



City of Olathe

Legislation Details (With Text)

File #: G20-1779

Type: Council Consent **Status:** Agenda Ready

File created: 7/14/2020 **In control:** City Council

On agenda: 8/4/2020 **Final action:**

Title: Consideration of Resolution No. 20-1052, SU20-0004, for approval of a Special Use Permit for keeping chickens on a residential lot less than three (3) acres, approximately 0.56 acres; located at 1010 S. Lennox Drive. Planning Commission recommends approval 6 to 0.

Sponsors: Aimee Nassif, Brenna Kiu

Indexes:

Code sections:

Attachments: 1. A. Planning Commission Packet, 2. B. Planning Commission Minutes, 3. C. Resolution No. 20-1052

Date	Ver.	Action By	Action	Result
8/4/2020	1	City Council		

DEPARTMENT: Public Works, Planning Division
STAFF CONTACT: Brenna Kiu, Planning Assistant
SUBJECT: SU20-0004: Request approval for a Special Use Permit for keeping chickens on a residential lot less than 3 acres; Applicant: Randall and Tammy Leckliter

ITEM DESCRIPTION:
 Consideration of Resolution No. 20-1052, SU20-0004, for approval of a Special Use Permit for keeping chickens on a residential lot less than three (3) acres, approximately 0.56 acres; located at 1010 S. Lennox Drive. Planning Commission recommends approval 6 to 0.

SUMMARY:
 This is a request for approval of a Special Use Permit to allow the property at 1010 S Lennox Drive to keep four (4) hens on a lot less than three (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 property currently contains a single-family home and the owners propose to place a chicken coop in the rear yard with an attached animal run. The coop is more than 6 feet from all property boundaries and more than 40 feet from the nearest neighboring dwelling unit, in compliance with requirements under (UDO) Section 18.30.270.D. The proposed 4'x4' coop will include a 4'x6' attached animal run, creating a fully enclosed space for the hens.

One letter of support from a neighboring property owner is included in the packet. Please note this letter also expresses concerns regarding procedures for obtaining a special use permit for chickens. The resident has been contacted and informed about current practices for residential special use permits which includes reduced application fees and an expedited planning process, and we are also currently pursuing opportunities for further process improvements.

The Planning Commission conducted a public hearing on June 13, 2020 in which no members of the

public spoke. The Planning Commission recommended approval, with a 6-0 vote, of SU20-0004 for a 5-year time limit with stipulations as stated in the Planning Commission minutes.

FINANCIAL IMPACT:

None

ACTION NEEDED:

1. Adopt Resolution No. 20-1052 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. 20-1052 (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.

ATTACHMENT(S):

- A. Planning Commission Packet
- B. Planning Commission Minutes
- C. Resolution No. 20-1052