

## **RESOLUTION TEMPLATE**

Moved by:

Seconded by:

***RESOLVED***, That the waiver request for [applicant name, company, address or location], for waiver of [request],

*Be granted for the following reasons:*

That the applicant has demonstrated:

1. That the animals will be treated humanely and will not be neglected or treated with cruelty, and
2. The animals will be maintained in quarters constructed to prevent their escape, and
3. That reasonable precautions shall be taken to protect the public from the animals and the animals from the public, and
4. That the animals will not be loud or likely be detrimental to the neighborhood.

*Be denied for the following reason(s):*

1. That the animals will may not be treated humanely and/or will be neglected or treated with cruelty, and /or
2. The animals will not be maintained in quarters constructed to prevent their escape, and/or
3. That reasonable precautions have not been taken to protect the public from the animals and the animals from the public, and/or
4. That the animals may be loud and/or
5. That the animals will likely be detrimental to the neighborhood due to [indicate reason(s)]. and/or
6. Other [indicate reason(s)]

*Be postponed for the following reasons:*

Yeas:

Nays:

**MOTION CARRIED / FAILED**



500 West Big Beaver  
Troy, MI 48084  
troymi.gov

Planning Department  
[planning@troymi.gov](mailto:planning@troymi.gov)  
248.524.3364

# ANIMAL CONTROL APPEAL BOARD MEETING AGENDA

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

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**January 24, 2018**

**7:00 P.M.**

**Lower Level Conference Room**

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1. ROLL CALL
2. APPROVAL OF AGENDA
3. APPROVAL OF MINUTES – November 29, 2017
4. HEARING OF CASES
  - A. **5073 SOMERTON, GLEN R. PERYE III, WAIVER REQUEST** – In order to keep 5 chickens, a waiver from the requirement that the property be at least .75 of an acre in size. The property is approximately .44 acres in size.
5. OTHER BUSINESS – None
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 7:10 p.m. on November 29, 2017 in the Troy City Hall Lower Level Conference Room.

1. ROLL CALL

Present:

Patrick Carolan

Patrick Floch

Jayne Saeger

Gretchen Waters

Absent:

Al Petrulis

Also Present:

Paul Evans, Zoning & Compliance Specialist

Nicole MacMillan, Assistant City Attorney

Michael Szuminski, Troy Police Department

2. APPROVAL OF AGENDA

MOTION by Carolan

SECOND by Floch

RESOLVED, to approve the agenda as submitted.

Yes: All

MOTION PASSED

3. APPROVAL OF MINUTES

MOTION by Carolan

SECOND by Floch

RESOLVED, to approve the September 27 meeting minutes.

Yes: All

MOTION PASSED

4. HEARING OF CASES

- A. 953 MUER, RENEI DRASOVEAN, WAIVER REQUEST – In order to keep 6 chickens, 2 guineas, and 2 pheasants, a waiver from the requirement that the property be at least .75 of an acre in size. The property is approximately .5 acres in size.

Zoning & Compliance Specialist Paul Evans presented a brief overview of current conditions located at 953 Muer, including but not limited to site location, photos of pertinent structures and yards, code requirements and photographs provided by the applicant.

Mr. Drasovean indicated the keeping of birds started when his son brought a chicken home from high school. He advised they were now seeking approval for 5 chickens, 1 rooster and 1 guinea. One guinea had been removed due to noise concerns. He is willing to remove the rooster if the Board desires.

Chair Saeger opened the public hearing. Two residents spoke against the request, one spoke in favor. Mr. Evans advised the City received one letter in favor and one against. The letter against was written by the same person who spoke against the request.

Mr. Evans advised this matter came to the City's attention because of a resident complaint.

Mr. Carolan expressed concerns about the number of birds, that caging pheasants is atypical, and that an alternative could be to locate larger property in Troy. Mr. Floch indicated his concern about noise, and that larger property could more reasonably address this.

MOTION by Carolan  
SECOND by Floch

RESOLVED, to deny the request due the property not being .75 acres, and that the applicant has 60 days to remove the birds.

Yes: All

MOTION PASSED

- B. 5073 SOMERTON, GLEN R. PERYE III, WAIVER REQUEST – In order to keep 5 chickens, a waiver from the requirement that the property be at least .75 of an acre in size. The property is approximately .44 acres in size.

Zoning & Compliance Specialist Paul Evans presented a brief overview of current conditions located at 5073 Somerton, including but not limited to site location, photos of pertinent structures and yards, code requirements and photographs provided by the applicant.

Mr. Perye summarized his request. Chair Saeger opened the public hearing. Mrs. Perye spoke in favor of the request. Mr. Evans advised the City received two letters in favor.

In response to Mr. Carolan's question, Mr. Perye advised they purchased the property knowing a waiver would be required to have the chickens. The Board discussed the property size.

MOTION by Waters  
SECOND by Floch

RESOLVED, to grant the request because the birds are treated like pets, they don't wander, the applicant is providing good facilities, and there were no public objections.

The Board discussed the potential for the neighbor to the north to allow access or use of .31 acres of their property to potentially achieve a relationship similar to having .75 acres. Mr. Floch indicated that he needs to know from the neighbor if this were plausible before potentially granting.

Yes: Waters  
No: Carolan, Floch, Saeger

MOTION FAILED

Mr. Carolan indicated that more time was needed to allow the applicant and neighbor to discuss some form of property sharing.

MOTION by Carolan  
SECOND by Floch

RESOLVED, to postpone the request to the January 24, 2018 meeting.

Yes: Carolan, Floch, Saeger  
Abstain: Waters

MOTION GRANTED

5. OTHER BUSINESS – Proposed 2018 meeting dates

MOTION by Carolan  
SECOND by Waters

RESOLVED, to accept the 2018 meeting dates as proposed.

Yes: All

MOTION PASSED

6. ADJOURNMENT

Chair Saeger adjourned the meeting at 8:41 p.m.

Respectfully submitted,

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Jayne Saeger, Chair

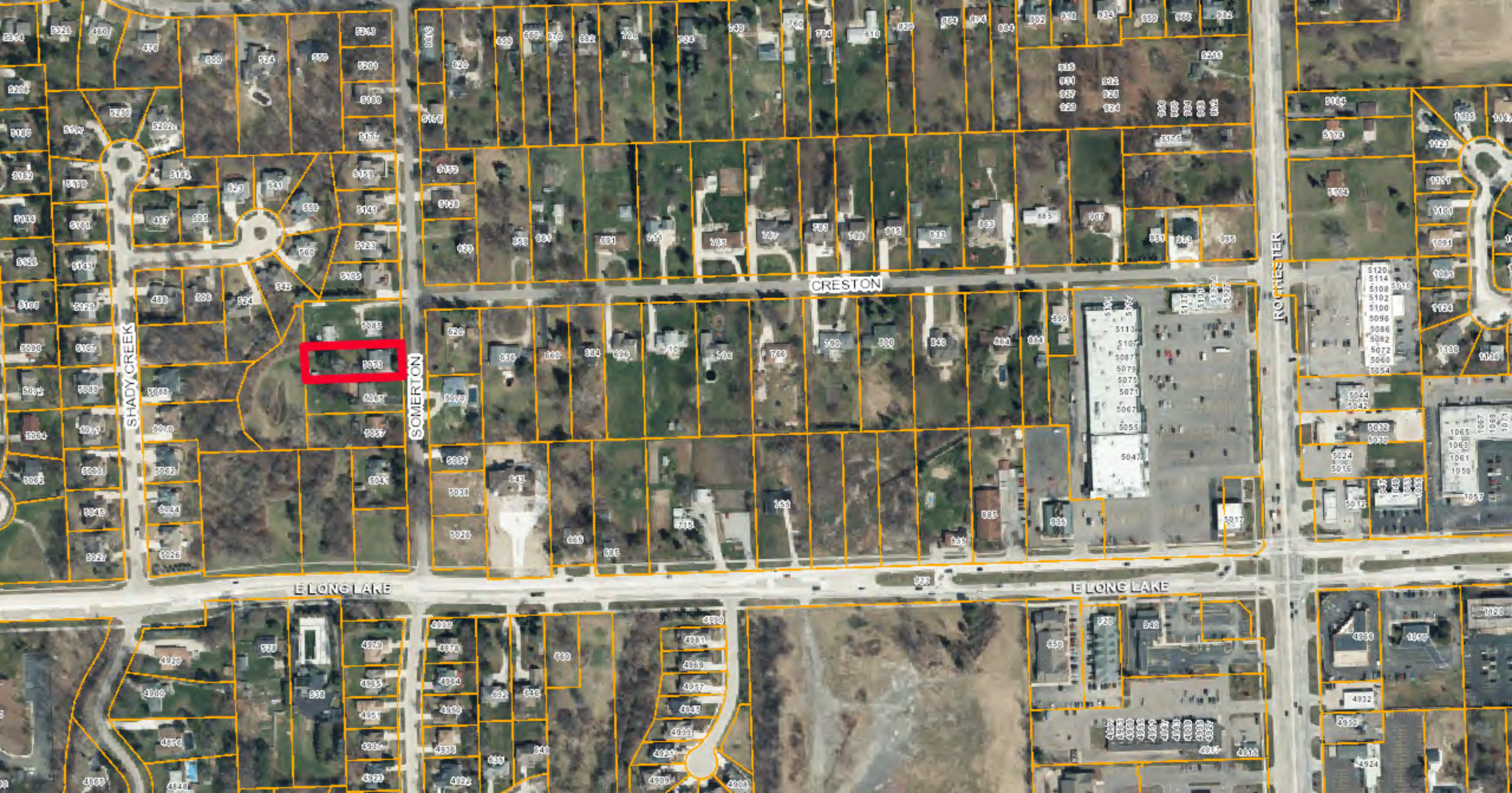
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Paul Evans, Zoning & Compliance Specialist

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- A. **5073 SOMERTON, GLEN R. PERYE III, WAIVER REQUEST** – In order to keep 5 chickens, a waiver from the requirement that the property be at least .75 of an acre in size. The property is approximately .44 acres in size.





SHADY CREEK

SOMERTON

CRESTON

ROCHESTER

ELONG LAKE

ELONG LAKE





560

623

5105

542

524

6

CRESTON

SOMERTON

5085

5073

5065

5057

620

636

660

5070



**5085**

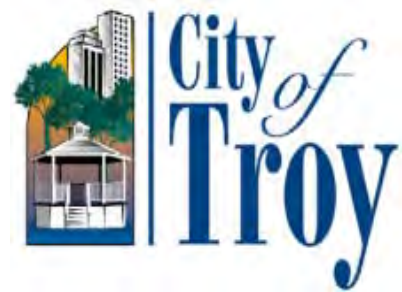
**5073**

**5065**

SOMERTON

## 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. 2017 MEETING DATES ARE ON PAGE 2.

PROPERTY ADDRESS: 5073 Somerton Drive

APPLICANT:

NAME Glen R Perye III and Deborah Perye

ADDRESS 5073 Somerton Drive

CITY Troy STATE MI ZIP 48085

PHONE 248 321 4929

E-MAIL grperye3@gmail.com

PROPERTY OWNER (if different than applicant):

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

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

PHONE \_\_\_\_\_

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



## APPLICATION DOCUMENTS REQUIRED:

- Written narrative describing your request.
- Site plan or property survey showing the location of buildings/structures intended to house animal(s)
- Dimensioned sketches or drawings of building, structures and/or other enclosures, including fences.
- Sample photos of proposed building, structures, and/or other enclosures including fences.
- Anything else that will explain what is proposed

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

Questions? Contact Paul Evans, Zoning & Compliance Specialist

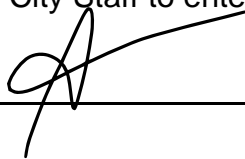
- 248 524 3359
- [evanspm@troymi.gov](mailto:evanspm@troymi.gov)

## PERMISSION TO INSPECT PREMISES

Glen R Perye III

I, \_\_\_\_\_ (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 11/05/2017

## 2017 ANIMAL CONTROL APPEAL BOARD MEETING DATES

January 25

March 22

May 24

July 26

September 27

November 29

Mr. Evans and the Troy Animal Appeals Board,

My name is Glen Robert Perye (AKA Bob). My wife Deborah (AKA Deb) and I have recently completed our move from Berkley to Troy and we are contacting you today in application for a variance to the .75 acre domestic animal ordinance for the purpose of bringing our backyard chickens to our new home.

The following pages provide details about our property, our flock, housing structures and management plan. We're eager to bring our small flock from their temporary residence in Ferndale to our new home here in Troy and we are ready to work with our neighbors and the board to eliminate any concerns which may prohibit approval of this request.

All 4.5 birds are laying hens, approximately 3 years of age as of this application. They are generally quiet, healthy and well behaved. They know their own names when called individually and they also follow a few commands we use when directing them in various activities. The hen we call "The Senator" lost her ability to walk due to vitamin deficiency in February 2017, but she's a sweet character and fully recovered otherwise, so we keep her around and refer to her as .5 of a chicken. There are **NO ROOSTERS** in our flock, nor will there ever be. *"If it crows, it goes!"*

5073 Somerton Drive is officially .44 acre, with additional buffering at the rear of our lot by a city maintained reservoir, creek and tall tree line which isolates our yard from view of the neighbors to the west and north. Our lot is not fenced, however our closest neighbor to the south does have a 6 foot privacy fence, which along with our garage and trees isolates our yard from their view.



5073 Somerton Drive and surrounding area, from above. The orange rectangle represents the approximate property boundaries. (Google, 2015)

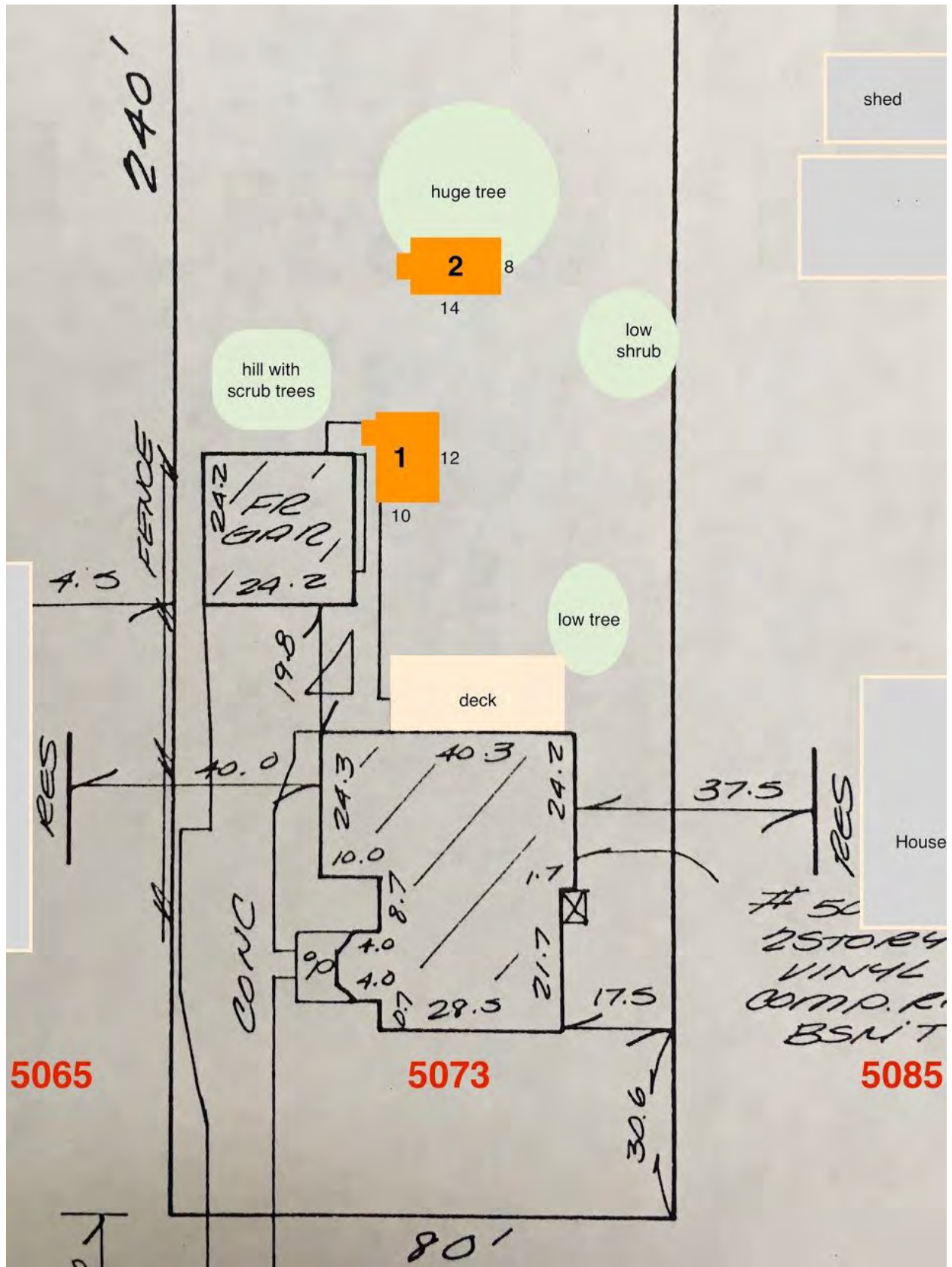


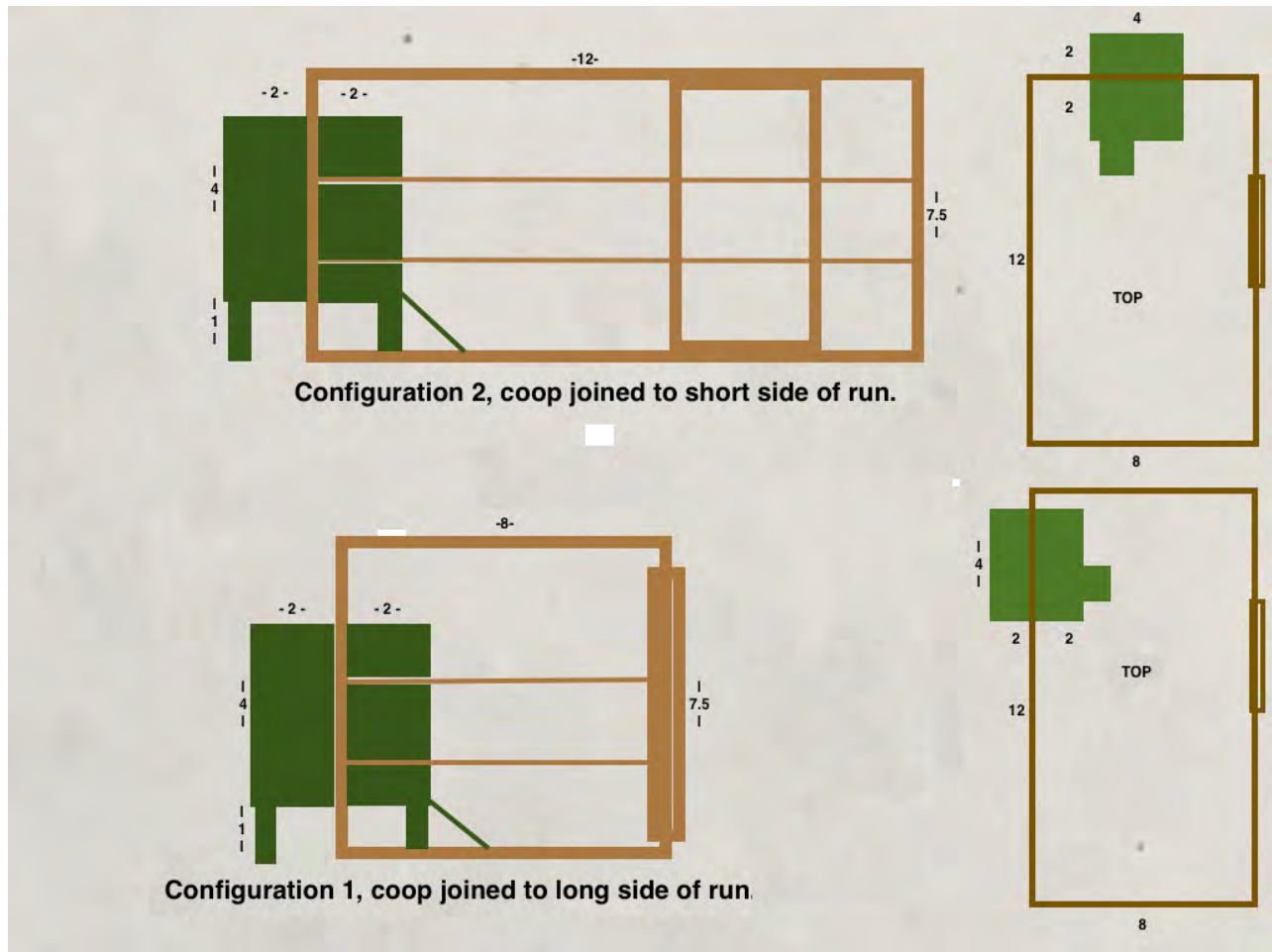


**The portion of our yard in consideration, looking west from our second story balcony. Our garage is to the left and the neighbor's workshop and shed to the right. The unoccupied chicken coop is the green structure near center. (2017)**

Our back yard is relatively open, providing a number of locations for coop and run placement, though we'd prefer to keep them nearer to the house, since we like spending time with them and to provide easy access for daily upkeep. I have indicated my preferred potential locations (**1** and **2**) on the modified dimensional drawing on the following page, and request your guidance as far as compliance with the relevant zoning requirements for accessory animal structures in relation to primary structures. If there are other potentially better locations or configurations for our property, we're ready and willing to work with those suggestions, as well. We also have no problems cutting back or removing the scrub trees or shrubbery or planting additional vegetation to provide visual buffer as necessary to accommodate optimal coop and run placement.

The coop structure itself was built in 2014 from new materials and moved from our previous home in Berkley. The enclosed run was constructed in 2016 from new materials and is currently located at the flock's temporary home in Ferndale. We'd like to use this coop in conjunction with the run, both for their excellent build quality as well as expediency, as winter conditions rapidly develop over this region. Our intention is to secure the chicken entrance side of the coop halfway into one wall of the run to allow chickens free access from inside, and give us egg door access from outside, as well as free up additional square footage inside the run for the chickens to utilize. Details and photos of each structure are presented in the following pages.





A crude illustration of two possible combinations of our existing coop structure already at our Somerton site, with the enclosed run structure we will move from it's Ferndale location. The structures are not perfectly drawn to scale.





The unoccupied coop, in approximately preferred location 1 next to the garage where the movers dropped it, looking towards our house from the backyard. (2017)



**The unoccupied chicken coop, in approximately preferred location 1, as seen from the north side of the property, looking south towards our garage. (2017)**



**The unoccupied coop, in approximately preferred location 1, looking from behind our garage towards our northern neighbors. Change in grass color is the property line. (2017)**

Both the run and coop are overbuilt in order to provide long term durability, ample room for the hens to get away from one another and snow-loading capabilities to withstand bad winters.

The fully enclosed chicken run, measuring 12 feet long, 8 feet wide and approximately 7.5 feet tall at it's apex provides the hens a protected outdoor environment for day time activities year round.

Run materials are treated lumber, chicken wire, and transparent polycarbonate panel roofing. Green mesh windblock material is used around the perimeter of the run for additional winter weather protection. Wire flooring and cement blocks provide defence against tunneling predators. The polycarbonate roof is angled for easy of snow removal and rain run-off. We intend to add rain gutters to further route excess water away from the run after structure placement is determined.





**The run during final assembly at it's current location in Ferndale. (2016)**



**The complete run, with temporary plastic coop just prior to adding chickens, in Ferndale. (2016)**

The permanent chicken coop measures 4 feet long, 4 feet wide and is about 6 feet tall at it's apex, due to sitting 2 feet off of ground level on it's stilts. 4x4 fence posts are used for stilts and framing, treated and painted OSB walls, roof and doors. Brass hardware, tiled flooring inside and large double door access for easy clean up, ample ventilation and an asphalt shingled roof. Thanks to the coop's over-engineered design, our flock has not experienced a single overnight incursion from predators nor vermin throughout it's previous years in service at our Berkley home.



The coop interior, showing tile, roosts and nest boxes during final assembly in Berkley (2014).



The completed coop exterior, doors closed, ramp down, in Berkley (2014).



Due to the comparatively tight quarters of our previous property in Berkley and our flock's temporary Ferndale location (Approximately .15 and .05 acres, respectively) we have a very proactive and proven effective management plan designed to prevent nuisances to the neighborhood, exclude predators and keep our flock happy and healthy.

**\* For the safety of our flock and respect for our neighbors, we DO NOT allow the chickens to “free range”.** The flock is contained in the run at all times.

\* All feed and materials are stored in galvanized steel containers with locking lids.

\* Daily rations are provided by a galvanized treadle feeder, which requires the weight of at least one hen (5+ lbs) to actuate the lid for access to the feed tray.



**Red stepping on the paddle of the treadle feeder to get at her lunch. (2015)**

\* Both coop and run are bedded with a combination of construction sand and a commercial product named Sweet PDZ which provides anti-moisture, anti-odor benefits and which we rake and scoop out like cat litter on a weekly basis.

\* Walls, nest boxes, fixtures and equipment are cleaned as needed to maintain hygienic conditions, deter pests and keep the birds healthy.

\* Water bowls are wiped and refilled daily.

\* Uneaten foods and any other discarded materials are removed and disposed of on a nightly basis.

\* Straw bales are provided for entertainment, sound absorption and additional windblocking. As the hens pull the bales apart we remove the excess straw and send it to SOCRRA along with the droppings and egg shells for composting.

\* Topical and internal medications are utilized only when absolutely needed to prevent immunity development and keep stressors on the native habitat low.

\* For the winter months, external thermostats control two 85 watt industrial heated floor mats to keep the water bowls from freezing at air temperatures below 30F as well as provide supplemental heat inside the coop if the air temperature is below 20F.

\* To prevent injury and to eliminate fire hazards, neither glass light bulbs nor heat lamps of any kind are used within the run or coop.

\* Coop and run are inspected for damage or incursions regularly and repaired or fortified as needed.

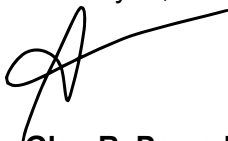
\* We provide our contact information to our neighbors and follow up with them periodically to make sure we are addressing their concerns and to share extra eggs with those who desire them.

As of this writing, we have only met and spoken with our immediate next door neighbors to the south since we moved in. Happily, they were in favor of our request so long as it didn't involve roosters, which of course it does not.

We are hoping to encounter our other immediate neighbors prior to the Appeals Board meeting, per your advice via telephone when we spoke in September after our offer on this house was first accepted. We will also be providing printed copies of this packet to each of them, either in person or via their mailbox.

Hopefully this covers any concerns the board may have. I read through the minutes of the past five meetings and did not find much encouragement based on previous applicants, so if there are any additional details you would like me to provide or steps to take ahead of the meeting to improve our chances of success, please let me know.

Thank you,



**Glen R. Perye III**

5073 Somerton Drive, Troy, MI 48085  
(248)321-4929 / grperye3@gmail.com

**From:** Dale Bishop <yfcdetroit@aol.com>  
**Sent:** Monday, November 20, 2017 9:26 PM  
**To:** Planning  
**Subject:** November 29, 2017 meeting

To whom it may concern,

I am responding to a notice sent to me regarding 5073 Somerton, Glen R. Perye III and his request to have chickens in his yard.

He is my next door neighbor and I look forward to him having the chickens. I am sure that he will be responsible and keep the area clean.

Also, my grandchildren are looking forward to feeding the chickens. It will be a pleasure to have them.

Any question you can reach me at 313-407-5771

Dale and Vicky Bishop  
5065 Somerton Rd



**From:** charlene <noraleland@yahoo.com>  
**Sent:** Monday, November 27, 2017 9:15 AM  
**To:** Planning  
**Subject:** waiver to keep 5 chickens at 5073 Somerton

Dear members of Troy Animal Control Appeal Board,

I passed by the property on Somerton owned by Mr. Perye and found it to be very neat and well kept. I hope you will grant him a waiver to keep five chickens. I believe he will continue to maintain his property as it is now. If I were his neighbor I would much prefer he had five chickens instead of five cats or dogs.

Sincerely,  
Charlene Calabro  
488 Trillium Dr.  
248 680 1607