

MINUTES OF THE REGULAR MEETING OF THE GEORGETOWN CHARTER TOWNSHIP  
ZONING BOARD OF APPEALS HELD OCTOBER 22, 2025

The meeting was called to order by Chairman Kendall Grable at 7:00 p.m.

Members Present: Kendall Grable (Chairman Grable), Tom Healy, Susan Ouellette, Kelly Kuiper, Tim Smit (alternate)  
Members Absent: Kyle Terpstra  
Others Present: Ryan Schab – Zoning Administrator (ZA), Crystal Morgan (Township Attorney)

**#251022-01 – Approval of the Minutes of the [July 23, 2025](#) Zoning Board of Appeals Meeting.**

Moved by Tom Healy, seconded by Tim Smit, to approve the [July 23, 2025](#) minutes as presented.

MOTION CARRIED UNANIMOUSLY.

**#251022-02 – Public Hearing – (VAR2503) Travis Vandenberg**, 51 Port Sheldon St., is requesting approval of the following variances from the Georgetown Charter Township Zoning Ordinance and/or reasonable accommodations under the Federal Fair Housing Act, to allow the following:

- 1) To allow for the keeping and raising of 7 ducks, a variance of 7 ducks, from the zero allowed in a multi-family building in an MHR district under Section 3.4(Q).
- 2) To allow for an enclosure/coop totaling 450 square feet, a variance 370 square feet from the one enclosure/coop of 80 square feet permitted under Section 3.4(Q)(4).
- 3) To allow the enclosed area where the ducks are kept to be located closer than 20 feet from any dwelling as required under Section 3.4(Q)(5).
- 4) To allow the use of tarps as a material to enclose the coops, which is a variance from Section 3.4(Q)(6) which excludes tarps as a material to construct the enclosed area.

on a parcel of land described as P.P. #70-14-13-400-008, located at 51 Port Sheldon St., in a Medium/High Density Residential district (MHR), Georgetown Township, Ottawa County, MI. ([Application](#), [Fee Paid](#), [Property Notice](#), [Proposed Resolution](#))

The ZA presented the [Staff Report](#).

Chairman Grable opened the meeting up to ZBA members who have questions on the staff report.

Tom Healy asked when the photos of the location, as presented in the staff report, were taken.

The ZA stated they were taken in August by the code enforcement officer after Travis Vandenberg applied for the variance request.

Tom Healy stated that he visited the site and stated the volume of grass is substantially less than what is presented in the staff report and stated that it was likely the result of seven ducks working away at it as opposed to two or four.

Kelly Kuiper asked that as the location is a multi-family residence, what is considered general common elements of the property and what is considered limited common element space. This request differs from prior requests for ducks as it's on a multi-tenant property; is the tenant's patio

an element limited to his unit (or his and an adjacent neighbor[s]) or is it a common element available to all tenants? Is the grass the coop would sit on be a common element?

Crystal Morgan stated that she believed the landlord had their legal counsel present at the meeting and perhaps they could speak to the common versus limited element question when they addressed the ZBA.

Chairman Grable asked if there was a representative of the applicant who would like to speak.

Applicant Travis Vandenberg made himself available for questions from the board members.

Tom Healy asked the applicant how long they have lived at the condos.

Travis Vandenberg stated he moved in at the end of June 2024, so a little over a year.

Tom Healy asked how long he has had the ducks.

Travis Vandenberg stated he got the ducks shortly after he received the emotional support animal (ESA) letter from his therapist. He stated the letter included in the staff report was an updated version of the letter intended for presenting to the ZBA. The original letter was issued around April or May 2025.

Tom Healy asked how many ducks he started with.

Travis Vandenberg stated he started with four ducks.

Tom Healy asked when Travis increased the number to seven ducks.

Travis Vandenberg stated he wasn't sure of the exact time. He stated the three additional ducks were just ducklings when he got them, and his experience in working with duck rescue shelters is that shelters are largely for adult ducks. Ducklings need to be kept away from the adults and need a different level of care. Knowing he could not take the ducklings to a shelter, he decided to adopt them.

Tom Healy asked if he acquired all three of the additional ducks at once or if they were acquired separately.

Travis Vandenberg stated they were all acquired at once. They were all from the same hatch.

Tom Healy asked if the first four ducks are unrelated to the additional three.

Travis Vandenberg stated the first four ducks are Cayuga ducks, an endangered species, and the additional three are Rouen ducks.

Tom Healy asked what it was about ducks that help improve Travis's quality of life.

Travis Vandenberg stated that the ducks do many things to improve his quality of life. He stated by being responsible for the ducks, it helps him get out of bed in the morning and keeps him active during the day. It occupies his time rather than being stuck on intrusive thoughts. He stated the ducks also provide companionship, stress relief, and relieve symptoms of PTSD.

Tom Healy asked if the ducks have names and asked how one duck is different from another.

Travis Vandenberg answered that they do have names and they largely all act the same. He stated ducklings have high mortality rates within their first year or two of life. He stated when he got the initial four Cayuga ducks, he got four so that in the event one or two of them were to pass, he was not scrambling to try to secure another to fulfill the social need of the surviving ducks. He stated that when ducks do not have their social need met by other ducks, they fall into a depression and quack all day. He reiterated that the ducks all provide essentially the same help for his mental health; the only difference being two of them are hens that lay eggs and the drakes do not.

Tom Healy wanted to know more about an email Travis had sent to the ZA which was included the ZA's presentation to the board. Travis stated in the email that he had the capacity to relocate some of the ducks to a farm in Allegan.

Travis Vandenberg stated that his mother has purchased land in Allegan. The land is currently occupied by soybean crops. He stated the farmer is going to harvest the soybean crop no later than the end of October. At that point he would be able to build a duck coop out there. He stated Allegan is still a long distance away (45 minutes) and much less convenient than simply going home after work. Currently there is no home on that property as his mother is planning on building one. He stated a coop could be built on the property potentially by Memorial Day.

Tom Healy asked how many ducks the applicant would be willing to relocate.

Travis Vandenberg stated he would like to keep them all together ideally, not only because the ducks have formed a flock mentality now, but also because he would rather conserve his financial resources to build one larger coop than two smaller ones.

Tom Healy had no further questions.

Susan Ouellette asked how the coop was structured currently. She stated when she visited the site she noticed tarp over fencing.

Travis Vandenberg answered that the coop, where the ducks stay overnight, is made of plywood, two by fours, and hardware cloth for windows and ventilation. He stated he's had raccoons and possums dig under the fencing for the run, but they are unable to get into the coop.

Susan Ouellette asked how warm the coop is for the ducks in winter.

Travis Vandenberg stated that so long as the bedding is dry, it will be very warm. He stated that for the run, he will have to build wind breaks. He stated domesticated ducks are very hardy and can stand the cold, but they need to be able to get out of the wind. Wind will allow snow and ice to get to their skin which can be fatal.

Susan Ouellette asks what the applicant does with the eggs.

Travis Vandenberg stated he eats them or gives them away to friends. He stated there is a possibility of having fertilized eggs which would be great for the Cayuga ducks since they are endangered.

Susan Ouellette had no further questions.

Tim Smit asked if traditional animals, like dogs and cats, were allowed in the unit.

Travis Vandenberg stated there is currently a no pet policy, however agreements can be made with the landlord as he knows a couple of his neighbors have dogs.

Tim Smit asked if the applicant looked into other animals that maybe wouldn't encroach so much outside the unit.

Travis Vandenberg stated choosing ducks was deliberate. He stated, as the ESA letter did, he has had adverse encounters with traditional animals, like cats and dogs. He stated he has a passion for waterfowl, as he was born and raised around them his entire life.

Tim Smit asked if the applicant looked into other non-traditional animals like ferrets or hamsters.

Travis Vandenberg stated, no, he had not. He stated he and his therapist explored options when they first brought up the possibility of an emotional support animal and what would be best suited for him. They landed on ducks.

Tim Smit asked what the life expectancy of a duck is.

Travis Vandenberg stated it's about 12 years.

Tim Smit brought up the issue of bird flu, as it has been present in Ottawa County. He asked if it was an issue with ducks.

Travis Vandenberg stated that yes, bird flu can be an issue with ducks. He stated he does what he can to protect them against the flu. If a wild duck got into their enclosure, it could get them sick.

Tim Smit asked if the applicant was looking to build a new coop in a new location.

Travis Vandenberg stated that he was hoping to keep the coop as close to his home as possible. Keeping it close to home would allow him to enjoy the ducks' companionship.

Tim Smit had no further questions.

Chairman Grable wanted the applicant to confirm how many ducks he wanted to keep on the property.

Travis Vandenberg confirmed he wanted to keep all seven ducks on the property if possible.

Chairman Grable asked if there was a number of ducks that the applicant's therapist recommended for achieving the therapeutic benefit of the ESAs.

Travis Vandenberg stated there was not a specific number. He stated that a typical flock is between three and five so that's why he got four.

Chairman Grable asked if the applicant was willing to use approved construction materials or if it must be tarps.

Travis Vandenberg stated he was not sure what the approved construction materials were and he would not rule out constructing a coop with the materials approved in the ordinance.

Kelly Kuiper pointed out that tarps are fine to use on a property that has no chickens as there are no ordinances against them, but once chickens are introduced, then they are not allowed. She also stated that the ordinance does not clearly differentiate between a coop and a run. She asked if the ordinance even gave the township authority over a run.

Chairman Grable agreed that the way the request is written is that the applicant is asking for 450 square feet of coop, but really he is asking for 450 square feet of enclosure, which included the run.

Crystal Morgan stated that the ordinance states: *materials used to construct the enclosed areas shall exclude tarps, plastic fabric, rubber, paper, cardboard, or other non-traditional building materials.* She stated the board members could take the stance that if the area was enclosed by a fence, it could count as an enclosed area that cannot be built with non-traditional building materials.

Kelly Kuiper asked if there was a maximum square footage of the enclosed area or only of the coop.

The ZA stated the ordinance says: *Chickens shall be provided and kept within a completely enclosed, covered coop, which is defined as an enclosure and/or cage at all times; the coop shall not exceed 80 square feet in area or eight feet in height.* The ZA's interpretation has always included the run area as part of the coop's 80 square feet.

Tom Healy agreed with the ZA's interpretation as it restricts the chickens to roam only that space and not the whole yard.

Crystal Morgan stated the variance request wording seems to include the run as it says: *...a variance to allow for an enclosure/coop totaling 450 square feet...*

Kelly Kuiper stated she agreed with that, however says that it seems like the ordinance is using the terms "coop" and "enclosure" very interchangeably and she does not believe that they are interchangeable.

Chairman Grable asked if the applicant would be willing to consider a number of ducks less than four if that's what makes the most sense for the neighbors.

Travis Vandenberg stated his biggest concern with that would be splitting up the hatches of sibling ducks.

Chairman Grable asked if it would affect the therapeutic effect by reducing the number to less than four.

Travis Vandenberg stated it would cause distress to the ducks.

Chairman Grable clarified that he was asking about the therapeutic benefit to the applicant.

Travis Vandenberg was unsure what effect reducing the amount of ducks would have on him.

The applicant's wife stated she felt that by splitting up the hatches, it would also cause distress to Travis.

Chairman Grable asked the applicant to clarify if he would be willing to relocate the coop and enclosure.

Travis Vandenberg asked for clarity on whether Chairman Grable meant relocated on the same property or if he meant relocating the coop to his mother's property in Allegan.

Chairman Grable clarified that he meant on the same property he's currently living on.

Travis Vandenberg stated, yes, he is willing to relocate. He stated he had two concerns about relocating the coop behind the carport however. First, he stated they are emotional support animals and not a petting zoo; he does not want people to be able to walk up to them and try to interact with them or harass them. Second, predators are an issue for the ducks. He has already had to deal with raccoons and possums. He stated that a couple of his neighbors have dogs and they help drive predators away. He stated that moving the coop behind the carport would cause him stress because they would be further away.

Chairman Grable stated the difficulty with the request is that they also have to balance the rights of the neighbors and that's why they ask some of these more difficult questions.

Chairman Grable then asked if the building owner had a representative available for questions.

Jean Howard addressed the board on behalf of the building owner. She stated she did not feel the applicant met the seven review standards for variances, however they were not opposed to the applicant having emotional support animals and receiving a reasonable accommodation. She asked why the applicant can't have two ducks versus the requested seven. She stated that the applicant has expressed that the ducks all provide the same things for him and seven is really too many. She acknowledged that while the ducks have formed bonds with each other, seven is still too many for their location. She also cited the noise, smells, and unsightliness a coop can produce. She stated this request is different from past requests because the applicant does not own the property. He is sharing common area with other tenants. The duck enclosure takes up a large portion of the backyard from other people. She stated the property is going to have sprinkling put in at the end of the month, but they cannot proceed because the coop is in the way. She stated the applicant lives in a ten-unit building and three of those units are currently not rented, in her opinion, because of the ducks. She stated she believed the ducks were the determining factor because renters are still choosing to live on the property, just in other units away from the ducks. She suggested a reasonable accommodation would be allowing the applicant to have four ducks, the number his doctor recommended in the letter. She stated that by allowing him to keep four, he could keep the four original duck siblings and remove the three rescued duck siblings to Allegan. She stated the coop and run needs to be moved so the grass can be cut and the sprinkling can be installed. She stated they had suggestions for building materials for the coop, and she would like a condition of approval to be that there will be no supplemental heat source installed as that increases the risk of fire. She stated the coop should be moved behind the carport. She stated that it is reasonable to give the ducks a pond, but not the three that were requested. She stated they also want the enclosure to be limited to a size more like 8'x12', as opposed to the 450 square feet that it is currently.

Kelly Kuiper asked if one of the carport units are reserved for the applicant's use.

Travis Vandenberg replied no, he does not have one of the carports.

Jean Howard clarified that carports are available to those who want to rent one.

Kelly Kuiper stated the reason she asked was because if one of the carports was the applicant's, he could easily attach the coop to his specific stall, using the width of the stall to define the width of the coop.

Tim Smit stated the carport is enclosed. He stated that storage units are within the carport, behind where the cars park. The carport is not open to the creek.

Kelly Kuiper asked Jean Howard if they were comfortable with putting the coop behind the carport. She asked if they felt it would impact the person who rents the carport.

Jean Howard stated that by moving the coop to behind the carport it would at least be out of the direct line of sight of tenants.

The building owner stated that each unit has a patio in the back, and right now tenants cannot go outside to their patio without seeing the coop.

Kelly Kuiper asked after the Exhibit B of the condo documents and whether building a temporary structure would be acceptable to be located within the general common element.

Jean Howard stated she was not sure about the master deed, but the lease prohibits it.

Kelly Kuiper asked if the lease could be modified for this particular tenant to allow for keeping the ducks and the construction of the coop, and then if he moves out, the modification would cease to serve any future tenants.

Jean Howard agreed they could do that.

Kelly Kuiper asked the ZA if variances are permanent for the property.

The ZA stated a variance for a reasonable accommodation does not remain permanent with the property.

Jean Howard stated she had reviewed past variances (VAR1804) and the ZBA laid out a lot of conditions of approval which she was hoping to see for this variance too. She reiterated that they were under a bit of a time crunch due to wanting to install sprinkling.

Tim Smit asked Jean Howard and the property owner if when the applicant first approached the idea of keeping the ducks, did they believe he meant within the unit. He brought up the example of dogs and how some tenants do keep dogs despite the rule against keeping them, and dogs obviously stay in the unit rather than being kept outside all the time.

The property owner stated when the applicant first approached them he told her, "I was thinking about getting a service animal," to which she responded, "What do you mean?" and he answered, "Ducks." She stated they did not discuss any guidelines about it at the time, but then they received the enforcement letter and she got complaints from neighbors. She stated they wanted to give the applicant time to figure out what would happen with the ordinance, but then asked him to move the coop. He did not move it and the property improvements they planned for late summer did not take place.

Tim Smit stated this application is more complex than the ones they had in the past because those were single family homes.

Jean Howard agreed, stating the other cases were not financial detriments like this one is. She believes the ducks are costing her client \$5,000 in rent money every month.

Tom Healy wanted to follow up about common elements or limited common elements. He asked if any other the units were common venues or if they were all leased townhomes.

Jean Howard stated she believes they are all leased townhomes.

Tom Healy asked if the terms of the lease give the landlord the authority to approve uses that might otherwise break the terms of the lease.

Jean Howard stated, yes, the landlord can modify the lease. In this case, they would modify the applicant's lease.

Tom Healy asked if, since part of the problem is installing the sprinkling system, are they not going to install that behind the carport.

Jean Howard stated they would have to arrange the sprinkling system around the coop location behind the carport.

Chairman Grable asked if any attempt was made at mediation with the applicant before coming to the ZBA.

Jean Howard stated, yes, there was. She stated the applicant was asked to move the coop and reduce its size, but did not, so nothing came of those discussions.

Chairman Grable asked if every tenant gets patio space in their lease. He stated a patio a couple units down from the applicant had chairs, a sofa, and multiple grills.

Jean Howard stated, yes, the patio is the tenant's space and the grass beyond that is common element.

There were no further questions for the landlord's legal counsel.

Chairman Grable opened the public hearing.

Donald McCloskey, 3540 Baldwin St., asked what kind of medical or mental health issues the applicant has which warrant keeping the ducks.

Chairman Grable stated public comment is a time for comments and is not a question and answer segment. Donald McCloskey made no further comment.

Emily Hackney, 57 Port Sheldon St., stated she was in support of the ducks. They are not problematic whatsoever. She stated she's lived at the complex for ten years and today was the first she had heard of the landlord wanting to sprinkle the grass, stating the grass is typically brown in the back. She stated the area where the coop is located is not a common area; it's the applicant's

space. She stated to her knowledge all of the neighbors loved the ducks. She stated the duck enclosure was not an eyesore. She stated that what had been an eyesore was that a tenant had passed away on an end unit and all of the tenant's belongings, both inside and out, were left there for five years before anything was taken care of by management. She stated she found it nice that the applicant takes comfort in the animals and that they help him. She stated that kids actually play behind the carport now and feels that the area behind the carport is actually more of a common area than the area behind the units. She stated the applicant has been very respectful and responsible with the ducks.

Chairman Grable closed public hearing.

Chairman Grable allowed the applicant to respond to the comments made during the public hearing.

Travis Vandenberg thanked Emily Hackney for her public comment. To Donald McCloskey's comment, his specific condition does not need to be listed in the ESA letter from his therapist, but it is stated in the letter that the ducks help alleviate symptoms of his mental health conditions. He also stated that the landlord's legal counsel brought up good points on behalf of their client.

Tom Healy addressed the Township's attorney, Crystal Morgan. He stated Edgewater Properties have already granted a reasonable accommodation, citing medical documentation and the letter from their attorney, stating up to four ESA ducks to be kept in the patio area and off the common elements. He asked how the ZBA should act on the variance when the reasonable accommodation was granted by the landlord's legal counsel and asked if the ZBA was bound by that accommodation letter.

Crystal Morgan stated it sounded like the letter cited by Tom Healy is not the most recent information. She stated the landlord's legal counsel may have granted something in the past, but since then the applicant deviated from that allowance and now they are asking for different accommodations. The township is not bound by the landlord's attorney's determination or a reasonable accommodation granted in the past. The ZBA must determine on their own what is a reasonable accommodation. The property owner could make a determination that is more strict than the township's and the applicant will have to navigate that with them. She stated it is not the ZBA's obligation to determine what their lease agreement may or may not allow.

Tom Healy had a question regarding the letter from the applicant's VA therapist. The letter states: *Travis already cares for four support ducks*. Tom Healy asked Crystal Morgan if that statement means the therapeutic dose, so to speak, is four ducks or is it saying simply that Travis already has four ducks.

Crystal Morgan stated that under the Fair Housing Act they do not need to have a prescription or a prescribed number of animals. She stated ideally if there is a request for multiple animals, the letter should address each animal individually specifying what it is about that animal that provides a service. In this case there is not a separate letter or statement for each animal, and it is not required, but the applicant acknowledged that all the ducks provide the same service. The way she reads the letter, she believes it is simply a statement acknowledging that he already has four ducks. She stated the letter goes on to say, *in my clinical opinion, his ducks are...* and then lists the benefits. In Crystal's opinion, the VA physician is saying the benefits are provided by four ducks.

Tom Healy asked if since the letter does not differentiate between the ducks, does that negate the claim that it has to be seven ducks in the accommodation.

Crystal stated it is an argument that it does, however there is a lot of gray area in the law and it says nothing specifically about a prescription for a certain number of animals or a specific format of the letter. She stated there is a lot of subjectivity to requests such as these. In her opinion, no evidence has been provided to suggest seven ducks are absolutely necessary for the applicant's mental health.

Chairman Grable stated the ZBA has previously used the language "a disabled individual is not necessarily entitled to the accommodation of his or her choice, but is entitled to only a reasonable accommodation. An accommodation is reasonable if it imposes no fundamental alteration to the nature of programs or undue financial or administrative burden." The language goes on to say each request is "highly fact specific" and "determined case by case."

Tom Healy asked if the ZBA has the authority to entertain a number of ducks anywhere from zero to potentially seven.

Crystal Morgan stated yes, however the application is for seven ducks. In her opinion though, she does not believe there is sufficient evidence to grant a request for seven ducks, citing the Butterfield letter (the applicant's medical provider at the VA) and the fact that when the applicant originally requested a reasonable accommodation from the landlord, it was four ducks.

Kelly Kuiper asked if the ZBA were to deviate from the VA physician letter to determine what was reasonable outside of the medical documentation, would that pose any liability for the township?

Crystal Morgan stated, yes, potentially. She stated if the ZBA's decision was challenged, the burden of proof would be on the township to present evidence to support their decision.

Chairman Grable stated the VA physician letter does not take into consideration the neighbors or the township ordinances.

Kelly Kuiper stated it is difficult to determine the burden of two ducks versus four on the neighbors. She stated if the ZBA says there should be only two, perhaps those two ducks would be louder and more burdensome than four because the two remaining ducks would be bereft without their siblings. Perhaps four would be less burdensome given the social nature of the animal.

Tom Healy stated he was coming from a place of determining what is reasonable in a zoning district that prohibits all agricultural uses and also has people living in a more concentrated density than prior cases. He also stated the ZBA has to take into account potential future requests; positing that someone could request a reasonable accommodation for an animal that happens to be a predator to ducks. He stated it's entirely possible that they could get two more requests for four ducks in the same complex and now there are a dozen ducks on the property.

Kelly Kuiper wanted to point out that both the VA physician and the landlord seemed to agree four ducks was a reasonable number.

Tom Healy agreed, but also added that the ZBA has to consider 56,000 other residents. He stated that zoning districts can also appeal to certain residents and said someone who expects to move into a medium density residential district would not expect to be living near ducks.

Chairman Grable stated they would first vote on the variance as presented and then they would discuss and vote on a reasonable accommodation which is separate from the variance. He stated

that the staff report that was presented states none of the seven standards were met for a variance, other than Standard Four which was to be determined at the time of writing the report.

**Moved by Tom Healy, seconded by Kelly Kuiper to adopt the following motion:**

- Motion:** To adopt the staff report as finding of fact as presented and to **deny** (VAR2503) Travis Vandenberg, 51 Port Sheldon St., to allow the following:
- a. To allow for the keeping and raising of 7 ducks, a variance of 7 ducks, from the zero allowed in a multi-family building in an MHR district under Section 3.4(Q).
  - b. To allow for an enclosure/coop totaling 450 square feet, a variance 370 square feet from the one enclosure/coop of 80 square feet permitted under Section 3.4(Q)(4).
  - c. To allow the enclosed area where the ducks are kept to be located closer than 20 feet from any dwelling as required under Section 3.4(Q)(5).
  - d. To allow the use of tarps as a material to enclose the coops, which is a variance from Section 3.4(Q)(6) which excludes tarps as a material to construct the enclosed area.

on a parcel of land described as P.P. #70-14-13-400-008, located at 51 Port Sheldon St., in a Medium/High Density Residential district (MHR), Georgetown Township, Ottawa County, MI., **based on the finding that the request does not meet standards 1, 2, 3, 5, 6, and 7 for the reasons stated in the staff report, and that standard number 4 being met would not grant the variance.**

Yeas: Kendall Grable (Chairman Grable), Tom Healy, Susan Ouellette, Kelly Kuiper, Tim Smit

Nays: None

MOTION CARRIED UNANIMOUSLY.

Chairman Grable opened the meeting to discussing the reasonable accommodation.

Tom Healy stated that first they should determine if accommodation is necessary. He stated that based on the letter and the testimony, in his opinion, yes, it is necessary.

Kelly Kuiper agreed.

Chairman Grable also agreed. He stated it was necessary to understand what the applicant and landlord had agreed to and discussed. He also stated that in the past the ZBA has tabled a decision in order to come to an agreement and craft the language of the motion.

Kelly Kuiper agreed, saying tabling the decision would allow for further discussion between the applicant and the ZA about what the applicant would be willing to accept.

Tom Healy stated four ducks seems to be a level both the landlord and applicant can agree upon and then it is a matter of the size, construction, and location of the coop. He stated the ZA should have discussions with the applicant and the landlord to come to a conclusion on coop size.

Kelly Kuiper stated she has full trust in the ZA to be the representative of the ZBA in those discussions. She also stated she wanted more clarification on whether or not four ducks was the agreed upon number by all parties involved.

Crystal Morgan stated that when it comes to the number of ducks, the township has had success with the number of ducks being two in the past. However, discussion tonight has implied that separating the four initial ducks from the same hatch should be part of the consideration. If the ZBA allows for four ducks, then they may also consider having language that states something to the effect of “as ducks die off from that particular flock, the limit then becomes two.”

Tom Healy agreed that seemed reasonable. He stated he would be okay with four ducks if the rest of the board is too.

Chairman Grable stated the discussion on number would likely continue. In regards to the coop, he stated it must be constructed with approved materials.

Tim Smit stated that the last applicant who was granted approval to keep ducks still had to keep them within an 80 square foot enclosure.

Chairman Grable stated there is a difference between those cases as this case is a multi-family property versus the last one which was a single-family property.

Kelly Kuiper stated she would like to see some guidance for the square footage of the coop. The size of the coop needs to be acceptable to the property owner firstly, and of a proper size for the ducks, secondly.

Tim Smit stated the property owner did say that an 8x12 would be reasonable.

Tom Healy stated the square footage does need to be capped by the ZBA in this meeting. He also stated the coop should be required to be 20 feet from the building, but could be right up against the carport and built of materials defined in the ordinance. He felt the square foot parameters should be significantly less than 450 square feet.

Kelly Kuiper stated she thinks its best if the applicant and landlord negotiated with the ZA to determine location and size of coop, and number of ducks.

Chairman Grable asked if the ZBA could table the decision until the next meeting.

Crystal Morgan stated that they could table it and authorize staff to continue dialog with the applicant.

Chairman Grable asked if they needed to come to a conclusion on moving the coop because the landlord wants to put in sprinkling.

Crystal Morgan stated that is a separate issue and not on the ZBA to determine.

Tim Smit asked if a 60-day deadline to make changes was reasonable.

Crystal Morgan stated that the 60 days is up for negotiation. She stated in talking with the applicant that rehoming some of the ducks is dependent on real estate matters and building

permits, so the timeframe is flexible for the ZBA to determine. Additionally the township may say the deadline is, for example, 60 days, but the landlord can be more strict with it.

Tom Healy asked the ZA if he felt he could take the ZBA's stance on the issues and have discussions with the applicant and landlord to come to an agreement on accommodations.

The ZA stated he was prepared to have those discussions. He stated the next ZBA meeting would be December 10, 2025 and he would have an updated draft of the resolution for the reasonable accommodation ready to present then.

Tim Smit asked if the ZBA should give a maximum square footage on the coop.

Tom Healy stated he did not believe they would need a cap because a reasonable square footage will emerge from the discussions lead by the ZA.

**There was consensus among the Zoning Board of Appeals that the applicant has demonstrated emotional support ducks are necessary but did not come to a consensus on what would be reasonable regarding the number of ducks, the size and location of the enclosure, and conditions of approval.**

Tim Smit wanted confirmation that in the meantime, the applicant gets to carry on with seven ducks.

Tom Healy believed yes, that is the case since the accommodation part of the case is pending. He asked Crystal Morgan for confirmation.

Crystal Morgan stated the township will likely refrain from enforcement, unless the situation were to become more nonconforming. She stated the applicant is not prohibited from reducing the coop size or relocating some of the ducks based on what he heard this evening, however adding ducks or making the coop larger is something the township code enforcement department could act on if necessary.

**Moved by Tom Healy, seconded by Kelly Kuiper, to table the request for a reasonable accommodation to allow the ZA, the applicant, and the landlord to have a meeting to discuss the specifics in the resolution and to come to an agreement that is still in the Township's interests.**

Yeas: Kendall Grable (Chairman Grable), Tom Healy, Susan Ouellette, Kelly Kuiper, Tim Smit

Nays: None

MOTION CARRIED UNANIMOUSLY.

### **#251022-03 – Public Comments**

Travis VandenBerg, 51 Port Sheldon St., thanked the Zoning Board of Appeals for their time and willingness to hear out his request. He thanked the landlord for being willing to grant him a reasonable accommodation and stated that he is confident an agreement will be reached.

Donald McCloskey, 3540 Baldwin St., stated that he is interested in adding a lean-to to his existing AG building, but he was informed by the ZA that his request would not meet the ordinance, and he would have to apply for a variance.

**#251022-04 – Other Business**

There was no other business.

**#251022-05 – Discussion**

**#251022-06 – Adjournment**

**Moved by Tom Healy, seconded by Kelly Kuiper, to adjourn the meeting.**

MOTION CARRIED UNANIMOUSLY.

The meeting was adjourned at 9:11 p.m.