



City of Olathe  
Planning Division

## MINUTES

### Planning Commission Meeting: August 12, 2019

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| <b>Application:</b> | <b><u>SU19-0003</u>: Renewal of a special use permit for keeping chickens on a lot less than three (3) acres</b> |
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**Andrea Fair, Planning Intern**, presented this request for a special use permit renewal to keep chickens on a residential lot less than three acres and is also requesting an increase in the number kept. The residence is located in a residential neighborhood at 509 South Willow Drive. The chicken coop is 60 square foot in size and has a roof. Mulch is used to reduce odor and provide bedding. The chickens have areas to roam, roost and nest. The coop is cleaned regularly and the waste is composted for trees on the property and nearby community garden.

**Ms. Fair** stated that staff is in support of the applicant's request for a renewal to this special use permit, and to keep two additional chickens. No complaints have been received and the site remains in good condition, meeting all UDO requirements. Staff is recommending approval.

**Vice Chair Rinke** asked what limits have been placed on other special use permits allowing chickens. **Ms. Fair** said there is one other existing permit for six chickens.

**Chair Vakas** opened the public hearing and asked the applicant to come forward. **Roy Wesley McCoy, 509 South Willow Drive**, Applicant, approached the podium. He has lived with his wife at this residence for 15 years. He has five chickens right now, no roosters, and would like to increase to eight. They rotate the chickens to maximize egg production. They use the eggs for personal consumption, as well as give eggs away to others.

**Comm. Fry** asked if Mr. McCoy would object to having more than five years for the permit. **Mr. McCoy** said he would like to have 10 years, if possible. **Chair Vakas** called for a motion to close the public hearing.

*Motion by Vice Chair Rinke, seconded by Comm. Fry, to close the public hearing.*

*Motion passed 6-0.*

**Comm. Fry** said he is willing to support a 10-year special use permit in this situation.

*Motion by Comm. Fry, seconded by Vice Chair Rinke, to recommend approval of SU19-0003, for the following reasons:*

- (1) The proposal conforms to the Goals, Objectives and Policies of the *Comprehensive Plan*.
- (2) The proposal complies with the *Unified Development Ordinance (UDO)* criteria for considering special use permit requests.
- (3) The applicant has not received any complaints since the approval of the first Special Use Permit, SU14-0004.

*Comm. Fry's motion included recommending that the following stipulations be included in the ordinance, as amended:*

- (1) The Special Use Permit is valid for a period of ten (10) years ~~5-years~~ following Governing Body approval, with an expiration date of September 3, 2029 ~~2024~~.
- (2) The property shall be limited to a maximum of 8 chickens at any one time.
- (3) The raising of the chickens shall be limited to personal (hobby) purposes only. Chickens may not be bred, boarded or sold for commercial purposes.

*Aye: Sutherland, Nelson, Rinke, Fry, Corcoran, Vakas (6)*

*No: (0)*

*Motion was approved 6-0.*