



REQUEST FOR A CITY POULTRY VARIANCE TO ARTICLE IV, SECTION 4.5

Only dogs, cats and other generally recognizable household pets may be kept on the Lots.

The Association is specifically authorized to promulgate additional Rules and Regulations pertaining to this Section, and the Association is specifically authorized to grant a variance to this Section. The requests for a variance must be addressed in writing to the Association and must comply with the following guidelines and not negatively impact the surrounding area. These variances shall be revokable if at any time the variance creates a nuisance to neighbors. Compliance with these guidelines does not guarantee a variance will be granted.

Guidelines for Granting Poultry Variances in Wedgefield City

Wedgefield Homeowners Association will consider granting variances for chickens raised or kept only on a lot or parcel with an owner-occupied single-family detached residence with a valid permit issued by the Orange County Zoning. Below are the Orange County Rules:

(a) *Definitions.* For purposes of these guidelines, the following terms and words have the following definitions:

Chicken means the female of a type of domesticated fowl of the species *Gallus gallus domesticus*.

Chicken coop means a covered enclosure designed for roosting of chickens that provides ventilation and protection from drafts, sunlight, the effects of weather, and predators.

Pen area means an area around the chicken coop used by chickens for exercising and foraging.

(b) The chicken coop and pen area shall be cleaned regularly to foster healthy chickens; to prevent attracting insects and other vermin; to avoid objectionable odors detectable beyond the property line; and to comply with the requirements in [Section 4-13](#) of the Covenants, entitled *Nuisance*, which prohibits owners, their families, and lessees from keeping anything on their lots which shall constitute a nuisance under the laws of the State of Florida, or which will obstruct or interfere with the rights of other Owners or among other Owners by unreasonable noises, odors or otherwise. Repairs to the pen area and chicken coop shall be made as necessary to ensure safety for chickens and caretakers.

(c) The chicken coop and pen area shall be located only in the rear yard (not in a side yard, side street yard, or the front yard) and be set back a minimum of fifteen (15) feet from any side or side street property boundary; a minimum of ten (10) feet from the rear property boundary, any wetlands, upland buffers, berms, swales, conservation areas, and platted development right tracts; and fifty (50) feet from any normal high-water elevation.

(d) Opaque fencing or vegetation shall exist or be installed to match the height of the chicken coop or pen area, whichever height is greater, to serve as a visual barrier for neighboring properties. The maximum height of the fencing or vegetation shall be six (6) feet.

- (e) *Number of chickens.* A maximum number of four (4) chickens is permitted. No roosters per OC.
- (f) *Care, maintenance, and disposal of chickens.*
- (1) *Housing and custody.* Chickens shall be housed at all times within the chicken coop or pen area, except they may be removed from the chicken coop or pen area by a resident of the single-family residence, provided the resident keeps them under his or her continuous custody and control on the property while they are outside the chicken coop or pen area.
- (2) *Waste materials.* Composting of manure produced by chickens, including soiled bedding materials, is allowed in an enclosed bin. Composting of chicken manure or soiled bedding materials shall be kept a minimum of thirty (30) feet from the property's boundary. Waste materials (feed, manure and litter) that are not composted shall be discarded in a sealed bag and placed in a residential garbage container for pick-up by waste collection services.
- (3) *Purpose of keeping chickens.* Chickens shall be kept for the purpose of personal use on the property only. Chickens, their eggs, feathers and manure shall not be sold. In addition, chickens shall not be bred; slaughtered, except as provided in Section 828.05, Florida Statutes, and any other applicable laws for the humane and proficient destruction of injured or diseased animals; or consumed.
- (4) *Transfer of chickens.* Any owner who decides to cease keeping any chicken shall relocate that chicken to a farm or agribusiness that is licensed or otherwise permitted to accept chickens, or to another Orange County resident who has a valid permit in good standing. Chickens shall not be released into the wild.
- (5) *Disposal of deceased chickens.* Owners shall dispose of deceased chickens in compliance with the requirements of Section 823.041, Florida Statutes, and Section 62-701.520(5)(a) and (c), Florida Administrative Code, as either or both may be applicable.
- (g) *Noncompliance.* The failure to comply with any of the standards and conditions set forth above may result in the revocation of a variance, and may be enforced by issuance of a notice of violation. In the event that a variance is revoked, the owner shall relocate the chickens, within fifteen (15) days, to a farm or agribusiness that is licensed or otherwise permitted to accept chickens, or to another Orange County resident who has a valid permit in good standing. Chickens shall not be released into the wild. Upon revocation of a variance, the owner shall not be eligible to apply for another variance for a period of two (2) years.
- (h) *Right of entry onto private property; revocation of variance.* By applying for a variance, the applicant grants (a) authorized HOA directors and officer, upon reasonable notice, a right of entry upon the exterior of the property to determine whether the standards and conditions of this section are being satisfied; and (b) the WHOA the right to revoke a variance upon a determination of noncompliance with this guideline. To that end, any code enforcement officer shall be immune from prosecution, civil or criminal, for reasonable, good-faith trespass upon private property while in the discharge of responsibilities under this section.
- (i) *Prohibited poultry and fowl.* Roosters and other poultry or fowl, including turkeys, ducks, geese, pigeons, quail, and peafowl, shall be prohibited.

Wedgefield Homeowners Association

wedgefieldhomeowners.com
PO Box 905 • Christmas, FL 32709

WHOA ANIMAL VARIANCE CHECKLIST

Owner: _____

Property Street Address: _____ Location (check): City Estates

Phone: _____ Email: _____

Type(s) of Animal Variance (check): Poultry Equine Goat Sheep Other

Special Considerations: _____

I certify that my variance complies with the Animal Variance Guidelines for Poultry in Wedgefield City and acknowledge that this variance can be revoked by the WHOA at any time with cause:

Signature: _____ Date: _____

(DO NOT WRITE BELOW THIS LINE - FOR WHOA ONLY)

	Yes	No	N/A
a. Valid permit from Orange County Zoning Division	___	___	___
b. Opaque fencing or vegetation for City chicken coops	___	___	___
c. Number of animals complies with guidelines			
1. City chickens - 4	___	___	___
2. Estates chickens – 12/acre; maximum 30	___	___	___
3. Horses that graze – 1/acre	___	___	___
4. Barn, paddock, stall, or corral – 4 horses/lot	___	___	___
5. Goats and/or sheep – 8 total/acre	___	___	___
6. Other	___	___	___
d. Coop, barn, paddock, stall, pen, or corral setback			
1. 15 feet from property lines/10 from rear for City chickens	___	___	___
2. 30 feet (50 ft for City chickens) from the normal high-water elevation of natural bodies of water	___	___	___
e. Storage of manure, waste, compost materials			
1. City – 30 feet from property lines	___	___	___
2. Estates – 50 feet from property lines	___	___	___
f. Animals are for an approved 4H or FFA educational program			
1. Estates chickens – 12/student; maximum 30	___	___	___
2. Horses that graze – 6/acre	___	___	___
3. Goats and/or sheep – 6 total/acre	___	___	___
4. Other	___	___	___

Comments: _____

Reviewed By: _____ Date: _____

