



## **DECLARATORY RULING – 1-2010**

### Keeping of Domestic Animals as Pets

This interpretation applies to properties which do not qualify for Agricultural uses.

In all zoning districts, while there is no specific provision, it is reasonable to include the keeping of certain domestic animals as pets as an accessory use, “customarily incidental to any principal permitted use.”

In making this interpretation, it is important to determine what is “customary” in a particular zone or a particular neighborhood. For example, in a neighborhood of one acre or larger lots, one (1) goat, sheep, pot-bellied pig or similar sized animal may be equivalent to keeping a large dog, and the Code would allow as many as three (3) dogs. On lots of three (3) acres or larger in the Agricultural district, you may have as many goats, sheep, cows, or horses as you want. It would seem to be reasonable then to allow one (1) goat, sheep, pot-bellied pig, or similar sized animal on a lot of one (1) acre or larger, and up to three (3) goats, sheep or similar size animal on a lot of two (2) acres or more in a zone which does not qualify for Agricultural uses.

As to smaller animals, e.g. rabbits, chickens, ducks, or similar sized animals, the general practice is to allow up to six (6) rabbits, chickens, ducks, or similar sized animals, on lots of less than three (3) acres. The Code allows you to have up to three (3) dogs as personal pets, in any zone, and if six chickens are equal to one (1) goat or dog, then on lots less than one (1) acre, you may have up to six (6) chickens, rabbits, ducks, or similar sized animals. On lots of less than two (2) acres, you may have up to twelve (12) chickens, rabbits, ducks, or similar sized animals. On lots of less than three (3) acres, a maximum of eighteen (18) chickens, rabbits, ducks, or similar sized animals would be appropriate. On any lot greater than one (1) acre, a building permit would be needed for any structure housing animals, and the location would have to be in the rear yard of the lot and meet setbacks of seventy-five (75) feet from all property lines.

In a neighborhood of lots smaller than one acre, regardless of zone, the aforementioned large pets goats, sheep, pot bellied pigs, or other similar sized animals would be less appropriate and not allowed on lots smaller than one (1) acre.

With respect to smaller animals on lots less than one (1) acre, e.g. rabbits, chickens, ducks, or similar sized animals, the general practice has been to allow up to six (6), and limiting the size of the shelter to approximately the size of a large dog house. Given the limit in size, these structures would not be regulated as to location and would not require building permits.

It should be noted that the foregoing serves only as a guideline and that individual cases may result in different recommendations.

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Jay C. Voight  
Zoning Administrator  
July 1, 2010