



# ANIMAL CONTROL APPEAL BOARD MEETING AGENDA

500 W. Big Beaver  
Troy, MI 48084  
(248) 524-3364  
[www.troymi.gov](http://www.troymi.gov)  
[planning@troymi.gov](mailto:planning@troymi.gov)

Jayne Saeger, Chair, Al Petrulis, Vice Chair  
Patrick K. Carolan, Secretary, Gretchen Waters

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<b>November 5, 2014</b>	<b>7:00 P.M.</b>	<b>Lower Level Conference Room</b>
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1. ROLL CALL
2. APPROVAL OF AGENDA
3. APPROVAL OF MINUTES – September 24, 2014
4. HEARING OF CASES
  - A. WAIVER REQUEST, VINCENT DEPAUW, 1641 E. WATTLES – In order to keep 10 chickens, a waiver from the requirement that the property be at least .75 of an acre in size. The property is approximately .735 acres in size.  
  
**Animal Ordinance Section: 90.70.20 (f)**
5. OTHER BUSINESS
6. 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](mailto: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.

Chair Saeger called the Animal Control Appeal Board meeting to order at 7:00 p.m. on September 24, 2014 in the Lower Level Conference Room of the Troy City Hall.

1. ROLL CALL

Present:

Patrick Carolan  
Jayne Saeger  
Steve Toth

Absent:

Al Petrulis  
Gretchen Waters

Also Present:

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

2. APPROVAL OF AGENDA

Motion by Carolan  
Second by Toth

RESOLVED, to approve the agenda as submitted.

Yes: All

MOTION PASSED

3. APPROVAL OF MINUTES

Moved by Carolan  
Second by Toth

RESOLVED, to approve the July 23, 2014 meeting minutes.

Yes: All

MOTION PASSED

4. HEARING OF CASES

A. WAIVER REQUEST, RODGER WALTERS, 1265 BOYD – In order to keep 6 chickens, a waiver from the requirement that the property be at least .75 of an acre in size. The property is approximately .165 acres in size. Animal Ordinance Section 90.70.20 (f).

Chair Saeger advised the applicant that because a full Board was not present, the applicant could request a postponement to a future meeting date to be heard by a full Board. She indicated that if he chose to proceed tonight, the option to postpone would not be available.

Mr. Walters elected to proceed.

Mr. Evans summarized the case for the Board.

Mr. Walters explained in addition to the information in his application, the chickens would be brought in every night and kept in a steel coop that was at least 1 foot off the ground.

The public hearing was opened.

Stanley Nagayama, 1251 Boyd, spoke in favor of the request.

Mr. Walters submitted a petition to the Board. Numerous nearby residents signed the petition in favor of the request.

Mr. Evans summarized a written comments filed by other area residents in favor. On a map presented on the overhead projector, Board members identified the location of each commenter/petition signer relative to the subject property.

The public hearing was closed.

The Board discussed the proximity of those publicly commenting relative to the subject site, the size of the subject site, the size of surrounding properties, and potential negative aspects of having chickens on property this small which is surrounded by similarly sized small properties. Aspects discussed included the attraction of predators and rodents.

Member Toth motioned to grant the request due to neighborhood support. There was no second.

Motion by: Carolan

Second by: Toth

RESOLVED to deny the request.

Yes: All

MOTION PASSED

- B. **WAIVER REQUEST, JENNIFER DURHAM, 477 HURST** – In order to keep 6 chickens, a waiver from the requirement that the property be at least .75 of an acre in size. The property is approximately .543 acres in size. Animal Ordinance Section 90.70.20 (f).

Chair Saeger advised the applicant that because a full Board was not present, the applicant could request a postponement to a future meeting date to be heard by a full Board. She indicated that if he chose to proceed tonight, the option to postpone would not be available.

Ms. Durham elected not to proceed. The Board and Ms. Durham agreed to postpone the matter to the January 28, 2015 regularly scheduled meeting.

5. OTHER BUSINESS

Stanley Nagayama asked how to go about requesting reconsideration for a denied request.

Ms. Lancaster advises that any new application would have to be substantially different.

6. ADJOURNMENT

The Animal Control Appeals Board meeting ADJOURNED at 7:48 p. m

Respectfully submitted,

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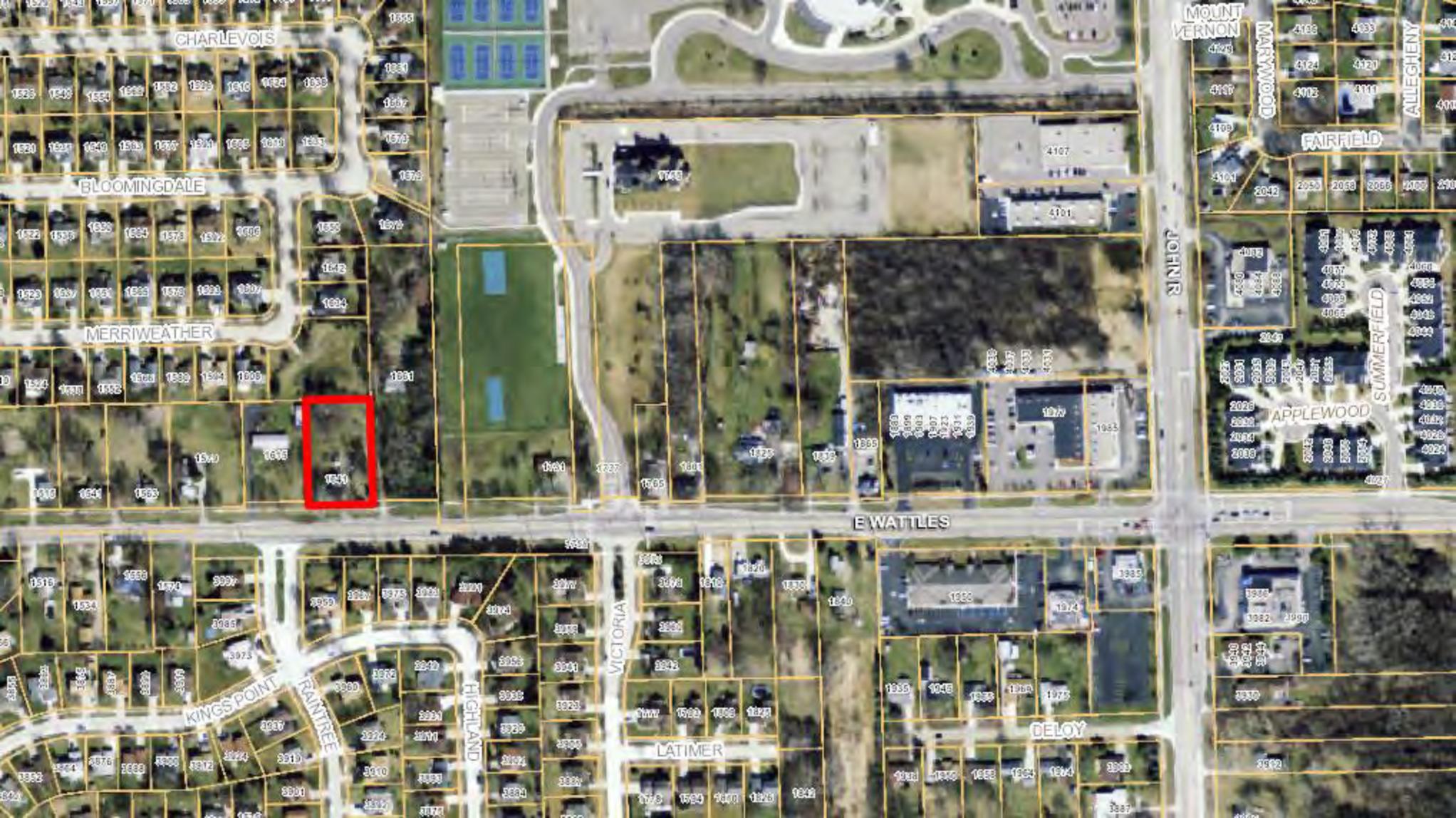
Jayne Saeger, Chair

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Paul Evans, Zoning and Compliance Specialist

- A. **WAIVER REQUEST, VINCENT DEPAUW, 1641 E. WATTLES:** – In order to keep 10 chickens, a waiver from the requirement that the property be at least .75 of an acre in size. The property is approximately .735 acres in size.

**Animal Ordinance Section: 90.70.20 (f)**





MERRIWEATHER

538

1552

1566

1580

1594

1608

1661

1541

1563

1579

1615

1641

1731

E WATTLES

1758

1556

1574

3997

1534

3985

RAINTREE

3959

3967

3975

3983

3991

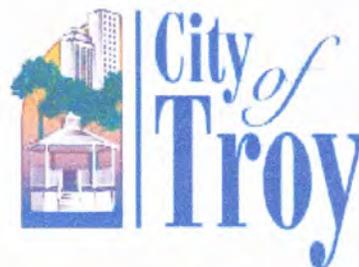
3977

3974

3959

## ANIMAL APPEAL APPLICATION

PLANNING DEPARTMENT  
500 W BIG BEAVER  
TROY MI 48084  
248 524 3364



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. A COMPLETE DIGITAL APPLICATION MUST BE FILED AT LEAST **21 DAYS BEFORE** THE MEETING DATE. 2014 MEETING DATES ON PAGE 2.

### APPLY VIA E-MAIL – INSTRUCTIONS

TROY PLANNING DEPARTMENT IS GOING PAPERLESS. THIS MEANS WE DO NOT NEED A PAPER COPY OF YOUR APPLICATION AND SUPPORTING DOCUMENTS. E-MAIL YOUR APPLICATION AND ALL SUPPORTING DOCUMENTS TO [planning@troymi.gov](mailto:planning@troymi.gov). IF YOU CANNOT E-MAIL, PLEASE PROVIDE THE DIGITAL INFORMATION (i.e. JUMP DRIVE) TO THE PLANNING DEPARTMENT IN PERSON.

PROPERTY ADDRESS: 1641 E. Wattles Rd.

#### APPLICANT

NAME Vincent DePanw

ADDRESS 1641 E. Wattles Rd.

CITY Troy STATE MI ZIP 48085

PHONE 248-891-9272

E-MAIL depawski@yahoo.com

#### PROPERTY OWNER (if different than applicant):

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

PHONE \_\_\_\_\_

E-MAIL \_\_\_\_\_

## REQUIRED INFORMATION

- Written narrative describing your request.
- A site plan or aerial view of the property 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

E-mail signed application and supporting documents to [planning@troymi.gov](mailto:planning@troymi.gov)

Questions? Contact Paul Evans, Zoning & Compliance Specialist  
248 524 3359  
[evanspm@troymi.gov](mailto:evanspm@troymi.gov)

## PERMISSION TO INSPECT PREMISES

I, Vincent DePauw (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  DATE Oct. 8, 2014

## SCHEDULED MEETING DATES

2014

January 22

March 26

May 28

July 23

September 24

November 5

Planning Department  
500 W. Big Beaver  
Troy, MI 48084  
248-524-3359

Animal Control Appeal Board,

I am requesting a variance to house chickens. My research shows that I have 0.735 acres which is short of the 0.750 acres required for a permit to house livestock. I was unaware that I needed a permit when I acquired the chickens three years ago and was also under the impression that I had 0.750 acres. I have existing housing (6' x 8') and a 6' tall enclosed pen (12' x 24') with a net over the top. I live on Wattles Rd. and essentially have two neighbors. One to the east and one to the west, to the north is a retention pond. My yard is fenced on the west, south west and north. I like to let the chickens out in the yard and my neighbors are okay with this and encourage it.

Regards,



Vincent DePauw  
1641 E. Wattles Rd.  
Troy, MI 48085  
248-891-9272

S 89°42'16" E 140.01

SUB. LINE

6' Fence

\* The coop size is 8' x 6'

The pen is 12' x 24'

6' tall chicken wire with a net over the top.

OUT  
12'±

115

PROPERTY  
AS DESC.

229.43

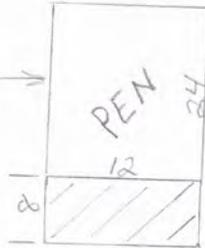
6' Fence

228.29

N 00°07'14" W

54

75

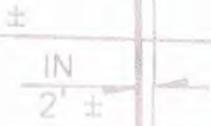


#1641  
1 STORY  
ALUM. SID.  
FRM. RES.

20

4'x4'  
CONC.

S 00°06'58" E



11.0



15' GRAVEL DRIVE

38.0±

6' Fence

PORCH

32.6

1.0

N 89°14'14" W

140.0

5' WALK



GRAVEL

00°07'14" W  
5:00

30.6±

Chicken Pen 12'x24'

Shed

T-111

7/16" OSB + Shingles  
w/ 2x4 Rafters

Netting

Chicken Wire  
Fencing

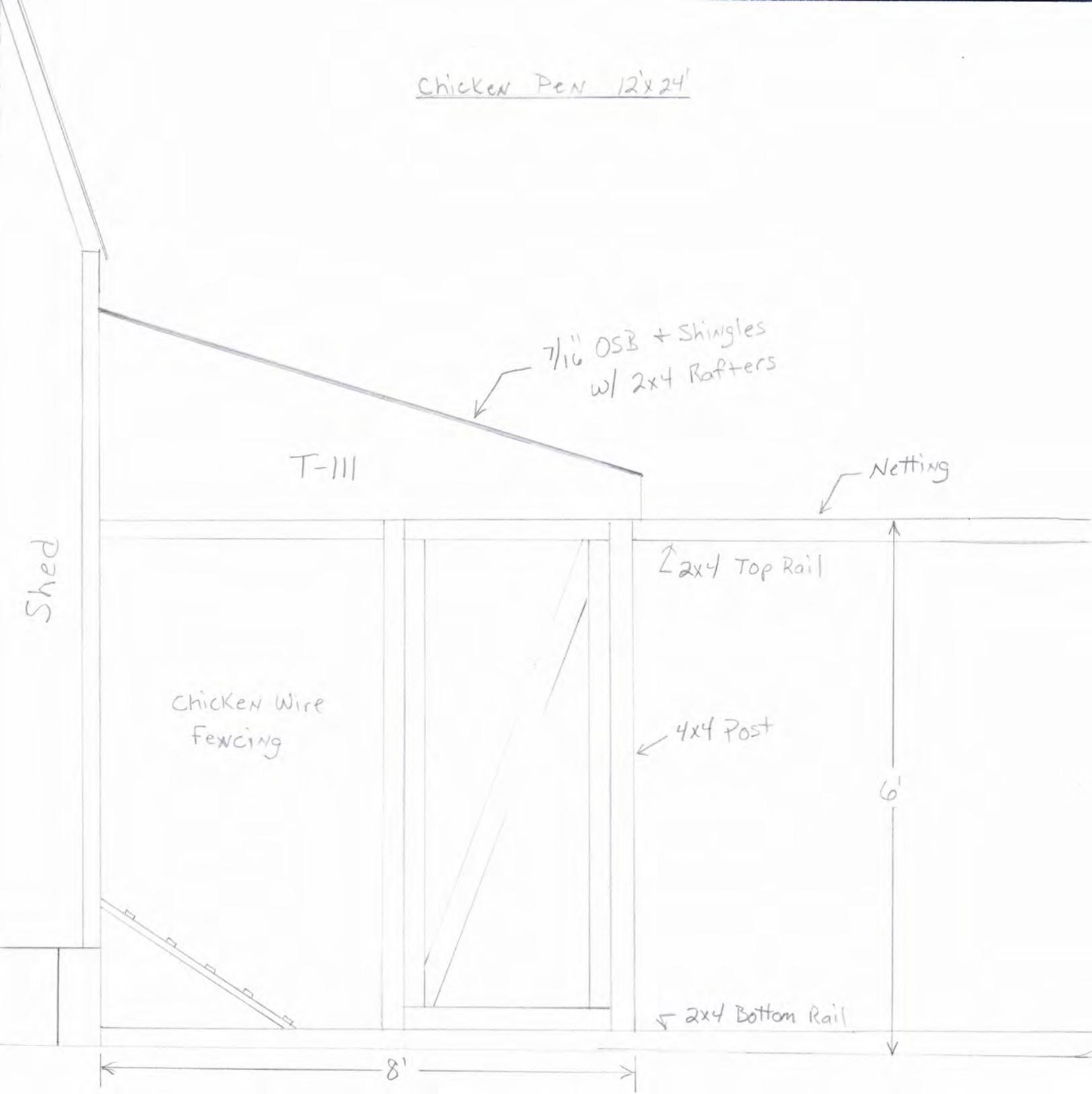
2x4 Top Rail

4x4 Post

6'

2x4 Bottom Rail

8'













5. OTHER BUSINESS

## Paul M Evans

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**From:** Steve Toth <stothbgct@yahoo.com>  
**Sent:** Wednesday, October 15, 2014 9:49 PM  
**To:** Paul M Evans  
**Subject:** Re: Animal Control Appeals Board November 5

Hi Paul,

Recently, I have taken a greater role with the Parks & Recreation Advisory Board and decided not to renew my appointment with ACA Board.  
My decision is reflected in the mailing sent back recently to the City Clerk's office.

I enjoyed my tenure working with everyone involved in the task assigned to the board. Please pass along my best wishes back to the rest of the board.

If I understand correctly, due to the expiration date of my appointment being September 31, 2014, I am no longer a member and will not be in attendance at the November 5th meeting.

Thank you for you professional leadership in the many duties that keep you busy on a daily basis!

Steve

***Steve Toth***  
***New Cell Number... 248 703-5216***

On Wednesday, October 15, 2014 12:24 PM, Paul M Evans <P.Evans@troymi.gov> wrote:

All:

I have received one appeals application for the subject meeting. Thus, we will meet on November 5.

FYI.

**Paul Evans | Zoning & Compliance Specialist**

City of Troy | 500 W. Big Beaver, Troy, MI 48084 | Office: 248.524.3359 | Cell: 248.885.1841 | [troymi.gov](http://troymi.gov)  

"We believe a strong community embraces diversity, promotes innovation, and encourages collaboration. We strive to lead by example within the region. We do this because we want everyone to choose Troy as their community for life. We believe in doing government the best."