

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 – Pat and Annette Minasian Residential Chickens Special Use Request,
1001 Wellington Drive
DATE: June 24, 2020

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

Summary: Pat and Annette Minasian have submitted a special use application for the allowance of chickens on their property at Wellington Drive. 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 0.25 acres in size. A coop and run is located in the backyard of the lot. The total area is about 38 square feet in size. The enclosure would be approximately 15 feet from the west side property line, about 60 feet from the east side line and 10 feet from the rear line. It is located roughly 36 feet from the house at 1005 Wellington, about 85 feet from the house at 923 Wellington, and approximately 68 feet from the house at 22 Holborn. A 6' high privacy fence encloses the back yard. The location would meet the setback regulations. A map showing the subject property and the photos of the coop are attached.

The property and enclosure plan look to be sufficient for the housing of poultry. This area is similar in density to the case considered at 607 Westgate in May. 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: 1001 Wellington Drive, Washington, IL 61571

Property Tax ID (PIN) number: 02 - 02 - 14 - 105 - 007

Current zoning classification of the property: residential

Current use of the property: single family home

What is the Special Use for? chickens

How will you meet other requirements of the zoning code (such as parking or landscaping, if applicable)? All criteria for owning chickens set forth by the City of Washington has been followed.

Name of Applicant: Pat + Annette Minasian Phone Number of Applicant: _____

Address of Applicant: 1001 Wellington Drive

Owner of Property: Pat + Annette Minasian

Address of Owner: 1001 Wellington Drive

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.

Annette Minasian
Signature of Applicant

6/2/20
Date

Annette Minasian
Signature of Owner

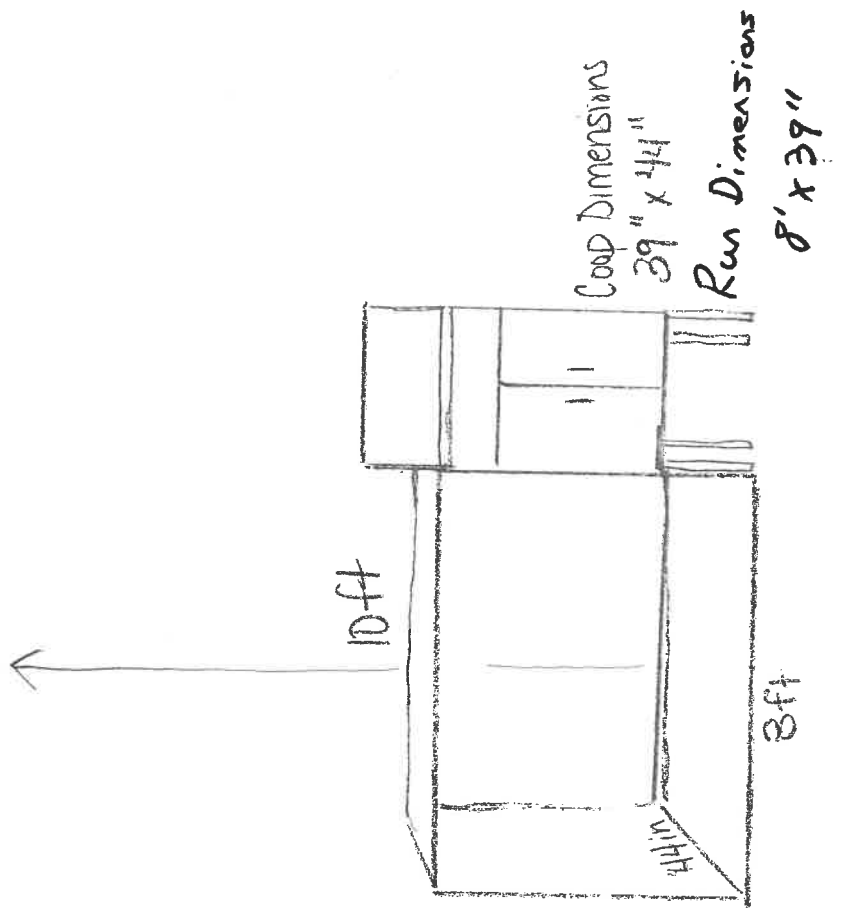
6/2/20
Date

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) _____

Back Property line



15 ft

Abel Property line

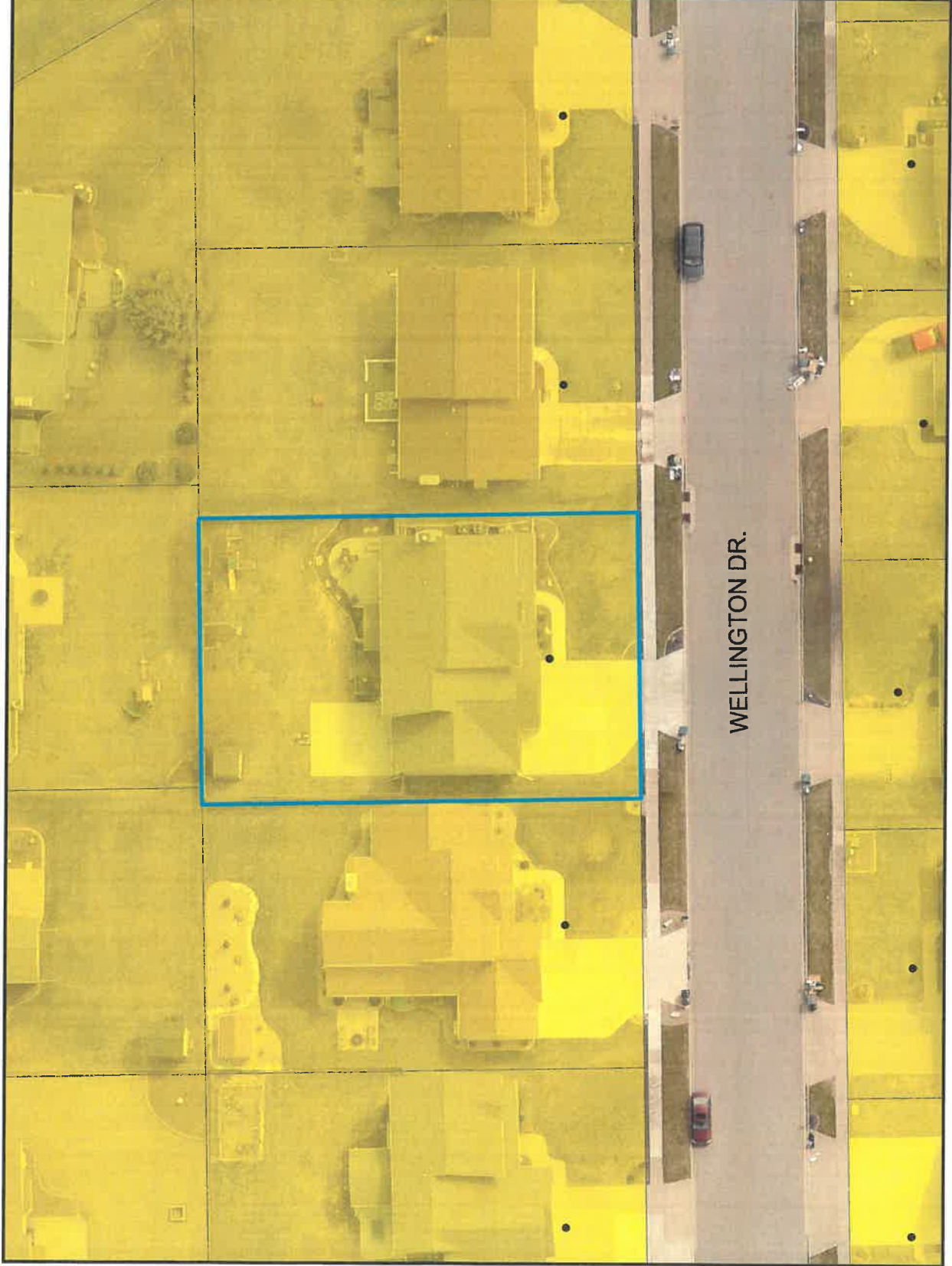


LOCATION MAP



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

