



## **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 – Pat and Annette Minasian Poultry Special Use Request, 1001 Wellington Drive

**Explanation:** Pat and Annette Minasian have submitted a special use application for the allowance of chickens on their property at 1001 Wellington Drive. 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 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 June. 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 1001 Wellington Drive.)

**AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW FOR POULTRY  
TO BE HOUSED AT 1001 WELLINGTON DRIVE**

**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 1001 Wellington Drive; 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 Patreak and Annette Minasian be granted a special use permit for the allowance of chickens and legally described as follows:

SEC 14 T26N R3W DEVONSHIRE ESTATES 10<sup>TH</sup> ADDN LOT 5 NW 1/4

PIN: 02-02-14-105-007

**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: 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: (309) 678-0861

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: minfam6@gmail.com

**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

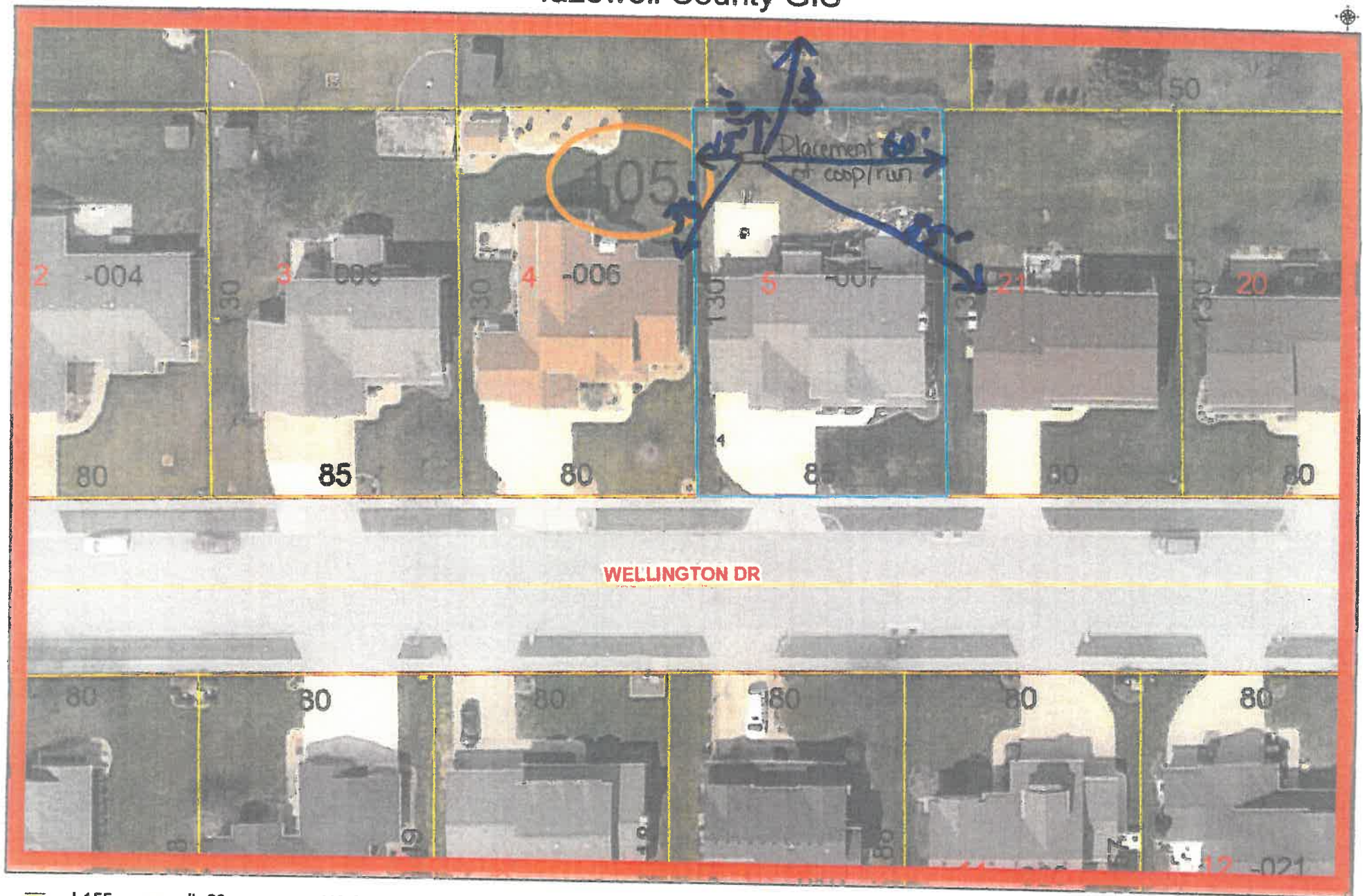
6/2/20  
Date

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: \_\_\_\_\_

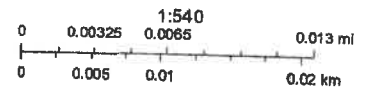
Fee Paid? Y / N / N/A Amount: \_\_\_\_\_ Date: \_\_\_\_\_  
Landscaping Plan Submitted? Y / N / N/A Date: \_\_\_\_\_  
Date to go before the Planning and Zoning Commission: \_\_\_\_\_  
Ordinance Review: (first reading) \_\_\_\_\_ (second reading) \_\_\_\_\_

# Tazewell County GIS



- |         |          |           |
|---------|----------|-----------|
| — I-155 | — IL 29  | — US 24   |
| — I-474 | — IL 98  | — Streets |
| — I-74  | — US 150 |           |

Tazewell County GIS parcel and map records contained herein are for property tax purposes only. This information has been compiled from the most accurate source data from the public records of Tazewell County. This information must be accepted and used with the understanding that the data was collected primarily for the use and purpose of creating a Property Tax Roll per Illinois Statute. The information contained herein is for reference purposes only, and should not be relied upon as a substitute for a site search. Any reliance on the information contained herein is at the user's own risk. The Tazewell County GIS assumes no responsibility for any use of the information contained herein or any loss resulting therefrom. Users of Tazewell County GIS site assume all risk and liability when accessing any third-party site linked to this site. All data is subject to change.





Abel Property line

15ft

Back Property line

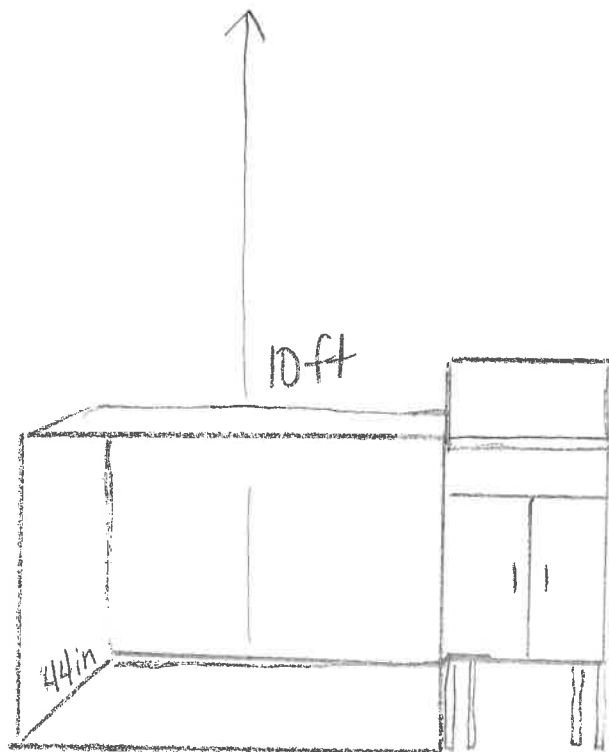
10ft

44in

3ft

Coop Dimensions  
39" x 44"

Run Dimensions  
8' x 39"









**CITY OF  
WASHINGTON**  
TAZEWELL COUNTY, ILLINOIS

**LOCATION MAP**



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

*Printed: June 24, 2020*



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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)



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Department of Planning and Development*

*Printed: June 24, 2020*