

Minutes of the Oswego Township Plan Commission

May 9, 2023

The meeting of the Oswego Township Plan Commission was called to order at 6:00 PM by Committee chair Len Was. The meeting was held at 99 Boulder Hill Pass, Montgomery, Illinois. The pledge of allegiance to the U.S. flag was given by all in attendance.

Township Plan Commission members in attendance were: Chairman Len Was, Gary Engleton, and Kate Marter. Township attorney Mark Heinle was also in attendance.

Chairman Was opened public comment: Cindy Ebert, Lori Darcy, Rebecca Winthrop, Ryan (no last name) and Esmeralda (no last name) all have chickens and spoke in favor of keeping them. They were opposed to the limits that were being presented by the County. After much discussion; a list was developed of recommended text amendments to the county proposed ordinance changes.

Dan Koukol serves on the Kendall County Board and he informed the residence that the next County Board meeting is scheduled for June 12, 2023 and the meeting will be held at 111 Fox Street in Yorkville Illinois. He suggested that the residence come and present their case at the County Board meeting.

Gary Engleton made a recommendation that the Township forward the request to the county with the list of proposed changes to the County. Kate Marter seconded the recommendation. The list of recommendations will be attached to these minutes.

Meeting adjourned at 7:30.

Respectfully Submitted by



Ken Holmstrom

Oswego Township Clerk

**OSWEGO TOWNSHIP, KENDALL COUNTY, ILLINOIS
PLAN COMMISSION**

In Re the Matter of:)	
Kendall County Zoning Text Amendment in)	
Authorizing Up to 6 Chickens on Residential)	No. 23-01
Lots Under 1 Acre and up to 12 Chickens on)	(County Zoning Petition 23-17)
Lots 1 Acre or Larger and Related Regulations)	

**RECOMMENDATION TO APPROVE WITH MODIFICATION PROPOSED
KENDALL COUNTY ZONING TEXT AMENDMENT (Petition 23-17) PERTAINING
TO CHICKENS IN RESIDENTIALLY ZONED AREAS OF KENDALL COUNTY**

(May 9, 2023 Plan Commission Meeting)

I. Background

In response to the request of a Boulder Hill resident, Kendall County zoning staff prepared a draft text amendment to the Kendall County Zoning Code to expand the existing right of residents to keep up to twelve (12) female chickens (hens) on one-acre-plus residential lots zoned R-1, R-2 and R-3. As proposed, the Kendall County zoning text amendment under consideration would preserve this existing right and expand it to all residential zoning districts (R-1 through R-7, plus RPD-1, RPD-2, and RPD-3), and also allow the keeping of up to six (6) hens on residentially-zoned lots 10,000 square feet or larger as of right. The amendment would restrict chicken-keeping to lots actually being used as single-family homes. Male chickens (roosters) would continue to be allowed only pursuant to the issuance of a special use permit in certain districts. Chicken coops would have to be placed at least ten feet (10') away from neighboring residential lots and uncovered fence enclosures would need to be at least four feet (4') tall. Cumulatively, the above-described regulations are known as the "*Originally Proposed Amendment*."

Following a public hearing conducted on May 1, 2023 regarding the Originally Proposed Amendment, the advisory Kendall County Zoning Board of Appeals ("*Kendall County ZBA*") voted 6 – 1 to recommend approval of the Originally Proposed Amendment to the County Board, subject to a further amendment that would restrict the right to keep hens to lots 11,000 square feet or larger instead of the originally-proposed 10,000 square feet or larger (as amended, the "*Proposed Amendment*"). The Kendall County ZBA recommendation is being forwarded to the County Board's Planning, Building and Zoning Committee (PBZ Committee) for further review on June 12, 2023. The PBZ Committee will review the Kendall County ZBA findings and recommendation and pass it along to the full Kendall County Board for final action.

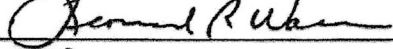
Pursuant to 60 ILCS 1/105-35(c), the Oswego Township Plan Commission is authorized to make recommendations regarding the Kendall County Zoning Ordinance that may in turn be submitted to the Kendall County Board by the Oswego Township Board. Likewise, Section 5-12014(c) of the Counties Code (55 ILCS 5/512014(c)) requires the County Board to approve a proposed text amendment by a three-fourths supermajority vote if the Oswego Township Board furnishes an objection from the Plan Commission by June 1.

II. Oswego Township Recommendation

On May 9, 2022, the Oswego Township Plan Commission ("**Plan Commission**") convened a meeting to consider the Proposed Amendment providing for an expansion of permissible residential chicken keeping on residential properties throughout Kendall County, including such properties located within Oswego Township. At the meeting, the Plan Commission listened to a summary of the Proposed Amendment, received public comment regarding the Proposed Amendment and discussed the anticipated impacts of the same on residents within Oswego Township.

The Plan Commission considered a motion to recommend that the Kendall County Board approve the Proposed Amendment, subject to the elimination of any minimum lot size requirement for the keeping of up to six hens for reasons stated on the record and memorialized in the meeting minutes. By a vote of 3 to 0 vote, the Township Plan Commission voted to recommend that the Kendall County Board adopt the Proposed Amendment with no minimum lot size requirement for keeping up to six hens.

This recommendation was forwarded to the Oswego Township Board for further action in accordance with 60 ILCS 1/105-35(c) and 55 ILCS 5/5-12014.

By: 
[Signature]

LEONARD R. WASS
[Print Name]
Oswego Township Plan Commission Chair

Date: 5-12-2023