

ORDINANCE NO. 18

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE TOWN OF FRANKFORD, TO ADD "MAINTAINING AND GRAZING OF HORSES" TO CONDITIONAL USES IN ANY DISTRICT.

WHEREAS, it is, in the opinion of the individual members of the Town Council of the Town of Frankford, necessary to consider expanding the kinds of conditional uses available within the Town of Frankford to include maintaining and grazing of horses; and

WHEREAS, the Planning & Zoning Commission has reviewed and made certain recommendations for incorporation into the proposed conditional use of "grazing of horses;" and

WHEREAS, the Town Council held a public hearing to review the proposed conditional use of "maintaining and grazing of horses;" and

WHEREAS, the Town Council desires to accept the various recommendations and incorporate them into the proposed amendment to the Zoning Ordinance; and

NOW, THEREFORE, BE IT ORDAINED, by the Town Council of the Town of Frankford that the Zoning Ordinance of the Town of Frankford, Delaware, be and the same is hereby amended as follows:

1. Article XVI--Conditional Uses, Section 2, be and is hereby amended by adding a new Subsection e., said Subsection to read as follows:

e. Maintaining and grazing of horses in any district may be approved, provided that:

1. Such use shall meet the area and setback requirements as set forth in the following conditions.

2. "Horse" shall mean and include any equine species, including but not limited to horses, ponies, mules, and donkeys.

3. Such use shall be limited to personal recreational use. Any commercial or public use, including but not limited to breeding, sales, schooling, lessons, training, boarding or shows, is prohibited. Recreational use is defined as a pleasure riding and/or driving.

4. The property for such a use shall be limited to a minimum of seven (7) acres. There shall be at least one (1) acre of pasture per horse, however, the total number of horses shall not exceed four (4) regardless of pasturage/acreage.

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5. Such use is on property owned and occupied by the holder of the conditional use.

6. Pasture is defined for this use as an area enclosed by approved and secure fencing, as provided in this section (below). Pastures shall be mowed and maintained at a height not to exceed twelve (12) inches.

7. Fencing shall be secure and of approved material. Wood or PVC fencing of at least three (3) rails is required on all street sides and a minimum of three (3) strand barbed wire, livestock fencing or chainlink fencing is required on all other perimeters of pasture and turn-out areas. Electric wire shall be attached to the top of all fencing. The top of the fencing shall be no lower than four (4) feet in height and the bottom shall be no higher than eighteen (18) inches from the ground. The setback for any fence shall be at least fifty (50) feet from any street and at least fifteen and one-half (15 1/2) feet from abutting property lines and/or ditches.

8. Barns, stables and storage facilities shall be of approved building materials and be set back at least fifty (50) feet from any lot line and at least one hundred (100) feet from any dwelling not on the same parcel. Minimum stall space per horse shall be no less than ten (10) feet by ten (10) feet or one hundred (100) square feet.

9. Pasture turnout shall be limited to daylight hours only. At all other times, horses not being ridden or driven shall be confined to a barn, stable or secure pound; however, the pound shall not exceed twenty-five hundred (2500) square feet.

10. Manure and stall soil storage sites shall be located no closer than fifty (50) feet from abutting property lines and no closer than one hundred (100) feet from any dwelling not on the same parcel. Accumulation of manure shall not exceed ten (10) cubic yards per horse per year.

11. Proof of liability insurance and vaccinations as normally required by accepted practices shall be filed with the Town annually.

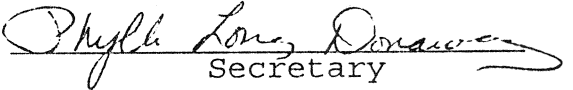
12. Any conditional use granted pursuant to this section shall not become effective except that by the favorable vote of three-fourths (3/4) of all the members of the Town Council where a protest against such use, signed by the owners of twenty percent (20%) or more, of those lots immediately adjacent to the proposed use and extending one hundred (100) feet therefrom, or of those

directly opposite thereto, extending one hundred (100) feet back from the street frontage of such opposite lots.

13. Such use shall meet any conditions set upon its use by the Town.

14. Any violation of the conditions will result in immediate revocation.

Adopted: 5-23-96


Secretary

a:horses2.ord

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