Chair Saeger called the Animal Control Appeal Board meeting to order at 7:00 p.m. on January 22, 2014 in the Lower Level Conference Room of the Troy City Hall.
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1. ROLL CALL

Present:
Patrick Carolan
Al Petrulis
Jayne Saeger
Steve Toth
Gretchen Waters

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

2. APPROVAL OF AGENDA

Motion by Toth
Second by Carolan

RESOLVED, to add “Election of Officers” to Agenda item 5, Other Business.

Yes: All

Motion by Petrulis
Second by Carolan

RESOLVED, to approve the agenda as amended

Yes: All

3. APPROVAL OF MINUTES

Moved by Petrulis
Seconded by Toth

RESOLVED, to approve the May 22, 2013 meeting minutes.

Yes: All

MOTION PASSED

4. HEARING OF CASE

A. **WAIVER REQUEST, JAMIE AND RENEE MUTER, 5760 CLIFFSIDE** – In order to keep up to 3 chickens, a waiver from the requirement that the property be at least .75 of an acre in size. The property is approximately .193 acres in size. Animal Ordinance Section: 90.70.20 (f)

Mr. Evans presented the case. The applicant currently has an animal license for 1 chicken. For reasons that are not clear, the existing Animal Permit was issued in 2010 without conducting an Animal Control Appeals Board hearing in advance. No waiver for property size was ever granted. It appears the Muter's did everything the City asked, and 2013 a nearby resident questioned the presence of chickens on the property. Since the license was issued in error, the appropriate action is to consider the waiver request.

Mr. Muter was present and gave the board a brief history of events related to the existing Animal License. He explained that in 2010, the City Clerk told him that even though the license stated "1 chicken", it could be for any number of chickens. The chicken coop is designed for up to 3 chickens, and he does not want any more than that. He currently has hens, no roosters, and is not certain how long he wants to keep the animals.

The public hearing was opened.

- A resident residing on Rosebrook spoke against the request.
- Mr. Evans summarized written comments received: 3 supporting, 2 against.

The public hearing was closed.

The Board sought information from Mr. Muter including the age of the chickens, the condition of the coop, and confirmation the yard was fenced. The Board discussed the unique circumstance that the Animal License was issued due to a City error, the purpose of tonight's hearing, the effects of the animals upon neighboring property, and the possible duration of the Animal License should a waiver be granted.

Motion by Carolan
Second by Toth

RESOLVED, to approve the request, because of the City error, with conditions:
- The license will expire September 17, 2015
- The license will be amended to allow 3 chickens

All: Yes

5. OTHER BUSINESS

Election of Officers

Motion by Petrulis
Second by Carolan

RESOLVED, to elect Jayne Saeger as Chair

Yes: All

Motion by Toth
Second by Carolan

RESOLVED, to elect Al Petrulis as Vice Chair

Yes: All

Motion by Petrulis
Second by Waters

RESOLVED, to elect Patrick Carolan as Secretary

Yes: All

2014 Meeting Dates

Motion by Petrulis
Second by Carolan

RESOLVED to move the November 26, 2014 meeting date to November 5, 2014.

Yes: All

6. ADJOURNMENT

The Animal Control Appeals Board meeting ADJOURNED at 8:03 p.m.

Respectfully submitted,

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Jayne Saeger, Chair

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Paul Evans, Zoning and Compliance Specialist

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