

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.

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.
5. Other [indicate reason(s)]

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
248.524.3364

ANIMAL CONTROL APPEAL BOARD MEETING AGENDA

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

May 23, 2018

7:00 P.M.

Lower Level Conference Room

1. ROLL CALL
2. APPROVAL OF AGENDA
3. APPROVAL OF MINUTES – January 24, 2018
4. HEARING OF CASES
 - A. 1411 FALCON, LORI SCHULTZ, WAIVER REQUEST – In order to keep 4 chickens, a waiver from the requirement that the property be at least .75 of an acre in size. The property is approximately .58 acres in size.
 - B. 1353 MADISON, MACY JACKSON, WAIVER REQUEST – In order to keep 2 chickens, a waiver from the requirement that the property be at least .75 of an acre in size. The property is approximately .58 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 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 January 24, 2018 in the Troy City Hall Lower Level Conference Room.

1. ROLL CALL

Present:

Al Petrulis

Jayne Saeger

Gretchen Waters

Absent:

Patrick Carolan

Patrick Floch

Also Present:

Paul Evans, Zoning & Compliance Specialist

Nicole MacMillan, Assistant City Attorney

Michael Szuminski, Troy Police Department

MOTION by Petrulis

SECOND by Waters

RESOLVED, to excuse the absent Board members.

Yes: All

MOTION PASSED

2. APPROVAL OF AGENDA

MOTION by Petrulis

SECOND by Waters

RESOLVED, to approve the agenda as submitted.

Yes: All

MOTION PASSED

3. APPROVAL OF MINUTES

MOTION by Waters

SECOND by Petrulis

RESOLVED, to approve the November 29, 2017 meeting minutes.

Yes: All

MOTION PASSED

4. HEARING OF CASE

- 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.

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 presented the Board an easement agreement with the adjacent property owned by the Bishop's at 5065 Somerton. He indicated the chickens would not be roaming and thus, not actually use the 5065 Somerton property.

In response to Mr. Petrulis' question, Chair Saeger summarized Board discussion from the November 2017 meeting as to why the easement agreement was created.

Chair Saeger opened public comment. Residents at 5065 Somerton, 2105 Burdic, 5105 Somerton, 5073 Somerton indicated support. Mr. Evans indicated residents of 6733 Emerald Lakes and 5085 Somerton indicated support through written comments. Chair Saeger closed public comment.

Mr. Petrulis expressed concern that an easement agreement between properties may not be the best solution for future requests. He did not want this particular easement agreement to set a precedent or false expectation for future applicants. He believes this proposal may be beneficial in this instance due to neighboring property characteristics.

Ms. Waters acknowledged that the neighbors supported the request. Chair Saeger concurred.

Chair Saeger indicated the lot size for area properties was reasonable for this request and that the adjacent property to the west was unoccupied.

MOTION by Waters
SECOND by Petrulis

RESOLVED, to grant the request.

Yes: Waters
No: Petrulis, Saeger

MOTION FAILED

MOTION by Petrulis
SECOND by Saeger

RESOLVED, to grant the request based on the easement agreement between the Bishop's and the applicant which effectively meets or exceeds .75 acres.

Yes: All

MOTION PASSED

5. OTHER BUSINESS – Mr. Evans directed the Board's attention to written comments received from a resident regarding the Board's Resolution template.

Ms. Waters indicated it is the time of year where the public high schools hatch chickens as part of a class. She asked if the City could contact the School District to remind them about the City's minimum acreage requirement. Mr. Evans indicated he would do so.

6. ADJOURNMENT

Chair Saeger adjourned the meeting at 7:56 p.m.

Respectfully submitted,

Jayne Saeger, Chair

Paul Evans, Zoning & Compliance Specialist

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- A. **1411 FALCON, LORI SCHULTZ, WAIVER REQUEST** – In order to keep 4 chickens, a waiver from the requirement that the property be at least .75 of an acre in size. The property is approximately .58 acres in size.



KINLOCK

LEDWIN

BARTON WAY

BARTON

CROOKS

FALCON

JUSTINE

W SQUARE LAKE

75



W SQUARE LAKE

39

1425

1411

1397



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. 2018 MEETING DATES ARE ON PAGE 2.

PROPERTY ADDRESS: 1411 Falcon Drive, Troy MI 48098

APPLICANT:

NAME Lori Schultz

ADDRESS 1411 Falcon Drive

CITY Troy STATE MI ZIP 48098

PHONE 248-808-5244

E-MAIL lorischultz0208@live.com

PROPERTY OWNER (if different than applicant):

NAME same

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

Questions? Contact Paul Evans, Zoning & Compliance Specialist

- 248 524 3359
- evanspm@troymi.gov

PERMISSION TO INSPECT PREMISES

I, Lori Schultz (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 Digitally signed by Lori Schultz
DN: cn=Lori Schultz, o, ou, email=lorischultz0208@live.com, c=US
Date: 2018.03.26 15:14:33 -04'00' **DATE** 3/25/2018

2018 ANIMAL CONTROL APPEAL BOARD MEETING DATES

January 24
March 28
May 23
July 25
September 26
November 28



The enclosure will be located in the Southwest corner of the back yard.

Dimensions: 55W x 29D x 29.3H in. (Barn)

Dimensions: 47L x 34W x 24.5H in. (Pen)

Weather-resistant wood composite material

Pen made with ecoFLEX eco-friendly composite and galvanized wire

-The pen is movable and securable for safety. The chickens will be moved around exercise and fresh grass. -They will not be allowed to roam free.



This portion of the application is completed by Bryn Bologna, age 13 (Lori Schultz's daughter)

- a) furnish the Housing and Zoning Inspector a list of the species of animals to be kept and the maximum number of each species to be kept at any one time, and

We will be keeping a planned flock under five. These chickens will be used for my 4H project at the Oakland County Fair.

- b) demonstrate that the animals will be treated humanely and will not be neglected or treated with cruelty, and

I'm very much looking forward to raising and caring for my 4H projects. 4H has taught me to treat animals with respect and honor, not cruelty. I have shown sheep and goats in the years past. They were all projects that were housed at Bower's Farm in Bloomfield Hills. I want a project that I can work on at my house, to show even greater responsibility.

- c) demonstrate that the animals will be maintained in quarters constructed to prevent their escape, and Chapter 90 - Animals 90-3

The chickens will be kept in a fully enclosed coop, that will be checked regularly for any possible escape routes or predator entry's. Please see the attached construction document.

- d) demonstrate that reasonable precautions shall be taken to protect the public from the animals and the animals from the public, and

The animals will be confined to the chicken coop and run, at all times. The coop is visible from the house at all times.

- e) demonstrate that he or she can comply with the ordinance and any regulations promulgated by the Animal Control Appeal Board, and

The rules have been reviewed and we believe we will comply.

- f) in the case of domestic animals, demonstrate to the Housing and Zoning Inspector that the lot or parcel that animals will be kept on is three-quarters ($\frac{3}{4}$) of one (1) acre or larger. This requirement may be waived by the Animal Control Appeal Board if the applicant can demonstrate circumstances that allow for waiver pursuant to regulations promulgated by the Animal Control Appeal Board. Waivers will not be granted for animals that are loud or likely to be detrimental to the neighborhood.

We understand that our lot is just under the required acreage, but our planned chicken flock is small, there will be no roosters, and the breed is known for their quietness.



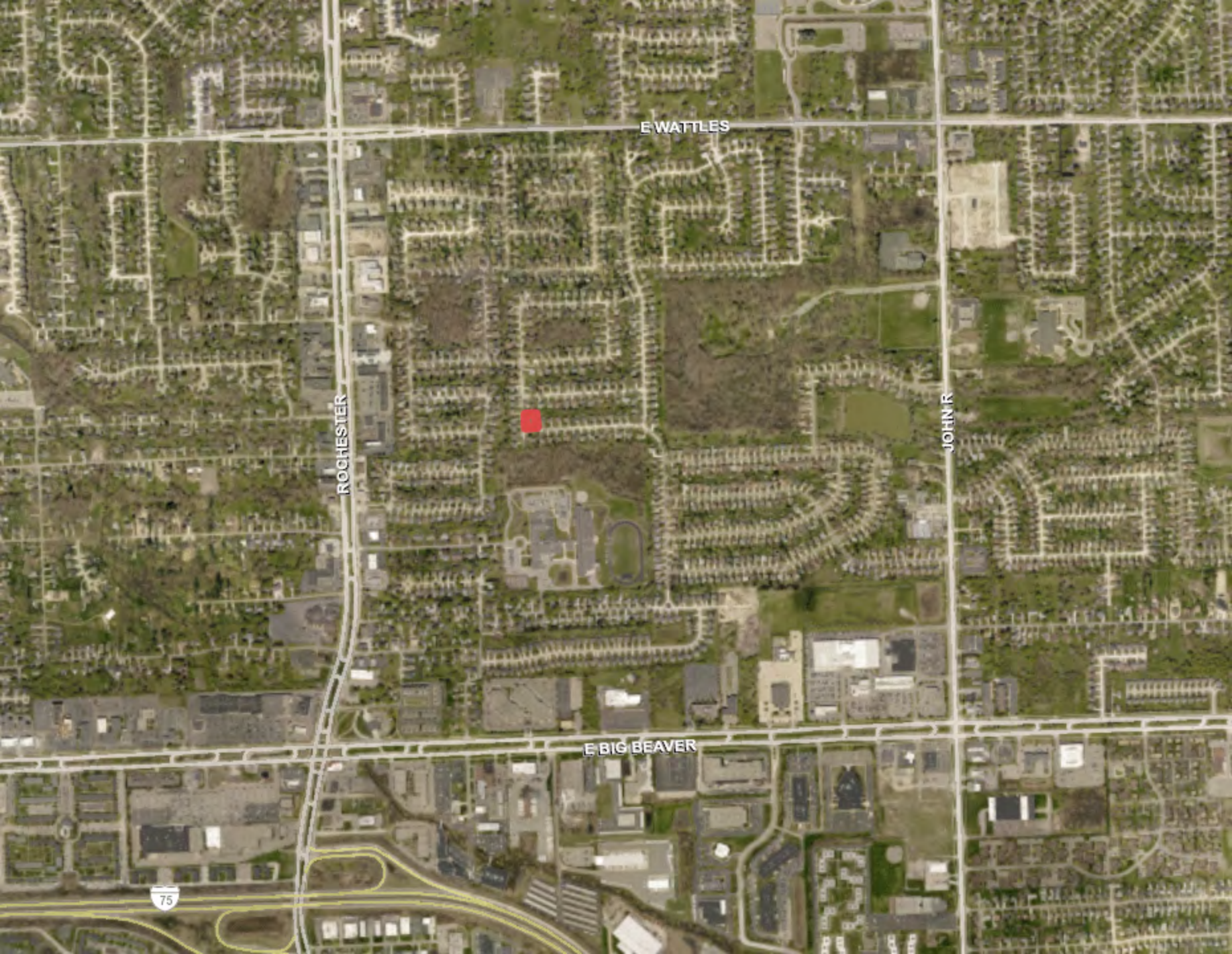
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- B. **1353 MADISON, MACY JACKSON, WAIVER REQUEST** – In order to keep 2 chickens, a waiver from the requirement that the property be at least .75 of an acre in size. The property is approximately .58 acres in size.



E WATTLES

ROCHESTER

JOHN R

E BIG BEAVER

75



3546

3553

PEACHTREE

3538

3545

1346

1354

1362

1370

1378

3530

3537

WAKEFIELD

1353

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14

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MADISON

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7

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1

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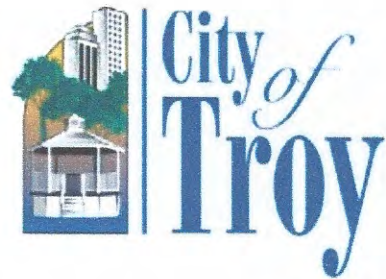
1369

WAKEFIELD

MADISON

ANIMAL APPEAL APPLICATION

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



ANIMAL ORDINANCE ONLINE [Ctrl+click here](#)

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PROPERTY ADDRESS: 1353 Madison Dr

APPLICANT:

NAME Macy Jackson

ADDRESS 1353 Madison Dr

CITY Troy STATE MI ZIP 48083

PHONE 248-568-7348

E-MAIL macy.jackson16@gmail.com

PROPERTY OWNER (if different than applicant):

NAME Tracy & Jeff Jackson

ADDRESS 1353 Madison Dr

CITY Troy STATE MI ZIP 48083

PHONE 248-568-7642

E-MAIL tracyjackson@wlcsd.org

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

Questions? Contact Paul Evans, Zoning & Compliance Specialist

- 248 524 3359
- evanspm@troymi.gov

PERMISSION TO INSPECT PREMISES

I, Macy Jackson (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

Macy Jack

DATE

4/3/18

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APPLICANT SIGNATURE Macy Jackson DATE 4/3/18
Tracy L. Jackson Macy Jackson 4.9.18

2018 ANIMAL CONTROL APPEAL BOARD MEETING DATES

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My request is for a permit to house two chickens for the purpose of collecting eggs. I have a chain link fence surrounding my backyard that will help to contain them. The backyard is approximately 3175 square feet, which is well over the recommended amount of space of 10 square feet per chicken of open space. The coop will be about 5 feet tall with 9 square feet of walking space within. Additionally, the coop will have a small outdoor space completely surrounded by chicken wire that will be about 21 square feet that will allow them to be out in the grass and sun but remain enclosed. The tallest portion of the coop will be 5 feet tall, and the entire structure will be 7 feet long. It will be placed along the side of the fence in the backyard. The image that the design is based off is shown below; there are also images of the yard. The third image shows the portion of the fence where the coop will go.



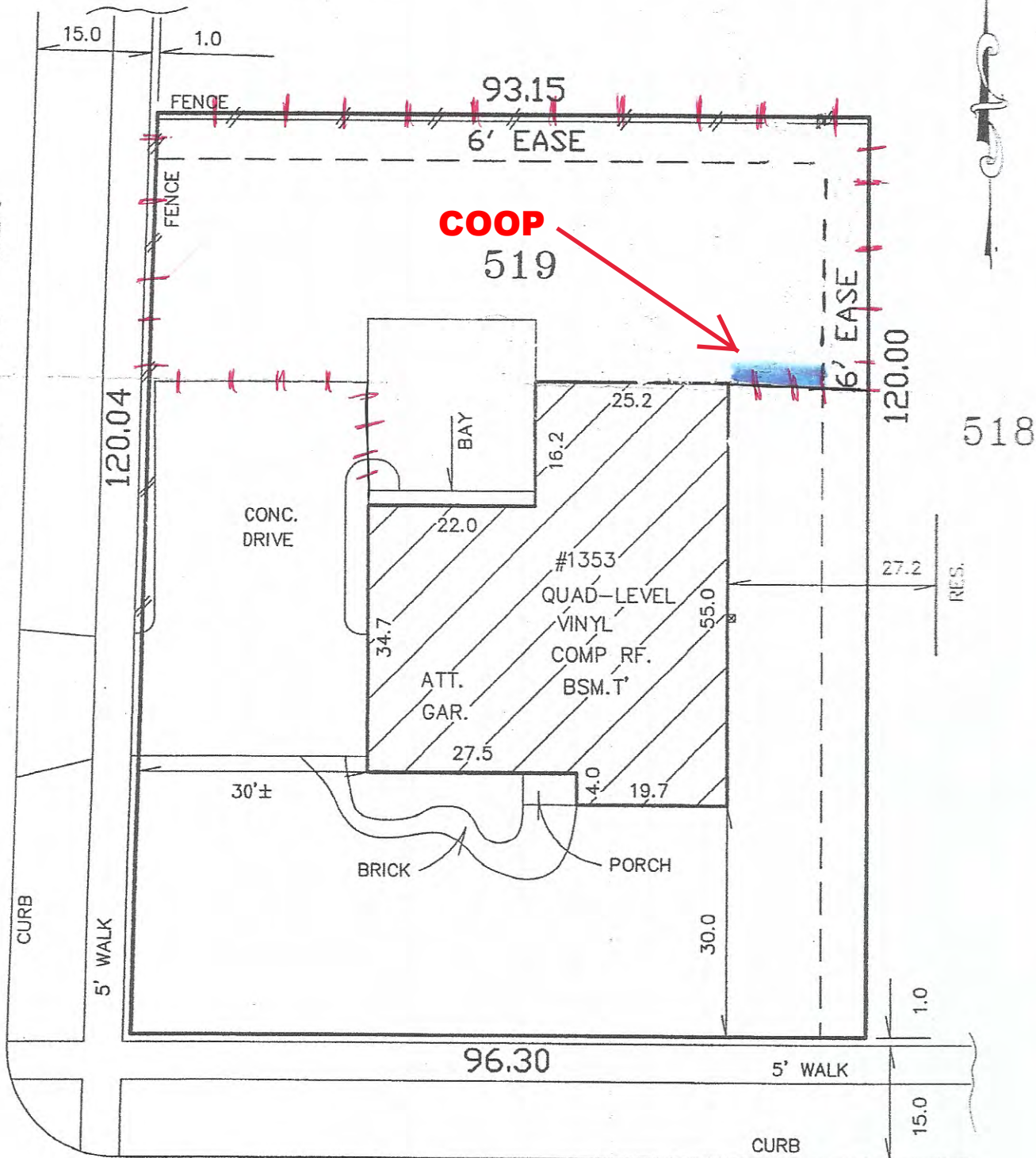




HUNTINGTON MORTGAGE GROUP

CONSULTING MUNICIPAL & CIVIL ENGINEERS • SURVEYORS • 28304 HAYES • ROSEVILLE, MI 48066 • (586)774-3000
LEGAL DESCRIPTION OF PROPERTY (AS FURNISHED BY CLIENT)

Lot 519, "RAINTREE VILLAGE SUB. NO. 2" part of the North 1/2 of Section 23, T.2 N., R.11 E., City of Troy, Oakland County, Michigan. Recorded in Liber 139 of Plats, Pages 1, 2 and 3 of Oakland County Records.



MADISON DR. 60' WD.

CERTIFICATE: We hereby certify to: HUNTINGTON MORTGAGE GROUP, ITS SUCCESSORS AND/OR ITS ASSIGNS
that we have inspected the above-described property in accordance with the description furnished and confirmed to
be correct by mortgagee or mortgagee's title company for the purpose of a new mortgage loan to be made by
JEFFREY JACKSON AND TRACY JACKSON

mortgagor, and that the buildings located thereon do not encroach on the adjoining property, nor do the buildings on the
adjoining property encroach upon the property heretofore described, except as shown. The location of fences, driveways.