



City of Olathe

COUNCIL AGENDA ITEM

MEETING DATE: 11/5/2019

DEPARTMENT: Public Works, Planning Division

STAFF CONTACT: Brenna Kiu, Planning Intern and Kim Hollingsworth, Senior Planner

SUBJECT: SU19-0004: Special use permit renewal for keeping chickens on a residential lot less than 3 acres. Owner/Applicant: Jennifer and John Sanjean

ITEM DESCRIPTION:

Consideration of Resolution 19-1062, SU19-0004, for approval of a special use permit renewal (SU19-0004) for keeping chickens on a residential lot less than three (3) acres, 0.27± acres; located at 589 W. Layton Street. Planning Commission recommends approval 8 to 0.

SUMMARY:

This is a request for renewal of an existing Special Use Permit to allow the property at 589 W. Layton Street to keep 6 chickens on a lot less than 3 acres in size. Per the Unified Development Ordinance (UDO) Section 18.50.030.B, a Special Use Permit is required to keep chickens on a residential lot less than 3 acres. The existing Special Use Permit was approved in 2014 (SU14-0006) for 6 chickens and this is the first renewal request of this special use permit.

The property currently contains a single-family home with the chicken coop in the rear yard. The coop is more than 6 feet from all property boundaries and 40 feet from the nearest neighboring dwelling unit, in compliance with requirements under (UDO) Section 18.30.270.D. The chickens have a 24 sq. ft. indoor coop and a 400 sq. ft. outdoor enclosure that is topped with bird netting as a roof. The chickens are tended to three times daily, and the waste is composted for the applicant's own garden. The City has not received any complaints regarding the keeping of these animals on the property during the duration of the initial permit.

The Planning Commission conducted a public hearing on October 14, 2019. The Planning Commission recommended approval, with an 8-0 vote, of SU19-0004 for a 10-year time limit with stipulations as stated in the Planning Commission minutes.

FINANCIAL IMPACT:

None

ACTION NEEDED:

1. Adopt Resolution No. 19-1062 to approve a Special Use Permit for keeping chickens on a residential lot less than 3 acres as stipulated by the Planning Commission.
 2. Deny Resolution No. 19-1062 (5 positive votes required) for a Special Use Permit for keeping chickens on a residential lot less than 3 acres as stipulated by the Planning Commission.
 3. Return the Special Use Permit application to the Planning Commission for further consideration with a statement specifying the basis for the Governing Body's failure to approve or deny.
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ATTACHMENT(S):

- A. Planning Commission Packet
- B. Planning Commission Minutes
- C. Resolution No. 19-1062