

# ACCESSORY USE: LAYING HENS PERMIT



## General Information

The intent of regulations governing Laying Hens in Holly Springs is to allow for up to three (3) female chickens (hens) in any residential or agricultural zoning district for a lot that is a minimum of 10,000 square feet.

A preliminary consultation through the Department of Planning & Zoning may be scheduled by contacting the Department at (919) 557-3908.

### FOR MORE INFORMATION:

Current Fee Schedule: [www.hollyspringsnc.us/planning](http://www.hollyspringsnc.us/planning)

Review Process: Town of Holly Springs Development Procedures Manual (DPM)- 5.02 Accessory / Temporary Use, Building or Structure

Regulations: Town of Holly Springs Town Code of Ordinances – Section 12-80

The DPM is available for purchase in the Department of Planning & Zoning or on-line at: [www.hollyspringsnc.us/planning](http://www.hollyspringsnc.us/planning)

## Submittal Requirements

Only complete submittals will be processed. The following items must be submitted in order for your application to be deemed complete.

- Laying Hens Permit Application (signed)
- Processing Fees (make check payable to: Town of Holly Springs)
- (1) Site Plan folded to 8 ½" x 11" depicting total lot area, existing house location, all existing accessory structures, proposed coop, and proposed pen area in relation to property lines
- Statement of approval from homeowner's association (HOA), if any, or a statement by the owner that the property is not subject to restrictive covenants. Absence of an HOA does not mean that your property is not subject to restrictive covenants.

## Violation of Town Code of Ordinances Section 12-80:

Violation of this section by harboring domestic fowl without a permit, or violating any of the following provisions, shall constitute a Class 1 misdemeanor or shall subject the landowner to a civil penalty of \$50 per day, each day of noncompliance, at the discretion of the citing officer.

### Provisions:

- a. One coop and one pen per residential lot shall be required to house chickens on a lot. No more than one coop and one pen shall be allowed on any lot.
- b. The coop and pen shall be located so that it is entirely behind the rear line of the primary structure (ie, house) on the property, and is a minimum of twelve (12) feet from the side and rear property line.
- c. Hens may be kept only for non-commercial purposes. Eggs, chickens, or any byproduct thereof shall not be sold.
- d. Hens shall at all times be enclosed within a pen to prevent their elopement and to prevent rodents or predators from coming into contact with the hens. Hens shall be enclosed in a coop during non-daylight hours. No free-ranging permitted. Pens, coops, and any other structure

shall be approved by the Department of Planning & Zoning pursuant to the Unified Development Ordinance.

- e. The landowner is solely responsible to ensure that standing water, liquid, or feces does not accumulate in the area of the pen and that no drainage or run-off meets any property line, stream, drainage area, easement, pipe, swell, dissipater, or any stormwater or wastewater control mechanism.
- f. Refuse from the hens shall be removed daily or more often if required by placing waste into plastic bags and thrown into the trash in order to prevent run off or offensive odors.
- g. Hens kept for fighting purposes are illegal and the owner will be prosecuted to the fullest extent of the law.
- h. Nothing herein shall preclude a landowner for being cited by the police department or animal control officer for maintaining a nuisance if there are either pervasive and offensive smells or the noise from the chickens can be measured at more than 50 decibels at the property line for more than five (5) consecutive minutes. Appeals from decision of the Department Planning & Zoning or Animal Control Officer shall be made by written request within 30 days to the Department Planning & Zoning. The Department Planning & Zoning shall calendar an appeal before the Board of Adjustment, which shall hear the matter in a quasi-judicial setting as other matters appealing a zoning decision.



### **Town of Holly Springs**

128 S. Main Street  
P.O. Box 8  
Holly Springs, NC 27540

Department of Planning & Zoning  
919.557.3908  
[www.hollyspringsnc.us/planning](http://www.hollyspringsnc.us/planning)

Department of Engineering  
919.557.3939  
[www.hollyspringsnc.us/123/engineering](http://www.hollyspringsnc.us/123/engineering)

Department of Code Enforcement  
919.557.3915  
[www.hollyspringsnc.us/106/code-enforcement](http://www.hollyspringsnc.us/106/code-enforcement)

Holly Springs Police Department / Animal Control  
919.557.9111  
[www.hollyspringsnc.us/police](http://www.hollyspringsnc.us/police)

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The current Filing Fees can be found on-line in the Town of Holly Springs Fee Schedule:  
[www.hollyspringsnc.us/planning](http://www.hollyspringsnc.us/planning)

## General Information | Parcel Information

Address \_\_\_\_\_  
 Subdivision \_\_\_\_\_  
 This subdivision has a Home Owners Association  Yes  No

PIN \_\_\_\_\_ Real Estate ID \_\_\_\_\_  
 Zoning \_\_\_\_\_ Lot Size (sq ft) \_\_\_\_\_

For DPZ Use Only  
 UDO 10 Laying Hens  
 20\_\_\_\_ - \_\_\_\_\_  
 Fees Paid \$ \_\_\_\_\_  
 Date Received \_\_\_\_\_

## Coop & Pen Information

	Coop	Pen
Length:	_____	_____
Width:	_____	_____
Height:	_____	_____
Square Footage:	_____	_____

## Petition Contact Information (complete each contact in its entirety- please print or type)

**Project Applicant / Contact** (check one)  Owner  Other \_\_\_\_\_

Name \_\_\_\_\_  
 Mailing Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Telephone # ( ) \_\_\_\_\_ Alt. Telephone# ( ) \_\_\_\_\_  
 Fax# ( ) \_\_\_\_\_ E-Mail \_\_\_\_\_

## Property Owner(s) if different than Applicant / Contact

Name \_\_\_\_\_  
 Mailing Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Telephone # ( ) \_\_\_\_\_ Alt. Telephone# ( ) \_\_\_\_\_  
 Fax# ( ) \_\_\_\_\_ E-Mail \_\_\_\_\_

## Laying Hens Required Provisions

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- Hens may be kept only for non-commercial purposes. Eggs, chickens, or any byproduct thereof shall not be sold.
- Hens shall at all times be enclosed within a pen to prevent their elopement and to prevent rodents or predators from coming into contact with the hens. Hens shall be enclosed in a coop during non-daylight hours. Pens, coops, and any other structure shall be approved by the Department pursuant to the Unified Development Ordinance.
- The landowner is solely responsible to ensure that standing water, liquid, or feces does not accumulate in the area of the pen and that no drainage or run-off meets any property line, stream, drainage area, easement, pipe, swell, dissipater, or any stormwater or wastewater control mechanism.

- f. Refuse from the hens shall be removed daily or more often if required by placing waste into plastic bags and thrown into the trash in order to prevent run off or offensive odors.
- g. Hens kept for fighting purposes are illegal and the owner will be prosecuted to the fullest extent of the law.
- h. Nothing herein shall preclude a landowner for being cited by the police department or animal control officer for maintaining a nuisance if there are either pervasive and offensive smells or the noise from the chickens can be measured at more than 50 decibels at the property line for more than five (5) consecutive minutes. Appeals from decision of the Department or Animal Control Officer shall be made by written request within 30 days to the Department. The Department shall calendar an appeal before the Board of Adjustment, which shall hear the matter in a quasi-judicial setting as other matters appealing a zoning decision.

## Owner's Authorization

I HEREBY CERTIFY that the above information is true and correct and that I am aware of the requirements governing Laying Hens as stated in the Town of Holly Springs Town Code of Ordinances and that I will comply to all applicable regulations. Failure to do so will subject me to violation of the Town Ordinance and possible fines.

Violations of this section by harboring domestic fowl without a permit, or violating any of the provisions, shall constitute a Class 1 misdemeanor or shall subject the landowner to a civil penalty of \$50 per day, each day of noncompliance, at the discretion of the citing officer.

**Owner's Signature**

**Date**

## Department of Planning & Zoning Action

Approved    Denied

Date

\_\_\_\_\_  
Signature of Town of Holly Springs Authorized Agent