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# MEMORANDUM

DuPage County Board

FROM: DuPage County Development Committee

DATE: August 15, 2023

ZONING-23-000033 Christiansen (Lisle/District 2)

#### DuPage County Board: August 22, 2023:

**Development Committee: August 15, 2023:** The Motion to Approve Failed relative to the following zoning relief:

Conditional Use to allow an existing Rooster to be considered as a pet

Development Committee VOTE (Motion to Approve Failed): 1 Ayes, 4 Nays, 1 Absent

**Zoning Hearing Officer: June 28, 2023:** The Zoning Hearing Officer recommended to deny the following zoning relief:

Conditional Use to allow an existing Rooster to be considered as a pet.

#### **ZHO Recommendation to Deny**

#### **FINDINGS OF FACT:**

- A. That petitioner testified that the subject zoning relief is to allow an existing Rooster to be considered as a pet on the subject property.
- B. That petitioner testified that they currently have five (5) hens and one (1) rooster on the subject property.
- C. That petitioner testified that they consider the subject rooster a family pet.
- D. That Hearing Officer finds that petitioner has not demonstrated or provided evidence for a Conditional Use to allow an existing rooster to be considered as a pet on the subject property.

Building Division

Zoning & Planning Division TO:

RE:

Environmental Division

a. In addition, approval of the subject zoning relief without sufficient evidence provided by the petitioner would essentially upend and diminish the previously approved "hens" text amendment, as the text amendment to allow up to five (5) hens as a permitted use was approved relatively recently in 2020.

### STANDARDS FOR CONDITIONAL USES:

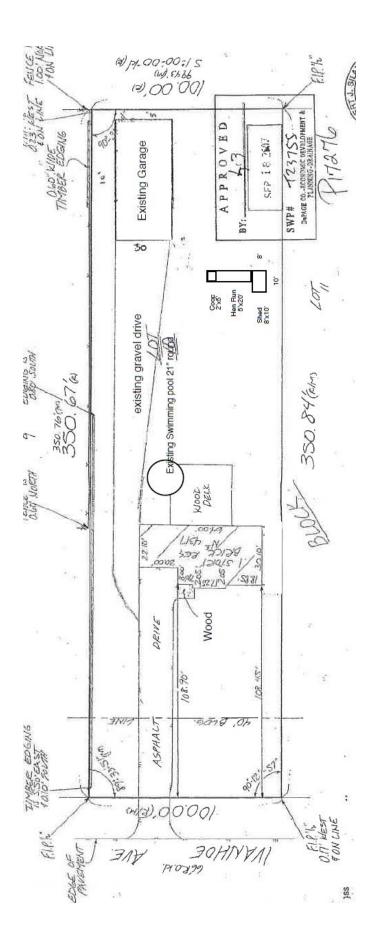
- 1. That the Zoning Hearing Officer finds that petitioner **has not demonstrated** that the granting of the Conditional Use is in harmony with the general purpose and intent of the Zoning Ordinance, and will not be injurious to the neighborhood, detrimental to the public welfare, or in conflict with the County's comprehensive plan for development; and specifically, that the granting of the Conditional Use will not:
  - a. Impair an adequate supply of light and air to the adjacent property as petitioner **has not demonstrated** or provided evidence that a rooster on the subject property would not impact or impair the supply of light and air to adjacent properties.
  - b. Increase the hazard from fire or other dangers to said property as petitioner **has not demonstrated** or provided evidence that a rooster on the subject property would not increase the hazard from fire or other dangers.
  - c. Diminish the value of land and buildings throughout the County as petitioner **has not demonstrated** or provided evidence that a rooster on the subject property would not diminish the value of land.
  - d. Unduly increase traffic congestion in the public streets and highways as petitioner **has not demonstrated** or provided evidence that a rooster on the subject property would not increase traffic congestion in the public streets and highways.
  - e. Increase the potential for flood damages to adjacent property as petitioner **has not demonstrated** or provided evidence that a rooster on the subject property would not increase the potential for flood damages to adjacent properties.
  - f. Incur additional public expense for flood protection, rescue or relief as petitioner **has not demonstrated** or provided evidence that a rooster on the subject property would not incur additional public expense for flood protection.
  - g. Otherwise impair the public health, safety, comfort, morals, or general welfare of the inhabitants of DuPage County as petitioner **has not demonstrated** or provided evidence that a rooster on the subject property would not have any impact on adjacent properties and roadways, does not impact on drainage, and does not impede ventilation and light to the subject property or adjacent properties.

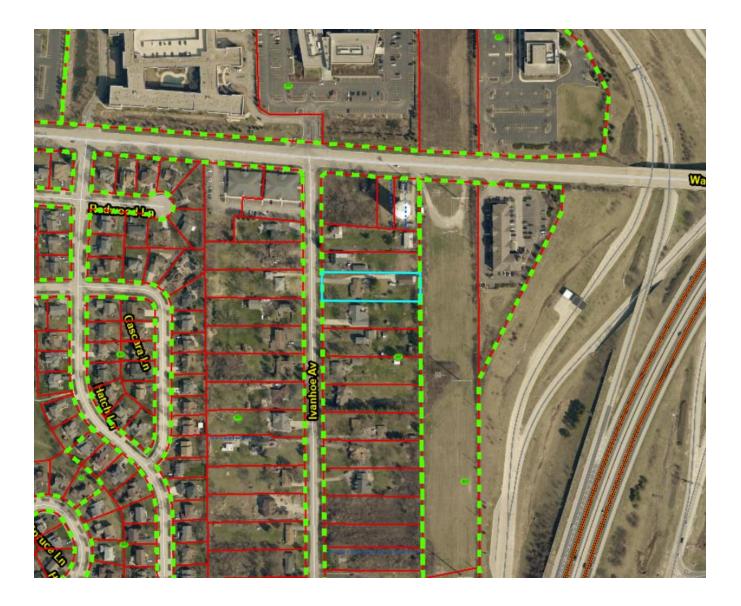
PETITIONER'S DEVELOPMENT FACT SHEET						
		RAL ZONING CASE INFORMATION				
CASE #/PETITIONER		ZONING-23-000033 Christiansen				
ZONING REQUEST		Conditional Use to allow an existing Rooster to be				
		considered as a pet.				
OWNER		OLIVIA CHRISTIANSEN, 4317 IVANHOE AVENUE,				
		LISLE, IL 60532				
ADDRESS/LOCATION		4317 IVANHOE AVENUE, LISLE, IL 60532				
PIN		08-02-401-010				
TWSP./CTY. BD. DIST.		LISLE	DISTRICT 2			
ZONING/LUP		R-4 SF RES	0-5 DU AC			
AREA		0.81 ACRES (35,284 SQ. FT.)				
UTILITIES		WELL AND SEPTIC				
PUBLICATION DATE		Daily Herald: JUNE 13, 2023				
PUBLIC HEARING		WEDNESDAY, JUNE 28, 2023				
ADDITIONAL INFORMATION:						
Building:	Objects.					
DUDOT:	No Comments Received.					
Health:	Our office has no jurisdiction in this matter.					
Stormwater:		ffice has no jurisdiction in this matter.				
Public Works:	Our o	Our office has no jurisdiction in this matter.				
EXTERNAL:						
Village of Lisle:		"The Village of Lisle acknowledges receipt of this public hearing				
Village of		notice."				
Village of Downers Grove:	The	"The Village of Downers Grove has no comments."				
	No C					
City of Wheaton		No Comments Received.				
Lisle Township:		No Comments Received.				
Township		"Lisle Township has no objection to Zoning Petition ZONING-				
Highway:	23-000033 Christiansen as long as they keep the rooster off the		is they keep the rooster off the			
		road."				
Lisle-Woodridge	$\sum N/A$	"N/A"				
Fire Dist.:	N. C					
Sch. Dist. 202:	No Comments Received.					
Forest Preserve:	"The Forest Preserve District of DuPage County staff has					
			ed in this notice and due to the			
		le distance between the subj				
	prope	erty, we do not have any spe	cific comments. Thank you."			

#### PETITIONER'S DEVELOPMENT FACT SHEET

LAND USE					
Location	Zoning	Existing Use	LUP		
Subject	R-4 SF RES	HOUSE	0-5 DU AC		
North	R-4 SF RES	HOUSE	0-5 DU AC		
South	R-4 SF RES	HOUSE	0-5 DU AC		
East	R-4 SF RES	COMED/UTILITIES	OPEN SPACE		
West	IVANHOE AVENUE	HOUSE	0-5 DU AC		
	AND BEYOND R-4				
	SF RES				

## I AND LICE









4317 Ivanhoe Ave Lisle plan Our area is surrounded by very busy highways, our street, power lines and a water tower. The ambient sound is very high

The rooster is kept inside until 9am and returns inside anywhere from 5pm in the winter to 8pm in the summer, he only crows if something is making noise above and beyond normal sounds. ie a company is working on the water tower. When he is inside the chicken coop his crow cannot be heard from outside.

Without a rooster we are not able to be self reliant chicken keepers and would have to source new chickens from outside our area.

He is kept in a fenced in area and is harmless.

We are in the process of also trying to join the 4h and share our chicken experiances with others.

Sent:	Wednesday, June 28, 2023 11:41 AM
To:	Infelise, Jessica
Subject:	Hearing to day

[Caution: This email originated outside Dupageco.org. Do not click links or open attachments unless you recognize the sender and know the content is safe.]

Is there a zoom phone # that you could send me for the hearing about 4317 lvanhoe? I will only be available part of the time via phone due to a dental appointment.

Can I send you my comment, as I may not be able to comment? My only comment is that I never hear the rooster, and have absolutely no problem with her having a rooster as a pet.

Thanks, Aileen Eilert

Sent from Yahoo Mail for iPhone