

William E. McCormack Sr.
Genevieve S. McCormack
431 Mulberry Lane
Haverford, PA 19041

November 29, 2019

Scott Houchins
Health & Zoning Inspector
Lower Merion Township
75 East Lancaster Avenue
Ardmore, Pennsylvania 19003

Dear Scott:

Thank you for your guidance in the process of re-submitting our application for a chicken coop permit. We submit this letter in connection with our re-submission. We acknowledge that the permit application seeks a waiver from the current requirement of a 50 foot setback from the rear property line -- our current plan and acreage allow for a 30 foot setback -- and that you are obligated to deny the attached permit application, from which denial we are to appeal to the Board of Commissioners.

We ask for the waiver for three reasons. First, the chickens are an important part of anxiety treatment and therapy for our daughter, Hadley. The 2010 Fair Housing policy promulgated by the Board of Commissioners of Lower Merion Township was enacted "[i]n order to ensure that all persons, regardless of . . . mental disability . . . enjoy the full benefits of citizenship and are afforded equal opportunities for . . . housing[.]" LMT Code Section 93-1(A). Any law removing our chickens effectively discriminates against Hadley in her current condition. Attached letters from Hadley and from her therapist explicate that issue.

Second, our rear neighbors, Sara and Kevin McGowan, are amenable to the waiver. They are the only people who would be affected by the granting of the waiver, and their property line would be 30 feet from the coop. A letter documenting the McGowans' approval of the waiver is also attached to our permit application.

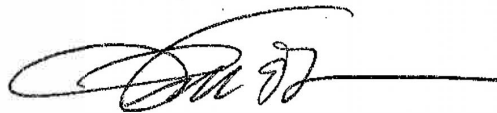
Finally, we urge the Board of Commissioners to reconsider the Township's legislative stance toward backyard chickens. Chickens make lovely pets, they turn the soil and eat pests such as ticks and mosquitos, their refuse is an excellent nitrogen-rich fertilizer, and our auto-sexing hens (female chickens) provide eggs which we share our with our neighbors.

Backyard chickens are currently controlled in Lower Merion through an opaque provision of the Township's nuisance law, difficult for any backyard chicken owner to locate or discern. Flocks of three or more are subject to the law -- but it is well established that a flock minimum of 3-5 is required for the chickens' social health and winter survival (via shared body heat). Our sister townships (Delaware and Radnor) have reflected this understanding in their own chicken-keeping legislation.

Lower Merion's requirement of a 50-foot setback on all sides of a chicken coop further restricts the joy of backyard chickens to only the very wealthiest among us who can afford large-scale properties. Chickens are flightless and do not require large areas to roam. They do not smell or carry lice. They serve as natural pesticides and fertilizers. They are docile creatures, and great fun to raise.

We greatly appreciate the time and attention you have already devoted to this matter, and we look forward to working with you on this matter going forward. Should you have any questions, please feel free to contact us.

Yours Very Truly,

A handwritten signature in dark ink, appearing to read 'W. McCormack', with a long horizontal line extending to the right.

William E. McCormack, Sr.

A handwritten signature in dark ink, appearing to read 'Genevieve S. McCormack', with a long horizontal line extending to the right.

Genevieve S. McCormack

Kevin & Sara McGowan
435 Mulberry Lane
Haverford, PA 19041

Scott Houchins
Health/Zoning Inspector
75 E. Lancaster Ave.
Ardmore, PA. 19003

Re: 431 Mulberry Lane, Haverford, PA 19041 shed

Dear Mr. Houchins:

We are the owners of 435 Mulberry Lane, Haverford, PA 19041. Our property abuts the southernmost and westernmost property lines of the property located at 431 Mulberry Lane, Haverford, PA 19041, owned by Bill and Gen McCormack. We have known the McCormacks for decades and have shared these property lines with the McCormack family for several years without incident. We are aware of the existence of a shed used as a chicken coop on the McCormack property since 2016.

We were recently informed that Lower Merion Township is enforcing code requirements that the chicken coop on the McCormack property be set back from the property line by 50'. We would like the Township to consider our express wish that the McCormacks be permitted to maintain their coop on their property, and waive any setback requirement with respect to our common boundary lines.

Should you have any questions, please feel free to contact us.

Yours Very Truly,

Kevin and Sara McGowan
435 Mulberry Lane
Haverford, PA 19041