



## **CITY OF WASHINGTON, ILLINOIS**

### **City Council Agenda Communication**

**Meeting Date:** May 18, 2020

**Prepared By:** Jon R. Oliphant, AICP, Planning & Development Director

**Agenda Item:** First Reading Ordinance – Trent Kimble Poultry Special Use Request, 310 Ernest Street

**Explanation:** Trent Kimble has submitted a special use application for the allowance of chickens on his property at 310 Ernest Street. Chickens are allowed to be considered on residential properties upon approval of a special use. There has only been one other such request following City Council adoption of a zoning code text amendment in October that allows for poultry to be located on certain residential properties.

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 proposed coop would be located inside the garage in the back yard. The total area would be about 20 square feet in size. The 6'x6' run would be located next to the northwest corner of the garage. The run would be approximately 20 feet from the rear (west) property line, 21 feet from the side (north) side property line, and 55 feet from the house at 308 Ernest, all of which would meet the 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.

**Fiscal Impact:** None

#### **Recommendation/**

**Committee Discussion Summary:** Staff recommends approval of the special use request to allow for up to five chickens. It would not appear to be detrimental to the public's health, safety, or general welfare nor would it substantially diminish or impair property value. The Planning and Zoning Commission held a public hearing at its meeting on May 6 and unanimously recommended approval.

**Action Requested:** Approval of the attached ordinance. A first reading ordinance is scheduled for the May 18 City Council meeting with a second reading to be scheduled for the June 1 meeting.

**ORDINANCE NO. \_\_\_\_\_**

(Synopsis: Adoption of this ordinance would allow for poultry to be housed at 310 Ernest Street.)

**AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW FOR POULTRY  
TO BE HOUSED AT 310 ERNEST STREET**

**WHEREAS**, the City of Washington Zoning Ordinance adopted February 20, 1961, as amended, provides for a special use for the allowance of poultry within §154.056 where conditions are met; and

**WHEREAS**, a petition has been filed with the City of Washington and referred to the Planning and Zoning Commission requesting such a special use for the allowance of chickens at 310 Ernest Street; and

**WHEREAS**, public notice in the form required by law was given of the public hearing, and the Planning and Zoning Commission held such a public hearing on May 6, 2020, and has unanimously recommended such a special use; and

**WHEREAS**, the Planning and Zoning Commission has made its findings and recommendations concerning the special use permit and the corporate authorities have duly considered said findings and recommendations and find that the special use procedures have complied with the Washington Zoning Code:

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF  
THE CITY OF WASHINGTON, TAZEVELL COUNTY, ILLINOIS, that:**

**Section 1.** The reports, findings, and recommendations of the Planning and Zoning Commission are herein incorporated by reference as the findings of the City Council, as completely as if fully recited herein at length. Also, all exhibits submitted at the public hearing are hereby incorporated by reference as fully as if attached hereto. The City Council further finds that the proposed special use is in the public good and in the best interest of the City and its residents and is consistent with and fosters the purposes and spirit of the City of Washington Zoning Code. The special use granted will not be detrimental to the public health, safety, morals, comfort and general welfare, nor shall it be injurious to the use and enjoyment of other properties in the vicinity, nor substantially diminish or impair property values within the neighborhood.

**Section 2.** That the following described property owned by Trent and Trevor Kimble be granted a special use permit for the allowance of chickens and legally described as follows:

SEC 20 T26N R3W BEVERLY MANOR SUBD LOT 65 SE 1/4

PIN: 02-02-20-409-011

**Section 3.** That the City Zoning Officer be directed to issue any permits to allow for a coop and run on the above-described property in compliance with this special use ordinance.

**Section 4.** That the Zoning Map of the City of Washington, Tazewell County, Illinois, be amended so as to conform to the Special Use Permit granted herein.

**Section 5.** That this ordinance shall be in full force and effect from and after its passage, approval, and publication as required by law.

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

AYES \_\_\_\_\_

NAYS \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

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

Address or location of property: 310 Ernest St

Property Tax ID (PIN) number: 02 - 02 - 20 - 409 - 011

Current zoning classification of the property: R-1

Current use of the property: Single Family Home

What is the Special Use for? To Allow chickens

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

Name of Applicant: Trent Kimble

Phone Number of Applicant: [REDACTED]

Address of Applicant: 310 Ernest St

Owner of Property: Trent Kimble

Address of Owner: 310 Ernest St

I would like to receive correspondence by: ☒ Mail ☒ Email Email address: [REDACTED]

**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.

Trent R Kimble  
Signature of Applicant

3/2/2020  
Date

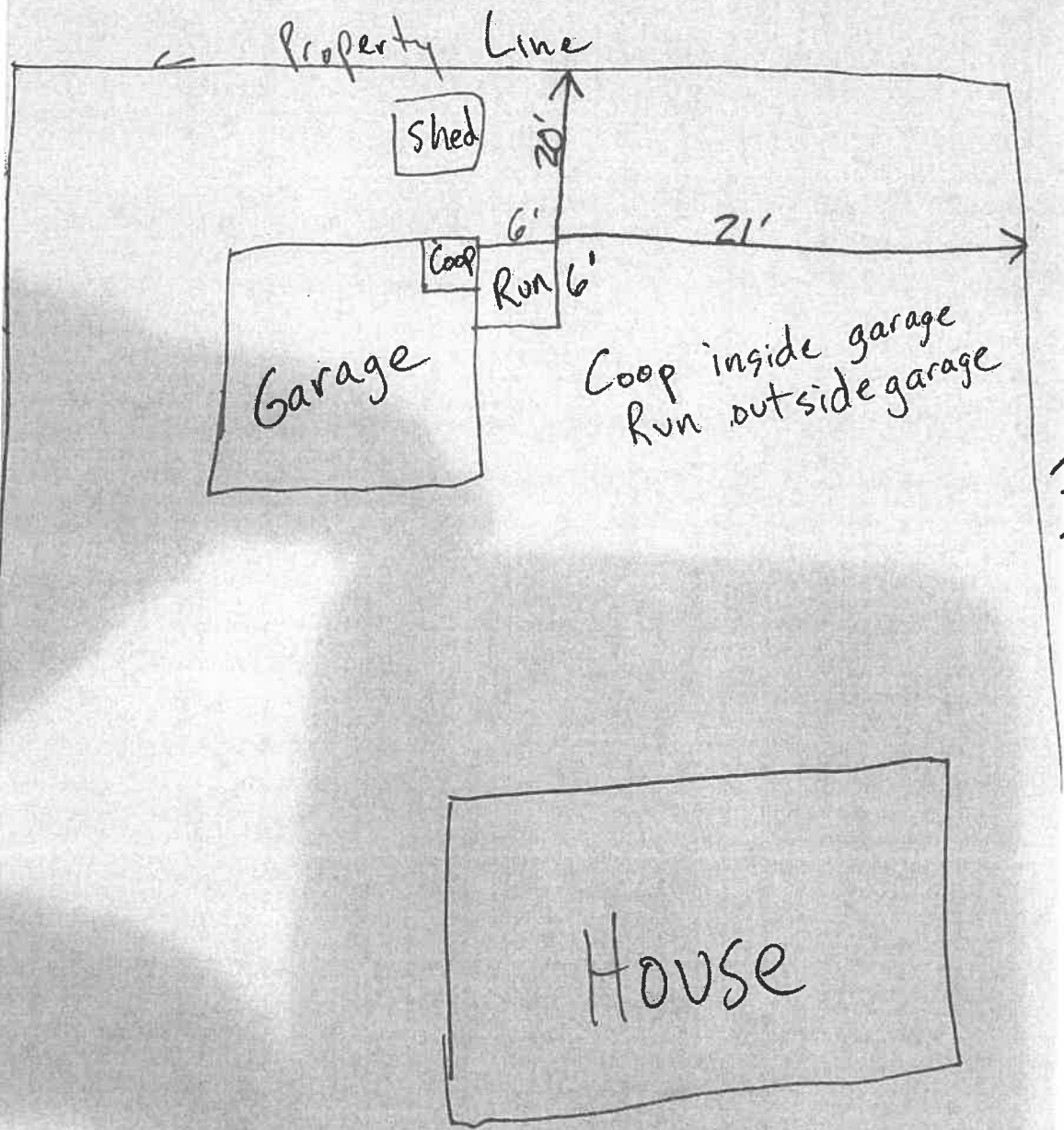
Trent R Kimble  
Signature of Owner

3/2/2020  
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: \$100 Date: 3-2-20  
Landscaping Plan Submitted? Y / N / N/A Date: \_\_\_\_\_  
Date to go before the Planning and Zoning Commission: 4-1-20  
Ordinance Review: (first reading) 4/6/20 (second reading) 4/20/2020



House

Garage

Shed

Coop

Run

Coop inside garage  
Run outside garage

Property Line

20'

6'

21'

6'



**CITY OF  
WASHINGTON**  
TAZEWELL COUNTY, ILLINOIS

**LOCATION MAP**



*Prepared by the City of Washington  
Department of Planning and Development*

*Printed: April 24, 2020*

CITY OF  
WASHINGTON  
TAZEVELL 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

Printed: April 24, 2020

