



Official Interpretation of the Zoning Administrator

Date: August 14th, 2023

In accordance with Section 1.24 of the City of Shelbyville's Unified Development Ordinance (UDO), the Zoning Administrator has the principal authority for the administration and enforcement of the UDO. In order to effectively administer the UDO, the Zoning Administrator will, from time to time, provide official interpretations of the UDO to clarify the intent of the UDO where such clarity may be lacking otherwise. The interpretations, similar to all administrative actions of the Zoning Administrator, may be subject to appeal, and future interpretations may supersede or invalidate previous interpretations.

Relevant Section(s) of the UDO:

- Sec. 5.55, SB-01: Setback Standards

Issue: The UDO does not provide specific guidance as to where on a structure the setback should be measured from. Furthermore, the UDO provides multiple exceptions to the setback requirements (Sec. 5.55-I) which causes more uncertainty as to where exactly the setback should be measured from.

Interpretation: The Zoning Administrator interprets these relevant sections of the UDO to require that a setback be measured from the exterior wall of the foundation of the building. If a building does not have a foundation, this measurement should be taken from the point at which the structure is permanently affixed to the ground. Furthermore, the Zoning Administrator finds that the exceptions provided in Sec. 5.55-I of the UDO, exempting "Architectural Features" from the setback requirements (Up to 3 feet in depth), should apply to facade materials on a building. This includes, but is not limited to; vinyl siding, hardy plank siding, brick and masonry materials or veneers, and other materials commonly utilized for the facade of buildings.

Right to Appeal: Please be aware that interested parties may, in accordance with UDO 9.04, appeal any decision, interpretation, order, determination, or action of the Zoning Administrator before the Board of Zoning Appeals. Applications for Administrative Appeal are available through the Plan Commission Office.

Respectfully,

Adam M. Rude

Director, Planning and Building Department
Zoning Administrator
City of Shelbyville, Indiana