

ANIMAL CONTROL APPEAL BOARD

The Animal Control Appeal Board Appeals is a group of five of your neighbors or peers appointed by City Council to pass judgment on requests for appeals, interpretations, and other matters that are brought before them.

PROCEDURE

The Board will hear the items in the order that they appear on the agenda. When an item is called, the Chair will verify that the petitioner is present. The petitioner will then be given an opportunity to address the Board to explain the justification for the action requested.

After the petitioner makes their presentation, and answers any questions that the Board may have, the Chair will open the meeting to public comment. Any person wishing to speak on the request should raise their hand to be when recognized by the Chair. The speaker should identify themselves with name and address, indicate their relationship to the property in question (i.e. next door neighbor, live behind the property, etc.) and state whether they are in favor of or against the request and give reasons for their opinion. Comments must be directed through the Chair. Comments should be kept as brief as possible and closely pertain to the matter under consideration. Only one person will be recognized by the Chair to speak at one time.

After interested members of the public have spoken, the Chair will close the public comment. Once the public comment is closed, no other public comment will be taken unless in response to a specific question by a member of the Board. The Board may allow the petitioner to address or rebut public comments.

The Board will then deliberate and make a motion to approve, deny, or postpone the request. In order for the request to pass a minimum of three votes for approval are needed. The decision of the Board is final.



ANIMAL CONTROL APPEAL BOARD MEETING AGENDA

500 W. Big Beaver
Troy, MI 48084
(248) 524-3364
www.troymi.gov
planning@troymi.gov

November 28, 2012

7:00 P.M.

Lower Level
Conference Room

1. ROLL CALL

2. APPROVAL OF AGENDA

3. APPROVAL OF MINUTES – September 26, 2012

4. HEARING OF CASE
 - A. WAIVER REQUEST, EDWARD DOWNING, 4282 SUGAR GROVE – In order to keep up to 8 chickens, hens only, a waiver from the requirement that the property be at least .75 of an acre in size. The property is approximately .34 acres in size.

Animal Ordinance Section: 90.70.20 (f)

5. ADJOURNMENT

NOTICE: People with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk by e-mail at clerk@troymi.gov or by calling (248) 524-3317 at least two working days in advance of the meeting. An attempt will be made to make reasonable accommodations.

Vice Chair Petrulis called the Animal Control Appeal Board meeting to order at 7:00 p.m. on September 26, 2012 in the Lower Level Conference Room of the Troy City Hall.

1. ROLL CALL

Present:

Patrick Carolan
Al Petrulis
Steve Toth

Also Present:

Paul Evans, Zoning and Compliance Specialist
Susan Lancaster, Assistant City Attorney

Absent:

Jayne Saeger
V. James Viola

2. APPROVAL OF AGENDA – No changes

3. APPROVAL OF MINUTES – February 22, 2011

Moved by Carolan
Seconded by Toth

RESOLVED, to approve the February 22, 2010 meeting minutes.

Yes: All

MOTION PASSED

4. HEARING OF CASE

WAIVER REQUEST, SHERISE ASSAD, 906 MINNESOTA – In order to keep 10 chickens, hens only, a waiver from the requirement that the property be at least .75 of an acre in size. The property is approximately .72 acres in size.

The applicant summarized her request addressing site and coop location, layout, fencing, cleaning and sanitation, coop size, visibility from area properties, and run size. She indicated the hens are locked in the coop from dusk until 9 am. There are no roosters. The coop and chickens have been on the property for approximately a year. She provided the Board updated approval petitions signed by area residents.

In response to a Board member question, Mr. Evans read the Animal Ordinance review and approval criteria for properties of at least .75 acres.

The public comment portion of the meeting was opened. No members of the public were present. The public comment portion of the meeting was closed.

The Board members discussed fencing alternatives, the behavior of/care of the chickens when the applicant was gone for extended periods of time, confirmed the maximum number of chickens requested, and confirmed there would be no roosters.

In response to Board member questions, Mr. Evans confirmed that Code Enforcement has not received any complaints regarding the chickens or coop, and he is not aware of any complaints received by Troy Police. Mr. Evans also advised the Board that the City could revoke Animal Permits if there was noncompliance with approval conditions.

Motion by Carolan
Seconded by Toth

RESOLVED to grant the request subject to:

- There will be no roosters.
- 10 hens maximum.
- If there are no citizen complaints, as validated by the Code Enforcement Department, for a 1 year period, the waiver becomes permanent.
- The waiver runs with the petitioner, not the land.

Yes: All

MOTION PASSED

6. ADJOURNMENT – The Animal Control Appeals Board meeting ADJOURNED at 7:45 p.m.

Respectfully submitted,

Al Petrulis, Vice Chair

Paul Evans, Zoning and Compliance Specialist

ANIMAL APPEAL APPLICATION

PLANNING DEPARTMENT
500 W BIG BEAVER
TROY MI 48084
248 524 3364
evanspm@troymi.gov
ANIMAL ORDINANCE ONLINE [Ctrl+click here](#)



REGULAR MEETINGS OF THE ANIMAL CONTROL APPEALS BOARD ARE HELD ON THE **FOURTH WEDNESDAY OF EVERY OTHER MONTH AT 7:00 P.M. AT CITY HALL.** A SCHEDULE IS ON THE NEXT PAGE.

PLEASE FILE A COMPLETE APPLICATION AT LEAST **21 DAYS BEFORE THE MEETING DATE.**

APPLY VIA E-MAIL - INSTRUCTIONS

1. COMBINE OR SCAN APPLICATION AND SUPPORTING DOCUMENTS INTO ONE FILE
2. E-MAIL THE FILE TO evanspm@troymi.gov

PROPERTY ADDRESS: 4282 Sugar Grove Ct

APPLICANT:

NAME Edward Downing

ADDRESS 4282 Sugar Grove Ct

CITY Troy STATE MI ZIP 48098

PHONE 248-792-4176

E-MAIL pureh2064@yahoo.com

PROPERTY OWNER (if different than applicant):

NAME _____

ADDRESS _____

CITY _____ STATE _____ ZIP _____

PHONE _____

E-MAIL _____

REQUESTING UP TO 8 CHICKENS/HENS

REQUIRED INFORMATION

- Please provide a written narrative describing your request.
- Please provide a site plan showing the following:
 - Property lines
 - All buildings and structures on the property
 - Existing and proposed buildings or structures related to the animals, and their distance from property lines
 - Anything else that will help explain the request
- Anything else, including photos or technical information, that will explain or support your request.

PERMISSION TO INSPECT PREMISES

I, Edward Downing (applicant) hereby depose and say that all the above statements and statements contained in the information submitted are true and correct and give permission for the Board Members and City Staff to enter the property to ascertain conditions.

APPLICANT SIGNATURE Edward Downing DATE 5 NOV 2012

SCHEDULED MEETING DATES

2012

September 26

November 28

2013

January 23

March 27

May 22

July 24

September 25

November 27

Animal Control Board Appeal Application

Edward Downing
4282 Sugar grove Ct

Request approval to house domestic poultry (chickens) on residential property. Up to 8 chickens on approximately .344 acre parcel.

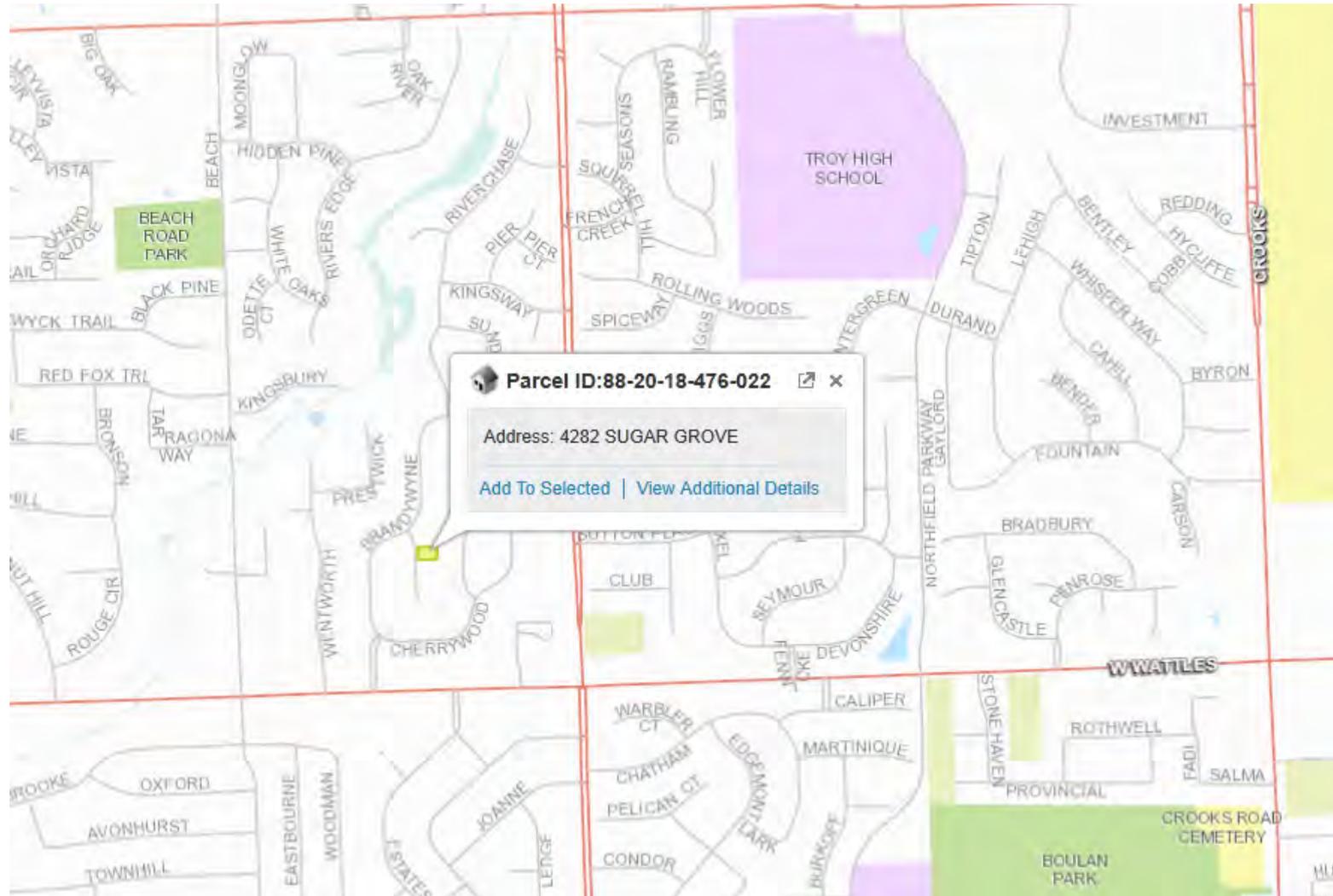
Property owner has built chicken coop and fully enclosed run that meets or exceeds the Michigan Commission of Agriculture & Rural Development “Generally Accepted Agricultural and Management Practices for the Care of Farm Animals” dated January 2012

http://www.michigan.gov/documents/mdard/2012_FINAL_ANIMAL_CARE_GAAMP_378553_7.pdf

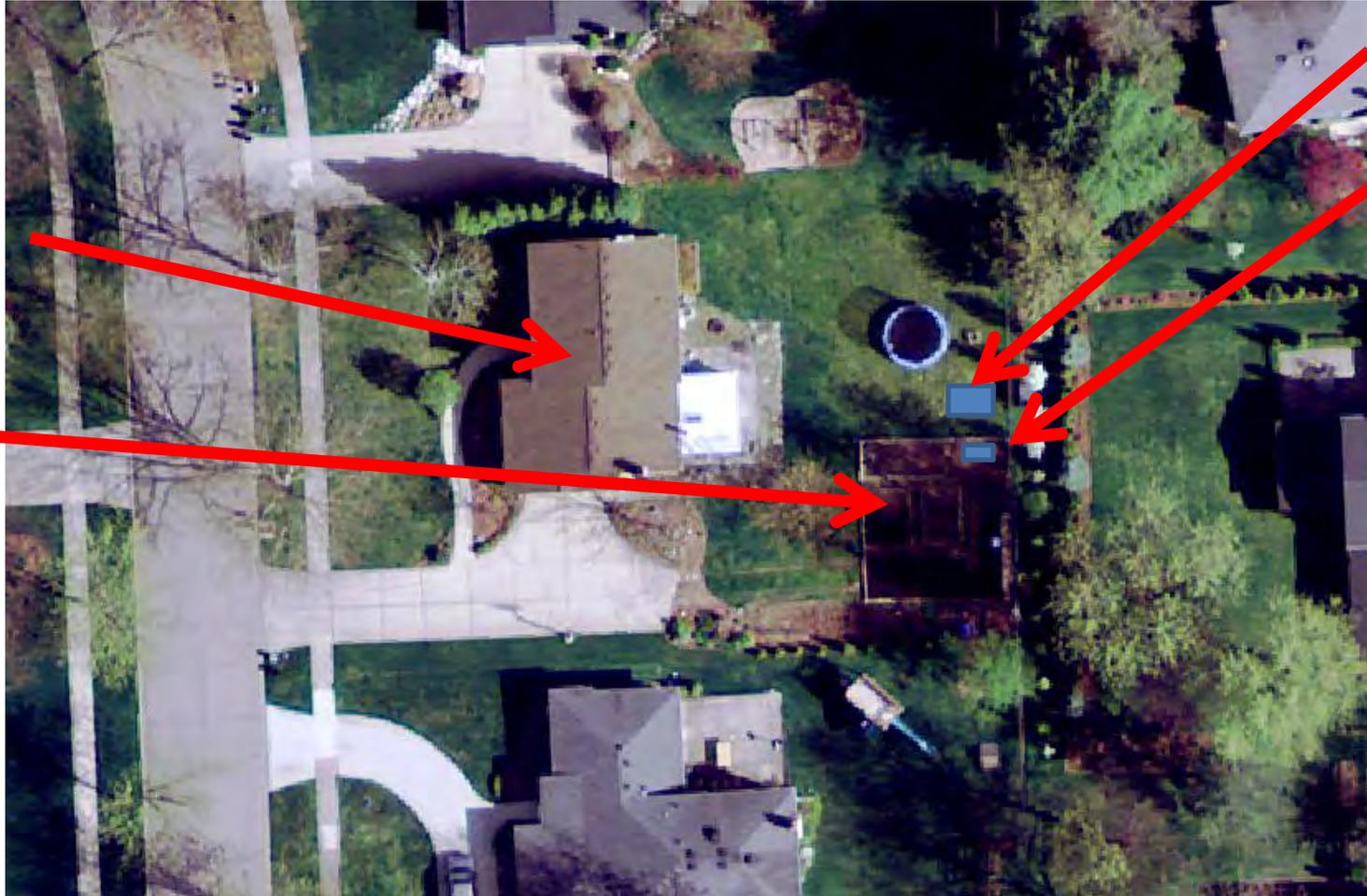
Property owner provides food and water source available the meets or exceeds referenced document

Property owner maintains chicken coop and run per referenced document

4282 Sugar grove Ct (Wattles and Crooks)



4282 Sugar grove Ct (Latest Aerial photograph)



Shed

Chicken
coop

4282 Sugar
grove Ct

Garden
Area

Backyard

Chicken coop
3'x8'
nesting boxes
Latched door

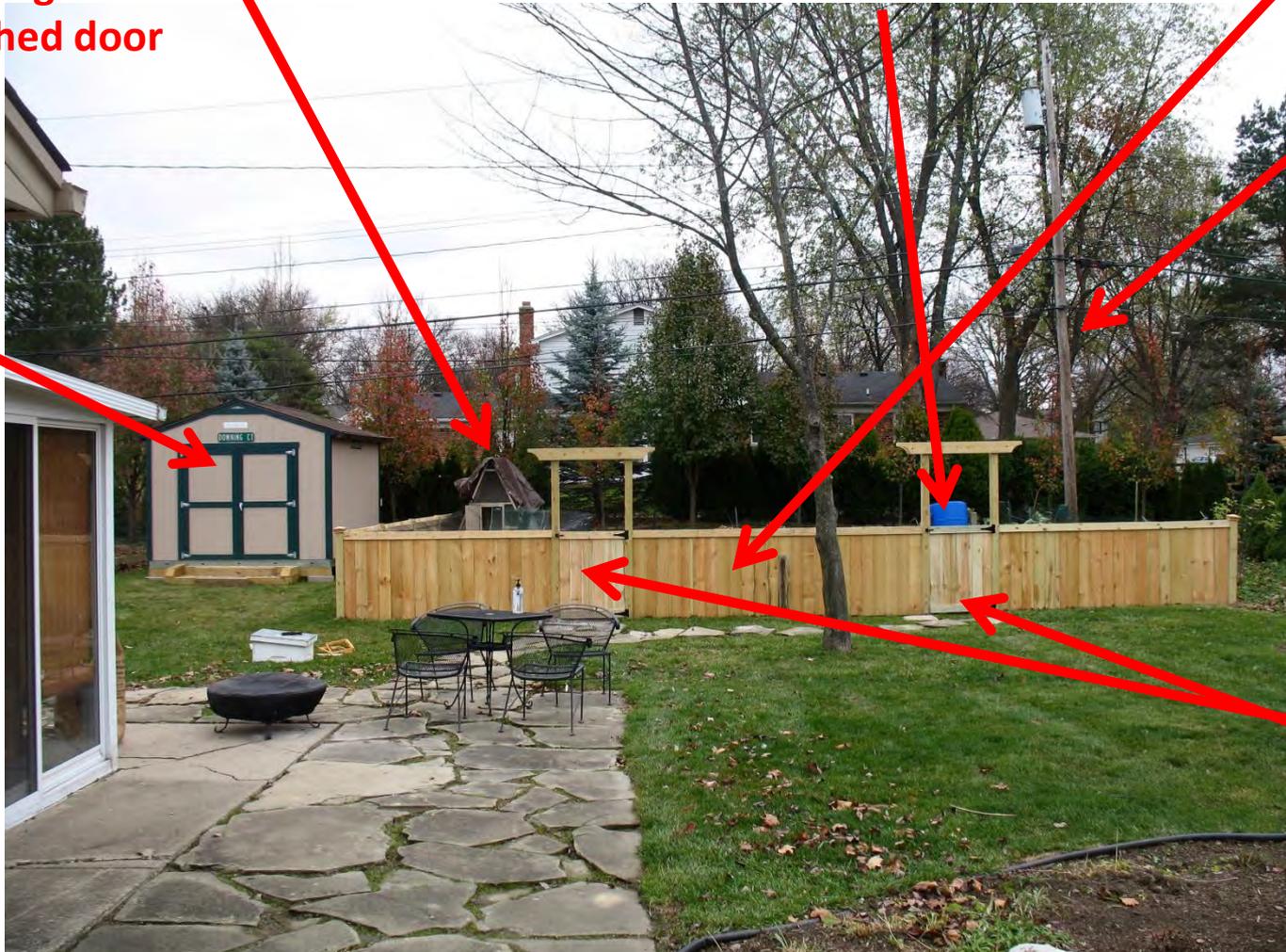
Rotating
composter

40'x32' enclosed
garden

Utility Pole

Shed
10'x12'

Latched
gates



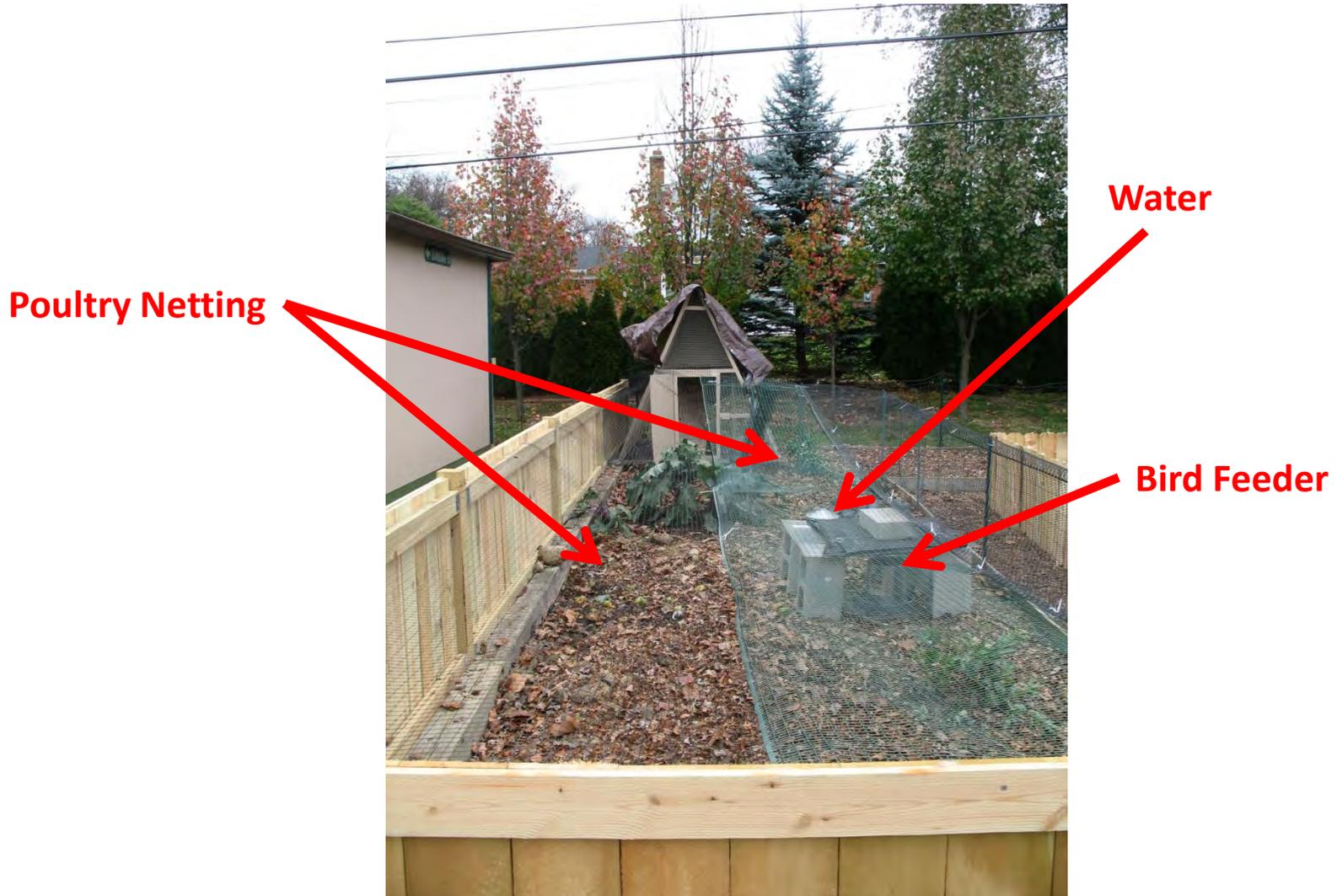
Backyard



**Poultry
Netting**



Fully enclosed 32'x8' run



**One Guinea
Fowl**



**Four
chickens**

Chicken coop (6'h x 8'l x 3'w)



**Hardware
Cloth on
All sides
and
bottom of
coop**