



REQUEST FOR AN ESTATES 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 the Wedgefield Estates

Wedgefield Homeowners Association will consider granting variances that comply with the following guidelines for the raising or keeping of poultry:

- a. No commercial on-site slaughtering;
- b. Not more than twelve (12) poultry per acre;
- c. All poultry must be housed in a manner so as to not create a disruption between the Orange County quiet hours of 10pm and 7am.
- d. All poultry shall be for domestic use only;
- e. Any cage, pen, covered enclosure, barn, or other holding area shall be setback at least thirty (30) feet from all property lines and at least thirty (30) feet from the normal high-water elevation of any lakes or natural water bodies;
- f. *Care, maintenance, and disposal of chickens.*
 - (1) *Waste Materials.* Excrement and waste shall not be piled or stored within fifty (50) feet of neighboring property;
 - (2) *Purpose of keeping chickens is for personal use.* Chickens shall be kept for personal use on the property only. Chickens, their eggs, feathers and manure shall not be used in commercial means. The homeowner personally accepts any liability for their chickens and their bi-products. 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.
 - (3) *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.

(4) *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 thirty (30) 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.* Other poultry or fowl, including turkeys, ducks, geese, pigeons, quail, and peafowl, may be considered for a special variance.

j. The keeping of poultry for an approved 4H or Future Farmers of America (FFA) educational program that exceeds the limit in (b) may be considered for a special variance, which requires Board approval.

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 Estates 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: _____

