1. CALL TO ORDER
   A. Please turn all beepers, pagers and cell phones "off" or to "vibrate" during the meeting

2. ROLL CALL

3. CHAIRMAN'S REMARKS

4. PUBLIC COMMENT
   A. Public comment is limited to three minutes per person, at the beginning of the meeting. Any comment on Zoning items must be limited to discussion of testimony and/or evidence presented in the Zoning Board of Appeals. No new testimony or evidence can be presented.

5. APPROVAL OF MINUTES
   A. Development Committee - Regular Meeting - Tuesday August 7th, 2018

6. REGULATORY SERVICES
   A. Permits - Special Events -- SE-06-18 – TEAM 66 Education Foundation/Kelly Miller Circus: September 14, 2018: To approve the special event action item for Development Committee only. (Downers Grove N/ District 3) (East of Lemont Road and 83rd Street, on the south side of Plainfield Road)

   B. DC-O-0059-18 ORDINANCE -- Z18-004 – Grussenmeyer: To approve the following zoning relief: 1. A Conditional Use to allow a 4H program on a lot less than 40,000 sq. ft. (22,651 sq. ft.) (Milton/ District 4) (Southwest of Gary Avenue and Geneva Road, on Herrick Drive) ZBA VOTE (to Approve): 5 Ayes, 2 Nays, 0 Absent

7. OLD BUSINESS

8. NEW BUSINESS
9. ADJOURNMENT
1. CALL TO ORDER

11:00 AM meeting was called to order by Chair Sam Tornatore at 11:00 AM.

A. Please turn all beepers, pagers and cell phones "off" or to "vibrate" during the meeting

2. ROLL CALL

PRESENT: Anderson, Chaplin, Eckhoff, Hart, Tornatore, Wiley
ABSENT: County Board Members Gavanes and Puchalski were in attendance.

3. CHAIRMAN'S REMARKS

There were no Chairman's Remarks.

4. PUBLIC COMMENT

A. Public comment is limited to three minutes per person, at the beginning of the meeting. Any comment on Zoning items must be limited to discussion of testimony and/or evidence presented in the Zoning Board of Appeals. No new testimony or evidence can be presented.

Dan Shapiro, representing Gino Tomussone, spoke in opposition to Petition Z18-009.
Gino Tomussone spoke in opposition to Petition Z18-009.
James March spoke in favor of Petition Z18-026.
John Curcio spoke in favor of Petition Z18-009.
Bob and Judy Webb spoke in favor of Petition Z18-009.
Tammy Ramirez spoke in favor of Petition Z18-037.
Mike Roth, representing Bob & Judy Webb spoke in favor of Petition Z18-009.
Gerry Krozel spoke in favor of Petition Z18-009.

5. APPROVAL OF MINUTES
A. Development Committee - Re-Scheduled - Jul 10, 2018 11:00 AM

RESULT: ACCEPTED [UNANIMOUS]
MOVER: Kevin Wiley, District 6
SECONDER: Elizabeth Chaplin, Vice Chair
AYES: Anderson, Chaplin, Eckhoff, Hart, Tornatore, Wiley

REGULATORY SERVICES

A. DC-O-0048-18 ORDINANCE -- Z18-009-Webb: To approve the following zoning relief:
1. A Variation to allow an accessory structure (pond cover) in front of the front wall
   of the house. (If the County Board seeks to approve the zoning relief it will require a ¾
   majority vote {14 votes} to approve based on the recommendation to deny by the Zoning
   Board of Appeals). (Downers Grove/ District 3) ZBA VOTE (to Deny): 6 Ayes, 0 Nays,
   1 Absent Development Committee Vote (to Approve): 5 Ayes, 1 Nay

Staff answered all questions posed by the Committee. Discussion ensued.

Motion by Member Eckhoff, seconded by Member Hart to amend the Petition to allow
the structure to remain up from November 1 through March 31.

Motion by Member Hart, seconded by Member Eckhoff to add to the amendment a
request that the Petitioner is to provide a Site Plan and the full Landscaping Plan. The
Mover and Seconder of the first amendment accepted the additional amendments that
were set forth. Chair Tornatore mentioned that the Petitioner has the opportunity to
accept or not accept the amendments the Committee has placed upon them. If the
Petitioner does not accept the amendments, the original Petition move forward to County
Board.

On a roll call vote.

RESULT: APPROVED [5 TO 1]
MOVER: Janice Anderson, District 5
SECONDER: Elizabeth Chaplin, Vice Chair
AYES: Anderson, Chaplin, Hart, Tornatore, Wiley
NAYS: Eckhoff

B. DC-O-0049-18 ORDINANCE -- Z18-017 -- Patel: To approve the following zoning
relief: 1. Conditional Use of parking in rear of property when not leading to a
valid parking spot. (If the County Board seeks to approve the zoning relief it will require a ¾
majority vote {14 votes} to approve based on the recommendation to deny by the Zoning
Board of Appeals). (Downers Grove N/ District 3) The Zoning Hearing Officer
recommended to deny Z18-017 Patel. DuPage County Development Committee Vote
(Motion to approve failed): 0 Ayes, 6 Nays, 0 Absent
Staff answered all questions posed by the Committee.

On a roll call vote.

RESULT: DEFEATED [0 TO 6]
MOVER: Elizabeth Chaplin, Vice Chair
SECONDER: Janice Anderson, District 5
NAYS: Anderson, Chaplin, Eckhoff, Hart, Tornatore, Wiley

C. DC-O-0050-18 ORDINANCE -- Z18-022 – RJ Concrete, LLC.: To approve the following zoning relief: 1. Variation to allow driveway and parking spaces to be gravel. (If the County Board seeks to approve the zoning relief it will require a ¾ majority vote {14 votes} to approve based on the recommendation to deny by the Zoning Board of Appeals). (York/ District 2) The Zoning Hearing Officer recommended to deny Z18-022 RJ Concrete, LLC. DuPage County Development Committee Vote (Motion to approve failed): 0 Ayes, 6 Nays, 0 Absent

Staff answered all questions posed by the Committee.

On a roll call vote.

RESULT: DEFEATED [0 TO 6]
MOVER: Elizabeth Chaplin, Vice Chair
SECONDER: Janice Anderson, District 5
NAYS: Anderson, Chaplin, Eckhoff, Hart, Tornatore, Wiley

D. DC-O-0051-18 ORDINANCE -- Z18-026 – Calvary United Pentecostal Church: To approve the following zoning relief: 1. A Variation to extend parking lot to match existing parking lot setbacks from 20 feet to approximately 6 feet. (Addison/ District 1) The Zoning Hearing Officer recommended to approve Z18-026 Calvary United Pentecostal Church. DuPage County Development Committee Vote to Approve: 6 Ayes, 0 Nays, 0 Absent

On a roll call vote.

RESULT: APPROVED [UNANIMOUS]
MOVER: Janice Anderson, District 5
SECONDER: Kevin Wiley, District 6
AYES: Anderson, Chaplin, Eckhoff, Hart, Tornatore, Wiley
E. DC-O-0052-18 ORDINANCE -- Z18-034 – Casey: To approve the following zoning relief: 1. Variation to reduce lot size; Lot 1 to approximately 70,585 sq. ft. and Lot 2 to approximately 76,145 sq. ft. (Winfield/ District 6) The Zoning Hearing Officer recommended to approve Z18-034 Casey. DuPage County Development Committee Vote to Approve: 6 Ayes, 0 Nays, 0 Absent

RESULT: APPROVED [UNANIMOUS]
MOVER: Janice Anderson, District 5
SECONDER: Elizabeth Chaplin, Vice Chair
AYES: Anderson, Chaplin, Eckhoff, Hart, Tornatore, Wiley

F. DC-O-0053-18 ORDINANCE -- Z18-035 – Schweinberg: To approve the following zoning relief: 1. A Conditional use to allow an existing shed on property where the shed has existed more than 5 years, to be less than 10 feet from side property line (approx. 7 feet 5 inches). (Downers Grove S./ District 3) The Zoning Hearing Officer recommended to approve Z18-035 Schweinberg. DuPage County Development Committee Vote to Approve: 6 Ayes, 0 Nays, 0 Absent

RESULT: APPROVED [UNANIMOUS]
MOVER: Elizabeth Chaplin, Vice Chair
SECONDER: Janice Anderson, District 5
AYES: Anderson, Chaplin, Eckhoff, Hart, Tornatore, Wiley

G. DC-O-0054-18 ORDINANCE -- Z18-036 – Foster: To approve the following zoning relief: 1. A Conditional Use to have an Accessory Building (existing shed) to remain approximately 2 feet and 6 inches from the property line. (Bloomingdale/ District 1) The Zoning Hearing Officer recommended to approve Z18-036 Foster. DuPage County Development Committee Vote to Approve: 6 Ayes, 0 Nays, 0 Absent

RESULT: APPROVED [UNANIMOUS]
MOVER: Kevin Wiley, District 6
SECONDER: Elizabeth Chaplin, Vice Chair
AYES: Anderson, Chaplin, Eckhoff, Hart, Tornatore, Wiley

H. DC-O-0055-18 ORDINANCE -- Z18-037– Miller: To approve the following zoning relief: 1. A Variation requesting to increase (existing) detached garage size, which currently exceeds the allowable 850 sq. ft. by approximately 302 sq. (Wayne/ District 6) The Zoning Hearing Officer recommended to approve Z18-037 Miller. DuPage County Development Committee Vote to Approve: 6 Ayes, 0 Nays, 0 Absent
RESULT: APPROVED [UNANIMOUS]
MOVER: Kevin Wiley, District 6
SECONDER: Janice Anderson, District 5
AYES: Anderson, Chaplin, Eckhoff, Hart, Tornatore, Wiley

1. DC-O-0056-18 ORDINANCE -- Z18-044 – Hartung: To approve the following zoning relief: 1. Conditional Use to allow an existing detached garage on property where the garage has existed more than 5 years, to be less than 7.5 feet from interior side property line (approx. 5.45 feet). (Lisle/ District 2) The Zoning Hearing Officer recommended to approve Z18-044 Hartung. DuPage County Development Committee Vote to Approve: 6 Ayes, 0 Nays, 0 Absent
RESULT: APPROVED [UNANIMOUS]
MOVER: Kevin Wiley, District 6
SECONDER: Elizabeth Chaplin, Vice Chair
AYES: Anderson, Chaplin, Eckhoff, Hart, Tornatore, Wiley

7. OLD BUSINESS
There was no Old Business.

8. NEW BUSINESS
SAO Hayman and staff explained how to proceed with the Committee's Finding of Facts for Petition Z18-009 Webb.

9. ADJOURNMENT
Without objection the meeting was adjourned at 11:50 AM.
MEMORANDUM

TO: DuPage County Development Committee
FROM: Staff
DATE: August 13, 2018
RE: SE-06-18 TEAM 66 Education Foundation / Kelly Miller Circus
(PIN: 09-32-221-047) (Downers Grove N/ District 3)

Action: To approve SE-06-18 TEAM 66 Education Foundation / Kelly Miller Circus, to be held on September 14, 2018 at Prairieview Elementary School.

TEAM 66 Education Foundation has requested to host the Kelly Miller Circus at Prairieview Elementary on September 14, 2018, beginning at approximately 4 PM. The event will assist toward funding the Center Cass School District 66 staff grants. The event is open to the public and surrounding communities.

- The Special Event includes two circus shows, one at 5 PM and 7:30 PM, both located in a circus tent provided by the Kelly Miller Circus.
- There will be no animals nor rides available at the special event.
- Two food trucks will be available for concessions – TEAM 66 has already applied, paid, and received the temporary food permits from DuPage County Health Department and Health Department sanitarians will be on hand to inspect the vending devices the day of the event.

The Special Event will consist of the following and the applicant has provided the following pursuant to the special event requirements of the Zoning Ordinance:

<table>
<thead>
<tr>
<th>Date</th>
<th>Friday, September 14, 2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hours</td>
<td>4 PM – 10 PM</td>
</tr>
<tr>
<td>Activities</td>
<td>Kelly Miller Circus with Two Food Trucks</td>
</tr>
<tr>
<td>Location</td>
<td>Prairieview Elementary School, 699 Plainfield Road, Downers Grove, IL 60516</td>
</tr>
</tbody>
</table>
### Traffic/Parking
Parking will take place at Elizabeth Ide Elementary School, with TEAM 66 providing buses. Parking will also take place at Prairieview and Lakeview Schools. No roads will be closed for the event. TEAM 66 will solicit the help from the local police department to help move traffic as needed.

### Insurance
Allied Specialty Insurance, Inc. in the amount of $1,000,000
To Whom It May Concern:

On Friday, September 14th, 2018 the TEAM 66 Education Foundation will host our 3rd Semi-Annual Kelly Miller Circus to fund Center Cass School District 66 staff grants. The Circus is a family event open to the public and surrounding communities inviting parents, residents, and local businesses to come together for an evening of fun and entertainment, including two shows at Prairiewood School – 699 Plainfield Rd, Downers Grove, IL at 5pm and 7:30pm. The biggest change from last year is that there will be NO ANIMALS as part of the Circus Show anymore.

Center Cass School District 66 serves over 1,000 students and 4,500 households from Darien, Downers Grove and Woodridge. TEAM 66 Education Foundation, a 501(c)(3) organization, was founded in 2013 by a group of caring and committed citizens with a vision to enhance community support and to expand resources that enrich teaching, inspire learning, and maximize opportunities for all students at Lakeview Jr. High, Prairiewood and Elizabeth Ide Elementary, the schools of District 66.

Our foundation goals are to support our teachers through funding innovative teaching grants that will implement new strategies and approaches in teaching, positively impacting our students. Please check out our website at www.team66ef.org for information on previous awarded grants.

The Kelly Miller Circus will arrive early on the morning of 9/14 and will be setting up large circus tent. There will be 2 food trucks which we have already applied and received the temporary food permits for from DuPage County. Food that will be sold includes soft drinks, hot dogs, snow cones, nachos with cheese, cotton candy and pre-package peanuts. There will not be any rides nor animals.

Pricing will take place at Elizabeth Ide Elementary school which we will be providing buses for families to travel on. Parking will also take place at Prairiewood and Lakeview Schools. We will not be closing any roads for this event. We will solicit the help from the local police department to help move traffic along as needed.

Included in this email is the general lot layout. The entire circus will take place on the premise of Prairiewood Elementary School. The Kelly Miller Circus will come the day before to finalize the layout.

Thank you for your support of the TEAM 66 Education Foundation and our students at Center Cass School District #66.

Sincerely,

TEAM 66 Development Committee
c/o Jenna Warren (jennawarren@yahoo.com)
1340 Nottingham Rd
Woodridge, IL. 60517

TEAM 66 Education Foundation
P.O. Box 574, Woodridge, Illinois 60517
CERTIFICATE OF LIABILITY INSURANCE

This certificate is issued as a matter of information only and conveys no rights upon the certificate holder. This certificate does not affirmatively or negatively amend, extend or alter the coverage afforded by the policies below. This certificate of insurance does not constitute a contract between the issuing insurer(s), authorized representative or producer, and the certificate holder.

IMPORTANT: If the certificate holder is an additional insured, the policy(ies) must have additional insured provisions or be endorsed. If subrogation is waived, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER: Allied Specialty Insurance, Inc.
10451 Gulf Blvd
Treasure Island, FL 33706-4614

INSURED: AL. G. Kelly Miller Bros. Circus dba Kelly Miller Circus
KMC Events Management, LLC; KMC Equipment, LLC
2581 East 2070 Road
Hugo, OK 74743

COVERAGES

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CERTIFICATE HOLDER:
Team 66 Education Foundation
PO Box 5714
Woodridge, IL 60517

CANCELLATION:
SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED/REPRESENTATIVE:

© 1988-2015 ACORD CORPORATION. All rights reserved.
The lot needed is approximately 300’x300’, which includes all vehicles, RVs, etc. and the Big Top taking up an area of 120’x160’, including stakes.

This diagram labels the vehicles owned by Kelly Miller Circus and the tents that are set up on the lot each day. An area of 300’x300’ (not including parking for the public) to allow for both a 30’ fire lane around the tent and around the perimeter of the lot. This layout reflects the electrical and water departments to reach all of the vehicles and tents on the lot.

Please keep in mind that not every truck is ever fully unloaded and each requires easy access for our staff during the day. Kelly Miller Circus does not take any vehicle that it does not use, therefore no vehicle can ever parked away from the lot after it is unloaded, so please do not ask the circus to do this.

All vehicles must remain on the circus lot for numerous reasons.

Note: Actual layout will depend on the shape & size of each individual lot.
SAVE-THE-DATE

TEAM 66 Proudly Announces that the 2nd Bi-Annual Kelly Miller Circus is coming to town!

When: Friday, September 14th
Times: 5:00pm and 7:30pm showtimes
Where: Prairiewood School Field

Details to be provided at a later date.
HIGHWAY PERMIT APPLICATION - NO LONGER NEEDED AS EVENT WILL TAKE
PLACE ON THE PREMISES OF PRAIRIEVIEW SCHOOL.

Application for Highway Permit - Special Event

DuPage County Division of Transportation
421 N. County Farm Road Wheaton, IL 60187-2553
(630) 407-6000

Date Rec’d: 

Event Date(s): 

Type: □ Run-Walk/Run □ Parade □ Scouting/Civic □ School/Church □ Rugged Gazebo use (Villa Park permit required)

EXTRA EVENT ITEMS: □ Tents □ Rides/Games □ Entertainment □ Food □ Alcoholic beverages

Traffic Control/Signage: 
□ Temporary road closure/detour Date: 
□ Lane closure(s) Time: From: 
□ Informational event signage (provide sample copy) □ Digital Message Board (provide board messages)

PART IV. CONTRACTOR INFORMATION: (Complete all information, if applicable. If not applicable, enter ‘N/A’).

Name: 

Address: 

City: 

State: 

Zip: 

Phone: 

Fax: 

E-mail: 

Website: 

IT IS HEREBY UNDERSTOOD BY THE UNDERSIGNER THAT UNDER PENALTY OF INTENTIONAL
MISREPRESENTATION AND/OR PERJURY, I declare that I have examined and/or made the application and it is true
and correct to the best of my knowledge and belief. I agree to perform said event according to and with all provisions of the
Ordinances of the County of DuPage and any and all local, state and federal statutes and/or codes. I realize that the
information that I have affirmed hereon forms a basis for the issuance of the Highway Permit herein applied for and approval of
event information submitted without variation unless prior written approval is obtained from the County Engineer, or
duly authorized assign, in connection therewith. Approval shall not be construed to permit any construction upon or within
said County rights-of-way or use thereof in violation of any provision of any Ordinance of the County of DuPage or to excise
the owner, its successors, assigns and/or employees from complying therewith.

NOTICE: THIS APPLICATION IS NOT A PERMIT AND IN NO WAY AUTHORIZES THE APPLICANT OR
CONTRACTOR TO HOLD AN EVENT WITHIN THE COUNTY’S HIGHWAY AND/OR TRAIL RIGHTS-OF-
WAY WITHOUT THE ISSUANCE OF A DUPAGE COUNTY HIGHWAY PERMIT. COMMENCEMENT OF
EVENT WITHOUT ISSUANCE OF A HIGHWAY PERMIT SHALL BE PROSECUTED TO THE FULL EXTENT
OF APPLICABLE LAWS UNDER DUPAGE COUNTY ORDINANCE.

GROUP/Organization CONTACT Signature: 

ALL FEES SHALL BE MADE PAYABLE TO THE “DUPAGE COUNTY DIVISION OF TRANSPORTATION.”

Application Fee: $50.00
Type payment: Check/receipt 

Date: 

DuPage County DOT Office Use Only

Packet Pg. 15
MEMORANDUM

TO: DuPage County Development Committee
FROM: DuPage County Zoning Board of Appeals
DATE: August 2, 2018
RE: Z18-004 Grussenmeyer (Milton/District 4)

Development Committee: August 21, 2018:

Zoning Board of Appeals Meeting: August 2, 2018: The Zoning Board of Appeals recommended to approve the following zoning relief:

A Conditional Use to allow a 4H program on a lot less than 40,000 sq. ft. (22,651 sq. ft.)

Subject to the following conditions:

1. That the property be developed in accordance with the petitioner’s revised site plan made part of Zoning Petition #Z18-004 Grussenmeyer dated August 7, 2018.

2. That the Conditional Use zoning relief shall expire after two (2) years from the date of approval of the subject zoning relief by the DuPage County Board or upon one of the following circumstances, whichever shall come first:

   a. The structure or use is destroyed or damaged by fire or other casualty or act of God to the extent that the cost of restoration for the above ground portion of the building, structure, or use to the condition it was prior to the destruction or damage exceeds fifty percent (50%) or more of its replacement value.

   b. The property is conveyed to new ownership.

   c. The structure is voluntarily removed.

3. That the use be solely for a 4H project to raise not more than 5 chickens at any one time.

4. That there be no roosters on the property and only hens as part of the 4H project.
5. That petitioner relocate the existing chicken coop from the existing location, to the area depicted on petitioner’s revised site plan made part of Zoning Petition #Z18-004 Grussenmeyer dated August 7, 2018.

6. That the chickens do not wander the subject property and remain in the enclosed chicken coop and fenced in area depicted on petitioner’s revised site plan made part of Zoning Petition #Z18-004 Grussenmeyer dated August 7, 2018.

7. That the 4H project be only for the current property owners and the zoning relief shall expire upon any violation of the zoning relief herein, sale or transfer of the property, or when the 4H program ceases.

8. That the owner/developer is to apply for and receive a Building Permit for all construction and/or excavation that occurs on the property.

9. That in conjunction with the submittal of a building permit, the developer provides a landscape plan showing partial landscape screens around the perimeter of the chicken coop and chicken containment area.

10. That the property be developed in accordance with all other codes and Ordinances of DuPage County.

ZBA VOTE (to Approve): 5 Ayes, 2 Nays, 0 Absent

Dissenting Opinion:

That the two dissenting Zoning Board of Appeals members find that petitioner has not presented enough information relative to the effects of a 4-H program on adjacent properties to support a Conditional Use to allow a 4H program on a lot less than 40,000 sq. ft. (22,651 sq. ft.)

FINDINGS OF FACT:

1. That petitioner testified that she seeks the subject zoning relief to allow a 4H program on a lot less than 40,000 sq. ft. to care for chickens on the subject property.

2. That petitioner testified that within the past year, she has owned six 6 chickens but currently only owns 5 chickens, none of which are roosters.

3. That petitioner testified that the existing chicken coop is located approximately 5 feet for the rear property line.

4. That petitioner testified that the existing chicken coop is approximately 6 feet tall and has an area of approximately 24 square feet.
5. That petitioner testified that in general, chickens lay eggs for approximately 2 years.
   - That petitioner testified that her existing chickens are approximately 6 months into their egg-laying years and have approximately 18 months left in their life to lay eggs.

6. That petitioner testified that when petitioner’s family is home, the chickens are free roaming within the fenced backyard, and when petitioner’s family is not home, the chickens reside within the chicken coop.

7. That petitioner testified that the decibel level of chickens is 60-70 decibels, approximately the same as a human’s voice.

8. That petitioner submitted supplemental information made part of Zoning Petition Z18-004 Grussenmeyer dated July 19, 2018. Per the supplemental information, petitioner requested that the Zoning Board of Appeals consider allowing backyard chickens with reasonable parameters in DuPage County and impose the following conditions:
   - Allow up to 6 backyard chickens;
   - No roosters;
   - Impose a minimum distance from neighboring property lines; and
   - Require a permit for the construction of chicken coops.

STANDARDS FOR CONDITIONAL USES:

1. That the Zoning Board of Appeals finds that petitioner has 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 where the Zoning Board can place conditions with the development to mitigate the use; to wit:
   a. That the use be solely for a 4H project to raise not more than 4 chickens at any one time;
   b. That there be no roosters on the property and only hens as part of the 4H project;
   c. That the chicken coop and the location of the chickens be located behind the front wall of the house and at least 150 feet from the front property line and at least 30 feet from all other property lines;
   d. That the 4H project be only for the current property owners and the zoning relief shall expire upon any violation of the zoning relief herein, sale or transfer of the property or when the 4H program ceases; and
   e. That the location of the chicken coop and chickens be screened with a full landscape screen on all sides of the property.
2. Furthermore, the Zoning Board of Appeals finds that petitioner has demonstrated 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 demonstrated that the chicken coop location will be moved from the current location, (currently approximately 5 feet from the rear property line), to a location that complies with the Zoning Ordinance, (approximately 150 feet from the front property line and at least 30 feet from all other property lines).

   b. Increase the hazard from fire or other dangers to said property as petitioner has demonstrated that she will apply for and receive a Building Permit for all construction and/or excavation that occurs on the property and that the subject property will be developed in accordance with all other codes and Ordinances of DuPage County.

   • Additionally, that petitioner has demonstrated that the existing chickens are cleaned regularly and that the waste created by the chickens is composted.

   c. Diminish the value of land and buildings throughout the County as petitioner has demonstrated that a 4H program on a lot less than 40,000 sq. ft. (22,651 sq. ft.) will not diminish the value of land and buildings throughout the County and petitioner will comply with all other codes of the County and of the 4H guidelines and regulations.

   d. Unduly increase traffic congestion in the public streets and highways as petitioner has demonstrated that the 4H program and chicken coop will be located behind the front wall of the principal building, screened from public streets and highways.

   • Furthermore, petitioner has demonstrated that no additional people will be required to come to the property to support the 4H program and as such, no cars will be parked in the public ROW to support or administer the program.

   e. Increase the potential for flood damages to adjacent property as petitioner has demonstrated that the 4H program will not increase potential for flood damages as they will develop the property in accordance with all other codes and Ordinances of DuPage County.

   f. Incur additional public expense for flood protection, rescue or relief as petitioner has demonstrated that the 4H program will not increase potential for flood damages as they will develop the property in in accordance with all other codes and Ordinances of DuPage County.
g. Otherwise impair the public health, safety, comfort, morals or general welfare of the inhabitants of DuPage County as petitioner has demonstrated that there are no sales conducted at the subject property, no visitors inquiring about the chickens, and that there is no signage at the subject property regarding the 4H program and the existing chickens.

- Furthermore, petitioner has demonstrated that the use will comply with all other codes of the County and of the 4H guidelines and regulations and the coop and chickens will be cared for in such a manner that will not have an impact on adjacent properties, and in a manner that is similar to the care for domestic animals that are allowed on a residential property, including a dog, cat, or Vietnamese Pot Belly Pig.

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<th>GENERAL ZONING CASE INFORMATION</th>
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<tr>
<td><strong>CASE #/PETITIONER</strong></td>
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<tr>
<td><strong>ZONING REQUEST</strong></td>
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<td><strong>OWNER</strong></td>
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<td><strong>ADDRESS/LOCATION</strong></td>
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</table>

**ADDITIONAL INFORMATION:** No Objection.

Building: No Objections.

DUDOT: No Comments.

Health: No Objections.

Stormwater: No Comments.

Public Works: No Objections. DuPage County Department of Public Works is not the provider for sewer or water to that area.

EXTERNAL:

City of Wheaton: No Comments.

Forest Preserve: No Objections.

Milton Township: No Comments.

Milton Township Highway: No Objections.

Winfield Fire Dist.: No Comments.

Sch. Dist.: No Comments.
### GENERAL BULK REQUIREMENTS:

<table>
<thead>
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<th>REQUIREMENTS:</th>
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### LAND USE

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<td>Duplex</td>
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<td>0-5 DU AC</td>
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<tr>
<td>West</td>
<td>R-4 SF</td>
<td>House</td>
<td>0-5 DU AC</td>
</tr>
</tbody>
</table>
Revised Petitioner’s Site Plan per ZBA Conditions, submitted August 7, 2018:

[Diagram of site plan with annotations]
Petitioner 4-H Information:

DuPage County Office
1100 E. Warrenville Road, Suite 170
Naperville, IL 60563
Phone: 630-955-1123 Fax: 630-955-1180
web.extension.illinois.edu/duke

June 18, 2018

To Whom It May Concern:

Joey Grussenmeyer is a 4-H member of the Busy Buds Cloverbuds 4-H Club in DuPage County, Illinois. He is enrolled and registered for the 2017-18 program year. The animals for these projects are located at 6720 Herrick Dr., Wheaton, IL 60187.

You may contact me by email at cbirns@illinois.edu or by phone at 630-955-1123 ext. 17 should you have any additional questions.

Sincerely,

Christine Birns
DuPage County 4-H Program Coordinator
Supplemental Information Submitted by Petitioner on July 19, 2018:

To the DuPage County Zoning Board of Appeals

Re: Zoning Petition Z18-004 GRUSSENMEYER

We would like to thank the board for hearing our petition on June 21. We appreciate the time and efforts of the board to listen to both arguments.

We’d like to take a moment to reinforce a few points:

1) At no point in our decision to get chickens did we think it was illegal, as suggested by Mr. Pollock at the hearing. Multiple people in our neighborhood have them, and the zoning laws don’t expressly forbid chickens, we now understand that the code prohibits anything that is not specifically allowed.

2) When we originally received notice from the county (back in October), we immediately reached out to the Pollocks to see if there was a compromise we could reach to move the chickens from sight and earshot of them. Unfortunately, any efforts to communicate with them have been met with threats and other efforts to intimidate.

We appreciate that the board’s time is valuable, and there are more significant, pressing issues affecting their time (i.e. the 24 hour photography studio on Gary Avenue a few blocks away). We would have loved to have worked this out directly with our neighbors, but unfortunately, they’ve made that impossible.

3) Chickens, at their loudest, cluck at a similar level to human conversation (60 to 70 decibels), so to suggest that residents of Waverly Court who do not border our property are affected by them is irrelevant. Our next door neighbors have both stated in letters that the noise is not an issue.

4) Our coop is cleaned daily, and the board or staff is welcome to visit at any time to inspect for themselves. There is no odor.

5) Food insecurity affects 1 in 7 children in DuPage County (source: GardenWorks Annual Report 2017). Our family is trying to do our part, through building gardens and donating our resources (including eggs) to be better citizens of this county.

Multiple municipalities within DuPage (Downers Grove, Naperville, Warrenville to name a few) allow for chickens on lots similar size or smaller to ours (links here). We urge the board to consider, not just our specific case, but to consider allowing backyard chickens with reasonable parameters in unincorporated areas of DuPage County (no roosters, 6 or less chickens, minimum distance from neighboring property lines, require a permit for the coop, etc.). The movement from residents of
Dupage County to live more sustainable lifestyles is not going away. If the board made a clear position on common sense parameters for chicken keeping, the zoning department and the board can use their time to focus on more important issues affecting our residents.

We have attached in this document letters in support of our petition from additional neighbors. At the hearing we presented letters from both of our next door neighbors. These additional letters show that those who do not border our property are not affected by the chickens.

Any questions, please let us know.

Melanie & Joe Grussenmeyer
0N720 Herrick Drive
Wheaton IL 60187
773-899-0190
July 17, 2018

Mr. James Stran, Regulatory Services Manager
DUPAGE COUNTY ZONING BOARD OF APPEALS
421 N. County Farm Rd.
Wheaton, IL 60187

Re: Zoning Petition Z18-004 GRUSSENMEYER

Dear Mr. Stran:

My name is Steve Boldt, and my family and I live at 25W665 Coventry Court, Wheaton, IL 60187. Our property is approximately 170 linear feet from the Grussenmeyer’s family residence. I write this letter in support of the above-referenced zoning petition and in favor of the Grussenmeyers being able to keep their chicken coop.

The chicken coop is far from any kind of nuisance, especially given that we were not even aware the Grussenmeyers had one despite living only a house away. It should be further understood that the Grussenmeyers keep only 5 laying hens, but no roosters or guinea hens. Laying hens—at their loudest—have approximately the same decibel level as human conversation (60 to 70 decibels). With only 5 laying hens, the waste and odor generated from their solid waste represents less than what one 20-pound dog typically generates in a day, comparatively speaking.

In terms of the R-4 Single Family Residence zoning requirements, the coop complies with the Accessory Building, Structures, and Uses provision contained in Section 37-7.4-1(b)(1)(a) of Chapter 37 of the Codification of the General Ordinances of DuPage County, Illinois, as it takes up only approximately 18 square feet of lot area—well under the 650 square foot of floor area maximum. Moreover, given that the coop qualifies for the 4-H project exemption and can be simply relocated on the property to more than 30 feet from the rear lot line, compliance with Section 37-7.4-1(b)(4) is likewise satisfied.

With these compliance items in consideration, granting the Grussenmeyers a variance in connection with the 40,000 square foot of land area provision of Section 37-7.4-1(h)(4) is warranted here. While the Grussenmeyer’s parcel is approximately 22,652 square feet, the overall purpose of Section 37 compliance is nevertheless still met due to reasonable interpretations derived from the code section itself.
First, assuming the Grussenmeyer’s property was 40,000 square feet, the only requirement that need be met under Section 37-7.4-1(h)(4) is that the coop be “not less than thirty (30) feet from any side or rear lot line.” To take the concept a step further, even if the Grussenmeyer’s property was 80,000 square feet, it would still be only subject to this 30-foot guideline. Accordingly, 40,000 square feet is simply of no meaningful consequence, as regardless of how large the parcel may be, the chicken coop could nevertheless still be placed 30 feet from the property line.

Second, and again assuming the Grussenmeyer’s property was 40,000 square feet, Section 37-7.4-1(h)(3) would permit them to have a horse and stable on the property:

1. **Can I have a horse on my property?**
   - The Zoning Ordinance requires that you must have a lot area of at least forty thousand (40,000) square feet to have an horse. To have two horses, the lot area must be sixty thousand (60,000) square feet. Each additional horse requires an additional twenty thousand (20,000) square feet of lot area.

2. **How large of a stable can I have?**
   - The allowable building area for a stable is not part of the accessory building area described above but is figured separately. Any stable may have an area of five hundred fifty (550) square feet. When you have three or more horses, the stable space is limited to no more than two hundred seventy-five (275) square feet per horse.

Thus, in terms of any functional difference regarding odor and noise concerns that would be obviated by the Grussenmeyers having a 40,000-foot lot for a small chicken coop, there simply is none under the circumstances presented here. A horse would most certainly have a much greater environmental impact than a handful of chickens, and in accordance with Section 37-7.4-1(h)(3)(b), like a chicken coop, the stable would likewise only be required to be “not less than thirty (30) feet from any side or rear lot line.” The point is the 40,000 square foot guideline, while more reasonably justified when keeping a horse on the property from a community-impact standpoint, is simply not warranted for a 3’ X 6’ chicken coop and 5 laying hens. When read in conjunction with the other provisions of Section 37, the lot-space provision truly does not serve its purpose under these facts, and allowing a variance for the Grussenmeyers to keep their coop is reasonable and justified.

As a final point, my 10-year-old daughter has been actively involved with DuPage 4-H (Just Say Nay) since we moved here two years ago, and she’ll again be presenting her projects at next week’s fair. I could belabor this Board with all the benefits and advantages the 4-H program has to offer, but I’m certain you already know them well. The bottom line is the 3’ X 6’ chicken coop is a good thing for our community and for our kids to use as a learning tool for life lessons—future agriculture majors, economics, veterinary studies, zoology, and the list goes on and on.

Keep the coop. It’s the right thing to do.

Very truly yours,

Steven L. Boldt
DuPage County Zoning Board of Appeals

Re: Zoning Petition Z18-004 GRUSSENMeyer

We live around the corner from the Grussenmeyer family. Our children are of similar ages so we are over at their home often. Between living in the neighborhood and spending time at their home, we have direct contact with the chickens. There are other homes in unincorporated Wheaton that also have chickens that we are familiar with.

We have never had an issue with backyard chickens. In fact, my children are learning about biology and where their food comes from. They have learned how to hold hens and care for them. They are learning to treat animals with kindness, an important virtue to cultivate. By learning how to be patient and gentle with animals, they will acquire the skills to be kind to our fellow humans.

At no time have we ever had a negative experience with their chickens or any others. They don’t have a rooster so the sound from the hens is minimal. The Grusenmeyers are diligent about caring for the hens and cleaning their coop. They are part of their family and each one has a name. They share their eggs with us and others. Have you tried one? Backyard chicken eggs are amazing.

I am the proud owner of a very large garden, which feeds my family and we share the produce with others. I believe that the Grussenmeyers should have the chance to engage in a sustainable lifestyle and provide food for their family through backyard chicken keeping. Hens are not inherently farm animals, any more than dogs, cats or rabbits are.

The Grussenmeyer family never set out to break laws. The unincorporated zoning laws weren’t clear and they went into the endeavor with good intentions. They are good people, great parents and they are raising kind children. Personally, I think the ordinance should be revised to allow for more families to live sustainable lives especially in DuPage county where there are so many families facing food insecurity. I fully support them and I hope you will consider to help these kind and good people.

Kurt and Elizabeth Hoffman
25W661 Coventry Ct.
Wheaton, IL 60187
DuPage County Zoning Board of Appeals

Re: Zoning Petition Z18-004 GRUSSENMEYER

We live around the corner to the west of the Grussenmeyer family, with the back of our house facing the Grussenmeyer’s. Cassie does not work and is largely home during the day and most weeks. Jess is regularly home in the evenings and weekends as well. We are not retired and spend a large amount of time in and around this neighborhood either walking, riding bikes or playing with our children and grandchildren. We do not spend only limited amount of time in this neighborhood.

We have never heard the Grussenmeyer’s chickens nor been able to detect any smell or odors coming from the chicken coop. Our windows are frequently open during the spring and fall when temperatures are cooler as we love the fresh air in our house. The chickens have never been a problem or disruption of any kind either visually or audibly. As far as we can tell, the coop is well maintained and the chickens seem to be content.

The people we have known who have backyard chickens often seem to be community minded and engaged in sustainable lifestyles. This applies to the Grussenmeyers who are very engaged in community causes and interests—I have seen them with their children at the local annual 4th of July cemetery celebration celebrating our nation’s service members while teaching their children the importance of pride in country. We fully endorse the Grussenmeyer chicken coop as a means for the parents to teach and educate their children in the area of responsibility, leadership, and service skills which are espoused by 4-H.

Sincerely,

Jess and Cassie Birtcher
0N/0S Coventry Drive
Wheaton, IL 60187

To the DuPage County Zoning Board of Appeals

Re: Zoning Petition Z18-004 GRUSSENMEYER

We live just around the corner from the Grussenmeyer’s home. From our backyard you can just see their garage and a portion of their backyard. We have never had any issues with their chicken coop.

Their chicken coop has been educational for our two children. It’s always beneficial to be able to talk about where things come from and the chicken coop helps to show where things like eggs come from and how they are produced.

My wife and I fully endorse the Grussenmeyer’s chicken coop.

Sincerely,

James & Beth Powell

25W856 Coventry St.
Wheaton, IL 60187
Current location of coop

Proposed locations
Hens
Information Submitted by Petitioners on August 1, 2018:

**Infelise, Jessica**

**From:** Melanie Grussenmeyer <mgrussenmeyer@gmail.com>  
**Sent:** Wednesday, August 01, 2018 3:51 PM  
**To:** Infelise, Jessica  
**Cc:** cal@attaawoffices.com; jgrussey@gmail.com; Hoss, Paul  
**Subject:** Grussenmeyer petition - CDC Info regarding pets & diseases

Hi Jessica,

Thanks for sending the additional info over yesterday. We kindly ask the board to consider the below in addition to the information you sent us.

https://www.cdc.gov/healthypets/pets/dogs.html

At the above link you can see the list of all the diseases that we can possibly contract from dogs, and see how the CDC stresses handwashing to prevent the spread of disease, which is similar to the precautions advised by the CDC for chickens.

Furthermore, in Mr. Pollock’s letter in point #4, he cites the statement that the IL dept of health article states that the CDC advises against households with children under the age of 5 from owning chickens. Nowhere in the CDC literature does it state that adults should supervise interaction, which we do.

We take very seriously the health and safety of our animals and our family, which is why we utilize learnings through 4H to teach proper hygiene. Furthermore, we’d like to point out that the DuPage County Forest Preserve regularly holds backyard chicken keeping classes at Klein Creek Farm, which teach similar principals, stressing the benefits and responsibilities of backyard chickens.

Thanks very much, and please let me know if you have any questions.

Kind regards,

Melanie Grussenmeyer
Information Submitted by Objectors on July 10, 2018:

Packet Pg. 39


Jessica,

On June 21st, my wife and I attended the initial hearing related to Z 18-004, Petitioner; Joe Grussenmeyer. During that meeting it was suggested that if we had any thoughts that we would like to share with the Zoning Board, that we should correspond with you and that you, in turn, would forward our email to the Board members. Thank you in advance for doing so.

Zoning Board Members,

My wife, Mary, and I moved from our home in Wheaton a year ago to Waverly Court, an 18 unit townhome development. We live two buildings west of Neil and Karen Pollock, whose quiet enjoyment of their home has been negatively impacted by the actions of their back yard neighbor, the Grussenmeyers, who, without a permit, constructed a chicken coop within a few steps of the Pollock’s patio.

After attending the June 21st hearing, reflecting on the facts presented by the Grussenmeyers and the Pollocks, we offer the following thoughts:

**Importance of Being a Good Neighbor:** Among the qualities of being a good neighbor is to make sure that any action that you take on your property does not impact the quiet enjoyment of your fellow neighbors. And if there is a thought that an action you are contemplating might concern a fellow neighbor, that you address that concern with that neighbor prior to moving forward with your plans. In this particular situation, the “Being A Good Neighbor” doctrine was violated by the Grussenmeyers. Not only did they not seek feedback from the Pollocks prior to constructing the chickens coop, but also chose to locate the coop at the far rear portion of their yard in a spot that would have a minimal impact on them. Giving no consideration to the fact that the chicken coop was constructed within steps of the Pollocks back patio—a very self-centered, selfish, act. The Pollocks, who for years have enjoyed the sanctity of their back patio, are now subject to 1) listening to chickens, 2) watching them run around the Grussenmeyers yard, and 3) smelling the odors from the coop.

Clearly, the Grussenmeyers actions demonstrate that they are not good neighbors.

**Dangerous Precedent:** It is our understanding that the Grussenmeyers lot contains 23,001 square feet, significantly less than the 40,000 square foot required for a permit to construct a chicken coop. To make an exception to this minimum lot size requirement could lead to a proliferation of this type of use within many residential neighborhoods in unincorporated DuPage County—negatively impacting the quiet enjoyment of our property that zoning laws were set up to protect.

**Diminishes the Value of Our Home:** Having a chicken coop with chickens running freely in a yard is not compatible with a residential neighborhood. Allowing this use to remain in place is negatively impacting the value of our home and the homes of our neighbors.

We would appreciate if you would take the above factors into consideration as you consider this case.

Thank you,

Jeff and Mary Barrett
6K76B Waverly Court
Wheaton, IL 60187
630-888-0697 (Home)
630-541-1414 (cell)
Information Submitted by Objectors Pollock on July 11, 2018:

July 9, 2018

VIA EMAIL: Jessica.Infelise@dupagecounty.org
DuPage County Zoning Board of Appeals
Attn: Jessica Infelise/Zoning Administration Coordinator
Building and Zoning Department
421 N. County Farm Road
Wheaton, IL 60187

Re: Zoning Petition Z18-004 GRUSSENMEYER
Hearing on June 21, 2018

Dear Honorable DuPage County Zoning Board of Appeals:

I represent Neil and Karen Pollock regarding their objections to the above-referenced Zoning Petition. I attended the recent public hearing on this matter and made a presentation on behalf of Neil and Karen Pollock which was part of the record. Please allow this letter to supplement the record as follows:

1. During the Petitioner's rebuttal presentation to the Board, the Petitioner testified that Neil Pollock threatened her in some fashion. Neil Pollock has been a respected member of this community for 50 years. He adamantly denies that he ever threatened Petitioner. The Petitioner's allegation is baseless.

2. Petitioner testified at the hearing that Neil and Karen Pollock constructed a fence on their property to block the view of the chicken coop. This testimony is patently false. At no time have Neil or Karen Pollock constructed a fence on their property. The fence in the area of the chicken coop is truly and accurately depicted on the photograph submitted at the hearing. (see Pollock Exhibit 1, page 5). The Pollocks will make their property available for inspection by the County to verify this fact, upon request.

3. The CDC has published an "ALERT" entitled, Multistate Outbreaks of Human Salmonella Infections Linked to Live Poultry in Backyard Flocks, 2017.
warning about backyard chickens causing outbreaks of human Salmonella. The publication is attached as “Pollock Exhibit 3”. The ALERT cited 70 Salmonella outbreaks, 4,794 illnesses, 894 hospitalizations and 7 deaths due to live poultry. It describes that, “Live poultry might have Salmonella germs in their droppings and on their bodies (feathers, feet, and beaks), even when they appear healthy and clean. The germs can get on cages, coops, feed and water dishes, hay plants, and soil in the area where the birds live and roam…” (Emphasis added). By the testimony of the Petitioner at the hearing, the chickens are regularly allowed to roam their yard — exposing those neighboring their property to these risks.

4. The Illinois Department of Health issued a publication entitled, Human Health Concerns About Raising Poultry. The publication is attached as, “Pollock Exhibit 4”. The publication addresses the hazards of raising backyard chickens in an urban environment, like DuPage County. The hazards include, bacterial diseases (Salmonella and Campylobacter), histoplasmosis (fungal organism causing respiratory disease), avian influenza (bird flu), attraction of predators, attraction of rodents and nuisance issues. The publication cited that, “The Centers for Disease Control and Prevention recommends that person not keep chickens if the household has children less than five years of age.” Based upon information and belief, Petitioner has one or more children under the age of five, including a one or two year-old. Petitioner’s request for a conditional use to allow backyard chickens ignores the CDCs health recommendation relating to children and keeping urban chickens. The publication also warns against the presence of chickens around persons with weaker immune systems, including the elderly, pregnant women, diabetics, people on chemotherapy and those with HIV.

5. Petitioner does not meet the 40,000 square foot minimum lot size requirement required by DuPage County Ordinance to be eligible for this variance. (see §37-704.1 (A), “4-H projects” of DuPage County Code of Ordinances). In fact, Petitioner has a lot size of only 22,691 square –only 57% of the lot size mandated by the Honorable DuPage County Board for a variance request. The purpose of the lot size requirements adopted by the Board was to avoid the very situation created by Petitioner’s request – putting a chicken coop in a dense urban area creating a nuisance and health risk.

6. Twenty-six DuPage County residents living in the area surrounding the Petitioner’s illegally constructed chicken coop have signed letters objecting to Petitioner’s request for a conditional use. These letters were presented to the Hearing Board on June 21, 2018. (See Pollock Exhibit 1).

7. Petitioner in this matter constructed the illegal chicken coop on his property and intentionally located the coop at the rear of his property as far away from his house as possible. This placed the coop adjacent to my clients’ home and deck. (See photo, Exhibit Pollock 1, pg. – submitted at hearing). It is understandable
why the Petitioner would locate the coop away from his home given all of the nuisances (i.e. unsightliness, foul smell, constant clucking, etc.) and health risks (See Pollock 3 & 4) caused by the chickens, their coop and their feces. Neil and Karen Pollock, along with their objecting neighbors, should not be subjected to these nuisances and health risks when they purchased their townhome in reliance on the current laws which expressly prohibit the Petitioner's chicken coop. Petitioner's desire to keep chickens should not override the law or the interests of the 26 objectors who will be adversely affected by presence of the chickens.

8. Should DuPage County permit this conditional use, and ignore the 40,000 square foot lot size requirement, the County will create a precedent that will essentially permit chicken coops to exist throughout this great County on potentially any lot size. The ramifications of such a decision will be far reaching. It would, among other things, create nuisances and health risks for many law abiding residents of this community.

Thank you for your time and consideration regarding this issue. Please do not hesitate to contact me if you require any further information.

Sincerely,

TAXMAN, POLLOCK, MURRAY & BEKKERMAN, LLC

[Signature]

Bradley N. Pollock
hpollock@tpmblegal.com

BNP\nnj
Enclosure
Multistate Outbreaks of Human *Salmonella* Infections Linked to Live Poultry in Backyard Flocks, 2017 (Final Update)

- Case Count Maps
- Live Poultry FAQ

Posted October 19, 2017 11:00 AM ET

These outbreak investigations are over. However, people can still get a *Salmonella* infection from live poultry, including those in backyard flocks. Read more information about *Salmonella* from live poultry and how people can reduce the chance they or their children will get an infection.

Outbreak Summary

- 1120 Cases
- 48 States
- 249 Hospitalizations
- 1 Death

- This year saw the largest number of illnesses linked to contact with backyard poultry ever recorded by CDC. Contact with live poultry or their environment can make people sick with *Salmonella* infections. Live poultry such as chickens and ducks can be carrying *Salmonella* bacteria but appear healthy and clean, with no sign of illness.
  - As raising backyard flocks becomes more popular, more people are having contact with chickens and ducks – and may not know about the risk of *Salmonella* infection.
- These outbreaks are a reminder to follow steps to keep your family healthy while enjoying your backyard flock.
  - Always wash hands thoroughly with soap and water right after touching live poultry or anything in the area where the birds live and roam.
  - Adults should supervise handwashing for children.
Do not let live poultry inside the house.

Do not let children younger than 5 years handle or touch chicks, ducklings, or other live poultry without adult supervision.

- In 2017, CDC and multiple states investigated 10 separate multistate outbreaks of *Salmonella* infections in people who had contact with live poultry in backyard flocks.
- The outbreak strains of *Salmonella* infected a reported 1,120 people in 48 states and the District of Columbia.
- Illnesses started on dates ranging from January 4, 2017 to September 22, 2017.
- 249 ill people were hospitalized. One death was reported from North Carolina.

- Epidemiologic, traceback, and laboratory findings linked the 10 outbreaks to contact with live poultry, such as chicks and ducklings, from multiple hatcheries.
- In interviews, 542 (70%) of 774 ill people reported contact with live poultry in the week before illness started.


**Previous Outbreak Advisories**

- **August 11, 2017**

- **July 13, 2017**

- **June 1, 2017**

- **Advice to Backyard Flock Owners**

- **Advice to Mail-Order Hatcheries**

- **Advice to Feed Stores that Sell or Display Live Poultry**

- **Previous Outbreaks Linked to Live Poultry**
Tips to Stay Healthy with a Backyard Flock

- Always wash hands thoroughly with soap and water right after touching live poultry.
- Do not let children younger than 5 years handle or touch chicks, ducklings, or other live poultry without adult supervision.

Read more about ways to stay healthy with backyard flocks. Read live poultry Q&A.

Click for a larger view. [PDF - 1 page](http://www.cdc.gov/healthypets/resources/backyard-flock-8x11.pdf)
More Information

- CDC Feature: Keeping Backyard Poultry
- CDC Poster: Healthy Families and Flocks  [PDF - 1 page]
- CDC Poster: Don't Play Chicken with Your Health  [PDF - 1 page]
- Healthy Pets Healthy People
- CDC Salmonella webpage

Information for Feed Stores, Veterinarians and Health Professionals

- Compendium of Measures to Prevent Disease Associated with Animals in Public Settings, 2013

Get Email Updates

To receive email updates about this page, enter your email address:

What's this? (http://www.cdc.gov/emailupdates/)

Submit

Related Links

- Multistate Foodborne Outbreaks
- Gastrointestinal (Enteric) Diseases from Animals
- Division of Foodborne, Waterborne, and Environmental Diseases
- Foodborne Illness A-Z
- Estimates of Foodborne Illness
- Foodsafety.gov (http://www.foodsafety.gov)
- Report a Foodborne Illness
- U.S. Food and Drug Administration (FDA) (http://www.fda.gov)
- USDA Food Safety and Inspection Service (http://www.fsis.usda.gov)

Follow Salmonella

RSS (http://www2.cdc.gov/podcasts/createsrss.asp?c=334)

File Formats Help:

How do I view different file formats (PDF, DOC, PPT, MPEG) on this site?
(https://www.cdc.gov/Other/plugins/)
Page last reviewed: July 13, 2017
Page last updated: October 19, 2017
Content source: Centers for Disease Control and Prevention (http://www.cdc.gov/)
National Center for Emerging and Zoonotic Infectious Diseases (NCEZID) (ncezid/index.html)
Division of Foodborne, Waterborne, and Environmental Diseases (DFWED) (ncezid/dfwed/index.html)

https://www.cdc.gov/salmonella/live-poultry-06-17/index.htm
Human Health Concerns About Raising Poultry

An increasing number of citizens want to raise chickens in urban environments as a hobby or they may believe this method of raising birds for food may be safer or less expensive. Citizens should check to make sure that flocks are allowed in the area where they reside before purchasing poultry. This document examines the public health significance of some common concerns about urban poultry farming.

Bacterial diseases

Salmonella and Campylobacter are common public health hazards potentially associated with chicken contact. These bacteria are carried by healthy chickens and are communicable to people through direct contact, exposure to manure, or consumption of undercooked chicken and eggs. Infection is characterized by diarrhea, vomiting, fever, and/or abdominal cramps; small children, elderly persons, and those with weakened immune systems are more susceptible to severe illness. Young birds may be especially prone to shed these organisms in their droppings. This poses a hazard to anyone who comes into contact with the droppings. The public health hazards associated with Salmonella and Campylobacter are expected to be limited to those who are in contact with the chickens or their droppings or consume their meat or eggs without thorough cooking. There have been several multi-state outbreaks of human Salmonella infections from handling baby chicks. These hazards could be mitigated by avoiding contact with poultry feces, carefully washing hands with soap and water after handling the birds, avoiding hand-to-mouth contact while working with birds and education about food safety.

Histoplasmosis

Histoplasmosis can cause a respiratory disease with cough and shortness of breath. The fungal organism causing this disease is present throughout the Midwest but can be concentrated in areas with quantities of bird droppings. Persons acquire the disease by inhalation of the organism from the environment. Therefore, it is critical that flock owners have a method to maintain the property to minimize the accumulation of bird droppings. Animal waste should be disposed of in a safe manner.

Avian influenza (bird flu)

Avian influenza is a theoretical public health hazard potentially associated with urban chicken farming. Birds can shed the organism in the saliva, nasal secretions and feces. Avian influenza is a viral disease of birds that is communicable to people through exposure to respiratory or fecal secretions. The risk of human avian
influenza infections in the United States is extremely low and is expected to be limited to those who are in contact with infected chickens.

**Exotic Newcastle disease**

Exotic Newcastle disease, a viral disease that is not normally found in the United States, is not a significant public health hazard in this context. While exotic Newcastle disease can cause mild eye infections in people, the greater concern is that the introduction of exotic Newcastle disease in privately owned chicken flocks can cause major economic damage in communities where commercial chicken farming is an important industry.

**Attraction of predators**

The attraction of predators is a public health hazard potentially associated with urban chicken farming. The presence of chickens on a property might attract urban predators such as stray dogs, foxes and coyotes. This would increase the probability of conflict between humans and predators in the urban environment (e.g., animal bites). This hazard could be mitigated by requiring flock owners to provide sufficient structural protection to prevent predator access to their flocks.

**Attraction of rodents**

The attraction of rodents is a public health hazard potentially associated with urban chicken farming. Failure to maintain a clean environment for the chickens could attract mice or rats to a property. This hazard could be mitigated by educating flock owners on the proper care and maintenance of chicken flocks including the proper storage of bird feed.

**Nuisance issues**

The odor and noise that might be associated with urban chicken farming are not public health hazards. Poultry may escape into neighbors’ yards. Flies might be attracted to the area unless adequate fly control is practiced. Communities are advised to have a system in place for handling public complaints regarding these issues if they allow urban poultry flocks.

**Management and handling of poultry in small backyard flocks**

- Keep baby chicks and adult poultry away from persons with weaker immune systems, including the elderly, pregnant women, diabetics, patients receiving chemotherapy and people infected with HIV.

- The Centers for Disease Control and Prevention recommends that person not keep chickens if the household has children less than five years of age.

- Make sure that people who handle the chickens or their droppings, wash hands properly with soap and water following contact.

- Do not eat or drink around the poultry.

- Keep poultry away from food preparation areas.

[http://www.idph.state.il.us/health/infect/Poultry.htm](http://www.idph.state.il.us/health/infect/Poultry.htm)
Do not wash items, such as water or food dishes, from chicken coops in the kitchen sink.

Do not allow poultry to roam in the house.

Maintain the area where the poultry are present in a sanitary manner.

See your physician if you experience fever and diarrhea.

Conclusion

The public health hazards potentially associated with urban chicken farming should be weighed against individual and community benefit. Public health infectious disease hazards can be mitigated by education and regulation and are expected to be limited to those who are in contact with the chickens or consuming their meat or eggs without thorough cooking.

Communities that permit urban chicken farming are advised to ensure that flock owners receive educational materials on infectious diseases, animal husbandry, food safety and biosecurity. These communities also should have a system in place for responding to community complaints.

References


Poultry Safe Handling Posters: English | En Español

March 2012

https://www.adph.state.il.us/health/infect/foodh.htm
7/4/2018

Illinois Fact Sheet: Human Health Concerns About Raising Poultry

idph online home • Illinois Department of Public Health
535 West Jefferson Street
Springfield, Illinois 62761
Phone 217-782-4977
Fax 217-782-3987
TTY 800-5-7-0-466
Questions or Comments
Additional Information Submitted by Objectors Pollock on July 25, 2018:

July 25, 2018

VIA EMAIL: Jessica.Infelise@dupagecounty.org
DuPage County Zoning Board of Appeals
Attn: Jessica Infelise/Zoning Administration Coordinator
Building and Zoning Department
421 N. County Farm Road
Wheaton, IL 60187

Second Supplement to Record

Re: Zoning Petition Z18-004 GRUSSENMEYER
Hearing on June 21, 2018

Dear Honorable DuPage County Zoning Board of Appeals:

I represent Neil and Karen Pollock regarding their objections to the above-referenced Zoning Petition. Please allow this letter to serve as a Second Supplement to the record as follows:

On July 23, 2018, the Centers for Disease Control and Prevention issued an outbreak advisory which warned of “Multistate Outbreaks of Salmonella Infections Linked to Contact with Live Poultry in Backyard Flocks, 2018.” (Emphasis Added). The CDC reported in its advisory that as of July 13, 2018, 212 people have been infected this year with strains of Salmonella from 44 states:

- Illnesses started from February 15, 2018 to June 21, 2018.
- 34 ill people have been hospitalized, and no deaths have been reported.
- 26% of ill people are children younger than 5 years.

(A copy of the July 23, 2018 Advisory is attached hereto).

Like the prior “Alert” issued by the CDC in 2017 regarding backyard chickens, the attached 2018 CDC Advisory provides additional clear and convincing evidence of the dangers associated with keeping backyard chickens. The Petitioner’s request...
for a variance would exposes all surrounding neighbors and their guests to this unnecessary health risk. There is nothing that the neighbors can do to protect against this risk should you grant this unjustified variance.

Thank you for your time and consideration of this Second Supplementation. Please do not hesitate to contact me if you require any further information.

Sincerely,

TAXMAN, POLLOCK, MURRAY & BEKKERMAN, LLC

[Signature]

Bradley N. Pollock
bpollock@tpmblegal.com

ENP\amj
Enclosure
Multistate Outbreaks of *Salmonella* Infections Linked to Contact with Live Poultry in Backyard Flocks, 2018

- *Salmonella* Infections Linked to Contact with Live Poultry in Backyard Flocks en Español
- Case Count Maps

Posted July 23, 2018 11:00 AM ET

Let's talk about *Salmonella* and backyard flocks. Learn how to stay healthy around chickens and ducks.

Join CDC's Facebook Live with veterinarian Dr. Megin Nichols

Thursday, July 26, 2018 | 2-2:50 p.m. EDT
www.facebook.com/CDC

Outbreak Advisory

| 212 | Cases |
| 44 | States |
| 34 | Hospitalizations |
| 0 | Deaths |
Since the last update on June 8, 2018, 88 more ill people have been reported. The most recent illness began on June 21, 2018.

CDC and multiple states are investigating several multistate outbreaks of *Salmonella* infections linked to contact with live poultry in backyard flocks.

- People can get sick with *Salmonella* infections from touching live poultry or their environment. These birds can be carrying *Salmonella* bacteria but appear healthy and clean and show no signs of illness.

As of July 13, 2018, 212 people infected with the outbreak strains of *Salmonella* have been reported from 44 states.

- Illnesses started from February 15, 2018 to June 21, 2018.
- 34 ill people have been hospitalized, and no deaths have been reported.
- 26% of ill people are children younger than 5 years.

Epidemiologic, traceback, and laboratory findings link these outbreaks to contact with live poultry, such as chicks and ducklings, which come from multiple hatcheries.

- In interviews, 100 (72%) of 138 ill people with information available reported contact with chicks or ducklings in the week before their illness started.
- People reported obtaining chicks and ducklings from several sources, including feed supply stores, websites, hatcheries, and from relatives.

WGS analysis to identify antibiotic resistance was performed for 118 isolates from ill people in this outbreak. Twenty-two isolates from ill people contained genes expected to cause resistance or decreased susceptibility to all or some of the following antibiotics: ampicillin, streptomycin, sulfamethoxazole, tetracycline, gentamicin, ceftriaxone, amoxicillin-clavulanic acid, cefoxitin, ciprofloxacin, and fosfomycin. Ninety-six isolates did not identify predicted resistance. Testing of 5 outbreak isolates using standard antibiotic susceptibility testing by CDC’s National Antimicrobial Resistance Monitoring System (NARMS) laboratory confirmed these results. Some infections may be difficult to treat with commonly recommended antibiotics, and may require another kind of antibiotic.

This investigation is ongoing, and CDC will provide updates when more information is available.

- Advice to Mail-Order Hatcheries
- Advice to Feed Stores that Sell or Display Live Poultry
ALWAYS WASH YOUR HANDS AFTER HANDLING LIVE POULTRY

Tips to Stay Healthy With a Backyard Flock

- Always wash hands thoroughly with soap and water right after touching live poultry or anything in their environment.
- Don’t let children younger than 5 years handle or touch live poultry without adult supervision.
- Set aside a pair of shoes to wear while taking care of your birds and keep the shoes outside of your home.

Read more about ways to stay healthy with backyard flocks. Read live poultry Q&A.
Don't play chicken with your health

Since 2000, 70 Salmonella outbreaks have been linked to backyard poultry.

WASH YOUR HANDS after handling backyard poultry
www.cdc.gov/features/salmonellapoultry

Seventy outbreaks of Salmonella infections have been linked to contact with backyard flocks since 2000.

[PDF - 257 KB]
More Information

- CDC Feature: Keeping Backyard Poultry
- CDC Poster: Healthy Families and Flocks  [PDF - 632KB]
- CDC Poster: Don’t Play Chicken with Your Health  [PDF - 867KB]
- Healthy Pets Healthy People
- Other Outbreaks Linked to Backyard Flocks
- CDC Salmonella webpage

Get Email Updates

To receive email updates about this page, enter your email address:

What’s this? (http://www.cdc.gov/emailupdates/)

Submit

Related Links
Building & Zoning Department

- Multistate Foodborne Outbreaks
- Gastrointestinal (Enteric) Diseases from Animals
- Division of Foodborne, Waterborne, and Environmental Diseases
- Foodborne Illness A-Z
- Estimates of Foodborne Illness
- FoodSafety.gov (http://www.foodsafety.gov)
- Report a Foodborne Illness
- U.S. Food and Drug Administration (FDA) (http://www.fda.gov)
- USDA Food Safety and Inspection Service (http://www.fsis.usda.gov)

Follow Salmonella

RSS (http://www2c.cdc.gov/podcasts/createsss.asp?c=334)

File Formats Help:
How do I view different file formats (PDF, DOC, PPT, MPEG) on this site?
(https://www.cdc.gov/Other/plugins/)
(https://www.cdc.gov/Other/plugins/#pdf)

Page last reviewed: June 8, 2018
Page last updated: July 23, 2013
Content source: Centers for Disease Control and Prevention (http://www.cdc.gov/)
National Center for Emerging and Zoonotic Infectious Diseases (NCEZID) (ncezid/index.html)
Division of Foodborne, Waterborne, and Environmental Diseases (DFWED) (ncezid/dfwed/index.htm)
Waverly Court Homeowners Association
Wheaton, Illinois

July 26, 2018

Robert J. Kartholl, Chairman
DuPage County Zoning Board of Appeals
Jack T. Knuepfer Administration Building
421 North County Farm Road
Wheaton, IL 60187

Re: Zoning Petition Z18-004 Grussenmeyer

Mr. Chairman:

This letter is directed to the Petition being pursued by Joe Grussenmeyer of 0N720 Herrick Drive, Wheaton, IL 60187. The Petitioner seeks “a Conditional Use to allow a 4H program on a lot less than 40,000 sq. ft. (22,651 sq. ft.).”

The circumstance behind the Petition is the Petitioner’s maintenance of chickens on his property and the building of a structure for the chickens (chicken coop).

The Petitioner’s property abuts the property of the Waverly Court Homeowners Association. The Association has nine buildings, each of which consists of two units as a duplex, with a total of 18 residential units. The use of the units is residential. This use is consistent with the zoning ordinance for residential districts.

Since the Petitioner began maintaining chickens and the chicken coop, there has been noise generated by the chickens in addition to their being allowed to roam free in Petitioner’s yard. They have been and continue to be a nuisance.

Most importantly, the maintenance of chickens and the chicken coop is in violation of the applicable zoning ordinance. The continued actions of the Petitioner in that regard are illegal. The matter has been addressed by the Board of Directors of the Waverly Court Homeowners Association (“Board”). The Board has confirmed the concern of the homeowners that such continued use is a violation of the zoning ordinance and as such has adversely impacted the homeowners of the Waverly Court Homeowners Association. The Board has adopted the following resolution:

RESOLVED, that the maintenance of chickens and a chicken coop at the property commonly known as 0N720 Herrick Drive, Wheaton, IL 60187 constitutes a nuisance detrimental to the health and well-being of the residents of Waverly Court Homeowners Association and that it is further in violation of the zoning ordinance applicable to the Waverly Court property and the adjoining property of the Petitioner Joe Grussenmeyer at 0N720 Herrick Drive, Wheaton, IL 60187. Further, that the Petition for a variance to allow such continued use is unwarranted and that the position of the Waverly Court Homeowners Association is in opposition to such Petition for that continued use.

Waverly Court Homeowners Association
3041 Woodcreek Drive, Suite 100 • Downers Grove, Illinois 60515 • (630) 620-1123 Fax (630) 620-1129
Web Site: www.wcvweb.com • E-mail: customerservice@wcvweb.com

1636233.1
Waverly Court Homeowners Association  
Wheaton, Illinois

Further, that the officers of the Association are authorized and directed to declare the intention of the Board to oppose such Petition for variance and to take further action as is necessary to oppose the Petition.

The foregoing Resolution was adopted by the Board of Directors of the Waverly Court Homeowners Association at the regularly scheduled meeting of the Board on July 26, 2018, by unanimous vote of the Board Members: Ivar Azeris (President); Frank Shoemaker (Secretary); Art Coleman (Treasurer); James Bulls

Respectfully submitted,

Waverly Court Homeowners Association

Ivar R. Azeris, President

Subscribed and Sworn to before me this 26th day of July, 2018.

[Signature]

Notary Public

OFFICIAL SEAL  
PAMELA WALKER  
NOTARY PUBLIC — STATE OF ILLINOIS  
MV COMMISSION EXPIRES OCTOBER 2023

Waverly Court Homeowners Association
3941 Woodcreek Drive, Suite 700 • Downers Grove, Illinois 60515 • (630) 623-1133 Fax (630) 665-5189  
Web Site www.aknweb.com • E-mail customercare@aknweb.com

162633.1

Packet Pg. 61
Information Submitted by Petitioner Pollock on August 2, 2018:

August 2, 2018

VIA EMAIL: Jessica.Infelise@dupagecounty.org
DuPage County Zoning Board of Appeals
Attn: Jessica Infelise/Zoning Administration Coordinator
Building and Zoning Department
421 N. County Farm Road
Wheaton, IL 60187

Third Supplement to Record

Re: Zoning Petition Z18-004 GRUSSENMEYER
Hearing on June 21, 2018

Dear Honorable DuPage County Zoning Board of Appeals:

I have received Petitioner's two Supplements to the Record. Number 1 was received by me on July 31, 2016, and consisted of two letters, a photograph depicting proposed new locations for the illegal chicken coop and a lot survey. Number 2 is an e-mail from Petitioner dated August 1, 2018. I can only wonder if chicken fumes are affecting logic.

Petitioner's Supplement Number 1: The letter submitted by a remote neighbor (that may also have an illegal chicken coop) attempts to argue there is no difference between a 40,000 square foot lot requirement and Petitioner's 22,000 square foot lot for purposes of raising farm animals in an urban environment. This is completely nonsensical and ignores the impact that Petitioner's illegal chickens, kept on a small lot, have upon surrounding neighbors, including when the chickens are left to run free throughout the yard. It is also important to note that the diagram contained within the letter shows an illegal placement of the coop that violates backyard and side yard setbacks. The Board is aware of the impact of lot size on the health hazards and environmental issues posed by backyard chickens. It is for that very reason why the DuPage County Board placed a 40,000 square foot lot requirement on the
variance. Petitioner cannot meet the requirements of the variance. Petitioner wants this Board to grant the variance nonetheless. For the Board to do so, it must also ignore the front yard and side yard setback requirements of the variance, which likewise cannot be met by Petitioner. If this Board would grant this variance, then the Zoning Ordinances of this County become meaningless. Petitioner has a Wheaton address. The City of Wheaton prohibits backyard chickens.

Petitioner’s Supplement Number 2: Petitioner in her email states that paragraph 4 of my July 9, 2018, Supplement to the Record is incorrect and misstates an Illinois Department of Public Health Article referencing that a person should not keep chickens if the household has children less than five years of age. The Petitioner is apparently confused. Paragraph 4 of my letter cites an Article from the Illinois Department of Public Health. A screen shot of the relevant portion of the article is provided below. (See Pollock Exhibit 4, pg. 2)

Management and handling of poultry in small backyard flocks

- Keep baby chicks and adult poultry away from persons with weaker immune systems, including the elderly, pregnant women, diabetics, patients receiving chemotherapy and people infected with HIV.
- The Centers for Disease Control and Prevention recommends that persons not keep chickens if the household has children less than five years of age.

Sincerely,
TAKMAN, POLLOCK, MURRAY & BECKERMAN, LLC

Bradley N. Pollock
bpollock@tnmblegal.com

BNP\amj
Enclosure