

## **ARTICLE VII ◇ APPLICATION OF REGULATIONS**

### ***Shelby County Zoning Regulations***

**2009**

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#### **Section 700 Application of Regulations**

All existing and future structures and uses of premises within the County of Shelby, shall conform with all applicable provisions of these Zoning Regulations. Each zone is established to permit only those uses specifically listed as permitted uses or accessory uses, except as provided under the nonconforming or conditional use provisions, and is intended for the protection of those uses. No other uses are permitted except as specifically permitted elsewhere in these regulations.

#### **Section 710 Special Provisions for Agricultural Areas**

For the purposes of these regulations, land which is used solely for agricultural purposes, shall have no regulations imposed as to zoning permits, height, yard, location or court requirements for agricultural buildings except that:

1. Setback lines shall be required for the protection of existing and proposed streets and highways. In connection therewith, all requirements of the appropriate governing authority as regarding sight and sight-line distance and drainage shall be complied with; and
2. All existing and/or future buildings or structures in a designated floodway or floodplain, or which tend to increase flood heights or obstruct the flow of flood waters may be fully regulated.

#### **Section 720 Subdivision of Agricultural Land**

Landowners or developers desiring to subdivide agricultural land for any non-agricultural use must meet the following requirements:

1. Obtain a zoning change to the appropriate zone unless the intended use is suitable in the agriculture zone.
2. Conform with the Subdivision Regulations, including design and processing requirements.
3. Conform with the dimension requirements and other special requirements as may be imposed by the Planning Commission.

#### **Section 730 Coordination with Subdivision Regulations**

In all cases, the provisions of the Subdivision Regulations of Shelby County, Shelbyville, Simpsonville and unincorporated areas and amendments thereto shall apply in addition to the provision of these Zoning Regulations.

#### **Section 740 Certificate of Land Use Restrictions**

Whenever a legislative body approves a zoning map amendment with conditions, whenever the Planning Commission approves a development plan or subdivision plat, and whenever the Board of Zoning Adjustments approves a variance or conditional use permit, a Certificate of Land Use Restriction as detailed below shall be filed with the county clerk as per KRS 100.3681 - 100.3683 (see example Certificate of Land Use Restriction Form, Section 760).

**Section 750 Satellite Dish Guidelines**

Satellite Dishes for the purpose of these regulations are broken down into two categories, those greater than one (1) meter (39.37”) in diameter and those one (1) meter (39.37”) or less in diameter.

- A. Greater than One (1) Meter:
  - 1. Conditional Use Permit required.
  - 2. Application Fee for Conditional Use Permit as determined by the Board of Adjustments and Appeals fee schedule.
  - 3. Must be placed in rear yard only. May not be placed on top of any structure.
  - 4. Must be twenty-five (25) feet from all property lines.
  - 5. Any and all wiring must be placed in conduit.
  - 6. Maximum size of the satellite dish cannot exceed twelve (12) feet.
  - 7. Zoning permit is required and fee as determined by the Triple S Planning Commission fee schedule.
  
- B. One (1) Meter or Less:
  - 1. Shall not be located in front of any structure (front, side or rear) facing a public street on lots less than five (5) acres.
  - 2. Shall not be placed on the front façade or roof line facing the public street.
  - 3. Shall be placed in the side or rear yard unless it is determined during the installation of the device that the placement in the side or rear yard will unreasonably delay or prevent installation, maintenance or use, unreasonably increase the cost of installation, maintenance or use, or will preclude reception of an acceptable quality signal. In those instances where one of the above is determined and the device must be placed in the front of the structure or on the front façade or roof line facing the public street, a signed and notarized affidavit from the service provider shall be provided to the Administrative Official explaining the reason why the device can't be installed in the side or rear yard.
  - 4. A zoning permit shall not be required.

**Section 760 Certificate of Land Use Restriction**

- 1. Name and address of property owner(s)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  
- 2. Address of Property
  
- 3. Name of subdivision or development  
(If applicable)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. Type of Restriction(s) (Check all that apply)

- Zoning Map Amendment to \_\_\_\_\_ Zone
- Development Plan
- Subdivision Plat
- Variance
- Conditional Use Permit
- Conditional Zoning Condition
- Other (Specify) \_\_\_\_\_

5. Name and address of Planning Commission, Board of Zoning Adjustment, legislative body or fiscal court which maintains the original records containing the restriction.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Signature of Completing Official

\_\_\_\_\_  
Name and Title of Completing Official