



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 – Brad and Jewel Ward Poultry Special Use Request, 711 W. Jefferson Street

Explanation: Brad and Jewel Ward have submitted a special use application for the allowance of chickens on their property at 711 W. Jefferson Street. Chickens are currently 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 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.

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 July 1 and unanimously recommended approval. Two positive comments and one negative comment 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 711 W. Jefferson Street.)

**AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW FOR POULTRY
TO BE HOUSED AT 711 W. JEFFERSON 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 711 W. Jefferson 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 July 1, 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 Bradley and Jewel Ward be granted a special use permit for the allowance of chickens and legally described as follows:

SEC 14 T26N R3W PT OF LOT 12 SW 1/4

PIN: 02-02-14-307-005

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: 711 W. Jefferson St, Washington, IL 61571

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: 309-303-4192

Address of Applicant: 711 W. Jefferson St, Washington, IL 61571

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. Wilmar 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

5/19/2020

Signature of Owner

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)

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)

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)



**CITY OF
WASHINGTON**
TAZEWELL COUNTY, ILLINOIS

LOCATION MAP



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

Printed: June 24, 2020

CITY OF
WASHINGTON
TAZEVELL COUNTY, ILLINOIS

LOCATION MAP



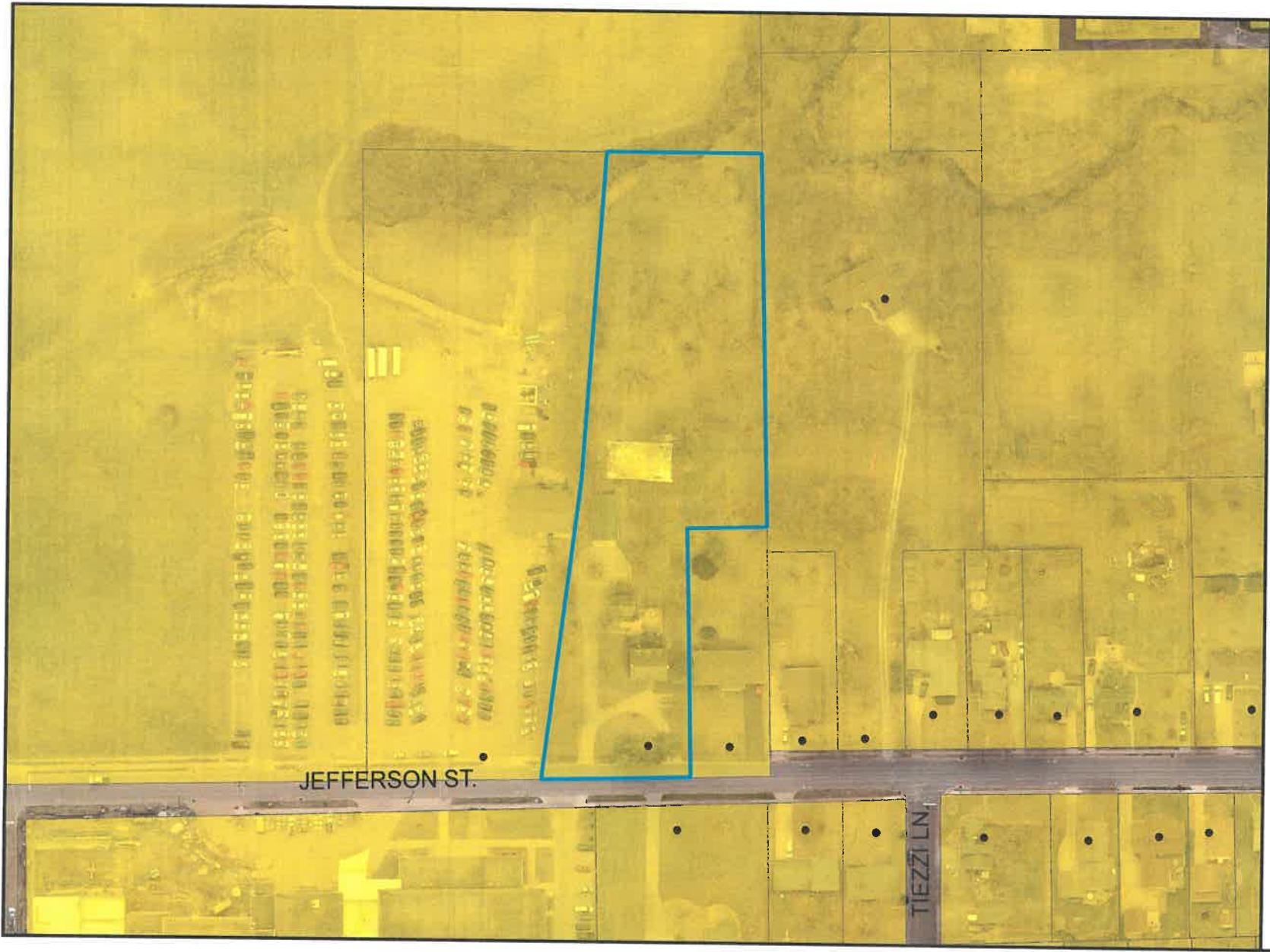
Legend

- 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: June 24, 2020

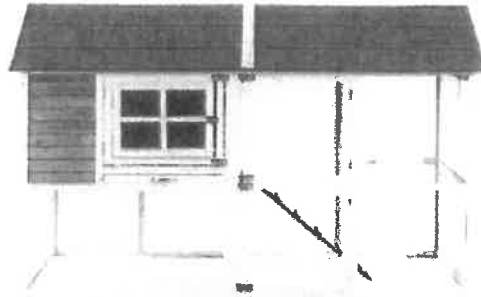




Cumberland Cottage Chicken Coop, DUS200120

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.
Country of Origin:	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