

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 Petruilis, Vice Chair
Neharunnessa Abdullah, Tina Catron, Amin Hashmi

JANUARY 22, 2025

7:00 P.M.

Council Chambers

1. ROLL CALL
2. APPROVAL OF AGENDA
3. APPROVAL OF MINUTES – October 23, 2024
4. PROCEDURE
5. HEARING OF CASE:

6559 Granger, Bibika Chabay - In order to keep up to 3 ducks, a waiver from the requirement that the property be at least .75 acres in area. The property is approximately .36 acres in area.

ANIMAL ORDINANCE SECTION: 90.70.20 (f)

6. OTHER BUSINESS:
7. 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.

On October 23 at 7:00 p.m., Chair Saeger called the Animal Control Appeal Board meeting to order.

1. ROLL CALL

Present:

Neharunnessa Abdullah
Amin Hashmi
Al Petrusis
Jayne Saeger

Absent:

Tina Catron

Also Present:

Paul Evans, Zoning & Compliance Specialist
Allan Motzny, Assistant City Attorney

2. APPROVAL OF AGENDA-

MOTION by Abdullah
SECOND by Petrusis

RESOLVED, to approve the October 23, 2024 agenda

Yes: All

MOTION PASSED

3. APPROVAL OF MINUTES

MOTION by Petrusis
SECOND by Abdullah

RESOLVED, to approve the September 27, 2023 meeting minutes.

Yes: All

MOTION PASSED

4. PROCEDURE: Read by Vice Chair Petrusis

5. HEARING OF CASE:

6559 Granger, Bibika Chabay - In order to keep up to 3 ducks, a waiver from the requirement that the property be at least .75 acres in area. The property is approximately .36 acres in area. .

Mr. Evans provided an overview of the case, including that the animals were already present. He stated that the City website directed the public to submit comments via an email address that was recently discovered as having not worked for years. Mr. Evans suggested this would result in the Board potentially not seeing public comments submitted to this email address. Mr. Evans & Mr. Motzny suggested the following options for the Board:

- Hear and decide the case tonight
- Postpone the case

Mr. Petrulis said he would be interested in hearing comments of the public present. Mr. Evans advised a third option was to hear the case and postpone the decision to a future meeting. He also stated that the applicant could request postponement, but if so, should do so before presenting their case to the Board.

Chair Saeger asked the applicant if they wished to postpone. Applicant asked the Board if they could keep the animals on the property until the postponement date. Mr. Evans and Mr. Motzny advised that the Board had the authority to grant a stay of enforcement until the next meeting date. In response, the applicant stated if the Board would grant a stay, they would request postponement.

MOTION by Petrulis
SECOND by Abdullah

RESOLVED to postpone and grant a stay of enforcement of the ordinance to the next approved meeting date, and that new public hearing notices would advise that any previously sent comments should be resubmitted in the manner stated in the hearing notice.

Yes: All

MOTION APPROVED

6. OTHER BUSINESS- Approve proposed 2025 meeting dates

MOTION by Petrulis
SECOND by Abdullah

RESOLVED to approve the 2025 Board meeting schedule as submitted

YES: All

7. ADJOURNMENT

Chair Saeger adjourned the meeting at 7:37 pm

Respectfully Submitted,

Jayne Saeger, Chair

Paul Evans, Zoning & Compliance Specialist

ANIMAL CONTROL APPEAL BOARD

The Animal Control Appeal Board 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. Then the City Administration will summarize the facts of the case. The petitioner will then be given an opportunity to address the Board to explain the justification for the action requested.

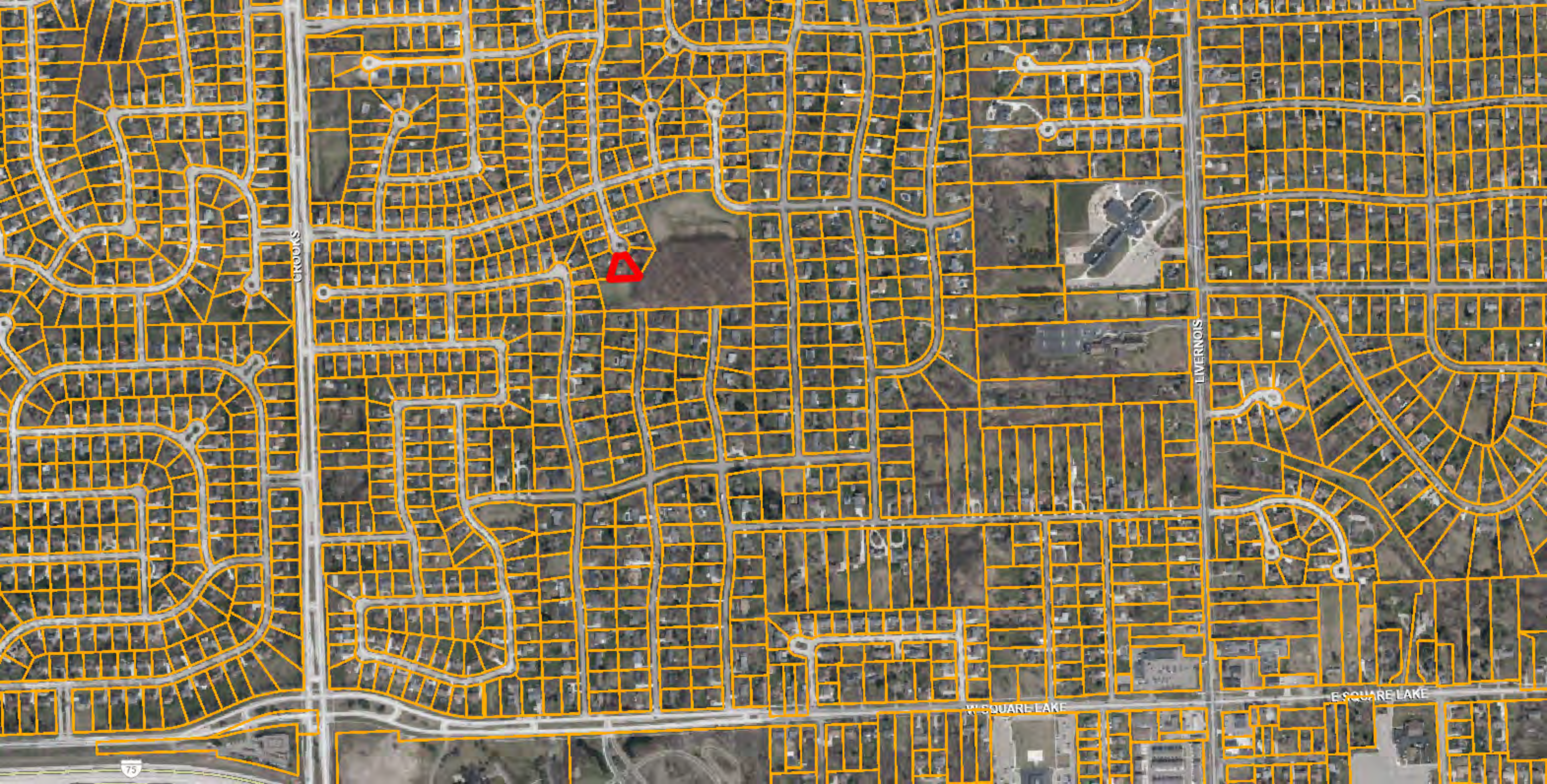
After the petitioner makes their presentation, and answers any questions that the Board may have, the Chair will open the Public Hearing. Administration will present public comments to the Board.

At the conclusion of public comments, the Chair will close 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 are needed. The decision of the Board is final.

5. 6559 Granger, Bibika Chabay - In order to keep up to 3 ducks, a waiver from the requirement that the property be at least .75 acres in area. The property is approximately .36 acres in area.

ANIMAL ORDINANCE SECTION: 90.70.20 (f)



CROOKS

LIVERNOIS

W SQUARE LAKE

E SQUARE LAKE

75

An aerial photograph of a residential neighborhood. A central house with a brown roof is outlined in red and labeled '6559'. To its left is another house labeled '6575'. To its right is a house labeled '6560'. The area is surrounded by green grass, trees, and paved roads. A yellow line runs along the bottom and right edges of the image.

6575

6559

6560



CITY OF TROY | PLANNING DEPT. | 500 WEST BIG BEAVER | TROY, MI 48084 | 248-524-3364

Animal Appeal Application

planning@tromi.gov | Fee: \$400

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 28 DAYS BEFORE THE MEETING DATE. MEETING DATES ARE ON PAGE 2.

A PRE APPLICATION MEETING WITH THE PLANNING DEPARTMENT IS REQUIRED BEFORE APPLICATION IS ACCEPTED.

PROPERTY ADDRESS: 6559 granger ct

APPLICANT:

NAME bibika chabay

ADDRESS 6559 granger ct

CITY troy STATE mi ZIP 48098

PHONE 248-914-2346

E-MAIL bibikachabay@yahoo.com

PROPERTY OWNER (if different than applicant):

NAME _____

ADDRESS _____

CITY _____ STATE _____ ZIP _____

PHONE _____

E-MAIL _____



Animal Appeal Application

APPLICATION DOCUMENTS REQUIRED:

- Written narrative describing your request
- If seeking a waiver, explain all compelling reasons why the waiver should be granted.
- Written response explaining how the request will satisfy the minimum criteria below.
- 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
- Incomplete applications will be rejected.

THE BOARD MUST FIND THE FOLLOWING MINIMUM CRITERIA HAVE BEEN SATISFIED:

- There are unique, compelling reasons to grant a waiver.
- That the animals will be treated humanely and will not be neglected or treated with cruelty, and
- 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.

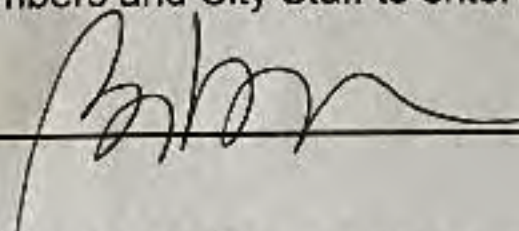
E-mail signed application and supporting files to planning@troymi.gov

Questions? Contact Paul Evans, Zoning & Compliance Specialist

- (248) 524-3364
- planning@troymi.gov

PERMISSION TO INSPECT PREMISES

I, bibika chabay (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 Aug 15, 2024

2024 ANIMAL CONTROL APPEAL BOARD MEETING DATES

January 24
July 24

March 27
September 25

May 22
October 23

Approval of animals by the Appeals Board does not supersede deed restrictions or Homeowner's Association restrictions.

From: [bibika_chabay](#)
To: [Planning; Paul M Evans](#)
Subject: Parcel # 88-20-04-178-010 Domestic Animals PART 1
Date: Wednesday, August 28, 2024 8:14:14 PM
Attachments: [coco.pdf](#)
[Mumble Letter.pdf](#)
[Rio.pdf](#)

CAUTION: This email did not originate from within the City of Troy. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

I can not emails all the files at once, various emails with attachments will be sent for this parcel... Thx

To Whom It May Concern,

I am writing you this letter to explain my need to continue to have my ducks as my emotional support animals at my home. I am the primary caregiver to both of my elderly parents and have been for years. They live with me and both have life-limiting illnesses that have been progressing rapidly. They require significant supervision day and night. I also have a full time job that has its own stressors and I do my best to make it all work. My anxiety has been at an all time high and has become debilitating. I have had to find a way to manage it enough to keep taking care of my parents and maintain my professional job. My ducks are my respite. As they live on my property, I am able to go outside and spend time with them when I desperately need a chance to breathe. They show affection, are excited to see me, and give me a chance to go through the routine of caring for them without them asking for anything more. They are my peace.

With the care that my parents require, it is rare that I can leave the house besides taking them for appointments and completing very basic errands. There is no way that I would be able to consistently participate in some kind of hobby or respite activity that would require me to leave my property for any extended period of time. Having the ducks at my home allows me to have a few moments to myself near enough to my parents that I could assist them at a moment's notice and also in my own space enough to have relief. Since I have had the ducks, my mental health has been supported enough to keep being able to do what I need to do-physically care for my parents and work to financially support them. Without the emotional support of the ducks, all of the stress would remain without the respite they safely provide. They are what help me keep it all together. Please help me to keep them so that I can mentally take on all that I need to for my family.

A little background information on the situation. All three ducks are rescue ducks since the farms would not take them being drakes and the sanctuaries are at full capacity with neglected ducks. My intentions were not to keep the ducks when they were babies, but to find a safe home. The bond and connection got stronger as time went by especially since one is disabled and required a lot more care and vet appointments. **I realized, as I saved them they ALSO have saved me!** Actually, neighborhood kids come and play with them whenever we are in the backyard. In addition, at one point the neighbor was helping last summer administrate antibiotic on one of the ducks that had a joint infection. She helped out a few days taking care of the ducks while we were out of town and the noise was not an issue.

All this time my ducks have not been an issue to anyone, especially my next door neighbor.

I'm a bit disappointed because since we treated our neighbors like family by inviting them to family events, shoveling the snow, mowing the lawn, fixing fallen mailboxes, picking them up at the airport at 5 am, grocery shopping during COVID because they were afraid to leave the house. Watching their house during the 7 months they live in Florida. This neighborhood is our home, and we enjoy participating in the community. No one from the neighborhood has addressed the concern of noise to me or my family. If I was told that was a concern I would have moved the duck set up to a different place in the backyard.

Also, my ducks are drakes which means they make almost no noise at all unless they are excited to see me or threatened by something. **They do tend to quack when the neighbor swings her driver/irons (golf) and hits the balls, at times they do fall on my yard as I'm sitting outside relaxing. I have given her the golf balls and walked away so she can have her golf time which she seems to enjoy while putting my life at risk.** Other than that they are very calm, quite, and lovable emotional support animals. **Since I was notified by the city, I have set up an additional pen for them on the opposite side of my backyard. This has resulted in three pens total, which are located at different sides of the property so the ducks are never in the same spot.** These pens ensure that the ducks are maintained in quarters constructed to prevent their escape, while also providing them with a safe space for them to graze. When I see the neighbor in her backyard I move them to be polite. Unfortunately my neighbor will never be happy, last year she texted me a very aggressive message asking why I didn't ask for her permission when I cut branches of a tree in my back yard. She would have appreciated to let her know for a tree that is in my backyard and collecting bugs.

Again, I please ask for your understanding and support during this time.

In addition, I have also noticed that she sticks her iPad between the tree branches in an effort to record the ducks quacking. The truth is, those babies do quack when they see their human mom bringing food or taking them out to play just like any other pet would.

Please don't forget, we live in the woods and our backyard is full of deer, turkeys, wild, blue jay ducks, cardinals, squirrels, coyotes and whatever decides to stop by. They all get loud but that's the beauty of nature and we just have to enjoy God's gift.

This individual never appreciated everything we did for her and her family.

Unfortunately she will never be happy, ducks are not the issue here as you can see!

Please try to understand, my life at this time is up side down, taking care full time of both parents with Parkinson's is not an easy task at all. I go for days with no sleep and my only emotional support/comfort and the only way I get a break from my painful routine is when I go and play with the ducks. I ask to please allow me to keep my ducks to help ensure my quality of life and overall mental health. These ducks provide year round support, while my neighbor only resides in the state four months out of the year.

Sincerely,

Bibika Chabay

From: [bibika chabay](#)
To: [Planning; Paul M Evans](#)
Subject: --additional information parcel --88-20-04-178-010
Date: Tuesday, September 3, 2024 9:33:43 PM

CAUTION: This email did not originate from within the City of Troy. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I will try my best to describe the duck enclosure since I'm not a builder and my husband is out of town for family emergency. If you want more details you can contact the next door neighbor (who is complaining on the duck noise) since he helped build and donated most of the materials.

1st attachment: Picture of the insulated coop where they stay in the winter. It is made of scrap material, waterproof, hardware cloth for ventilation, and it stands on bricks so the water doesn't damage bottom. It is not on the ground to prevent any water damage.

2nd attachment: Run is poles and wire, covered in heavy duty clear tarp so the sun can still go in in the cold winter days.

3rd attachment: Run 2 is with gate and fish net to prevent bluejay's from drowning. There are 2 baby pools there and duckies are always supervised when they play in the baby pools.

4th attachment: Third run is also made of wire and poles and it includes XL dog crates.

In addition, I'm trying my very best to provide requested information as needed however this process is truly stressing me out. As you already know these ducks are my emotional support animals who help me through daily life which is already consumed by unforeseen concomitances that come being a full time caregiver of elderly with end of life care while trying to maintain a full time job to financially support my family. This process is truly impacting negatively my mental health which those ducks actively assist with as my emotional support and respite.

I was told more board members will be walking my premises, I ask for a day heads up since my parents with advanced Parkinson and end stage Dementia do panic when they see strangers.

Thank you in advance for your understanding!

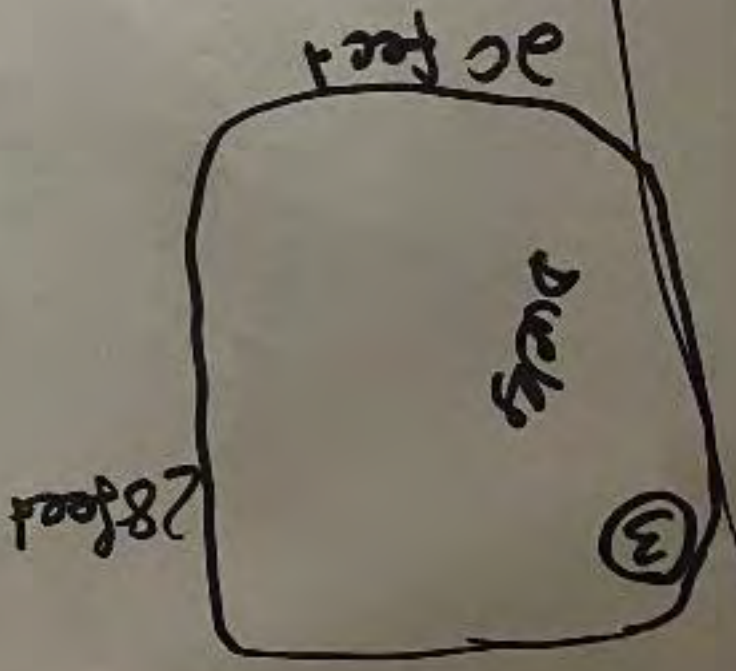
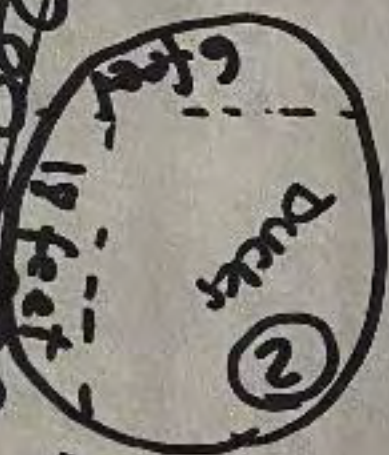
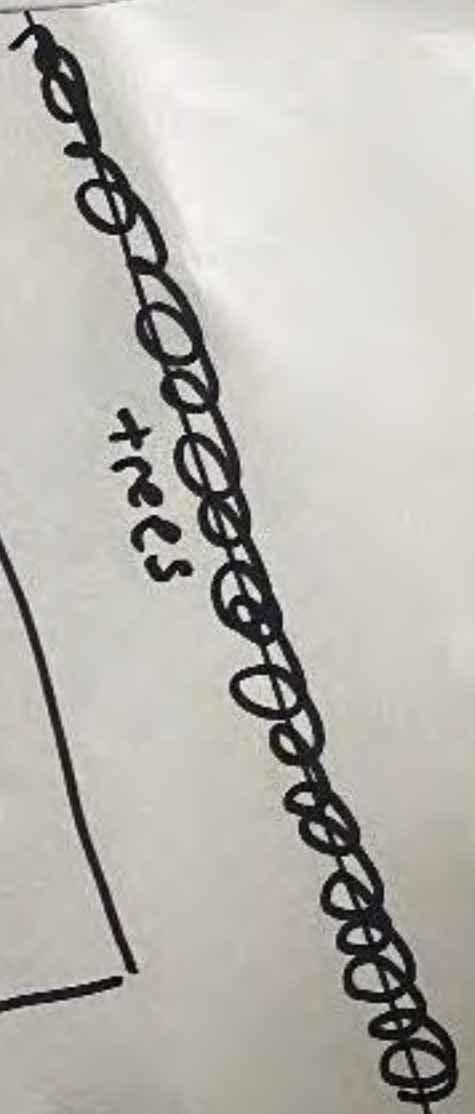
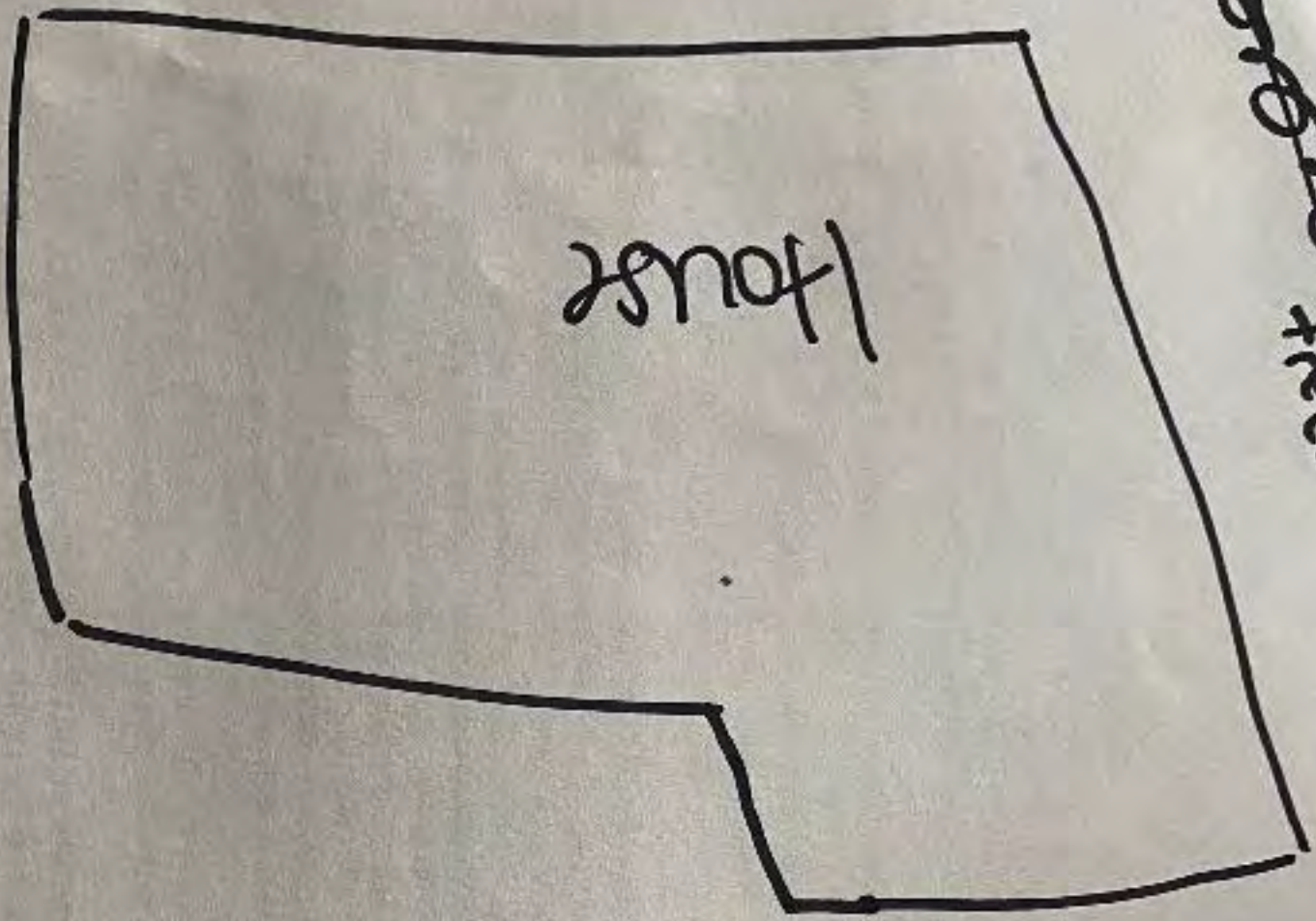
6500

6559

300
28 feet
20 feet

18 feet
1978
1981
9 feet





trees

trees





DUCKS





1:10

50



June 11
1:04 PM

Edit



LIVE





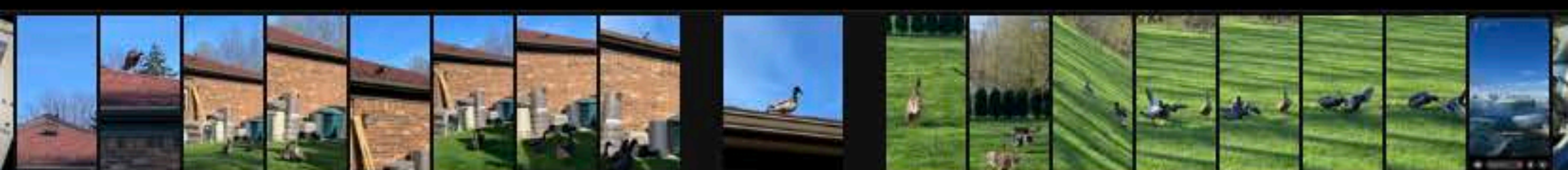






April 25
9:23 AM

Edit











Emily Madrigal

517.902.9983

LPCemilymadrigal@gmail.com

Licensed Professional Counselor

Michigan License # 6401013198

Ohio License # C.2305079

05/29/2024

Re: Chabay, Bibika (DOB: 1978-02-27)

Emotional Support Animal: Coco, Duck

To whom it may concern:

I recently evaluated the mental health condition of my client, Bibika. I am familiar with this client's history and with the limitations imposed by this client's condition. My client suffers from a mental disability which substantially limits at least one major life activity. Under the Fair Housing Act, a disability is a physical or mental impairment that substantially limits one or more major life activities. Based on my assessment, I can affirm this disability-related need for an assistance animal.

This client's Emotional Support Animal (ESA) successfully ameliorates the disability due to the emotional bond shared with my client. This bond helps to drastically reduce my client's symptoms, and as those are ameliorated, my client can care for oneself without substantial limitation. Thus, the animal is necessary for my client to enjoy the benefits of fair housing, as the ESA provides therapeutic emotional support to alleviate symptoms of my client's mental disability.

I determined that my client has a mental impairment that substantially limits at least one major life activity or major bodily function, and needs the animal listed above as it provides therapeutic emotional support to alleviate a symptom or effect of the disability, and not merely as a pet. To have equal opportunity to use and enjoy a dwelling, including public and common use spaces, and as required by the Fair Housing Act, my client seeks the following reasonable accommodation request (waiver of the following rule): no pets allowed, restrictions on breed/size/weight, and pet deposits/fees.

Please note that pursuant to guidance issued by the U.S. Department of Housing and for privacy reasons, details about the diagnosis or severity of a disability and related medical records may not be disclosed without proper consent from the client.

This client is aware that it is the client's sole responsibility to ensure that the animal behave appropriately and comply with all applicable laws. This letter meets the legal requirements under the Fair Housing Act.

Sincerely,

Emily Madrigal, MA, LPC

Phone: 517.902.9983

LPCemilymadrigal@gmail.com

Michigan Licensed Professional Counselor (#6401013198)

Date License Issued: 05/31/2015

Date License Renews: 09/25/2027

Current Status: Active

Ohio Licensed Professional Counselor (#C.2305079)

Date License Issued: 05/17/2023

Date License Renews: 05/17/2025

Current Status: Active



Emily Madrigal

517.902.9983

LPCemilymadrigal@gmail.com

Licensed Professional Counselor

Michigan License # 6401013198

Ohio License # C.2305079

05/29/2024

Re: Chabay, Bibika (DOB: 1978-02-27)

Emotional Support Animal: Mumble, Duck

To whom it may concern:

I recently evaluated the mental health condition of my client, Bibika. I am familiar with this client's history and with the limitations imposed by this client's condition. My client suffers from a mental disability which substantially limits at least one major life activity. Under the Fair Housing Act, a disability is a physical or mental impairment that substantially limits one or more major life activities. Based on my assessment, I can affirm this disability-related need for an assistance animal.

This client's Emotional Support Animal (ESA) successfully ameliorates the disability due to the emotional bond shared with my client. This bond helps to drastically reduce my client's symptoms, and as those are ameliorated, my client can complete daily tasks without substantial limitation. Thus, the animal is necessary for my client to enjoy the benefits of fair housing, as the ESA provides therapeutic emotional support to alleviate symptoms of my client's mental disability.

I determined that my client has a mental impairment that substantially limits at least one major life activity or major bodily function, and needs the animal listed above as it provides therapeutic emotional support to alleviate a symptom or effect of the disability, and not merely as a pet. To have equal opportunity to use and enjoy a dwelling, including public and common use spaces, and as required by the Fair Housing Act, my client seeks the following reasonable accommodation request (waiver of the following rule): no pets allowed, restrictions on breed/size/weight, and pet deposits/fees.

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05/29/2024

Re: Chabay, Bibika (DOB: 1978-02-27)
Emotional Support Animal: Rio, Duck

To whom it may concern:

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This client's Emotional Support Animal (ESA) successfully ameliorates the disability due to the emotional bond shared with my client. This bond helps to drastically reduce my client's symptoms, and as those are ameliorated, my client can focus without substantial limitation. Thus, the animal is necessary for my client to enjoy the benefits of fair housing, as the ESA provides therapeutic emotional support to alleviate symptoms of my client's mental disability.

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Sincerely,

A handwritten signature in black ink that reads "EMadrigal".

Emily Madrigal, MA, LPC
Phone: 517.902.9983
LPCemilymadrigal@gmail.com

Michigan Licensed Professional Counselor (#6401013198)
Date License Issued: 05/31/2015
Date License Renews: 09/25/2027
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LPCemilymadrigal@gmail.com

Licensed Professional Counselor

Michigan License # 6401013198

Ohio License # C.2305079

05/29/2024

Re: Chabay, Bibika (DOB: 1978-02-27)
Emotional Support Animal: Coco, Duck

To whom it may concern:

I recently evaluated the mental health condition of my client, Bibika. I am familiar with this client's history and with the limitations imposed by this client's condition. My client suffers from a mental disability which substantially limits at least one major life activity. Under the Fair Housing Act, a disability is a physical or mental impairment that substantially limits one or more major life activities. Based on my assessment, I can affirm this disability-related need for an assistance animal.

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Date License Issued: 05/17/2023

Date License Renews: 05/17/2025

Current Status: Active

ELITE FAMILY MEDICINE
33200 DEQUINDRE RD STE 200
STERLING HEIGHTS MI 48310-5967
Phone: 586-977-0200
Fax: 586-977-0000

5/28/2024

RE: Bibika Chabay

To Whom it May Concern:

This is to certify that Bibika Chabay was seen in my clinic on 5/28/2024.

She has been my patient since 2019

She has been going through a lot of stressors with family taking care of her elderly sick parents or

Stressors that she is going through at work, patient needed some emotional support to help her

Dealing with this tough time.

stressful time and to keep her wellbeing

So she decided to get ducks in her backyard to take care of them and to help her with manage and

improve her anxiety and stress and it is in my professional opinion that these pets retained status as

emotional support animals and remain in her care

Please feel free to contact my office if you have any questions or concerns. Thank you for your assistance in this matter.

Sincerely,



Maha G Hasso, MD

ELITE FAMILY MEDICINE
33200 DEQUINDRE RD, SUITE 200
STERLING HEIGHTS, MI 48310
Tel. 586-977-0200 Fax 586-977-0000



suburban ducks ▾



@suburban.ducks

30

Following

41

Followers

1,891

Likes

Edit profile

Share profile



adventures of my rescued duckies



TikTok Studio Instagram



🔒 View expired Stories in "Your private videos" ×



Home



Friends



Inbox



Profile



@SUBURBAN_DUCKS



Share profile



Copy link



golf
ball

in my
back yard
where I set
up

< 35



Carolyn

Text Message
Wed, May 1 at 7:37 AM

Good morning! We expect to arrive this evening around 9 pm. Looking forward to seeing you and the ducks.

Wed, May 1 at 8:59 AM

welcome home!

texts



August 26, 2024

Hello Craig and Carolyn,

I have returned your house key on August 26, 2024 after looking over your house for several years during the months you are away.

Craig RMA

Crop





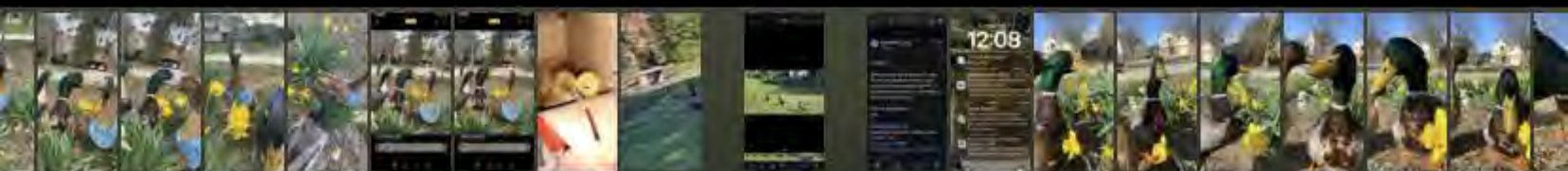


April 8
10:50 AM

Edit



00:40





April 7
10:19 AM

Edit



LIVE



4:01

30



April 7
10:15 AM

Edit



LIVE

