PUBLIC HEARING ATTENDEE: But this draft
18 that's got all the red lines in it, that was posted
19 on a Facebook page or even on the --

20 MR. HALLERAN: On the Village website.

21 MR. REAP: The Village website.

22 MS. NOVAK: It was.

23 PUBLIC HEARING ATTENDEE: Yeah, has red
24 lines through it that seem that they have changed

1 from the last meeting prior to that, so I guess
2 that's the question.

3 So we had a meeting on, what was it --

4 PUBLIC HEARING ATTENDEE: March 11.

5 PUBLIC HEARING ATTENDEE: -- March 11 and
6 we're now here April 8. This is the continuance of
7 the March 11.

8 MR. REAP: Right.

9 PUBLIC HEARING ATTENDEE: There have been
10 changes from that March 11 to today that were posted.
11 Who made those changes was one of my questions, and
12 was this committee involved in that to have those
13 changes made for this meeting today that you guys
14 posted for this continuance from March 11?

15 MR. REAP: The information was sent back to
16 the consultants. They created the revised documents
17 that has been the subject of the conversation
18 tonight.

19 PUBLIC HEARING ATTENDEE: So the consultant
20 was provided our commentary from March 11 or is the
21 consultant here? I guess I'm trying to understand
22 how the consultant comes into play then with those
23 changes to today's date. And then our next meeting,
24 let's say, that's posted online anyhow, is May 13 for

1 the committee meeting. Before that, obviously, is
2 the Board meeting on April 21. So prior to April 21,
3 are you guys meeting again? Is that open?

4 MR. REAP: We are not meeting again before
5 April 21.

6 PUBLIC HEARING ATTENDEE: Other than to
7 write your conclusions from this discussion, right?
8 You have to make your recommendations.

9 MR. REAP: That will be -- yeah, that will
10 be zipped up tonight. Whatever we decide will be
11 public knowledge.

12 PUBLIC HEARING ATTENDEE: Is -- so that's
13 tonight, and is that open?

14 MR. REAP: Yes.

15 MR. LIZZO: Tesi, the point is after --
16 after you're done making comments, we're going to
17 close the comments and then we're going to discuss
18 this and make our recommendations and discuss among
19 us what we should do, what we should listen to, what
20 we should change and whatnot; that was the plan for
21 tonight.

22 PUBLIC HEARING ATTENDEE: Okay.

23 MR. REAP: Yes.

24 PUBLIC HEARING ATTENDEE: Okay. So you guys

1 just said that stuff was given to the consultant and
2 that's when -- that's -- he made the changes. What
3 stuff was given to the consultant? Was the -- her
4 records given, like complete, or did you guys draft
5 something and you gave that to the consultant to make
6 the changes?

7 MR. REAP: No, the public record is not
8 complete, because tonight is a continuation of the
9 first meeting.

10 PUBLIC HEARING ATTENDEE: So then how did
11 they make changes?

12 MS. NOVAK: He was at the last meeting.

13 MR. REAP: He was at the last meeting.

14 MS. NOVAK: He was here, the consultant was.

15 PUBLIC HEARING ATTENDEE: Oh, is the
16 consultant here tonight?

17 MR. REAP: No.

18 PUBLIC HEARING ATTENDEE: I guess we don't
19 know. Okay.

20 MR. REAP: No.

21 PUBLIC HEARING ATTENDEE: So, all right.

22 MS. NOVAK: No, he isn't.

23 PUBLIC HEARING ATTENDEE: So my other
24 ordinance question is I'm going to be having a dual

1 graduation party in June for my daughter and for her
2 step-daughter. One of the things that I noticed in
3 the ordinances is not about trailers is if I wanted
4 to have a DJ come for that, I'm not going to be
5 allowed to do that, correct?

6 MR. REAP: I believe you just need to have a
7 permit.

8 MR. LIZZO: I think that's one of the
9 changes.

10 PUBLIC HEARING ATTENDEE: They changed it?
11 Okay. It is allowed. Okay.

12 MR. LIZZO: Yes.

13 PUBLIC HEARING ATTENDEE: And then I just
14 want to finish up and I'm not going to talk after
15 this anymore.

16 You know, I listened to what Diane said,
17 and, obviously, four of you sitting up there -- maybe
18 three of you sitting up there from Mariner's Cove, I
19 don't know, I guess, really, at the end of the day,
20 it doesn't matter for what I'm going to say.

21 In 2020 our lives got turned upsidedown.
22 Everybody's lives got turned upsidedown. I can
23 honestly tell you that without this community,
24 Sunshine subdivision, I don't know that I would have

1 made it. What we have here is nothing -- I've never
2 seen what we have here.

3 We, as a community, came together. We had
4 six girls in this community, six teenage girls.
5 Their lives were completely changed. They couldn't
6 go to school. They couldn't be with their friends.
7 They couldn't do the things that they were doing on a
8 normal daily basis. Those six girls were able to be
9 together in this community. And you want to know
10 what else we really, really, really enjoyed was
11 what's behind us.

12 PUBLIC HEARING ATTENDEE: It's why we're
13 here.

14 PUBLIC HEARING ATTENDEE: That's what we
15 enjoyed, because without that, I don't know that many
16 of us would have made it through.

17 MR. REAP: Okay. We're kind of -- we're
18 kind of steering pretty far from what we're here to
19 discuss tonight.

20 PUBLIC HEARING ATTENDEE: So a different
21 topic but it's regarding 32-2(a), community garden,
22 and what it does is it prohibits the raising of any
23 livestock in a community garden, and I think that's
24 great, but the problem is it doesn't prohibit it in

1 any other part of a residential zone.

2 MR. VanWIE: It's prohibited elsewhere by
3 ordinance Chapter 6-26(a)(5), other livestock or fowl
4 of any kind is prohibited in the Village. That is
5 not a question -- that is not a zoning matter that is
6 addressed elsewhere in the Village code.

7 PUBLIC HEARING ATTENDEE: Perfect.

8 MR. REAP: Thank you, Matt.

9 PUBLIC HEARING ATTENDEE: Just for a little
10 clarity, what you've done, red-lining and everything
11 else, this isn't even an active -- this isn't even an
12 active ordinance in zoning. This is an inactive
13 document. What's in effect right now is that blue
14 book.

15 MR. LIZZO: Yes.

16 PUBLIC HEARING ATTENDEE: So, you know,
17 whatever everybody thinks here that this is going on
18 immediately, it's not. It's a work in progress.

19 MR. REAP: Well, it's been a work in
20 progress for about a year-and-a-half.

21 PUBLIC HEARING ATTENDEE: Right, right. But
22 the comments that are coming at you is like this is
23 being changed by the verbal-ness that's out here
24 today. I mean, that's the implication, the feedback

1 I'm getting from some people. I think there's a
2 misunderstanding on this side is just how active or
3 inactive you people really are.

4 MR. REAP: Well, the idea is that we're
5 updating the 2002 zoning ordinance, and it is still
6 in effect right now.

7 PUBLIC HEARING ATTENDEE: Right.

8 MR. REAP: Yes.

9 PUBLIC HEARING ATTENDEE: When will the new
10 ordinance be finished?

11 PUBLIC HEARING ATTENDEE: Never.

12 MR. REAP: It could be finished right now,
13 Donna. You know, it's been presented. We're talking
14 about it in a public forum. People have given us
15 their feedback. We're about to discuss it among
16 ourselves. We're getting to the end here, yes.

17 PUBLIC HEARING ATTENDEE: Clarification, not
18 until it's voted on by the Trustees.

19 MR. VanWIE: Correct.

20 MR. REAP: Absolutely. Right.

21 PUBLIC HEARING ATTENDEE: When are they
22 voting? Is there a set day as to when that vote will
23 occur?

24 MR. REAP: We have to make a recommendation

1 first.

2 PUBLIC HEARING ATTENDEE: But -- right, I
3 understand that, but usually there's a date set for a
4 voting procedure to happen, and I understand they
5 won't vote until you make your recommendation, but
6 usually there's deadlines so I mean --

7 MR. VanWIE: It has to be presented twice,
8 doesn't it? Twice. So there has to be two separate
9 meetings to occur first before anything can be passed
10 as an ordinance. There is also a public hearing by
11 the Board of Trustees as well.

12 MR. HALLERAN: The board meeting would be
13 open to the public. So there's not a --

14 MS. NOVAK: It always has.

15 MR. HALLERAN: It always has, as normal, as
16 any resolution or ordinance that is adopted by the
17 Village.

18 MR. VanWIE: But this is the only public
19 hearing that's going to be --

20 MR. HALLERAN: Correct. This is a public
21 hearing that's required by law, correct.

22 PUBLIC HEARING ATTENDEE: When it comes on
23 the docket at the board meeting, it will be in what
24 they consider a final draft for approval?

1 MR. HALLERAN: Correct.

2 PUBLIC HEARING ATTENDEE: So this is the
3 time for us to speak up and why we're here.

4 MR. HALLERAN: Yes. Thank you.

5 MR. REAP: Yes, sir.

6 This will be the last one, okay. We've beat
7 this dog. Last one.

8 PUBLIC HEARING ATTENDEE: I'm last, nice.

9 This seems like a zoning -- this is a zoning
10 issue, but the one thing that was never done is
11 creating another zone. I mean, we can have an R4 or
12 R2-D2, if you want to have fun with it, and then you
13 can make a lot of this go away, because you can have
14 rules for R2, you can have rules for R3, you can have
15 rules for R4. Why wouldn't we do that?

16 PUBLIC HEARING ATTENDEE: Well, where
17 would --

18 PUBLIC HEARING ATTENDEE: Let's -- let's let
19 them move on, guys.

20 MR. REAP: All right.

21 MR. LIZZO: Chris, that was discussed among
22 us, and we thought that it wasn't really the right
23 solution for this.

24 PUBLIC HEARING ATTENDEE: Okay.

1 MR. LIZZO: So it was --

2 PUBLIC HEARING ATTENDEE: So it was --

3 that's cool.

4 MR. LIZZO: Yes.

5 PUBLIC HEARING ATTENDEE: We're done.

6 PUBLIC HEARING ATTENDEE: I'm done.

7 MR. REAP: Okay. I need a motion to close
8 the public comment section of the meeting.

9 MR. LIZZO: I'll make that motion.

10 MR. REAP: And I need a second.

11 MR. KEMP: Second.

12 MR. REAP: All in favor, aye.

13 MR. KLAUSNER: Aye.

14 MR. VanWIE: Aye.

15 MR. ZECK: Aye.

16 MR. REAP: All right. So the public comment
17 section is over and now the Board will have their
18 opportunity to discuss the items that have been
19 presented since the last meeting.

20 Rob, I'm guessing you probably have a few
21 things to say. Why don't you start.

22 MR. LIZZO: Okay. I can start. Well, I
23 guess I'll start with the trailers. I've got a note.
24 I'll start on the trailers.

1 The change -- as of the last meeting, the
2 ordinance was written that boat trailers weren't
3 going to be stored in the required front yard, and
4 now the consultant has come back to us and said, no,
5 okay, as a result of all of your comments, we're
6 going to change that from the street yard to 30 feet.
7 I've got a problem with that.

8 As it's been mentioned in here before, all
9 of the lots on North Sunshine and on the R2 zone,
10 they're all plotted at 50 feet so they're all
11 non-conforming lots. In our table of setbacks, our
12 setback is 30 feet, but for all the non-conforming
13 lots, the setback is actually 21 feet. So the street
14 yard is actually 21 feet for pretty much everyone in
15 here. So for our consultant to say, okay, I've
16 listened to all your comments, you want to be able to
17 park in the 21 feet, so my recommendation is, no,
18 we're not going to let you park in the 21 feet, we're
19 going to increase it to 30 feet. How is that
20 listening to anybody here, and how is that not a slap
21 in the face to anybody here to say, okay, we're going
22 to change it from 21 to 30 feet?

23 What I would like to see, and I see this
24 petition right now, I would like to see that this

1 ordinance is written that there are no restrictions
2 for parking trailers or RVs in the front yard in R2
3 and R3 zones, with no restrictions on season or time.
4 That would be the only thing I would vote for.
5 There's a lot of good things in here, and I would
6 hate to hold this up, but I will not vote yes on this
7 unless that's -- unless that's considered.

8 MR. REAP: Say it again, Rob. You said
9 change to no restrictions on trailers.

10 MR. LIZZO: No restrictions on parking
11 trailers in the front yard or side yards in both R3
12 and R2 zones, with no restrictions on time limits or
13 seasonal limits. And I think that's, obviously, what
14 everyone here wants, and that's the way it's been --
15 well, you don't need me to tell you. You know what
16 it is.

17 MR. VanWIE: And so for R2 that -- what
18 you're saying is consistent with the way it is
19 currently to the zoning.

20 MR. LIZZO: Currently, in R2 you're allowed
21 to park in the street yard and the front yard and the
22 side yards unrestricted, and I would like to see that
23 continue in R2 but I would also like to see it
24 expanded to R3 so that everyone in Sunshine

1 subdivision can park their boats where they want to.

2 MR. VanWIE: Okay.

3 MR. LIZZO: And it doesn't affect
4 Mariner's Cove because Mariner's Cove has an HOA --

5 MR. VanWIE: HOA, even though --

6 MR. LIZZO: -- that regulates that and it
7 makes it more equal for everyone in the R2 and R3
8 zone.

9 MR. VanWIE: Right.

10 MR. LIZZO: And I think what you've heard,
11 and I think one of the main things here is, you know,
12 this is a very different community because of the
13 people who live here and why they live here and
14 they're here because of the way this community is and
15 they don't want it to change.

16 MR. VanWIE: Okay. Just to clarify, you're
17 saying unrestricted but still subject to the two
18 maximum.

19 MR. LIZZO: Yes, I'm not arguing -- I'm
20 not -- yeah, I think that's reasonable.

21 MR. VanWIE: Yes.

22 MR. LIZZO: And that's kind of -- well, the
23 two recreational vehicles has always been in effect.

24 MR. VanWIE: Right.

1 MR. LIZZO: But what maybe hasn't been
2 clarified is that utility trailers have never been
3 regulated. So the people who currently have two boat
4 trailers and a utility trailer, takes, you know, the
5 kids to college and takes all their stuff, that's
6 always been allowed, even though we've been told it
7 hasn't been, that's always been allowed under this
8 ordinance.

9 MR. VanWIE: But the way that it reads now
10 is utility trailer considered a recreational vehicle,
11 would that be allowed under the new -- would you be
12 able to have -- forget about the street yards and
13 everything else, are you -- does that utility trailer
14 count to the two recreational limit?

15 MR. LIZZO: If it's only two -- and it's
16 defined in here as a utility trailer recreation. So
17 if you've got a utility trailer that can haul a
18 recreational vehicle, yes, it's included.

19 MR. VanWIE: But not if the -- not if the
20 vehicle is mounted or within the trailer, then it
21 only counts as a single.

22 MR. LIZZO: Yes. It only counts as one,
23 yes.

24 MR. VanWIE: Right. Okay. But if you have

1 like a strictly utility trailer for commercial
2 purposes, it would not count.

3 MR. LIZZO: Yeah, if I've got a trailer I
4 want to haul mulch around in the yard or something,
5 that's not -- it never counted and it still doesn't
6 count under this and that's -- I agree with.

7 MR. VanWIE: Okay.

8 MR. LIZZO: Yes. My other comment is we've
9 gotten rid of that whole paragraph about having to
10 park behind your garage and stuff; that's been
11 deleted on these comments, and I'm all for that. I
12 think that -- well, you know my opinion. I've been
13 talking about this for a while. What section is
14 that? That would be -- if you look at our copy
15 page 75, item number 4, you can see that whole thing
16 has been struck, and I'm all for that. I think
17 that's ridiculous to have to make somebody park
18 behind their garage, particularly given the fact that
19 they're imposing an impervious surface coverage on
20 them, which would probably prohibit them from even
21 paving the area behind the garage.

22 So I'm in agreement that that should be
23 struck, and, like I said, I feel that there should be
24 no restrictions on parking in the street yard, and

1 the fact that our consultant said change it from 21
2 to 30, he, obviously, isn't familiar with our -- the
3 scenario.

4 MR. VanWIE: Well, yeah, that would be an
5 oversight. If you've got a lot line that's extending
6 16 feet from the road, that's what the --

7 MR. LIZZO: Not only that but some of these
8 people -- like, for instance, you know, living in
9 Old Lenny's house, he doesn't even have a 30-foot
10 driveway.

11 MR. VanWIE: Yes.

12 MR. LIZZO: And, yes, some of the -- and
13 some of the driveways across the street from me,
14 Phyllis, her driveway is 16 -- the lot line is
15 16 feet into her driveway and her garage is set at
16 the 30-foot setback line and she's only got six feet
17 on each side of the house and she's got a house
18 behind her. So she would have no place to park a
19 boat or a trailer, and I just think that's not --
20 that's not what this community is about.

21 MR. REAP: Anyone else on the subject 32 --
22 I think we're at 32-206 right now talking
23 specifically about recreational vehicles at the
24 moment. Do we have other concerns about that? We've

1 certainly heard from the neighbors who were most
2 directly affected.

3 MR. ZECK: I just know a lot of people that
4 I talked to, I didn't take a survey, I don't have a
5 percentage, but a lot of people don't like to see
6 trailers on the street.

7 MR. REAP: On the street.

8 MR. ZECK: Yes.

9 MR. KLAUSNER: Is that the street or the
10 street --

11 MR. REAP: Yard?

12 MR. ZECK: Street yard.

13 MR. KLAUSNER: Street yard.

14 MR. REAP: To be clear, Bill, you don't mean
15 sitting on Lake Avenue. You mean in their -- on
16 their driveway right up at the street.

17 MR. ZECK: Yes.

18 MR. REAP: Okay.

19 MR. LIZZO: My comment to that, Bill, would
20 be, obviously, someone out here has done a survey and
21 they're saying 90 percent --

22 MR. ZECK: Well, that's not a scientific
23 survey.

24 MR. VanWIE: Yeah, I don't --

1 MR. LIZZO: Okay.

2 MR. VanWIE: It's not a survey.

3 PUBLIC HEARING ATTENDEE: Better than yours.

4 MR. REAP: All right.

5 PUBLIC HEARING ATTENDEE: Public comment is
6 closed.

7 MR. REAP: All right. Is there -- Matt, did
8 you have anything you wanted to add to that?

9 MR. VanWIE: Not to that portion in
10 particular.

11 MR. REAP: Okay.

12 MR. KEMP: I have something. I have the
13 R2 lot that's 50 feet wide and have absolutely no
14 place to park my boat, and so I'm the one that this
15 ordinance is targeted at, and just like everybody --
16 or a lot of people here. And so I -- I seriously
17 endorse what Rob has said here as far as increasing
18 and allowing for parking on there, as much as I
19 dislike it, because it really makes the whole area
20 look like trash because nobody polices it, and
21 whether you've got a broken boat or a beautiful boat,
22 it doesn't make a difference. It still goes out
23 there. So I think we have to have something to make
24 sure they're all beautiful boats.

1 MR. REAP: Kevin, do you have something?

2 MR. KLAUSNER: I would have to say, yeah,
3 it's a unique situation, okay. I don't like the idea
4 of saying, okay -- it seems like there's a divide and
5 people say, oh, Mariner's Cove or Sunshine and that
6 to me splits the community, and our job is to do it
7 for the whole Village, not just for one side or the
8 other, okay.

9 Yes, it's a unique situation. It's tough.
10 I understand. I've listened, and I feel for you. I
11 live on the lake also, okay. I have two places. I
12 live up north. I live on a lake up there, too. So I
13 know what it is to have HOAs and not have HOAs. I
14 understand, people have been here a long time.
15 People who pay more taxes than the other, you don't
16 have -- you don't have more say so than the next guy
17 or if you've been here a hundred years. I've been
18 here almost 40 years. You still have the same vote,
19 okay.

20 So the way I look at it is we express our
21 opinions, what we think on this. It's going to go to
22 the Board, and they have to decide what they're going
23 to do with it, so...

24 MR. REAP: Rob, you said when you were

1 making your comments was that you can't vote for this
2 unless we can include some sort of statement like the
3 one that you said. Hopefully, you wrote that down.
4 Does anyone else feel that way as well?

5 MR. KEMP: Yes.

6 MR. REAP: You do, Dave.

7 I guess I'm just trying to get a lay of the
8 land here on where we're coming from toward this
9 thing.

10 You know, I've certainly listened as well,
11 and there's been I guess it's probably nothing less
12 than an outcry from the folks here on the R2 lots
13 about changing something that has been considered
14 their right for a very long time. But to me I have
15 to balance that with, you know, okay, I mean, things
16 do change, and we all have to deal with change from
17 time to time; what's the least painful way we can
18 update this thing and keep it tolerable for everyone,
19 I guess, so...

20 MR. VanWIE: I think a recommendation to,
21 you know, to return the ordinance to the Board of
22 Trustees with recommendation that incorporates what,
23 you know, Rob was discussing before, along with
24 another recommendation to incorporate -- and this is

1 new now, but I think there has to be a provision that
2 allows the Village staff to waive -- you know, waive
3 not the entirety of the zoning ordinance but certain
4 provisions of the zoning ordinance in extenuating
5 circumstances.

6 MR. REAP: Isn't that what the process of
7 applying for a variance --

8 MR. VanWIE: No, I think the example earlier
9 of a red-flag situation or a situation where, you
10 know, a boat needs to be -- you know, boats need to
11 be pulled out of the water, not as a discretionary,
12 but as a -- you know, a mandate or, you know...

13 MR. REAP: In reaction to a situation.

14 MR. VanWIE: An unavoidable systemic
15 situation, if you will, something that doesn't
16 affect -- just that -- you know, that affects the
17 entire lake.

18 So, I mean, this is an extreme example, but
19 what if the dam breaks and now all of a sudden the
20 lake drains and loses several -- I mean, people have
21 to pull their boats out of the water, you know. We
22 can't be enforcing a zoning ordinance in that -- you
23 know, parking restrictions in the driveway in
24 emergency situations. So I don't know if emergency

1 or extenuating circumstances but that's something
2 that, you know, the Board -- I mean, that's something
3 that the consultant should review and incorporate.

4 MR. LIZZO: And my answer to that would be
5 why are we creating an ordinance that creates that
6 problem?

7 MR. VanWIE: Well, we already have an
8 ordinance that --

9 MR. LIZZO: No, we don't. The ordinance now
10 allows boats to be parked there. Why are you
11 creating something that's going to complicate things
12 and create all new problems like that? Anytime
13 someone wants to -- you know, if something happens to
14 the lake and all of a sudden now the staff has to go
15 around and -- why not just leave it the way it is,
16 let them park where their boats are; that would be my
17 answer to your comment.

18 MR. VanWIE: I'm sorry. I should elaborate.
19 What Rob said or what -- not -- both would not get
20 in. If the consultant or Board of Trustees accepted
21 Rob's part, then my part is irrelevant.

22 MR. LIZZO: Okay.

23 MR. VanWIE: But what I just mentioned is,
24 in worst-case scenario, if that was not approved, if

1 the Board of Trustees elected to keep the language as
2 it's currently drafted, I would at least recommend
3 that they incorporate something to the extent of
4 allowing staff, you know, in an emergency
5 situation --

6 MR. LIZZO: But I'm saying send this
7 document to the Board with the language that I want
8 in it; that solves all of their problems.

9 MR. VanWIE: I understand that, but, again,
10 the Board of Trustees doesn't have to take what we
11 recommend.

12 MR. LIZZO: I understand, but I'm sure that
13 all these people are going to be at the board meeting
14 when this happens.

15 MR. VanWIE: Okay.

16 MR. LIZZO: And if this language is not
17 changed, they're going to have all these comments to
18 the Board, and the Board's going to say, well, why
19 aren't we doing our job.

20 MR. VanWIE: We would -- one would hope,
21 yes. At the very least, it would be nice to have --
22 I mean, it's not great, but at least some sort of
23 consolation that -- you know, that this doesn't
24 become an enforcement issue, because, clearly, there

1 hasn't been enforcement of the current code, and I
2 think the concern here is that the enacting of a new
3 ordinance is going to cause enforcement to change,
4 which I -- I don't believe is necessarily the case.
5 I think enforcement, and, you know, the ordinance are
6 two separate issues.

7 MR. LIZZO: Right.

8 MR. VanWIE: So, you know.

9 MR. LIZZO: Why create another enforcement
10 problem?

11 MR. VanWIE: Right.

12 MR. LIZZO: That's my point. It just
13 doesn't make sense. I mean, a lot of people have
14 said use common sense. Let's just do what the people
15 want us to do.

16 MR. REAP: Tom, I want to ask you a
17 question.

18 MR. HALLERAN: Yes, sir.

19 MR. REAP: With respect to what Rob has
20 proposed, his statement regarding R2 lots -- well,
21 and R3 lots, I guess being that specific, R2 and R3
22 lots being able to park trailers wherever they want,
23 what sort of problems does that create for the -- for
24 the Village as a whole?

1 MR. HALLERAN: In what --

2 MR. REAP: I mean, by --

3 MR. LIZZO: It's not whatever they want.

4 It's whatever they want based on they have to be on

5 pavement still. They have to follow all the rules.

6 But, basically, what problems does it create if we're

7 going to allow them to park their boats still in the

8 front yard where they're allowed now, except expand

9 that to R3 and just keep all the regulations the way

10 they are now? What problems does that cause for the

11 Village?

12 MR. HALLERAN: That's just a matter of the

13 policy, again. So I'm not understanding the question

14 as do you want me to speak to what the issue would

15 be?

16 MR. REAP: Well, I mean, there's been a lot

17 of talk about Mariner's Cove having a homeowners

18 association that is going to create a more strict

19 environment than what the Village Planning and Zoning

20 Ordinance would say. Effectively, the Sunshine

21 subdivision would be able to do whatever they want,

22 and Mariner's Cove would be hemmed in by the

23 homeowners association rules.

24 PUBLIC HEARING ATTENDEE: Change them.

1 MR. REAP: Excuse me.

2 Does that set up a problem within the
3 Village, per se?

4 MR. HALLERAN: Not per se legally, but, I
5 mean, then, again, we're just back to having it
6 inconsistent, obviously. I mean, I know one is an
7 HOA, one is a zoning ordinance, and the zoning
8 ordinance -- you know, by the zoning ordinance, they
9 would be permitted if they are R2 or R3 but since
10 they live -- they're subject to an HOA as well and
11 they have to follow those rules and then they're --
12 you know, they're bound by those HOA rules, which
13 would, you know, prohibit the parking. So, again,
14 you're just back to where --

15 MR. VanWIE: But that doesn't create issues
16 of enforceability or illegality. It's just a --

17 MR. HALLERAN: Right.

18 MR. VanWIE: It's just inconsistent
19 effective -- or an inconsistent application between
20 the two.

21 MR. HALLERAN: Yes.

22 MR. VanWIE: Because, as I had mentioned at
23 the last meeting, in theory, Sunshine could enact
24 their own homeowners association and put the exact

1 same restrictions or they could put different
2 restrictions on. You still have that inconsistency,
3 but there's nothing illegal about it. You could have
4 two separate associations with two separate rules and
5 you could have zoning that applies to everybody. I
6 mean, that's the prerogative of the homeowners
7 associations are to create their own rules.

8 MR. HALLERAN: Correct.

9 MR. KLAUSNER: Let me ask this. Okay. So
10 if you have a -- oh, gosh -- all these Village
11 restrictions that we're setting and then they had
12 a -- I'm not saying that they want -- I know they
13 don't want to, but if they had a homeowners
14 association, could they set rules that were lesser
15 and say, oh --

16 MR. VanWIE: No, not lesser. They can only
17 be more restrictive.

18 MR. KLAUSNER: I just want to make sure.

19 MR. HALLERAN: Yes.

20 MR. REAP: All right.

21 MR. VanWIE: I mean, there are going to be
22 inconsistencies between the zoning districts. I
23 mean, that's the purpose of having different zoning
24 districts. We don't need separate zoning ordinances.

1 We have separate zoning districts, each one that has
2 their own rules. We have rules that sometimes apply
3 to everybody, sometimes apply just residentially,
4 just to business. So, I mean, I don't -- I don't
5 think we need to have consistency throughout the
6 zoning districts. I think, you know, we can have
7 different rules --

8 MR. LIZZO: Absolutely.

9 MR. VanWIE: -- and regulations. And the
10 homeowners association is a completely separate
11 matter; that should have no bearing on what we're
12 doing here.

13 MR. REAP: I agree.

14 MR. KLAUSNER: Absolutely.

15 MR. LIZZO: So can I make a motion actually
16 to change the language in this paragraph or is that
17 not appropriate?

18 MR. REAP: Well, what I want to do is before
19 we settle in on anything we're going to do with
20 32-206, which is, obviously, what everyone is
21 concerned about, I want to ask the Board are there
22 concerns outside of Section 32-206 that are of any
23 concern to anyone?

24 MR. LIZZO: I have -- yes, I do have one.

1 Of course, right?

2 Okay. If you guys open your package here to
3 page 97, and it's Table 6.

4 MR. VanWIE: Is this the March --

5 MR. LIZZO: The new one.

6 MR. VanWIE: The red-line.

7 MR. LIZZO: The current one. Yes, the
8 recommended.

9 MR. VanWIE: And it's page 96 at the bottom?

10 MR. LIZZO: Yes.

11 MR. VanWIE: Yeah, I don't have a 96.

12 MR. REAP: I don't have a 96 either.

13 MR. LIZZO: 97. I'm sorry.

14 MR. KLAUSNER: I don't have a 97.

15 MR. VanWIE: Table 6.

16 MR. KLAUSNER: Got it. Okay.

17 MR. LIZZO: It's actually the same -- it's
18 actually the same in the old one.

19 Here's my issue with this. And they changed
20 their -- they moved the patios around. They took
21 them off the sidewalks where they were permitted
22 anywhere and they put them in the -- they put them in
23 with decks, terraces, patios more than four feet
24 above the ground.

1 My problem with this is if you look in the
2 lake yard, the current blue book, a deck in a lake
3 yard is allowed to extend into a setback, into the
4 boat yard setback by four feet; that's the limit.
5 According to what this table says, you're allowed to
6 permit into the lot line, from the lot line, equal to
7 the side yard district. So what that effectively
8 means is someone who lives on the lake in
9 Mariner's Cove, they can build a deck four feet high,
10 which would require a three-foot railing, up to six
11 feet from the shoreline. Is that really what we
12 want? That includes -- well, R2 is different because
13 you can go to the lot line, but in Mariner's Cove
14 some of -- some of the lot lines go into the lake so
15 their setback starts at the shoreline.

16 And if you look -- if you look on page 28 of
17 the blue book, it will set back that -- page 28,
18 exceptions to the -- this is where it currently sits,
19 where you can -- you can extend the deck into a lake
20 yard up to four feet beyond the setback line. This
21 basically changes that where you can basically
22 encroach 24 feet into the setback, and I don't think
23 that's particularly -- I mean, I wouldn't want to
24 have a neighbor build a deck that close to the lake,

1 especially if it's going to be seven-foot high. So I
2 would like to see that change back to at least -- at
3 least the decks changed back to four foot the way it
4 used to be.

5 MR. REAP: Where did the table go?

6 MR. LIZZO: That table is on page 42.

7 MR. REAP: So R2 and R3, eight feet and six
8 feet.

9 MR. LIZZO: So I'm saying in Mariner's Cove
10 their lots go into the lake so their shoreline is the
11 beginning of the 50-foot setback and their side yard
12 is six feet, so you can build a deck within -- up to
13 six feet from the shoreline.

14 MR. VanWIE: Yes, it's unsure what the
15 intent of that is, of that change. I mean --

16 MR. REAP: I was thinking about it from the
17 other direction. I wasn't thinking about it back
18 from the lake.

19 MR. VanWIE: I mean, if what Rob is saying
20 is true, yes, I think that --

21 MR. LIZZO: That needs to be changed.

22 MR. VanWIE: That may be a typo there or
23 something wasn't considered there.

24 MR. LIZZO: Or maybe -- yeah, or maybe we

1 change it to allow the six feet from the 50-foot
2 setback so you're allowed six feet in --

3 MR. REAP: Yeah, I thought that's what we
4 were talking about all this time, yes.

5 MR. LIZZO: Yes, but that's not the way
6 this -- to me -- because it says from the lot line,
7 the minimum side yard in the district, so that means
8 six feet from the lot line.

9 MR. VanWIE: Yes, it certainly needs to be
10 reviewed what they intend there.

11 MR. LIZZO: So that needs to be revised
12 there.

13 MR. VanWIE: I'm not saying it's right or
14 wrong. I'm just saying it doesn't seem like that
15 that's -- what's written there is being interpreted
16 the way they want it to.

17 MR. LIZZO: I agree. I mean, the question
18 is does anyone here on the Board want to allow that
19 or want to suggest that --

20 MR. KLAUSNER: No, of course not.

21 MR. VanWIE: I mean, pragmatically, nobody's
22 going to do -- I mean, that to -- six feet --

23 MR. LIZZO: What do you mean nobody's going
24 to do that? They had a guy who built it right over

1 the lake.

2 MR. REAP: Yes.

3 MR. LIZZO: The one guy's got a -- built an
4 aircraft carrier sticking out over the water.

5 MR. REAP: I remember that. Yeah, the
6 aircraft carrier.

7 MR. LIZZO: Somebody will do it.

8 MR. REAP: All right. Well, I agree that we
9 should get that clarified, that this ought to really
10 state that it's either a six-foot or eight-foot
11 extension back into the lake yard or rear yard.

12 MR. LIZZO: Yes, from the building setback
13 line, not from the lot line.

14 MR. REAP: All right. Rob, did you have
15 anything else?

16 MR. LIZZO: No, that was it.

17 MR. REAP: All right. So my first question
18 still stands with regard to everything besides 32-206
19 and what we just discussed, which it sounds like
20 everyone would like to see this better defined with
21 respect to not encroaching into the lake yard, as far
22 as this suggests, are there any other problems or
23 issues that anyone has with the document as it is?

24 MR. ZECK: No.

1 MR. KLAUSNER: No.

2 MR. VanWIE: No.

3 MR. LIZZO: I'll say even though I have
4 issues, but I'm willing to compromise with the other
5 ones, so...

6 MR. REAP: All right. Do we as a group
7 agree with how Rob phrased the exception for the R2
8 and 3 lots with respect to storage of recreational
9 vehicles? Is there -- is there anything --
10 basically, Rob suggested get rid of the restriction
11 completely and allow it to apply to R2 and R3 lots.
12 Does anyone object to that?

13 MR. ZECK: I don't like it, but I do think
14 we should move it on to the Village Board.

15 MR. VanWIE: Yeah, I feel the same way.

16 MR. REAP: I'm sorry. Say it again, Bill.

17 MR. ZECK: I don't like that stipulation,
18 but I do think we should move it on to the
19 Village Board.

20 MR. REAP: With that stipulation and let
21 them kill it if they choose to?

22 MR. ZECK: Yes.

23 MR. VanWIE: Or approve it.

24 MR. REAP: Or approve it if they choose to.

1 MR. VanWIE: Yes, but that's -- but that's
2 their -- yeah, I mean, that's their prerogative.
3 That's their decision if they ultimately want to make
4 approval for it.

5 MR. REAP: All right. Did you have
6 everything written down, or did you just spout it off
7 the top of your head?

8 MR. LIZZO: I think I -- no, it's exactly
9 what I told you. Read it back to me. I'll tell you.

10 MR. REAP: Can I have one of those petitions
11 that was handed to you?

12 MR. LIZZO: Here's basically what it is: To
13 allow recreational vehicles in all street and side
14 yards except --

15 MR. HALLERAN: Can you hear? Can you hear
16 him?

17 Can you guys speak up just a little bit so
18 that she can hear.

19 MR. LIZZO: Oh, I'm sorry.

20 MR. REAP: I think we're about to say it out
21 loud so it's not going to matter.

22 MR. HALLERAN: Okay.

23 MR. VanWIE: And I don't think the time,
24 seasonal limits apply; that's irrelevant, I mean, if

1 you're allowing it unrestricted.

2 MR. LIZZO: Well, no, because the
3 original -- some of the language in the ordinance,
4 with the exception of the R2s, did limit it to
5 seasonally, so I think it needs to be in there.

6 MR. REAP: All right. So I think where
7 we're at is we're going to make a motion -- someone
8 needs to make a motion to approve Section 32 --
9 Chapter 32, rather, with two notes to be carried
10 along to the Village Board as -- I need a motion to
11 approve with two restrictive comments added.

12 MR. LIZZO: I'll make that motion. I motion
13 that we approve this and send it on to the
14 Village Board with two items, the first one being the
15 considering of the decks, not being more than six or
16 eight feet from the building setback line, rather
17 than the lake setback line; the second thing we
18 should pass on is that to allow recreational vehicle
19 parking in all street yard and side yard setbacks in
20 R2 and R3 residential zones with no time or seasonal
21 limits.

22 MR. REAP: Do I have --

23 MR. VanWIE: Can I -- can I amend that?
24 Subject to, you know, all -- you know, all other --

1 MR. LIZZO: Yes.

2 MR. VanWIE: Subject to all other
3 provisions.

4 MR. LIZZO: All the requirements of the --

5 MR. VanWIE: Requirements, et cetera,
6 correct.

7 MR. LIZZO: Yes.

8 MR. REAP: Okay.

9 MR. VanWIE: I'll second that.

10 MR. REAP: You'll second that.

11 Okay. And then we need to have a vote all
12 in favor as stated, say aye.

13 MR. ZECK: Aye.

14 MR. KEMP: Aye.

15 MR. KLAUSNER: Aye.

16 MR. VanWIE: Aye.

17 MR. LIZZO: Aye.

18 MR. REAP: All opposed, nay?

19 Okay. So the recommendation passes along to
20 the Village Board.

21 I do not believe we have any other -- oh, do
22 we need to have a roll call on this?

23 MR. HALLERAN: We could take a roll call.

24 MS. NOVAK: Reap.

1 MR. REAP: Yes.

2 MS. NOVAK: Kemp.

3 MR. KEMP: Yes.

4 MS. NOVAK: Klausner.

5 MR. KLAUSNER: Yes.

6 MS. NOVAK: Lizzo.

7 MR. LIZZO: Yes.

8 MS. NOVAK: VanWie.

9 MR. VanWIE: Yes.

10 MS. NOVAK: Zeck.

11 MR. ZECK: Yes.

12 MR. REAP: Okay.

13 MR. HALLERAN: I'll need a motion to close
14 the public hearing.

15 MR. REAP: Yes, I need a motion to close the
16 public hearing.

17 MR. KLAUSNER: I'll make the motion.

18 MR. REAP: And a second.

19 MR. ZECK: Second.

20 MR. REAP: All in favor, aye.

21 MR. VanWIE: Aye.

22 MR. ZECK: Aye.

23 MR. LIZZO: Aye.

24 MR. KLAUSNER: Aye.

MR. REAP: Done.

(Whereupon, at 9:08 p.m. an
adjournment was taken.)

STATE OF ILLINOIS)
) SS:
COUNTY OF L A K E)

ERIN K. ECKENSTHALER, being first duly sworn
on oath says that she is a court reporter doing
business in the City of Chicago; that she reported in
shorthand the proceedings given at the taking of said
hearing and that the foregoing is a true and correct
transcript of her shorthand notes so taken as
aforesaid and contains all the proceedings given at
said hearing.

A handwritten signature in black ink, appearing to read 'EK Eckenstahler', with a long horizontal flourish extending to the right.

ERIN K. ECKENSTHALER, CSR

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