

CITY OF WASHINGTON

PLANNING & DEVELOPMENT DEPARTMENT

301 Walnut St. · Washington, IL 61571

Ph. 309-444-1135 · Fax 309-444-9779

<http://www.washington-illinois.org>

joliphant@ci.washington.il.us

MEMORANDUM

TO: Chairman Burdette and Planning and Zoning Commission
FROM: Jon R. Oliphant, AICP, Planning & Development Director
SUBJECT: Public Hearing – Alan Biagini Residential Chickens Special Use Request, 617 Simon
DATE: November 25, 2019

Zoning: R-1 (Single- and Two-Family Residential)

Comprehensive Plan: Single- and Two-Family Residential

Summary: Alan Biagini has submitted a special use application for the allowance of chickens on his property at 617 Simon Street. The zoning code permits chickens to be considered on residential properties upon approval of a special use. Staff recommends approval of the special use.

Background: The City Council approved a zoning code text amendment in October that allows for poultry to be allowed on certain residential properties following approval of a special use. Mr. Biagini was previously sent a letter regarding chickens that were housed on his property in violation of City Code at the time. He was given a temporary reprieve until the mechanism was drafted in the zoning code to potentially allow for them to be permanently located there. Some of the conditions are as follows: No more than five chickens are allowed per lot, they are only allowed on owner-occupied properties, roosters or other loud species of chickens are prohibited, chickens must be kept at all times in an enclosure in the rear yard, any poultry enclosure (including outdoor runs) cannot exceed 60 square feet, and any enclosures cannot be placed closer than ten feet from any side or rear property line and must be at least 25 feet from any residential structure on an adjacent lot. The complete list of the regulations is attached.

The coop would be located under the deck and adjacent to the run in the back yard. The total area is slightly less than 60 square feet in size. The enclosure would be approximately 39 feet from the rear property line and 48 feet from the north side property line, both of which would meet the regulations. Photos showing the existing housing area are also attached.

The property and enclosure plan look to be sufficient for the housing of poultry. It would not appear to be detrimental to the public's health, safety, or general welfare nor would it substantially diminish or impair property values. As a result, **staff recommends approval of the special use request to house up to five chickens.**

A public hearing will be held by the Planning and Zoning Commission at their meeting on Wednesday, December 4 to make a recommendation to the City Council on the special use permit.

Enclosures

The raising of poultry may be established subject to the following general requirements and such other restrictions as the Planning and Zoning Commission or City Council believe proper under the particular circumstances:

- (a) Chickens shall only be permitted on owner-occupied properties.
- (b) Not more than five (5) chickens may be kept on any lot.
- (c) No roosters or unreasonably loud species of chicken shall be kept on the lot.
- (d) No chickens shall be slaughtered.
- (e) Chickens shall be kept at all times within an enclosure in the rear yard constructed and consistent with a plan submitted and approved by the Planning and Zoning Commission and City Council. The enclosure shall be kept and built in such a manner as to allow for easy ingress and egress for the chickens and shall offer protection from weather elements. Wire or other materials can only be used if a permanent six-foot (6') high opaque fence entirely encloses the rear yard. In lieu of a fence, a permanent enclosure housing the chickens shall be constructed subject to the recommendation of the Planning and Zoning Commission and approval of the City Council. The enclosures shall not be visible from the street on which the house faces.
- (f) The area of any enclosure for the purpose of housing chickens including any outdoor runs shall not exceed sixty (60) square feet.
- (g) Any enclosure housing chickens shall require a building permit.
- (h) All enclosures housing chickens shall not be located closer than ten (10) feet from any side or rear property line and twenty-five (25) feet from any residential structure on an adjacent lot.
- (i) No person shall allow the accumulation of any waste material resulting from the keeping of chickens which creates any offensive odor or nuisance.
- (j) All food sources and other items that are associated with the keeping of chickens that are likely to attract rats, mice, or other rodents shall be protected in a container with a tightly fitted lid so as to prevent rodents from gaining access to or coming into contact with them.
- (k) The fee for the housing of chickens shall be twenty-five dollars (\$25) for a one calendar year permit.
- (l) Special use permits shall not run with the land.

CITY OF WASHINGTON, ILLINOIS

APPLICATION FOR SPECIAL USE

To have a complete application for a special use, you must submit the following:

- Signed and completed application
- Ownership documentation (lease, deed, mortgage, etc.)
- Plat showing subject property and all adjacent properties – See below for plat requirements
- Accurate legal description obtained from the Warranty Deed
- Application fee of \$100 payable to the City of Washington

Address or location of property: 617 SIMON ST., WASHINGTON, IL 61571

Property Tax ID (PIN) number: 02 - 02 - 15 - 418 - 013

Current zoning classification of the property: R-1, RESIDENTIAL

Current use of the property: SINGLE-FAMILY HOUSING

What is the Special Use for? RAISING OF POULTRY

How will you meet other requirements of the zoning code (such as parking or landscaping, if applicable)? _____

Name of Applicant: ALAN J BIAGINI

Phone Number of Applicant: _____

Address of Applicant: 617 SIMON ST. WASHINGTON, IL 61571

Owner of Property: ALAN J BIAGINI WASHINGTON, IL 61571

Address of Owner: 617 SIMON ST

I would like to receive correspondence by: _____ Mail ☒ Email _____ Email address: _____

PLAT REQUIREMENTS: Your special use plat must show:

- Building or site plan layout and locations of proposed special uses, including square footage
- Adjacent properties, rights-of-way, streets, roads, railroads, waterways, and other physical features

PUBLIC HEARING: Your case will be referred with staff's recommendation to the next regularly scheduled Planning and Zoning Commission meeting for a public hearing. The Planning and Zoning Commission meets the first Wednesday of every month at 6:30 p.m. at the Washington District Library meeting room at 380 N. Wilmor Road. At the Planning and Zoning Commission meeting, you will present your request. A special use cannot be recommended by the Planning and Zoning Commission unless the Commission finds, based upon the application and evidence presented at the public hearing, that all of the following conditions have been met:

1) The special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare; 2) The special use will not be injurious to the use and enjoyment of other property in the immediate vicinity, or substantially diminish or impair property values; 3) The special use will not impede development of surrounding property; 4) Adequate utilities, access roads, drainage, or necessary facilities will be provided; 5) Adequate ingress and egress provided to minimize traffic congestion in public streets; 6) The special use will conform to all other application regulations of the zoning district; and 7) If the special use would not otherwise be acceptable, the Planning Commission may recommend certain conditions be met to make the use acceptable, such as, but not limited to: landscape screening or fencing, specific hours of operation, night lighting or lighting restrictions, parking area requirements, signage restraints, outdoor storage limitations.

Certification: To the best of my knowledge, the information contained herein, and on the attachments, is true, accurate, and correct, and substantially represents the existing features and proposed features. Any error, misstatement, or misrepresentation of material fact or expression of material fact, with or without intention, shall constitute sufficient grounds for the revocation or denial of the proposed Special Use.

Signature of Applicant

10-10-19

Date

Signature of Owner

10-10-19

Date

After receiving a completed application, the City Clerk will file notice of your request with the local newspaper and with the adjoining property owners. If you have any questions, please contact Jon Oliphant, Planning & Development Director at (309) 444-1135.

FOR OFFICE USE ONLY

Case No.: _____

Plat Submitted? Y / N Date: _____

Documentation of Authority Submitted: _____

Commission Action: _____

Fee Paid? Y / N / N/A Amount: _____

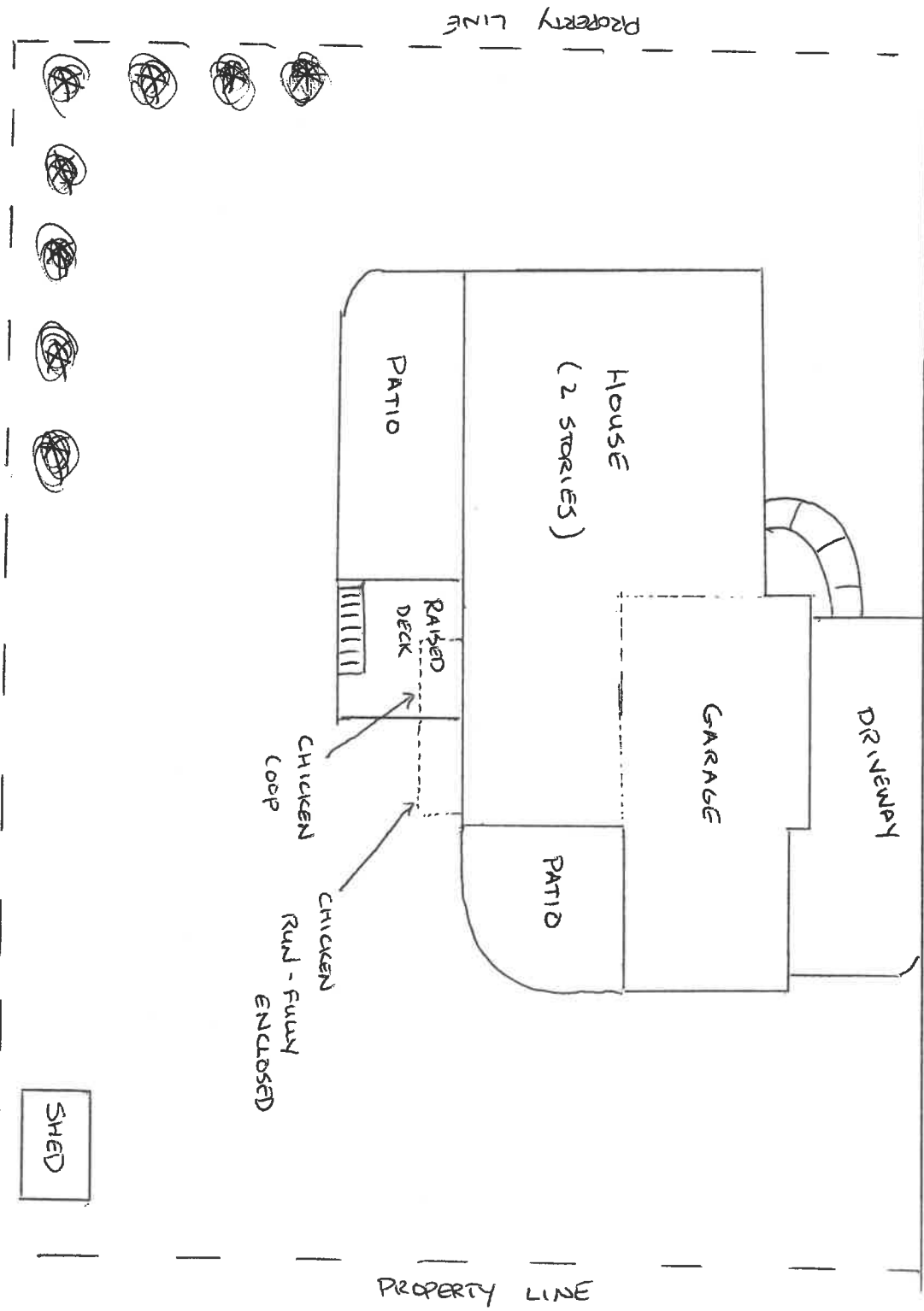
Date: _____

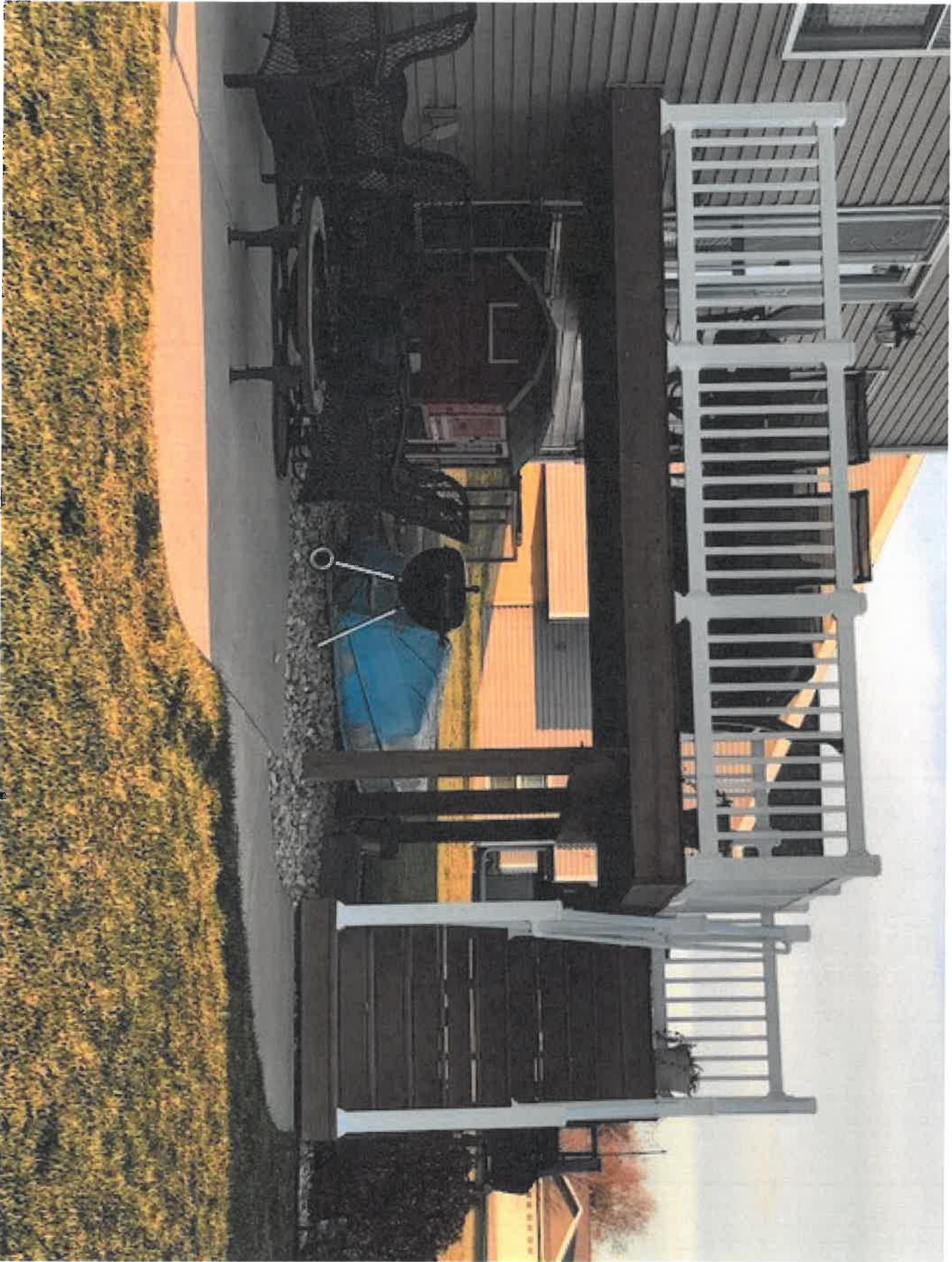
Landscaping Plan Submitted? Y / N / N/A Date: _____

Date to go before the Planning and Zoning Commission: _____

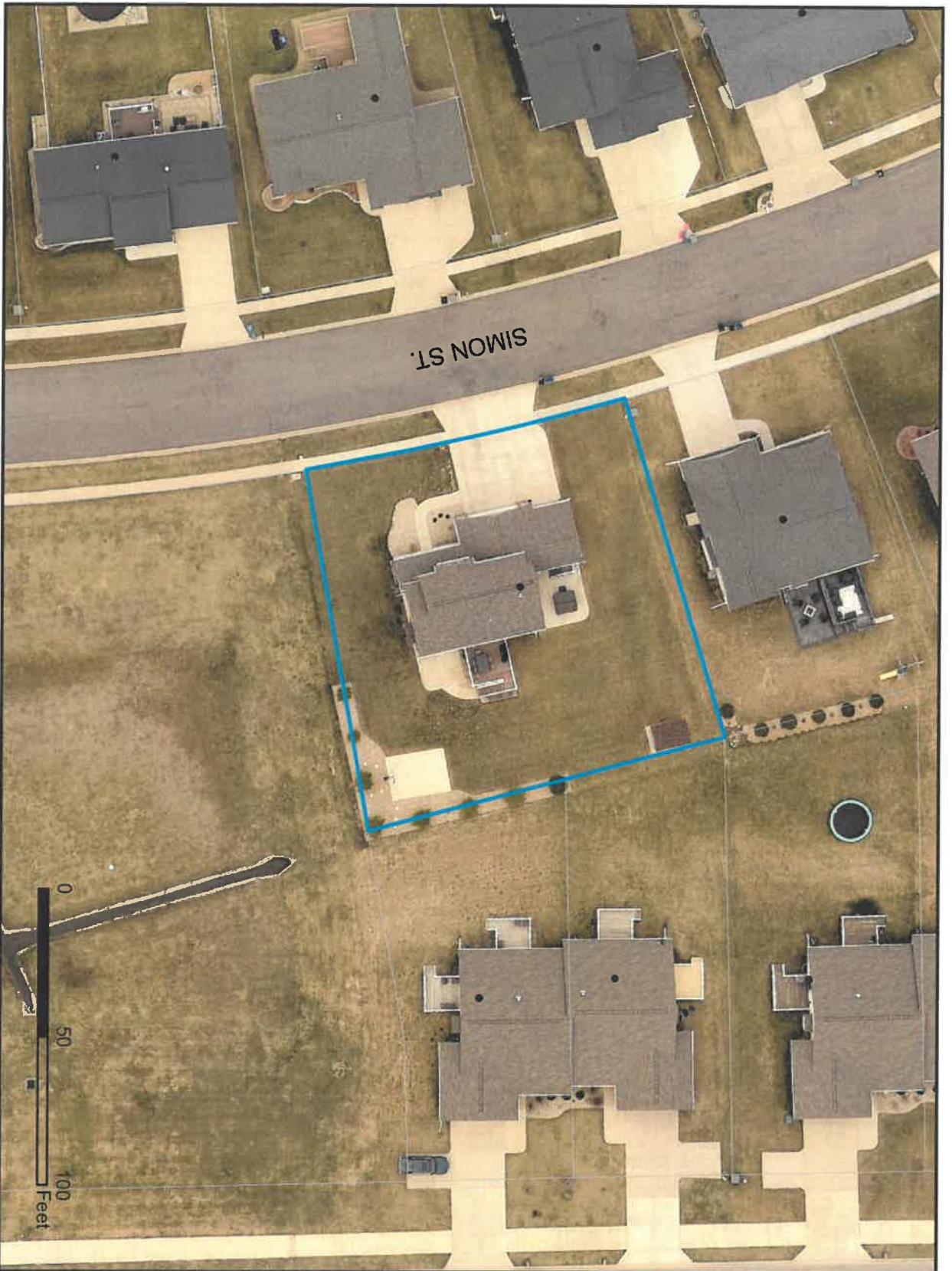
Ordinance Review: (first reading) _____ (second reading) _____

SIMON STREET







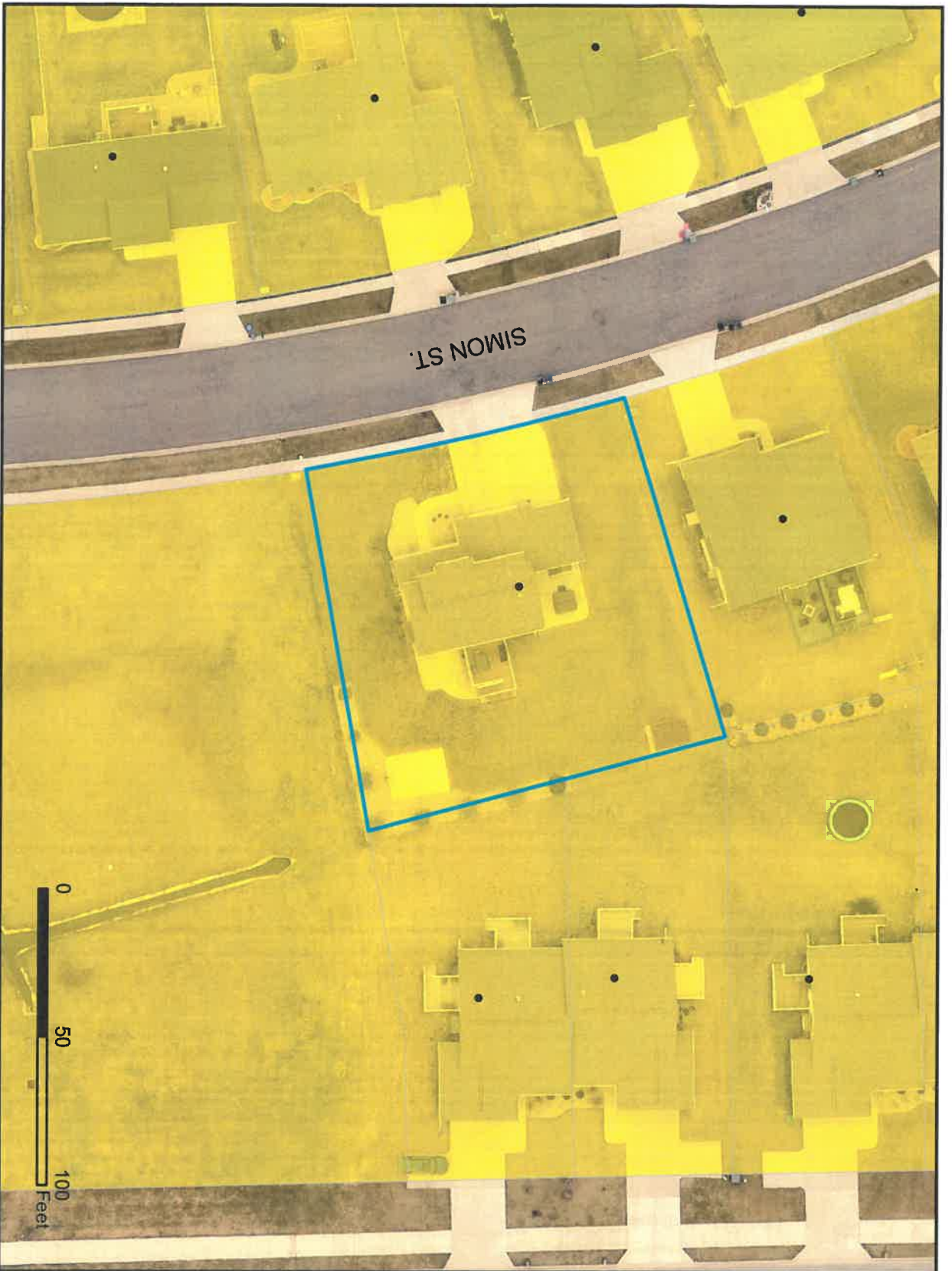


CITY OF
WASHINGTON
TAZEVELL COUNTY, ILLINOIS

LOCATION MAP



Prepared by the City of Washington
Department of Planning and Development
Printed: November 28, 2019



**CITY OF
WASHINGTON**
TAZEWELL COUNTY, ILLINOIS

LOCATION MAP



- Legend**
- AC-1 (Agriculture)
 - CE (County Estates)
 - R-1A (Single Family Residential)
 - R-1 (1-2 Family Residential)
 - R-2 (Multifamily Residential)
 - C-1 (Local Retail)
 - C-2 (General Retail)
 - C-3 (Service Retail)
 - I-1 (Light Industrial)
 - I-2 (Heavy Industrial)

