Chair Saeger called the Animal Control Appeal Board meeting to order at 7:00 p.m. on March 27, 2013 in the Lower Level Conference Room of the Troy City Hall.

1. ROLL CALL

Present:
Al Petrulis
Jayne Saeger
Gretchen Waters

Absent:
Patrick Carolan
Steve Toth

Also Present:
Paul Evans, Zoning and Compliance Specialist
Julie Dufrane, Assistant City Attorney

Mr. Evans advised that because a full Board was not present, the applicant may request postponement to a date certain. The applicant did not request adjournment.

2. APPROVAL OF AGENDA – No changes

3. APPROVAL OF MINUTES – November 28, 2012

Moved by Petrulis
Seconded by Saeger

RESOLVED, to approve the November 28, 2012 meeting minutes.

Yes: All

MOTION PASSED

4. HEARING OF CASE

A. WAIVER REQUEST, EDWARD DOWNING, 4282 SUGAR GROVE – In order to keep up to 4 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.

Mr. Downing presented a brief PowerPoint presentation reviewing the aspects of his request including:

- A 6 foot tall fence will be erected around the backyard.
- Chicken wings will be clipped or an enclosure will be built to prevent chickens escaping.
- He will follow Michigan Commission of Agriculture & Rural Development "Generally Accepted Agricultural and Management Practices for the Care of Farm Animals" dated January 2012.

Mr. Downing discussed the Michigan Right to Farm Act and its applicability in this matter. City staff advised the Michigan Right to Farm Act does not apply to this request.

Mr. Downing expressed his opinion about the City's Animal Ordinance. He referenced a 2012 Environmental Law Institute survey of municipal laws relating to backyard poultry, and paraphrased information from it relating to the number of chickens different communities allow.

Chair Saeger opened the public hearing.

A resident of Minnesota Drive expressed her general belief that chickens should be allowed on residential property.

Mr. Evans summarized written communications received by the Planning Department:

- E-mails from 5 Sugar Grove Court residents in favor of the request.
- One e-mail from a Brandywyne Drive resident not in favor of the request.
- One letter from 3 Frostwood Court residents not in favor of the request.

Chair Saeger closed the public hearing.

In response to public hearing comments, Mr. Downing disagreed with many of the statements indicated in the letters from those not in favor of the request.

Motion by Petrulis
Seconded by Waters

RESOLVED, to deny the request because the property is significantly under ¾ of an acre and the property size is typical of those within Troy subdivisions.

Yes: All

MOTION PASSED

5. OTHER BUSINESS

A. ELECTION OF OFFICERS

Motion by Waters
Second by Petrulis

RESOLVED, to adjourn Election of Officers to the regularly scheduled May 22, 2013 meeting, because a full Board is not present.

Yes: All

6. ADJOURNMENT

The Animal Control Appeals Board meeting ADJOURNED at 8:02 p.m.

Respectfully submitted,

Jayne Saeger

Jayne Saeger, Chair

Paul Evans

Paul Evans, Zoning and Compliance Specialist

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