

CITY OF WASHINGTON

PLANNING & DEVELOPMENT DEPARTMENT

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MEMORANDUM

TO: Chairman Burdette and Planning and Zoning Commission
FROM: Jon R. Oliphant, AICP, Planning & Development Director
SUBJECT: Public Hearing – Jonathan LaBerdia Residential Chickens Special Use Request, 209 North Street
DATE: May 22, 2020

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

Comprehensive Plan: Single- and Two-Family Residential

Summary: Jonathan LaBerdia has submitted a special use application for the allowance of chickens on his property at 209 North 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 2019 that allows for poultry to be allowed on certain residential properties following approval of a special use. The first special use permit was granted in January and two others have submitted special use requests that are pending City Council approval as of this date. Some of the underlying regulations for any residential property seeking the allowance of chickens 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 and run would be located in the backyard near the northeast corner of the lot. The total area would be about 52 square feet in size. The enclosure would be approximately 10 feet from the rear and the east side property lines. It would be about 50 feet from the garage and 73 feet from the house at 211 North. It would be approximately 60 feet from the deck and 85 feet from the house at 207 North. The proposed location would meet the setback regulations.

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 if properly cared for 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, June 3 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: 209 North Street

Property Tax ID (PIN) number: 02-02-13-301-013

Current zoning classification of the property: Residential

Current use of the property: Home

What is the Special Use for? Backyard Chickens

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

Follow all guidelines as stated by the city of Washington

Name of Applicant: Jonathan LaBerdn Phone Number of Applicant: _____

Address of Applicant: 209 North Street

Owner of Property: Jonathan & Sarah LaBerdn

Address of Owner: 209 North Street

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. Wilmore 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

Date

4/15/2020

Signature of Owner

Date

4/15/2020

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) _____

Backyard 209 North

211 North Street

207 North Street

Garage

tree

tree

tree

COOP

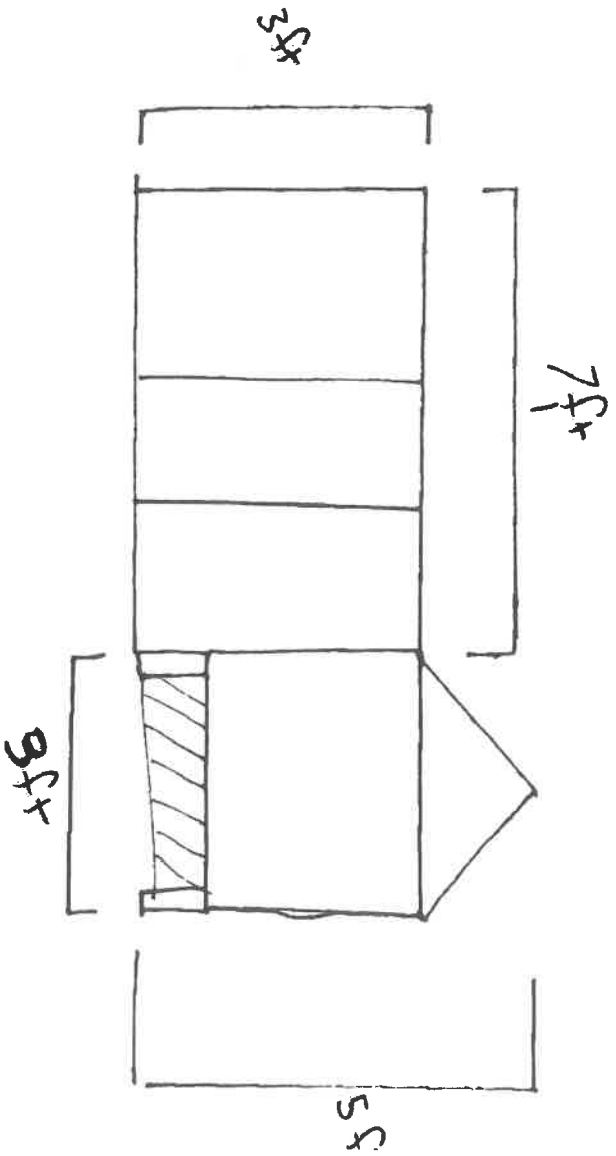
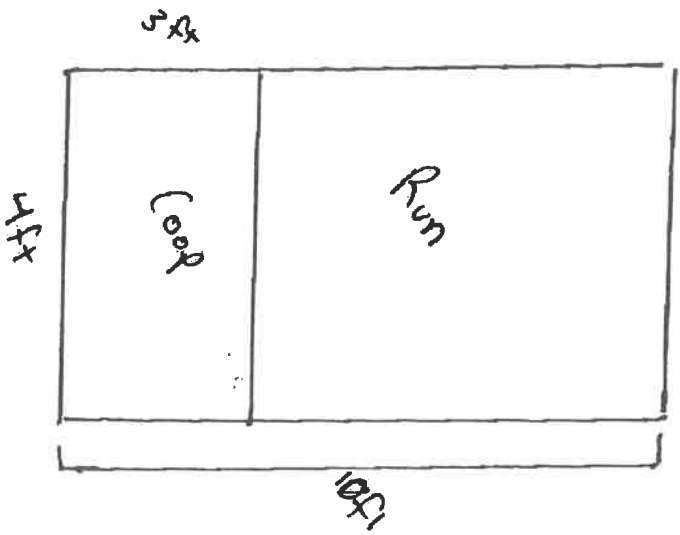
10ft

10ft

field



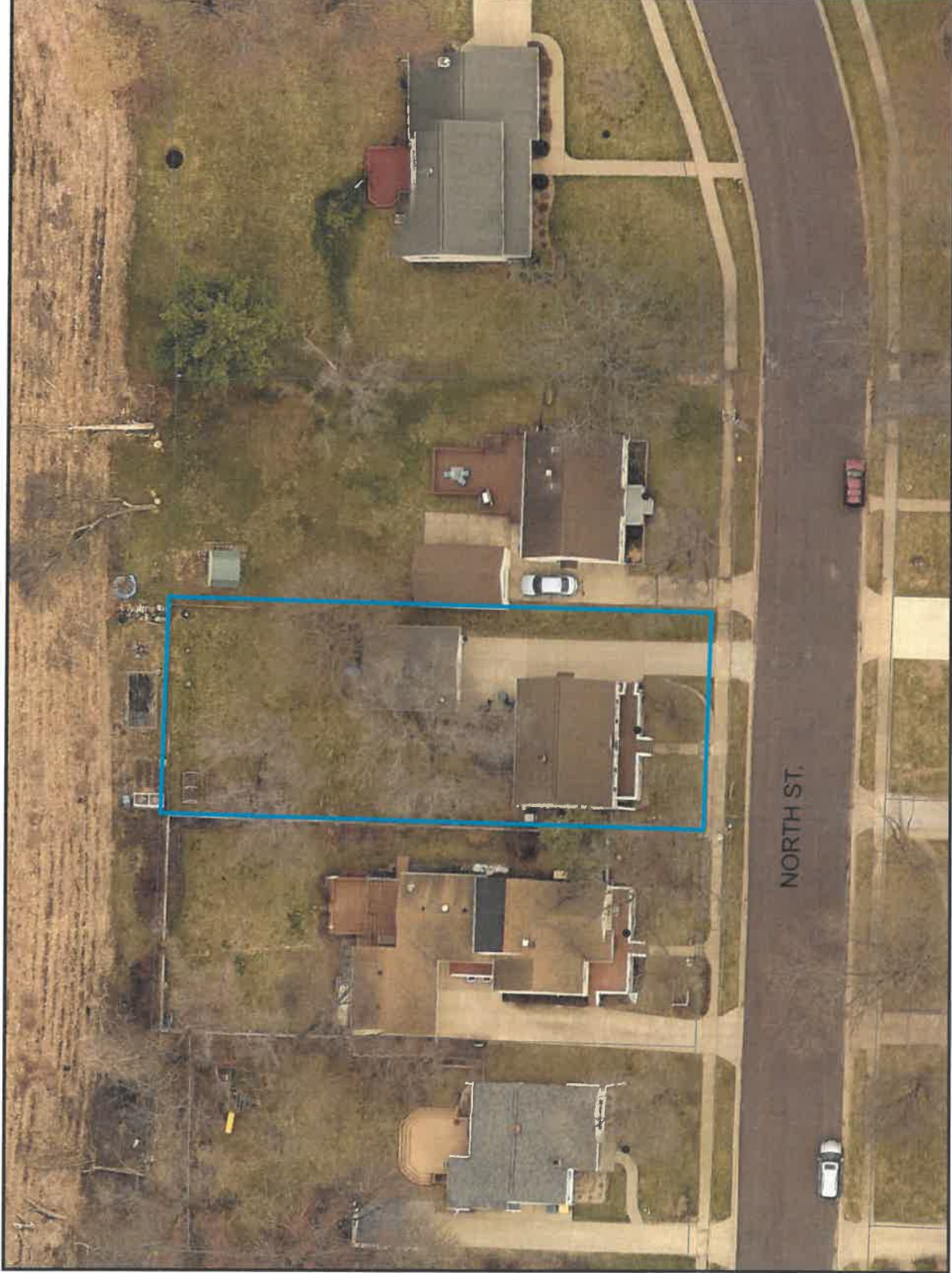
Coop



Coop - 12 sq ft
Total Run - 40 sq ft



LOCATION MAP



CITY OF
WASHINGTON
TAZEWELL COUNTY, ILLINOIS

LOCATION MAP



Legend

- AG-1 (Agriculture)
- CE (Country 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)



Prepared by the City of Washington
Department of Planning and Development

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