



CITY OF WASHINGTON, ILLINOIS

City Council Agenda Communication

Meeting Date: July 6, 2020

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

Agenda Item: First Reading Ordinance – Jonathan LaBerdia Poultry Special Use Request, 209 North Street

Explanation: Jonathan LaBerdia has submitted a special use application for the allowance of chickens on his property at 209 North Street. Chickens are allowed to be considered on residential properties upon approval of a special use. One other such request was approved in January and two were denied in June.

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 and would be located in the back yard 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. Single-family residential is adjacent to the east and west as part of Brookhill Addition subdivision. Undeveloped land, which is a preliminary platted section of Carriage Park subdivision, is to the north. 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 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.

Fiscal Impact: If approved, the payment of a \$25 annual permit plus the building permit fee.

Recommendation/

Committee Discussion Summary: Staff recommends approval of the special use request to allow for up to five chickens. The Planning and Zoning Commission held a public hearing at its meeting on June 3 and unanimously recommended approval. Seven positive comments were received at the PZC meeting.

Action Requested: Approval of the attached ordinance. A first reading ordinance is scheduled for the July 6 City Council meeting with a second reading to be scheduled for the July 20 meeting.

ORDINANCE NO. _____

(Synopsis: Adoption of this ordinance would allow for poultry to be housed at 209 North Street.)

**AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW FOR POULTRY
TO BE HOUSED AT 209 NORTH 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 209 North 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 June 3, 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, TAZEWELL 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 Jonathan and Sarah LaBerdia be granted a special use permit for the allowance of chickens and legally described as follows:

SEC 13 T26N R3W BROOKHILL ADDN 2ND EXT LOT 96 SW 1/4

PIN: 02-02-13-301-013

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