

SECTION 4.10 ACCESSORY USES Z-14 Z-56 Z-58

- (a) In any zoning district, accessory uses, incidental only to a permitted use, are permitted when located on the same lot; provided, however, that such accessory uses shall not involve the conduct of any business, trade or industry.
- (b) The keeping of household pets, including cats, dogs, household fish and household birds, is expressly permitted as an accessory use in any Zoning District; provided, however, that no more than four (4) adult dogs or cats or any combination thereof shall be kept or housed in or at one (1) dwelling unit. The keeping of any other animals or poultry in any zoning district except the AG Zoning District or as a part of a riding stable in the R-1 Zoning District is prohibited except when authorized by the Zoning Inspector. The Zoning Inspector may, in his discretion, decline to decide such matter and refer decision thereon to the Board of Appeals as a matter for Board of Appeals decision pursuant to Section 603 of the Zoning Act. In considering such authorization, the following standards shall be considered:
 - (1) the land area where such animals are to be housed.
 - (2) the location of adjacent property, and
 - (3) whether or not noise or odors are likely to adversely affect the use of adjoining properties or the surrounding neighborhood.
- (c) The keeping of any animal or poultry as an accessory use in a residential zoning district shall not be authorized unless it is for recreational purposes only.
- (d) The keeping of horses as an accessory use shall only be permitted in the R-1 Zoning District and only if all of the following requirements are met.
 - (1) The grazing area upon which the horses are kept shall be a minimum of one (1) acre in area. For purposes of this section, grazing area shall mean the fenced open pasture land used for grazing by the horses and the accessory building required in Subsection (2) immediately below, and shall specifically exclude the portion of the lot occupied by the principal building and its accessory structures and/or buildings as well as all required front, side, and rear yards.
 - (2) An accessory building shall be erected in compliance with all requirements and restrictions of Section 4.11 to be used as a shelter for the horses.
 - (3) The accessory building and the grazing area upon which the horses are

kept must be entirely fenced. All gates in the fence should be kept locked. The fencing must comply with Section 4.18 and be adequate in height, strength, and general design to prevent a horse from escaping from the grazing area.

- (4) The number of horses permitted shall be limited to the ratio of one (1) large horse per full acre, or two (2) miniature horses per full acre, as shown in the following table. For purposes of this section, a large horse shall be any horse whose size is greater than 38 inches in height (including a foal of a large mare, regardless of the size of the foal), and a miniature horse shall be any horse (except for the foal of a large mare) whose size is less than or equal to 38 inches in height.

Table Showing the Number of Horses Permitted for Parcels Smaller Than 8 Acres

Size of Grazing Area	Total Number of Horses Permitted	Possible Combinations Permitted
< 1 Acre	0	None
1 Acre to < 2 Acres	1 large or 2 mini	(1 large + 0 mini) (0 large + 2 mini)
2 Acres to < 3 Acres	2 large or 4 mini	(2 large + 0 mini) (1 large + 2 mini) (0 large + 4 mini)
3 Acres to < 4 Acres	3 large or 6 mini	(3 large + 0 mini) (2 large + 2 mini) (1 large + 4 mini) (0 large + 6 mini)
4 Acres to < 5 Acres	4 large or 8 mini	(4 large + 0 mini) (3 large + 2 mini) (2 large + 4 mini) (1 large + 6 mini) (0 large + 8 mini)
5 Acres to < 6 Acres	5 large or 10 mini	(5 large + 0 mini) (4 large + 2 mini) (3 large + 4 mini) (2 large + 6 mini) (1 large + 8 mini) (0 large + 10 mini)
6 Acres to < 7 Acres	6 large or 12 mini	(6 large + 0 mini) (5 large + 2 mini) (4 large + 4 mini) (3 large + 6 mini) (2 large + 8 mini) (1 large + 10 mini) (0 large + 12 mini)
7 Acres to < 8 Acres	7 large or 14 mini	(7 large + 0 mini) (6 large + 2 mini) (5 large + 4 mini) (4 large + 6 mini) (3 large + 8 mini) (2 large + 10 mini) (1 large + 12 mini) (0 large + 14 mini)

- (e) In addition to initial authorization by the Zoning Inspector or the Board of Appeals, the housing of non-household pets, animals, fish or birds in any zoning district except the AG Zoning District or as a part of a riding stable in the R-1 Zoning District shall require a non-transferable permit to be issued by the Zoning Inspector for one (1) year when authorization is first granted with renewal annually thereafter. In renewing such permit, the Zoning Inspector shall determine whether or not the permit holder is in compliance with the requirements of this ordinance and any requirements, conditions, or restrictions established when authorization was granted.