

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

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

March 23, 2016

7:00 P.M.

Council Board Room

1. ROLL CALL
2. APPROVAL OF AGENDA
3. APPROVAL OF MINUTES – December 2, 2015
4. HEARING OF CASE
 - A. **WAIVER REQUEST, MATTHEW AND TERRI DAHMER, 5105 SOMERTON** – In order to keep 8 hens, no roosters, a waiver from the requirement that the property be at least .75 of an acre in size. The property is approximately .478 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 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 December 2, 2015 in the Council Board Room of the Troy City Hall.

1. ROLL CALL

Present:

Patrick Carolan
Patrick Floch
Al Petrulis
Jayne Saeger

Also Present:

Paul Evans, Zoning and Compliance Specialist
Nicole MacMillan, Assistant City Attorney
Sargent Michael Szuminski, Troy Police Animal Control Liaison

2. APPROVAL OF AGENDA

MOTION by Carolan
SECOND by Petrulis

RESOLVED, to approve the agenda as submitted.

3. HEARING OF CASES

WAIVER REQUEST, JAMIE AND RENEE MUTER, 5760 CLIFFSIDE – In order to keep 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) Animal Ordinance Section 90.70.20 (f).

Mr. Evans provided a brief overview of the request. Mr. Muter apprised the Board of the history of having chickens on the property, advised that there was adjacent neighbor support, indicated that the chickens were not a nuisance, and described how the chickens are kept.

Chair Saeger opened the public hearing. A Cliffside resident spoke against the request. Mr. Evans summarized the written public comments received by the City. Four were in favor, one was conditionally in favor, and one was against. Chair Saeger closed the public hearing.

The Board noted the following:

- The .193 acres is not a sensibly-sized parcel for this request.
- That the previous identical request from 2014 was granted partially to correct errors but should not set precedent.
- That the Board was unable to have the same discussion prior to the chickens being established in 2010 when they first heard this matter in 2014.

Motion by Petrulis
Second by Floch

RESOLVED, to deny the request, but to allow the applicant 60 days to relocate the chickens.

Yes: All

MOTION PASSED

4. APPROVAL OF MINUTES – Mr. Evans noted that the Board skipped over this item.

Moved by Carolan
Second by Petrulis

RESOLVED, to approve the March 25, 2015 meeting minutes.

Yes: All

MOTION PASSED

5. OTHER BUSINESS – Proposed 2016 Animal Control Appeal Board meeting dates

Motion by Carolan
Second by Floch

RESOLVED, to approve the proposed meeting dates.

Yes: All

MOTION PASSED

6. ADJOURNMENT

The Animal Control Appeals Board meeting ADJOURNED at 7:23 p.m.

Respectfully submitted,

Jayne Saeger, Chair

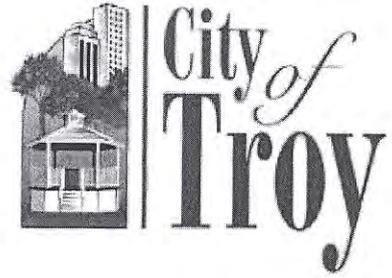
Paul Evans, Zoning and Compliance Specialist

4. HEARING OF CASE

- A. WAIVER REQUEST, MATTHEW AND TERRI DAHMER, 5105 SOMERTON
– In order to keep 8 hens, no roosters, a waiver from the requirement that the property be at least .75 of an acre in size. The property is approximately .478 acres in size

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 COMPLETE DIGITAL APPLICATION MUST BE FILED AT LEAST **21 DAYS BEFORE THE MEETING DATE.** 2015 MEETING DATES ARE ON PAGE 2.

APPLY VIA E-MAIL – INSTRUCTIONS

TROY PLANNING DEPARTMENT IS DIGITAL. 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. IF YOU CANNOT E-MAIL, PLEASE PROVIDE THE DIGITAL INFORMATION (i.e. JUMP DRIVE) TO THE PLANNING DEPARTMENT IN PERSON.

PROPERTY ADDRESS: 5105 Somerton

APPLICANT:

NAME Matt + Terri Dahmer

ADDRESS 5105 Somerton

CITY Troy STATE MI ZIP 48085

PHONE 248 528 1169

E-MAIL terridahmer@gmail.com

PROPERTY OWNER (if different than applicant):

NAME same

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

Questions? Contact Paul Evans, Zoning & Compliance Specialist

- 248 524 3359
- evanspm@troymi.gov

PERMISSION TO INSPECT PREMISES

I, Terri Dahmer (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 Theresa Dahmer DATE 2-2016

2016 ANIMAL CONTROL APPEAL BOARD MEETING DATES

- January 27
- March 23
- May 25
- July 27
- September 28
- November 30





5182

523

541

5159

5152

487

505

559

5141

5128

TRILLIUM

560

5123

623

659

661

5105

SOMERTON

CRESTON

488

506

524

542

5085

620

636

660

088

5073

5065

5070

560

5123

5105



SOMERTON

Paul M Evans

From: Matt Dahmer <mattdahmer@gmail.com>
Sent: 23 February, 2016 3:58 PM
To: Paul M Evans; Planning
Subject: Fwd:
Attachments: IMG_20160222_172507254.jpg; IMG_20160222_172637439_HDR.jpg; IMG_20160222_172612846.jpg

Paul, her are attachments / pictures of pen and coop for 5105 Somerton Dr. / Theresa Dahmer

There are 8 hens with no roosters

The dimensions (L x W x H) :

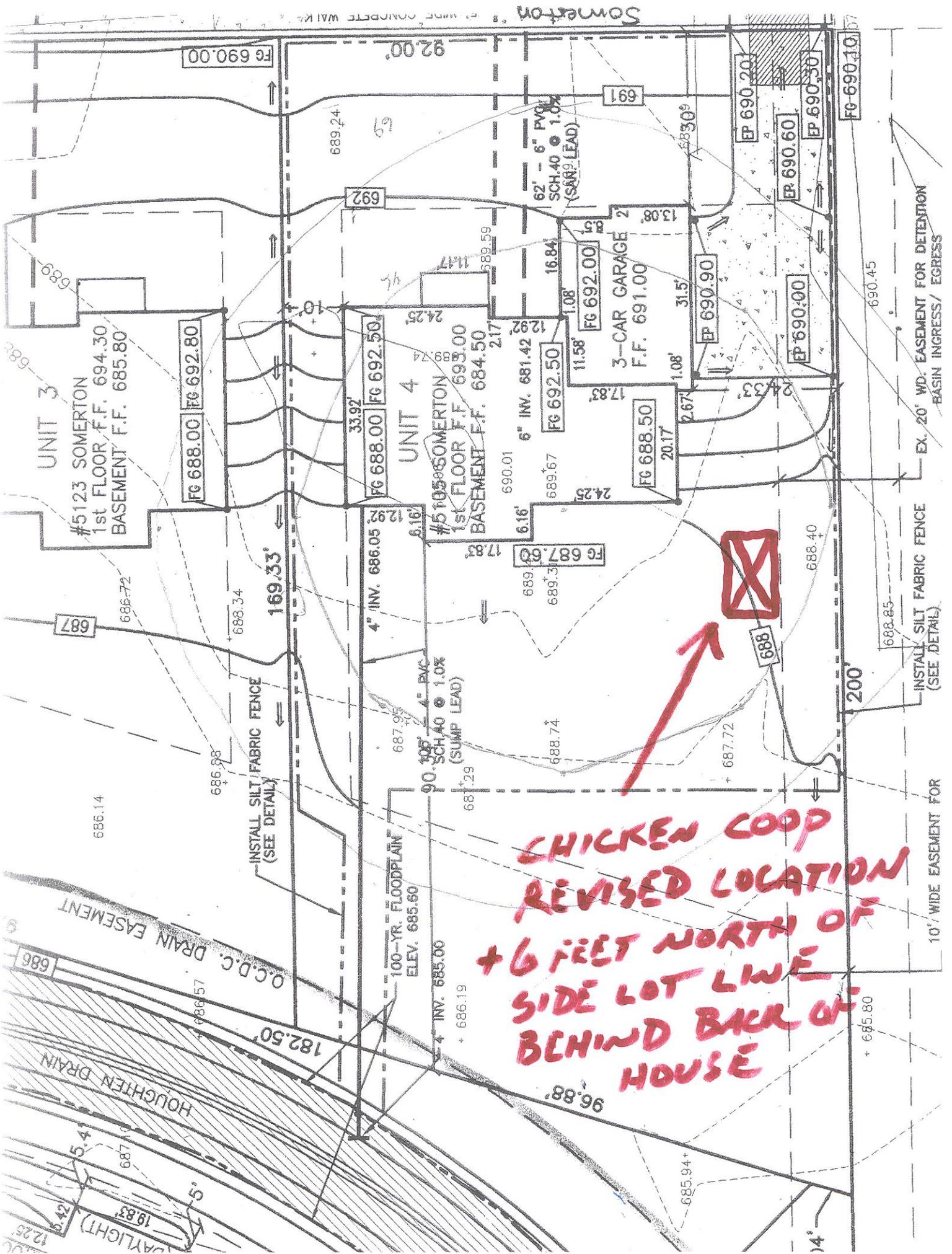
Coop - 10' x 3.5' x 6.5'

Pen - 13 ' x 7' x 6' (temporary winter roof not included in dimensions)

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Matt Dahmer

General Manager
Total Packaging Concepts, Inc.
(248) 291-0590
(248) 291-0592 fax



**CHICKEN COOP
REVISED LOCATION
+ 6 FEET NORTH OF
SIDE LOT LINE
BEHIND BACK OF
HOUSE**









From: Cyndi Maly <cyndimaly@yahoo.com>
Sent: Tuesday, March 15, 2016 2:52 PM
To: Planning
Subject: 5105 Somerton- Animal ordinance section 90.70.20 (f)
Attachments: IMG_1488[1].JPG; IMG_1487[1].JPG

Comment to this appeal:

You sent out a notice to neighbors about these resident's chickens, that they are appealing the City's ordinance of retaining them. yet they have not made any attempts to move their chicken coop into their own back yard, which would not be on someone else's property line, and still let them run free in the neighbors yards. Attached are 2 pictures of these chickens in the neighbor's next door and at 2 homes down from where their residence. Why should they be allowed to keep them if they are not going to keep them on their own property. This is unacceptable.







