

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 – Brad and Jewel Ward Residential Chickens Special Use Request, 711 W. Jefferson Street
DATE: June 24, 2020

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

Summary: Brad and Jewel Ward have submitted a special use application for the allowance of chickens on their property at 711 W. Jefferson 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 were denied in June. 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 lot is approximately 2.43 acres in size. A Washington High School parking lot borders it to the west. A coop and run is located in the backyard of the lot. The total area is about 25 square feet in size. The enclosure is approximately 33 feet from the west side property line, about 125 feet from the east side line bordering 1 Hidden Acres, about 105 feet from the lot line bordering 709 W. Jefferson, and 275 feet from the rear line. It is located roughly 75 feet from a WCHS utility shed and is approximately 225 feet from the neighboring houses at 709 W. Jefferson and 1 Hidden Acres. A 6' high privacy fence runs along much of the west property line. The location would meet the setback regulations. A map showing the subject property and the specifications of the coop are 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 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.**

Please note that the City Council discussed the future of the existing ordinance at its June 15 meeting. A temporary moratorium has been placed on any future special use requests for residential chickens besides the three that were previously submitted and are currently being adjudicated. The Council desires to repeal the ordinance and a public hearing for that code amendment will be scheduled for a public hearing at the August PZC meeting prior to two ordinance readings by the Council. Consideration of this special use request is based on the regulations that are currently in effect.

A public hearing will be held by the Planning and Zoning Commission at their meeting on Wednesday, July 1 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
- 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: 711 W. Jefferson St. Washington, IL 60157

Property Tax ID (PIN) number: 02-02-14-307-005

Current zoning classification of the property: R-01, R-02 - 2.43 Acres

Current use of the property: R-1

What is the Special Use for? Chicken Permit

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

Name of Applicant: Brad & Jewel Ward

Phone Number of Applicant: 630-444-1170

Address of Applicant: 711 W. Jefferson St., Washington, IL 60157

Owner of Property: (Same as above)

Address of Owner: (Same as above)

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: Brad A. Ward

Date: 5/19/2020

Signature of Owner: Bradley A. Ward

Date: 5/19/20

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) _____

Chicken Coop -
 42 inches (Width) x 84 inches (Length) x 53 inches (height)
 Placement of Coop is 33 feet from nearest property line.
 Property line has a 6 foot high privacy fence (site obscuring)

Handwritten blue annotations include:
 - 33' (distance from property line to coop)
 - 125' (distance from coop to a building)
 - 215' (distance from coop to a tree)
 - 303.4' (distance from coop to a building)
 - 200' (distance from coop to a building)
 - 90' (distance from coop to a building)
 - 125' (distance from coop to a building)
 - 215' (distance from coop to a tree)
 - 303.4' (distance from coop to a building)
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42 inches (Width) x 84 inches (Length) x 53 inches (height)
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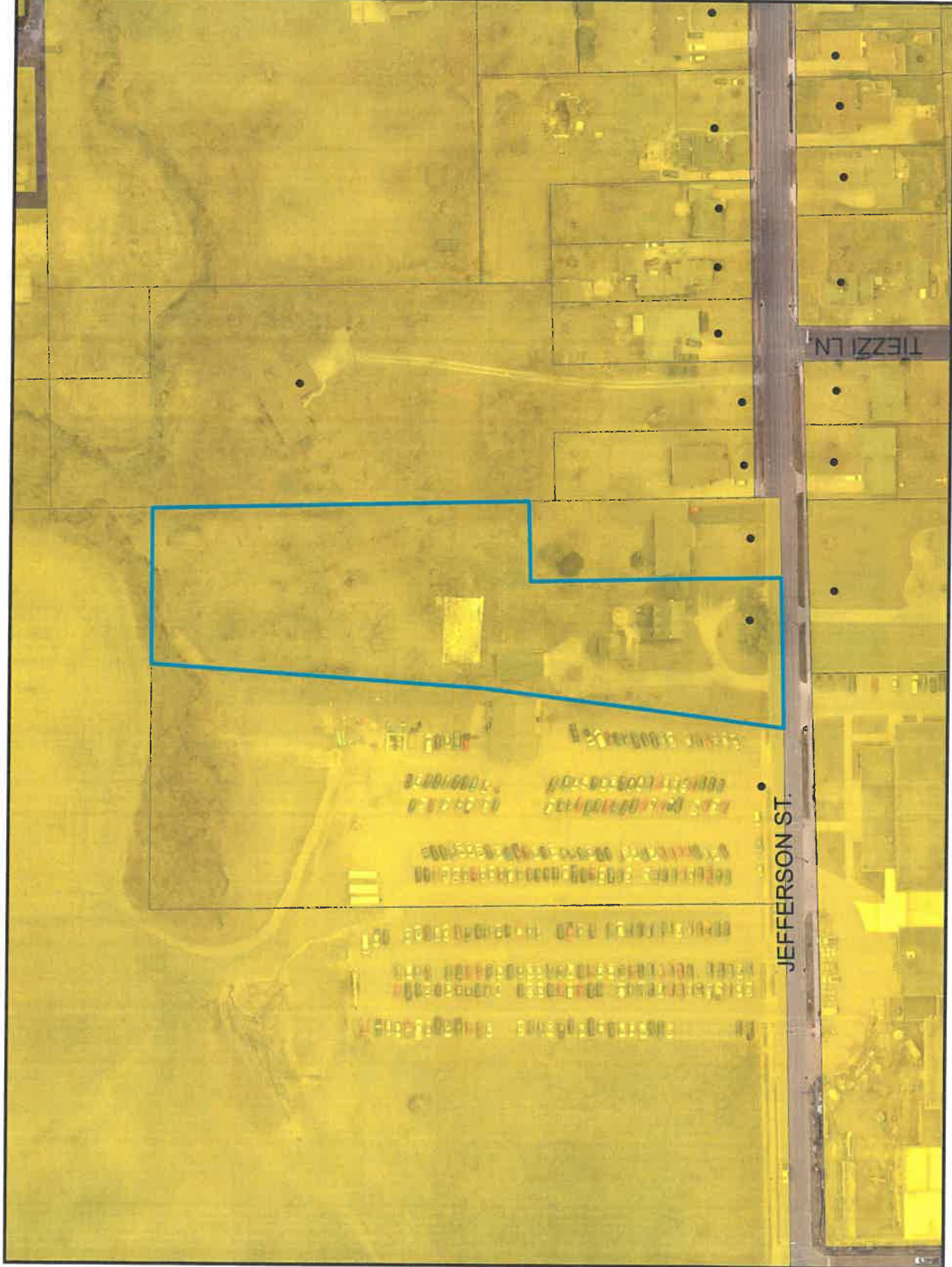
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LOCATION MAP



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)



LOCATION MAP

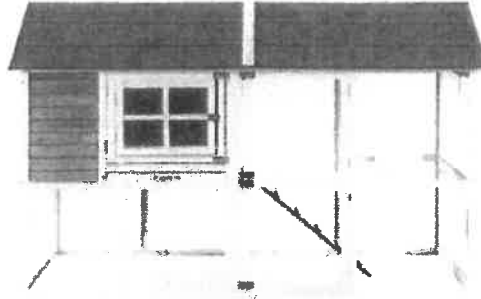




Summer Sale! Free Standard Delivery on orders over \$299

Cumberland Cottage Chicken Coop, DUS200120

SKU: 149722999



\$299.99

4.0 (2610) [Write a review](#) <

Financing Available! ⓘ

\$49 delivery on all online chicken coop purchases! ⓘ

Quantity

- 1 +

Available to purchase in stores

Not Eligible to Pickup In Store at this store

Ship To Store for pickup at this store on a later date ⓘ

Peoria IL #192
900 South Main St
East Peoria, IL 61611

(309) 698-8868

[Check Availability at Other Stores](#)

Standard Delivery to 61611 ⓘ

[Change Delivery Location](#)

Save to List



The Cumberland Cottage Chicken Coop is a charming coop designed to house up to 8 chickens. Built for easy maintenance, this cottage-inspired chicken coop features a pull out tray and walk-in door. Also featuring a lockable free-range door, this coop makes rounding up your chickens up just as simple as letting them run wild.

- Weather resistant asphalt roof
- Nesting box with dividers (3 nesting bays)
- 3 internal roosting bars
- Pull out tray for easy cleaning
- Walk-in door is split for easy access to chickens and the pen.
- Free-range door that allows the chickens out during the day and latches closed when they return for the night.
- Includes ramp

Specifications

Specification	Description
Product Height:	53 in.
Nesting Area Length:	13 in.
Roof Material:	Asphalt
Roof Style:	peak
Product Weight:	127.9 lbs
Recommended Number of Animals:	Up to 8 chickens
Frame Material:	Wood
Number of Nesting Areas:	3
Warranty:	30 Day Limited Warranty Against Manufacturer's Defects
Number of Levels/Stories:	2
Product Width:	41.7 in.
CountryofOrigin:	Imported
Door Width:	Front Coop Door 15.9 in.W
Foraging or Run Area Length:	76.8 in.
Number of Roosting Bars:	3
Wall Material:	Wood and wire
Part Number:	DUS200120
Compatibility:	N/A
Finish:	wood Stain,mesh powder coating
Location of Doors:	Front
Nesting Area Width:	36.4 in.
Foraging or Run Area Width:	36.4 in
Product Length:	84 in.
Door Height:	Front Coop Door 20.5 in.H
Number of Doors/Openings:	6 doors
Manufacturer Part Number	DUS200120

Reviews

Q & A

Questions

More info

May We Recommend