

On March 22, 2023, Chair Saeger called the Animal Control Appeal Board meeting to order.

1. ROLL CALL

Present:

Al Petruilis

Jayne Saeger

Doug Dombrowski

Also Present:

Paul Evans, Zoning & Compliance Specialist

Nicole MacMillan, Assistant City Attorney

2. APPROVAL OF AGENDA- No changes.

3. APPROVAL OF MINUTES

MOTION by Dombrowski

SECOND by Petruilis

RESOLVED, to approve the May 25, 2022 meeting minutes.

Yes: All

MOTION PASSED

4. PROCEDURE: Read by Chair Saeger

5. HEARING OF CASES:

A. 3382 KILMER, RAMANATHAN THANGAPANDI - In order to keep up to 8 chickens, a waiver from the requirement that the property be at least 3/4 of an acre in area. The property is approximately .45 acre in area

Mr. Evans provided an overview of the case. Applicant presented his case. Board asked questions of the applicant. Applicant indicates he has 10 chickens but would reduce number to 8.

Chair Saeger opened public comment. No one present spoke. Member Petruilis summarized written comments. 6 individuals provided letters of support.

Chair Saeger closed public comment

Board member discussion.

Dombrowski: Non responses from residents receiving hearing notices may connote approval. Applicant has significant neighbor support, resolved a difference with one of the supporting neighbors who originally opposed, has removed the rooster, and has done a good job of planning the chicken setup.

Petrulis: Has concerns about lot being less than .75 acres. Believes this is a smaller lot in a dense area. Property is too small.

MOTION by Dombrowski

RESOLVED to grant the applicant's request, that the applicant has demonstrated:

That the animals will be treated humanely and will not be neglected or treated with cruelty,

The animals will be maintained in quarters constructed to prevent their escape, and

That reasonable precautions shall be taken to protect the public from the animals and the animals from the public and

That the animals will not be loud or likely be detrimental to the neighborhood as evidenced by removal of the rooster, and

That the applicant has resolved differences with the neighbor.

No second.

MOTION by Petrulis

SECOND by Dombrowski

RESOLVED to deny the applicant's request, that the applicant's lot size does is below the .75 acre minimum. Mr. Dombrowski concurred with this finding.

Yes: All

MOTION APPROVED

- B. 301 BELHAVEN, GABRIEL & TEODORA MOSUTAN - In order to keep up to 7 chickens, a waiver from the requirement that the property be at least 3/4 of an acre in area. The property is approximately .64 acre in area.

Mr. Evans provided an overview of the case. Applicant presented her case. Board asked questions of the applicant. Applicant indicates neighbor at 290 E. Long Lake has a large dog that may enter their yard. They are strongly considering installing a 6 foot high privacy fence and move the chickens away from 290 E. Long Lake.

Chair Saeger opened public comment. Resident at 290 E. Long Lake confirmed her dog would indeed be a threat to the chickens without 6 foot high fencing. She asked if approval would decrease property values. Member Petrulius summarized former Board Member Carolan's recurring opinion that it negatively affected property values. Board Member Carolan was a real estate broker. Petrulius advised that some may view it as adding to property value. Member Dombrowski suggested to the resident at 290 E. Long Lake that if her dog would threaten the chickens, perhaps she should be the one installing a privacy fence. Mr. Evans reminded Board members to consider addressing public comments in their deliberations, once all public comment is received.

The Board summarized two written comments favoring granting.

Chair Saeger closed public comment.

Board member discussion.

Chair Saeger: In response to the Chair's question, applicant confirmed there will be no rooster and the associated noise.

Dombrowski: Confirmed with applicant that 6 foot high fence would be an acceptable condition of approval, should the Board approve the request.

Petrulius: Seeks compelling reasons to approve, does not see any here. Believes lot size is under minimum.

Saeger: Opposed to the request due to neighborhood lot configuration.

MOTION by Petrulius  
SECOND by Saeger

RESOLVED to deny the applicant's request, that the chickens could cause difficulties for future residents having expectations that chickens will not be present in the neighborhood.

Yes: All

MOTION APPROVED

- C. 5594 FAWN CT, CHRISTOPHER & ANNE ROWLAND - In order to keep up to 4 chickens, a waiver from the requirement that the property be at least 3/4 of an acre in area. The property is approximately .52 acre in area.

Mr. Evans provided an overview of the case. Applicant and her daughter presented their case. They have spoken to two adjacent neighbors who support their request. They have done substantial research and believe they

are well prepared to successfully raise the chickens without being a nuisance to the neighborhood.

Applicant indicates neighbor at 290 E. Long Lake has a large dog that may enter their yard. They are strongly considering installing a 6 foot high privacy fence and move the chickens away from 290 E. Long Lake.

Chair Saeger opened public comment. Resident at 290 E. Long Lake confirmed her dog would indeed be a threat to the chickens without 6 foot tall fencing.

The Board summarized two written comments favoring granting.

Chair Saeger closed public comment

Board member discussion.

Mr. Evans provided an overview of the case. Applicant stated his case. Board asked questions of the applicant.

Chair Saeger opened public comment. Two Fawn Court residents favored granting. One of the residents is on the Association Board and indicates the Board has no issue.

Chair Saeger closed public comment.

Board Member discussion.

Petrulis: This is nice request with neighborhood support, but he does not see compelling reason to grant waiver. The neighborhood is dense, chickens could attract rodents and new neighbors may not agree that it is best.

MOTION by Petrulis  
SECOND by Dombrowski

RESOLVED to deny applicant's request due to no compelling reason, neighborhood density, potential for rodents, potential conflict with future neighbors.

Yes: All


MOTION APPROVED

6. OTHER BUSINESS- Member Petrulis asked if beehives were regulated by the Animal Ordinance. Mr. Evans responded affirmatively and provided explanation.

7. ADJOURNMENT

Chair Saeger adjourned the meeting at 8:08 pm

Respectfully Submitted,

  
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Jayne Saeger, Chair

  
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Paul Evans, Zoning & Compliance Specialist