

- Project narrative - introduction of your project, what it is, and why this particular property and location of your project is important.

This project is to request approval for a 6'Lx10'Wx6'H fully enclosed chicken run, containing a 3'x5' fully enclosed chicken coop. Coop is located approx 3' off the corner of the property (entire property is enclosed by a 6' full wood fence) in the furthest possible location from all nearby dwellings. Coop also contains a 2.5gal water source & 2gal feeder that owner regular checks on. Coop/run contains 3 "easter egger" breed hens, no roosters, that are 4.5 years old. Run and coop are sufficient space for up to 6 chickens, following the minimum recommendation of 8-10sqft of run space per chicken & 2-3sqft of coop space. Chickens are not free roamed due to dogs also residing on this & adjoining property (122 Raleigh Way, also owned by requestor).

This property is important to allow for the continued good health and welfare of these pets. Over the past 4.5 years they have been a significant joy to their owner and certain neighbors over the years. Due to their age (and natural significant decline in egg laying) there are fewer opportunities to give them to others who would be willing to take them in without the possibility of slaughtering when they no longer produce eggs, or risk of them not integrating well into the "pecking order" of a larger flock. It is in their best health & interest that they remain on the property and enclosed to prevent harassment from other pets (mainly dogs & outdoor cats) as well as wildlife.

- Analysis Criteria - an application cannot be approved unless the 5 criteria have been met.

- Analysis Criteria (from section 10.223 of the [Zoning Ordinance](#)):

1. 10.233.20 In order to authorize a variance, the Board must find that the variance meets all of the following criteria:

2. 10.233.21 The variance will not be contrary to the public interest; The general public is willingly receptive and open to the concept of “backyard chickens”. Their popularity as a pet/interest/hobby has exploded since 2020. I have had specific instances with my neighbors over the years where they have responded positively or even bonded themselves with the pets.

3. 10.233.22 The spirit of the Ordinance will be observed; The chickens will remain restricted to 124 Raleigh Way, through use of an enclosed run; and not allowed to roam freely into the adjoining property (122 Raleigh) which has no physical boundaries. The enclosed run is not only to prevent the chickens from wandering but is mainly designed to protect them from attacks from predators. I used to “free range” the chickens in the backyard and 1 was killed by a neighbor’s dog.

4. 10.233.23 Substantial justice will be done; I have read, interpreted and provided justification to the cities zoning ordinance to the best of my ability and research. I have had discussions with the zoning department, animal control, and health department regarding any regulatory guidance on backyard chickens in an attempt to

navigate this variance following due process.

5. 10.233.24 The values of surrounding properties will not be diminished; The coop & run is restricted visually and physically by adjoining properties by a 6' tall solid wood fence. The only adjoining property without a physical barrier is 122 Raleigh Way, which I also own & at one point resided at with the chickens. Their enclosed run & coop is of adequate material and condition to not diminish the value of the property. From the first instance of chickens on the property (2020) to now, property values have increased approximately 50%.

6. 10.233.25 Literal enforcement of the provisions of the Ordinance would result in an unnecessary hardship.

If the chickens are removed from the property it would result in a significant emotional burden separating myself and my girlfriend from pets we have had for several years. It would also result in significant distress by relocating them to owners/property that has a significantly higher likelihood of natural or residential (pet) predators, physical harm amongst the birds being incorporated into another flock's "pecking order", or living conditions that focus more on livestock than on pets. Most owners choose to slaughter chickens in the event they become unhealthy, don't integrate, or minimally/don't produce eggs. Complaints against them & their conditions have been made and to the full extent of my

knowledge have been dismissed & found non-factual, passing at least 2 separate unannounced inspections by animal control & the health department. Complaints are also believed to have come from a biased party who is trying to leverage complaints to justify nonpayment of rent and utilities.

I believe the 4.5 years of ownership, 3.5 of which have been on the premises of 124 Raleigh Way have proven that the location, condition, and care for these pets has been historically suitable.

City of Portsmouth, NH

Property 🔍

124 RALEIGH WAY

Street View

Google

Google Directions

Zoom

View Details

Google Maps Link

City of Portsmouth

Property Data

Market Delineation

Property

Location 124 RALEIGH WAY

Map-Lot 0212-0049-0001

Vision Account Number 51624

Zoom To Share Print Property Quick Search

Search Selection Themes Markup

Themes

Trash/Recycling Routes

School Districts

Wards and Polling Locations

Zoning 7

Zoning

Transparency

Residential Districts

- R Rural
- SRA Single Residence A
- SRB Single Residence B
- GRA General Residence A
- GRB General Residence B
- GRC General Residence C
- GA/MH Garden Apartment/Mobile Home Park

Mixed Residential Districts

- MRO Mixed Residential Office
- MRB Mixed Residential Business
- G1 Gateway Corridor
- G2 Gateway Center

Business Districts

- GB General Business
- B Business

43.091298, -70.772519

