

ORDINANCE NO 2026 - 06

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF SHELBY COUNTY, INDIANA, AMENDING THE SHELBY COUNTY UNIFIED DEVELOPMENT ORDINANCE – SPECIFICALLY: ARTICLE 5 ACCESSORY STRUCTURE STANDARDS

WHEREAS, the Board of Commissioners of Shelby County, Indiana recognize the need for orderly growth and development within Shelby County and those areas within its planning jurisdiction;

WHEREAS, Shelby County has an existing Unified Development Ordinance that regulates development within its jurisdictional areas;

WHEREAS, Shelby County desires to update its development regulations to meet current economic conditions, current trends, and to promote quality growth;

WHEREAS, Public Notice was given for at least one public hearing as required by Indiana Code 36-7-4-604; and

WHEREAS, the Shelby County Plan Commission has recommended approval of the amendment to the Unified Development Ordinance as required by Indiana Code 36-7-4-605.

NOW, THEREFORE, BE IT ORDAINED, by the Board of Commissioners of Shelby County, Indiana as follows:

SECTION 1: That Article 5, Section 5.04, Section 5.05, Section 5.06, and Section 5.07 are repealed.

SECTION 2: That Article 5, Section 5.04, Section 5.05, and Section 5.06 are added as follows:

(see attached)

SECTION 3: Effective Date. This ordinance shall be in full force and effect from and after its adoption by the Board of Commissioners of Shelby County, Indiana.

SECTION 4: Repealable Provisions. All ordinances and parts of ordinances in conflict with the specific amendment herein are hereby repealed.

ADOPTED this 9th day of March, 2026 by a vote of 2 ayes and 0 nays of members of the Board of Commissioners of Shelby County, Indiana.

ABSTAIN

Jason Abel, President

David Lawson

David Lawson, Member

Nathan Runnebohm

Nathan Runnebohm, Member

ATTEST:

Amy Glackman
Amy Glackman, Auditor
Shelby County, Indiana

Accessory Structure Standards (AS)

5.04 AS-01: General Accessory Structure Standards

This Accessory Structure Standards section applies to the following zoning districts:



The intent of the Accessory Structure Standards is to ensure the placement and use of accessory structures protects the health, safety, and welfare of the residents of the County. The following standards apply:

- A. Permit Required: An Improvement Location Permit is required for the construction of any accessory structure greater than 200 square feet in size.
- B. Zoning District Standards: A permitted accessory structure shall comply with all development standards for the applicable zoning district.
- C. Placement:
 - 1. Front Yard: A permitted accessory structure shall not be placed in the front yard unless the following conditions are met:
 - a. the lot is one (1) acre or greater;
 - b. the accessory structure is setback one-hundred (100) feet or greater from the centerline of the abutting public or private road; and
 - c. if the accessory structure is closer than one-hundred (100) feet to a property line, the structure does not encroach past the front building line of any primary structure on the lot adjoining that property line.
 - 2. Side & Rear Yards: Accessory structures may be permitted in side and rear yards in compliance with the setback standards for accessory structures applicable to the zoning district.
- D. Prohibited for Occupancy: A permitted accessory structure shall not be utilized for human occupancy.
- E. Swimming Pools: Swimming pools shall be subject to both the Unified Development Ordinance and the Indiana Administrative Code (675 IAC 20: Swimming Pool Code).
- F. Exemptions: Accessory structures 200 square feet or less in size are exempt from the requirements of this section (Accessory Structure Standards).

5.05 AS-02: Open Space and Parks and Agricultural Accessory Structure Standards

This Accessory Structure Standards section applies to the following zoning districts:



The following standards apply:

- A. Permitted Types: Accessory structures shall relate to the primary use of the lot or the district's permitted uses. For example a barn, silo, stable, detached garage, fruit/vegetable stand, swimming pools, storage shed, gazebo, or semi-tractor trailer used for fertilizer, pesticide, herbicide or fungicide storage if located on a concrete pad.
- B. Prohibited Types: Shipping container, portable storage container, construction trailer, passenger vehicle, truck, tractor, tractor-trailer, truck-trailer, trailer, boat, recreational vehicle, semitrailer, or any other vehicle propelled or drawn by mechanical power, or any part or section of an item on this list or the like shall not be used as an accessory structure.
- C. Placement Exemption: A permitted accessory structure is exempt from U.D.O. *Section 5.04 C 1* and may be placed in the front yard.

Accessory Structure Standards (AS)

5.06 AS-03: Residential Accessory Structure Standards

This Accessory Structure Standards section applies to the following zoning districts:



The following standards apply:

- A. Permitted Types: Accessory structures shall relate to the primary use of the lot or the district's permitted uses. For example a barn, detached garage, swimming pool, storage shed or gazebo.
- B. Prohibited Types: Shipping container, portable storage container, construction trailer, passenger vehicle, truck, tractor, tractor-trailer, truck-trailer, trailer, boat, recreational vehicle, semitrailer, or any other vehicle propelled or drawn by mechanical power, or any part or section of an item on this list or the like shall not be used as an accessory structure.
- C. Timing of Installation: Accessory structures may be permitted prior to the erection of a primary structure if the primary structure is issued a certificate of occupancy within two (2) years of issuance of an Improvement Location Permit for the accessory structure.
- D. Maximum Size:
 - 1. On lots one (1) acre or greater, each enclosed accessory structure shall not exceed 3,500 square feet.
 - 2. On lots less than one (1) acre, the total area of all enclosed accessory structures on the lot shall not exceed seventy-five (75%) the footprint of the primary structure.
 - a. The total area of all enclosed accessory structures on a lot less than one (1) acre and adjoining land only in the A1 (Conservation Agricultural) or A2 (Agricultural) District may exceed seventy-five (75%) the footprint of the primary structure, however, each enclosed accessory structure shall not exceed 3,500 square feet.
- E. Appearance: On lots less than one (1) acre, the exterior finish and facade of any enclosed accessory structure over 400 square feet in area shall match, closely resemble or significantly complement:
 - 1. Materials: The finish and facade materials used on the primary structure,
 - 2. Roof: The dominant roof pitch and roof style of the primary structure, and
 - 3. Color: The color choices of similar exterior materials on the primary structure.