

## **Warren County Zoning Ordinance 180-8**

**KENNEL** -- Any place, private or commercial, equipped and/or used to house, board, breed, handle, train or otherwise care for five or more dogs six months or older.

## **Warren County Zoning Ordinance 180-49**

### **§ 180-49. Kennel.**

- A. Any structure or area occupied by animals shall be no closer than 100 feet to any agricultural or residential property line.
- B. For all animal confinements, an external solid fence not less than six feet in height shall be located within 50 feet of the animal confinement and shall be composed of concrete block, brick or other equivalent material approved by the Zoning Administrator.
- C. Animals shall be confined in an enclosed building from 10:00 p.m. to 7:00 a.m. and noise measured at the nearest agricultural or residential property line shall not exceed 55 decibels.
- D. Noise measured at the nearest agricultural or residential property line shall not exceed 60 decibels between 7:00 a.m. and 10:00 p.m.

*Note 1:* Warren County Zoning Ordinance 180-21(D)(12) and 180-24(D)(8)- Kennels are allowed under a conditional use permit issued by the Board of Supervisors.

**§ 180-21. Agricultural (A) District.**

A. Statement of intent. This district is intended for areas where general agricultural pursuits are practiced, where low density residential developments may be situated without degrading the environment and where expanses of open spaces best exist for parks, playgrounds, game preserves and similar uses.

B. Uses permitted by right. In addition to agricultural pursuits, any one of the following uses is permitted by right on each lot or on each tract or combination tracts in the Agricultural District:

- (1) Single-family dwelling.
- (2) Class A, manufactured home dwelling.
- (3) Noncommercial park or playground.
- (4) Noncommercial fairground.
- (5) Game preserve or conservation area.
- (6) Municipal sanitary landfills and solid waste collection facilities established and operated by the Board of Supervisors.
- (7) (Reserved)EN
- (8) Class B, manufactured home dwelling. [Added 3-21-1995]
- (9) Public schools. [Added 6-6-1995]
- (10) Sawmills. [Added 7-18-1995; amended 10-15-1996]
- (11) Private use camping. [Added 1-16-1996]

C. Accessory uses permitted by right. Accessory uses permitted by right shall be as follows:

- (1) The subdivision of lots from a single parcel of land existing of record as of 12:01 a.m. April 6, 1977, may be made in one of the following ways, provided that the requirements of Chapter 1.55, Subdivision of Land, are met: [Amended 1-20-1998; 12-21-1999; 2-5-2002]
  - (a) A subdivision with not more than four lots, each lot containing less than 10 acres, for single-family dwellings.
  - (b) A cluster housing development, meeting the standards of § 180-40.5, with not more than six lots, for single-family dwellings.
  - (c) Any combination of a subdivision and a cluster housing development. The total of all lots shall be not more than six, and the lots shall be for single-family dwellings.
- (2) Home occupation.
- (3) Wayside stands for the display and sale of produce.
- (4) Dwelling units for persons employed on the premises. Maximum number of units per 50 acres: one. Total number of units permitted per tract or combination of tracts: five.
- (5) Types of accessory buildings permitted: detached garage, patio enclosure, tool storage building, gazebo, greenhouse and portable storage container. [Added 12-20-1994; amended 7-17-2007]

D. Uses allowed by conditional use permit. The following named uses may be permitted upon issuance of a conditional use permit by the Board of Supervisors:

- (1) Airport, heliport and private landing field.
- (2) Canoeing, boating and fishing equipment rental and sales.
- (3) Cemetery.
- (4) Church.
- (5) (Reserved)EN
- (6) Commercial campground.
- (7) Commercial nursery/garden center.
- (8) Community center.
- (9) Golf course.
- (10) Guesthouse.
- (11) Hunting/fishing lodge.
- (12) **Kennel.**
- (13) Library.
- (14) Livestock sales and auctions.
- (15) Manufactured home park (mobile home).
- (16) Microwave towers and similar communications structures.
- (17) Public protection facilities: fire, police and rescue departments.
- (18) Public utility poles, lines, transformers, pipes, meters and other facilities not servicing the residents of the County.
- (19) Rest home, nursing home, convalescent home, group home and adult day-care facility.
- (20) Riding stables, commercial.
- (21) Tenant house, premises less than 50 acres.
- (22) Vacation camp, day/overnight.
- (23) Veterinary services/animal hospital.
- (24) The subdivision of lots from a single parcel of land existing of record as of 12:01 a.m. April 6, 1977, may be made in the following way, provided that the requirements of Chapter 155, Subdivision of Land, are met: [Amended 1-20-1998; 12-21-1999; 2-5-2002]
  - (a) A cluster housing development, meeting the standards of § 180-40.5, with seven or more lots, not, to exceed 10, for single-family dwellings.
- (25) Archery equipment sales. [Added 6-21-1993]
- (26) Boardinghouse, rooming house, bed-and-breakfast establishment. [Added 3-15-1994]
- (27) Commercial outdoor recreational operation. [Added 1-17-1995]
- (28) Combination of a single-family dwelling unit and a commercial garage (repair) wrecking service. [Added 5-30-1995]
- (29) Gunsmithing/repair/sales shop in conjunction with a single-family residential dwelling unit. [Added 6-20-1995]
- (30) Private schools. [Added 8-15-1995]
- (31) Home enterprise. [Added 10-17-1995]
- (32) Private use camping when more than two major recreational vehicles are to be used. [Added 1-16-1996]

- (33) Office, maintenance yard and building and storage unit facilities in a residential subdivision when owned and operated by the subdivision's homeowners' association and when used by the association or by residents of the subdivision. [Added 5-20-1997]
- (34) Retreat center. [Added 12-15-1998]
- (35) Artisan and craftsman trades in facilities not exceeding 5,000 square feet. [Added 2-16-1999]
- (36) Farm winery. [Added 7-20-2004]
- E. Minimum lot area shall be two acres, except for lots in family subdivisions, which may be a minimum of 1.5 acres and in cluster housing developments, which may be a minimum of one acre. [Amended 7-15-1997; 8-4-1998]
- F. Minimum lot width shall be 200 feet. [Amended 7-15-1997]
- G. Maximum length/width ratio shall be four to one (4:1).
- H. Minimum yard depth shall be as follows:
  - (1) Front: 50 feet.
  - (2) Rear: 35 feet for a principal structure; 10 feet for an accessory structure.
  - (3) Side: 15 feet for a principal structure; 10 feet for an accessory structure.
- I. Utility requirements for water and sewer shall be individual, public or approved private. [Amended 8-17-1999]

**§ 180-24. Rural Residential (RR) District. [Added 2-5-2002]**

- A. Statement of intent. This district is intended to provide areas for low-density residential development of an exclusive nature adjacent to existing residentially zoned areas. This district is also designed to allow for a mixture of housing alternatives without degrading the environment. Such area shall be developed in a manner that will protect and preserve natural resources, watersheds and topographic features and protect and enhance the natural beauty of the land.
- B. Uses permitted by right. Any one of the following uses is permitted as a matter of right on each lot, parcel or tract of land in the RR District:
  - (1) Single-family dwelling.
  - (2) Noncommercial park playground.
  - (3) Cluster housing development.
- C. Accessory uses permitted by right. Accessory uses permitted by right shall be as follows:
  - (1) Home occupation.
  - (2) Types of accessory buildings permitted: detached garage, patio enclosure, tool storage building, gazebo, greenhouse and portable storage container. [Amended 7-17-2007]
  - (3) The keeping of livestock and fowl. One animal and up to 12 fowl per acre or portion thereof of open pasture shall be permitted. Structures and/or pens for livestock and fowl shall be located no closer than 50 feet to any property line of a residentially zoned parcel.
  - (4) Orchards, vineyards and/or silviculture activities in accordance with § 180-56.1 of the Warren County Code (Zoning Ordinance). Such uses may be conducted on parcels of 20 acres in size or larger. [Added 9-17-2002]

D. Uses allowed by conditional use. The following named uses may be permitted upon issuance of a conditional use permit by the Board of Supervisors:

- (1) Class A, manufactured home dwelling.
- (2) Home enterprise.
- (3) Church and/or parish house.
- (4) Cemetery.
- (5) Community center.
- (6) Private use camping.
- (7) Golf course.
- (8) Kennel.**
- (9) Public protection facilities: fire, police and/or rescue departments.
- (10) Riding stables, commercial.
- (11) Commercial outdoor recreation.
- (12) Public utility poles, lines, transformers, pipes, meters and other facilities not servicing the residents of the County.

E. Minimum lot area shall be two acres. The average development density shall be no more than one single-family dwelling/Class A manufactured dwelling per five acres.

F. Minimum lot width shall be 200 feet.

G. Maximum length/width ratio shall be four to one.

H. Minimum district size shall be 20 acres.

I. Minimum yard depth shall be as follows:

- (1) Front: 50 feet.
- (2) Rear: 35 feet for a principal structure; 10 feet for an accessory structure.
- (3) Side: 15 feet for a principal structure; 10 feet for an accessory structure.

J. Utility requirements for water and sewer shall be individual, public or approved private.

K. A minimum of 50% of the existing tree coverage shall be maintained.

*Note 2: Warren County Zoning Ordinance 180-22- Kennels is not an allowed land use by-right or under a conditional use permit in a R1 district.*

**§ 180-22. Residential - 1 (R-1) District. [Amended 12-20-1994; 1-16-1996; 12-17-1996; 5-20-1997; 8-17-1999; 3-21-2006]**

A. Statement of intent. This district is intended for family living in safe and suitable surroundings in areas where low-density residential development may be situated without degrading the environment. Such areas shall be developed in a manner that will protect and preserve natural resources, watersheds and topographic features and protect and enhance the natural beauty of the land.

B. Uses permitted by right. Any one of the following uses is permitted as a matter of right on each lot, parcel or tract of land in the R-1 District:

- (1) Single-family dwelling.
- (2) Noncommercial park/playground.
- (3) (Reserved)

C. Accessory uses permitted by right. Accessory uses permitted by right shall be as follows:

- (1) Home occupation.
- (2) Types of accessory buildings permitted: detached garage, patio enclosure, tool storage building, gazebo, greenhouse and portable storage container. [Amended 7-17-2007]

D. Uses allowed by conditional use permit. The following named uses may be permitted upon issuance of a conditional use permit by the Board of Supervisors:

- (1) Adult day care.
- (2) Church or parish house.
- (3) Community center.
- (4) Day-care or child-care center (nursery).
- (5) Public protection facilities: fire departments and rescue squads.
- (6) Public utility poles, lines, transformers, pipes, meters and other facilities not servicing the residents of the County.
- (7) Rest home, nursing home, convalescent home or similar institution.
- (8) School, public/private.
- (9) Temporary model home.
- (10) Private use camping.
- (11) Office, maintenance yard and building and storage unit facilities in a residential subdivision when owned and operated by the subdivision's homeowners' association and when used by the association or by residents of the subdivision.
- (12) A cluster housing development meeting the standards of § 180-40.5, with not more than one lot for each gross acre of the parcel or tract of land.

E. Minimum lot area shall be one acre, except for lots in cluster housing developments which shall be a minimum of 21,780 square feet (0.5 acre).

F. Minimum lot width shall be 150 feet, except for lots in cluster housing developments which shall be a minimum of 90 feet.

G. Maximum length/width ratio shall be 3.5 to 1.

H. Minimum yard depth shall be as follows:

- (1) Front: 50 feet.
- (2) Rear: 35 feet for a principal structure; 10 feet for an accessory structure.
- (3) Side: 15 feet for a principal structure; 10 feet for an accessory structure.
- I. Utility requirements for water and sewer shall be individual, public or approved private, except for lots in cluster housing developments which shall be public.

*Note 3:* State law regarding the POA or HOA covenants will recognize whichever is the more restrictive between County ordinances and the covenants. So if kennels are restricted in the subdivision located in an Agricultural zoning district it is up to the HOA/POA to enforce that covenant.