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Original Article

Compliance with Minimum Set-Back Regulations in The Development of Residential & Commercial Buildings in Ekiti, Nigeria

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Abstract:

Several pieces of literature made an attempt to present the challenges of compliance with standards and regulations in the construction industry in Nigeria. This study identifies and examines the degree of compliance with minimum building setback regulations by the Town & Urban Development Board in Ekiti, focusing on benchmarking standards with the current practices, targeting residential and commercial building development sites. Using a case measurement and inspection approach, a purposive sampling technique was used in the selection of some sites in Ekiti for data collection, in which 150 residential and commercial building development projects were identified and investigated. This consists of 50 project sites in Ado-Ekiti, 30 at Oye-Ekiti, 20 at Ikole-Ekiti, 30 at Omuo, 10 at Ikere, and 10 at Ikare, respectively. The objective criteria for the measurement were the standards requirements for minimum building setbacks from the road by urban development control in Nigeria. Tables, graphs, tabulation, trends, and percentages were used to classify and rate the data on an acceptable threshold. The findings revealed that compliance varies across different locations, with some showing signs of stronger adherence to standards, others exhibiting widespread noncompliance, and, in some cases, absence of compliance, raising a lot of concern about enforcement and monitoring. Compliance with minimum setback is critical for sustainable urban development in 76 Nigeria. While challenges persist effective enforcements, public awareness, and policy reforms an improve adherence in residential and commercial buildings in Nigeria.

Keywords: *Compliance; Set-back Regulations; Construction; Residential & Commercial; Ekiti*

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1. Introduction:

1.1. Background

The Minimum setback requirements are a core aspect of urban construction and development, encouraging spatial order, public safety, and environmental quality in urban areas [1]. Setback requirements, which determine the minimum distance a building must be from property lines, streets, and neighboring buildings, are employed for a variety of reasons, including the reduction of urban sprawl and encouraging rational urban expansion [2]. Minimum setback improve ventilation and light penetration in buildings, it also reduces risks of fire hazard and preserve neighborhoods.[3]. There are factors which influence compliance with regulations to improved sustainable and well-designed urban planning which must be. Institutional settings, administrative coordination, poverty, and public opinion are factors which determine compliance with urban planning and development laws [4]. Therefore, framework conceptualization is ideal to evaluate the extent of compliance with urban laws [5]. Government coordination, enforcement officers, developers, and citizens and adequate information with consistent compliance laws can help in the effective enforcement of setback regulatory provisions in Ekiti, Nigeria.

1.2. Understanding Setback Regulations in Nigeria

Setback regulations in Nigeria are guided by various town planning laws, building codes, and zoning regulations at Federal, State, and Local Government levels. Key regulatory authorities include: The Nigerian Urban and Regional Planning Act (1992), State Physical Planning and Development Control Agencies and Local Government Planning Authorities (Nigeria Building Code, 2006; The Nigerian Urban and Regional Planning Act, Law, Decree No. 88 of 1992),

1.3. Setbacks Created by The Enactments

According to [6] and [7] setbacks are required in the developments of the following buildings:

Residential buildings – Primarily need setbacks from the road, adjacent buildings, and other buildings. Commercial and Industrial Structures – Typically have more stringent setback requirements due to their impact on traffic, noise, and air pollution.

Primary Roads and Highways – Require wider setbacks for possible future widening and safety of the road. This study is, nonetheless, focusing on residential and commercial buildings in some cities within the state of Ekiti, Nigeria.

1.4. Setback Type Requirements

Front Setback is the distance a building is from the primary street or road, Side Setback is the space between a building and the side property line, Rear Setback is the rearward measurement of the back of the building to the back property boundary [6].

Nigeria Urban & Regional Planning Law presented a breakdown of minimum setbacks for residential buildings, commercial buildings and Mixed used in Lagos, Nigeria. Of which residential Buildings has 6 meters front Setback to fence, 3 meters side and rear setbacks with 6 meters from the middle of the road as road setback in Lagos Nigeria. The study further presented Commercial Buildings setbacks as 9 meters front setback to fence, side setback requirement is 6 meters while the rear setback is 3 meters and the road setback to middle of road is 9 meters. The mixed used has the following requirements: front Setback to fence is 6 meters, side and rear setbacks are 4.5meters each and the road Setback to the middle of the road is 6 meters. Minimum setback requirements for high, medium and low-density developments have been prescribed clearly by the Nigerian Building Code or a high-density development, the recommended front yard minimum distance is 4.5 m, side yard setback requirement is 2 m while the rear yard setback requirement is 2 m. The setback measurements are particular based on the zoning designation (residential, commercial, industrial) and the ordinances of the municipal or state government.

The study present experience from building development control departments setback practices over the past fifteen (15) years across different states in Nigeria in Table 1.

Table 1: Setback Practices in some States in Nigeria

Building type	Setback type	Lokoja	Kaduna	Abuja	Port-Harcourt
Residential Buildings	Front Setback	3 meters	3 meters	6 meters	3 meters
	Side setback	2 meters	2.5 meters	3 meters	1.5 meters
	Rear setback	1.5 meters	2.5 meters	3 meters	1.5 meters
Commercial Buildings	Front Setback	4 meters	4 meters	9 meters	3 meters
	Side setback	3 meters	3 meters	4,5 meters	2 meters
	Rear setback	3 meters	3 meters	4.5 meters	2 meters
Mixed-Use Structures:	Front Setback	4.5 meters	4 meters	9 meters	4 meters
	Side setback	3 meters	3 meters	4,5 meters	3 meters
	Rear setback	3 meters	3 meters	4.5 meters	3 meters

Source: (States Building Development Control Departments)

1.5. Importance of Compliance

Compliance with setbacks regulations is important for the following reasons: First, providing access for fire departments and other emergency access crews. In the event of fire hazards, fire machines should have good road access, free vehicular movement to extinguish the fire. Second, promoting proper ventilation and Illumination for clean and natural air movement and prevents density in buildings. Third, contributing to the systematic development of cities aesthetic views and Urban Planning. And fourth, reducing the risk of flooding and ensures effective drainage [1], [2].

1.6. Barriers To Compliance Setback Regulatory

In Nigeria, setback regulations exist with the introduction of the Nigeria Building Code (2006) and the Nigerian Urban and Planning Act (NURPA) No. 88 of 1992 for physical planning but the compliance to those standards has several challenges. These include Awareness of the setback regulations and their impact on the environment by the client and their developers, Lack of capacity by the enforcement officials to monitor and enforce implementation, Corruption by political office holders and interference in building and urban development allows violations by developments and clients without punishment [4], and Rural-urban migration which causes high demand for land and housing in cities leads to non-compliance and land encroachments in Nigeria.

In Nigeria, Setback regulations are not the same in every state, and this causes confusion and enforcement irregularities [4]

2. Theories, Concepts, Previous Studies: -

Setback regulations can be explained as the minimum distance a building must be allowed from property boundaries, the roads or other buildings for safety, environmental quality, adequate spacing and planned urban form. Globally, setback regulations are an important issue in urban planning and sustainable development and compliance in the Nigeria setting is complex due to lack capacity by enforcement officials and the socio-economic factors. This literature review explores research on setback regulations, compliance determinants, and how to strengthen compliance.

2.1. Theoretical Framework on Setback Regulations

Several urban planning theories underline the necessity for setback provisions. The Concentric Zone Theory by [10] and the Sector Theory by [11] establish the necessity for spatial organization

within urban areas with regulated forms of development. The Rational Planning model [12] also advocates systematic regulatory systems to guide city growth. All these theories support imposing setback provisions to prevent overpopulation, environmental hazards, and collapse of infrastructure.

2.2. Setback Regulations and Building Height Context

We have different setback requirements in Nigeria as a result of density, zoning, plot sizes, and permissible building height. [7], alongside different state building control regulations, provides the framework for these controls. For example, in a low- density development, minimum setbacks regulations are mostly larger at 9-meters in front, 6-meters sides and back increase in density decreases the distance. In a medium-density development, 6-meters is required in front, 3-meters in both sides and the back, while the high-density with larger populations has setbacks regulations in front at 4.5-meters, 2-meters in both sides and rear [7], [6]. This arrangement shows that higher density zones with more populations don't need much space but require setbacks for ventilation, light and access as shown in Table 2.

The table 2 below summarizes the minimum setback requirements for different residential density zones as prescribed by the Nigerian Building Code.

2.3. How Setback Violations Create Overpopulation

Many researchers believed that setbacks do not actually create overpopulation, but the failure of the enforcement agencies to enforce and the developers to comply that create overcrowding, failed and decayed infrastructure, and unhygienic living conditions as symptoms of overpopulation which occur through several ways including:

Ignoring setbacks regulations create high-density slums in residential zones due to rapid increase of rented buildings by changing medium or low-density to high-density slums which accounted for 62.3% in Akure [18], with limited ventilation, natural light and lack of privacy. This causes congestion which leads to the abuse of primary purpose of setback regulations without regards to open spaces, unhygienic micro-neighborhoods.

Economic value is one of the reasons for non-compliance with setback regulations by maximizing floor area of plot in building up to the property line. This is a well-known case in Akure and other parts of Nigeria where developers and owners built up to 50% of their land beyond the required laws [18], contradicting the density guidelines of the urban master plan of plot occupancy.

Building setbacks are laws also intended to protect public infrastructure such as high-tension power lines, rivers, oil pipelines, and roads for community safety. Developers and building owners encroach on drainage areas, shrink roads from expansion as a result of growing population [7], [8]. The summary is shown in Table 2.

Table 2: The link between violations and the resulting indicators of overpopulation

Factor	Description	Consequence
Economic value of maximise floor area	Developers and owners build beyond approved limits to increase rentable space.	Higher flats and housing units, more occupants per plot, inflating residential density and therefore overpopulation.
Lack of space	reducing setbacks between buildings eliminate gaps, block natural light and ventilation and lack of privacy	This creates overcrowding, unhealthy micro-neighborhoods, forcing more people into slum residential area.
Public Infrastructure Strain	Maintenance and expansion of roads, public water, drainage and other public utility will be difficult if the setbacks are encroached.	Available public infrastructure is overstretched by the overpopulation, leading to the collapse of them.
Urban Planning and the Master Plan	non-compliance with setbacks regulations in an Akure study areas other cities renders master plans ineffective.	This leads to informal settlements, unplanned overpopulation and worse housing crisis situation.

Source: [9]

2.4. Nigerian Legislative and Policy Framework for Setbacks

Nigerian Urban and Regional Planning Law (Decree No. 88 of 1992) is the primary legislative framework under which urban planning, including setbacks, is governed. State governments and the local governments are supplemented by physical planning legislation and development control policies and the [7] outlines structural and spatial requirements for buildings. Evidence [8], [13] indicates that the implementation of these regulations is regularly eroded by administrative inefficiencies and corruption, leading to irregular compliance.

2.5. Setback Regulation Compliance in Nigeria

Research into setback compliance in Nigeria indicates significant policy-practice disconnection. For example, a study by [9] in Lagos State indicated that over 60% of the buildings did not meet setback distances because of inadequate monitoring and enforcement. In the same

vein, [8] declared that urban flooding and congestion is a direct effect of unauthorized developments and encroachments of flood plains areas.

[13], [14], [15] and [16] asserted reasons behind non-compliance as unawareness of specific setback regulations by property owners and property developers, lack of institutional capacity for monitoring and enforcement, political interference promoting illegal approval and developments, and the issue of land scarcity especially in choice areas of the cities.

2.6. Impacts of Non-compliance with minimum setbacks regulations

Several studies averted implications of non-compliance with minimum setbacks regulations such as severe flooding, drainage blockages, road width reduction, reduction in airflow due to building closeness, and risks of fire hazards. Others include [9], [15], [16], and [17]. demolition of buildings, disapproval of building permits, and fines. Inadequate airflow which causes higher likelihood of fire outbreaks, insufficient open spaces, and fewer green areas [5], [9], [15], [16], and [17].

2.7. Strategies for Increasing Compliance

Some researchers make some intervention recommendations for enhancing setback regulations in the following ways:

- By creating awareness through campaigns to property owners and developers on setback regulations [14],
- Through building capacity for monitoring and strengthening legal framework [13], [17],
- Introduction of technology such as Geographic Information Systems (GIS) to monitor and approve developments [16],
- Involving all stakeholders from the community in urban planning policies and reporting violations [13], and
- Harmonizing all setback regulations in every state [8].

2.8. Statement of the problem

Neighborhood and urban building have become an object of chaos and urban sprawl as a result of non-compliance with minimum setback regulations that have created overpopulation, severe flooding, drainage blockages, inadequate airflow which often led to fire hazards, reduction in road width, and disapproval of building permits in cities observed in Ekiti. The minimum distance of buildings from property lines for safety, environmental quality of housing, sustainable city growth

and spatial planning is what we call setback regulations or laws. Lack of this standard creates urban problems [1].

2.9. Aim and Objectives of this study

The principal aim of this study is to examine the degree of compliance with minimum setback regulations in selected cities in Ekiti.

The following objectives guide the conduct and the development of this study:

- To examine different types of building and their compliance level to setback regulations within Ekiti.
- To identify patterns of setback regulatory compliance across locations of investigation.
- To identify and examine current setback practices in Ekiti.
- To identify and investigate challenges to setback compliance.
- To examine effect of con-compliance with setback regulations on population.

2.10. Research Significant and Expected contributions

This study impacts in the field of compliance with setback regulations through advocacy of multiple approaches of public campaigns, legislative reform and technological interventions to reduce political interference for effective monitoring and enforcement by the urban development control.

2.11. Methodology and research Structure

The Methods adopted for this study include: First, Desk based literature reviews published international, national and local articles relevant to the study. Second, Physical case measurement of some buildings within Ado, Oye, Ikole, Omuo, IKare, and Ekere Ekiti which are distributed in Nigeria as shown in Figure 1. Third, the percentage calculation was then used for the measured case compared to the requirement (standards) (i.e., Measured Midpoint / Standard Midpoint) × 100).

The overall average of standards was then used to determine the level of compliance with minimum setback regulations in each using the following criteria: 80%-100% as (high compliance), 60%-79% (moderate compliance), 50%-59% (partial compliance), 35%-49% as (low compliance), and 0%-34% (very low compliance).

Figure 1: Locations of the cities studied

3. Data Collection and Methods

3.1. Data collection

The study utilized case study research with measurement at building construction sites, which were recorded against the minimum requirements for building setback regulations in the area under study. The study employs the method to delineate specifically the current practice among professionals relative to standard requirements and not on derived information [17] to ensure compliance with setbacks in project developments as employed by [17] to ensure rigorous inspection for compliance with standards regulation in Oxfordshire and Gloucestershire housing schemes for application in real world.

A purposive sampling procedure was used in the selection of six (6) Nigerian Ekiti States for data collection, where 150 mid-rise residential, commercial and mixed-use building development projects were sampled, grouped into A, B, C, D, and E studied. The cities involved are Ado-Ekiti, 50 development sites, at Oye-Ekiti, 30 at Ikole-Ekiti 20, Omuo 30, Ikere 10 and Ikare 10

respectively. The basis for the classification of sites into Groups A, B, C, D, and E is based on the Nigerian common research methodology in standard urban planning for socioeconomic status or property value/type. Group A (high-income/luxury developments), Group B (upper middle income), Group C (Middle/lower middle-income), Group D (Low-income /popular settlements), Group E (Very low-income/informal settlements).

The purpose requirements for the main instrument of data collection were the setback minimum standards requirements for various construction developments projects in Nigeria by the urban development control. And the main variable requirements criteria investigated are front setback, back setback and side setback for residential, commercial and mixed used.

3.2.Data analysis

Based on the project development sites assessment for 12months, each city was classified for residential, commercial and mixed-use structures with sub-classifications for measurements for front setback, side setback and back (rear) setback against the standard requirements. The study employed data aggregation for a range of 0 to 9 standards requirements for each classification to test the percentage of compliance. The analysis was done with measured site data which is the actual survey findings against the Standard RQMT or minimum legal requirements to calculate compliance or deviation percentages. But since the measured data is formatted as ranges (e.g., 5-6, or 2.5-3.0) rather than single values. To calculate a percentage comparing Measured vs Standard this research defines a mathematical rule by using the Mid-Point of each range as the representative value for calculation. The percentage will represent how the measured size compares to the requirement (i.e., Measured Midpoint / Standard Midpoint) x 100). The case study data measurements were analyzed and checked with graph, large data analysis and percentages, and tables. The overall average of standards was then used to determine the level of compliance with minimum setback regulations in each using the following criteria: 80%-100% as (high compliance), 60%-79% (moderate compliance), 50%-59% (partial compliance), 35%-49% as (low compliance), and 0%-34% (very low compliance).

4. Results:

4.1. Sample

The distribution of buildings assed in the various cities from March 2024 to February 2025 by stratified sampling is presented in table 3.

Table 3: Distribution of Buildings Investigated

Cities observed	No of site Investigated	% Rep.
Ado Ekiti	50	33
Oye-Ekiti	30	20
Ikole Ekiti	20	13
Omuo Ekiti	30	20
Ikere Ekiti	10	7
Ikare Ekiti	10	7
Total	150	100

Source: (Author Field work 2025)

Table 3 shows that 33% of all the buildings assessed were in Ado Ekiti of Nigeria, while 20% were in Oye-Ekiti, 13% in Ikole Ekiti, 20% in Umuo Ekiti, 7% in Ikere Ekiti and another 7% in Ikare Ekiti region of the country Nigeria. The characteristics of the samples used for the case measurement which was conducted from March 2024 to February 2025 by stratified sampling is presented in table 4. The sample size was determined using Krejcie Robert, V. and Morgan D.W cited in [4] to generate random sample size under known and controlled population conditions adapted when the population size is known**,** Where n=sample, N=total population, e=error margin, and n=N/1+Ne2. The total population of buildings in the category to be measured is 15,000 across all sites. To determine if the appropriate population for the sample size was selected by this research the above formula was used and presented in Table 4.

Table 4: Proportional stratified sampling

Site location measurement stratum	Pop. Size in Stratum	% Population investigated or measured	Determined sample size S=150 to be stratified proportionally	Final sample size
Ado-Ekiti site	4950	33.0	33/100 of 150) =49.5	50
Oye-Ekiti site	3000	20.0	20/100 of 150) =30	30
Ikole	1800	12	12/100 of 150) =20	20
Omuo-Ekiti	3000	20.0	20/100 of 150) =30	30
Ikere Ekiti	990	6.6%	6.6/100 of 150) =9.9	10
Ikare	990	6.6 %	6.6/100 of 150) =9.9	10
Total	15000			S = 150

Source: [Author work, 2026]

Table 5: Minimum Set Back Compliance Site Measurement for ADO-EKITI Sites

Minimum standards measurement for			ADO-EKITI Sites				
Building Type	Setback Type		Group A	Group B	Group C	Group D	Group E
Residential Buildings	Front /Middle of road 6m	m	5-6	4-5	3- 4	2-3	1-2
		%	91.7	75	58/3	41.7	25
	Back 3m	m	2.5-3	2-2.5	1.5-2	1-1.5	0.7-1
		%	91.7	75	58/3	41.7	28.3
	Side 3m	m	2.5-3	2-2.5	1.5-2	1-1.5	0.7-1
		%	91.7	75	58/3	41.7	28.3
Commercial Buildings	Front /Middle of road 9m	m	7-9	5-7	3-5	1.3	0-1
		%	88.9	66.7	44.4	14.4	5.6
	Back 3m	m	2.5-3	2-2.5	1.5-2	1-1.5	0.7-1
		%	91.7	75	58.3	41.7	28.3
	Side 6m	m	5-6	4-5	4-5	2-3	1-2
		%	97.7	75	58.3	41.7	25
Mixed-Used Buildings	Front /Middle of road 6 m	m	5-6	4-5	3-4	2-3	1-2
		%	91.7	75	58.3	41.7	25
	Back 4.5 m	m	3.5-4.5	2.5-3.5	1.5-2.5	1.1-5	0-1
		%	88.9	66.7	44.4	27.8	16.7
	Side 4.5 m	m	3.5-4.5	2.5-3.5	1.5-2.5	1.1-5	0-1
		%	94.4	66.7	44.4	27.8	16.7
Ave. % of Standard			90.70%	71.60%	53.00%	34.90%	20.80%
Compliance Level in each group			High compliance	Moderate Compliance	Partial Compliance	low compliance	very low compliance

Source: [Author work, 2026]

The pattern shows a clear socioeconomic gradient in compliance, with Group A (highest income/property value) building closest to the legal requirements, while Groups D and E fall significantly short of the standards.

Table 6: Minimum Set Back Compliance Site Measurement for OYE-EKITI and IKOLE -EKITI Sites

Minimum standards measurement for			OYE-EKITI Sites			IKOLE -EKITI Sites	
Building Type	Setback Type		Group A	Group B	Group C	Group A	Group B
Residential Buildings	Front /Middle of road 6m	m	4.5-6	3-6	1-3	3-6	1-3
		%	83	75	33	75	33
	Back 3m	m	2-3	1.5-3	0-1-5	1.5-3	0-1-5
		%	83	75	25	75	25
	Side 3m	m	2-3	1.5-3	0-1.5	1.5-3	0-1.5
		%	83	97	25	97	25
Commercial Buildings	Front /Middle of road 9m	m	6-9	4.5-9	0-4.5	4.5-9	0-4.5
		%	83	75	25	75	25
	Back 3m	m	2-3	1.5-3.5	0-1.5	1.5-3.5	0-1.5
		%	83	75	25	75	25

	Side 6m	m	4-6	3-6	0-3	3-6	0-3
		%	83	72	25	72	25
Mixed Used Buildings	Front /Middle of road 6 m	m	4-6	3-6	0-3	3-6	0-3
		%	83	75	25	75	25
	Back 4.5 m	m	3-4.5	2-4.5	0-2	2-4.5	0-2
		%	83	72	22	72	22
	Side 4.5 m	m	3-4.5	2-4.5	0-2	2-4.5	0-2
		%	83	72	22	72	22
Ave. % of Standard			83%	50.90%	23.90%	81.70%	25.20%
Compliance Level in each group			high compliance	partial compliance	very low compliance	high compliance	very low compliance

Source: [Author work, 2026]

Table 7: Minimum Set Back Compliance Site Measurement for OMUO -EKITI and IKERE -EKITI Sites

Minimum standards measurement for			OMUO -EKITI Sites			IKERE -EKITI Sites	
Building Type	Setback Type		Group A	Group B	Group C	Group A	Group B
Residential Buildings	Front /Middle of road 6m	m	4.5-6	2.5-4.5	1-2.5	3-6	1-3
		%	83%	58	29	75	33
	Back 3m	m	2-3	1-2	0-1	1.5-3	0-1.5
		%	83%	50	17%	75	25
	Side 3m	m	2-3	1-2	0.1	1-5	0-1.5
		%	83%	50	17%	95	25
Commercial Buildings	Front /Middle of road 9m	m	6-9	3-6	0-3	4.5-9	0-4.5
		%	83%	50	17%	75	25
	Back 3m	m	2-3	1-2	0-1	1.5-3	0-1.5
		%	83%	50	17%	75	25
	Side 6m	m	4-6	2-4	0-2	3-6	0-3
		%	83%	50	17%	75	25
Mixed Used Buildings	Front /Middle of road 6 m	m	4-6	2-4	0-2	3-6	0-3
		%	83%	50	17%	75	25
	Back setback4.5 m	m	3-4.5	1.5-3	0-1.5	2-4.5	0-2
		%	83%	50	17%	72	22
	Side setback4.5 m	m	3-4.5	1.5-3	0-1.5	2-4.5	0-2
		%	83%	50	17%	72	22
Ave. % of Standard			83%	50.90%	18.3	81.70%	25.2%-
Compliance Level in each group			high compliance	partial compliance	very low compliance	high compliance	very low compliance

Source: [Author work, 2026]

Table 8: Percentage Comparative Analysis across locations

Location	Group A	Group B	Group C	Group D	Group E	Range (A to E)
Ado Ekiti	90.7%	71.6%	53.0%	34.9%	20.8%	69.9%
Oye Ekiti	83.0%	50.9%	23.9%	-	-	59.1%
Omuo Ekiti	83.0%	50.9%	18.3%	-	-	64.7%
Ikole Ekiti	81.7%	25.2%	-	-	-	56.5%
Ikere Ekiti	81.7%	25.2%	-	-	-	56.5%
Ikare Ekiti	81.7%	25.2%	-	-	-	56.5%
Average compliance	83.6%	41.5%	31.7%	34.9%	20.8%	62.8%

Source: [Author work, 2026

Tables 8 present the compliance level of each group at a glance as shown by the average percentage (%) of Standard and Compliance Level in each group and represented as chart in Figure 2 (percentage setback regulations compliance across locations)

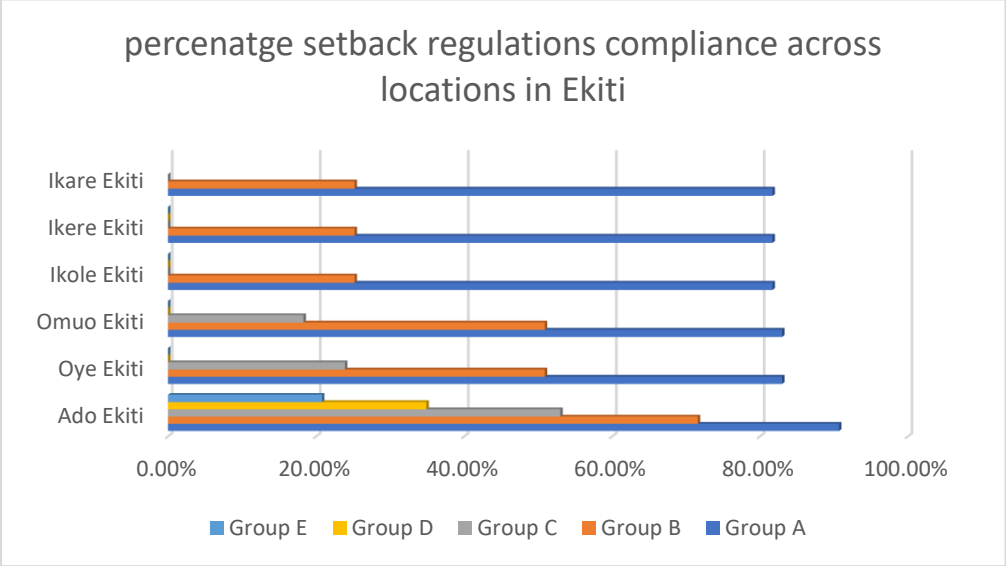

Figure 2: Percentage compliances and trends across different locations observed

Observations from Table 7 shows that Group A compliance level to setback regulations is high at 81-91% indicating socioeconomic status. From the analysis Ado Ekiti shows higher compliance across all groups compared to other locations, suggesting better enforcement mechanism, awareness, or resources in the state capital than other cities. While Group B show a wide variation of compliance across groups at 25-72% compliance level indicating high and very low compliance. For Group C the compliance is at 18-53%, indicating very low and low compliance and Groups D & E shows compliance level at 21-35%, indicating very low. The findings also shows that in smaller towns like Ikole, Ikere, and Ikare, there is a sharp drop of compliance level between Group A (82%) and Group B (25%) with little or no middle ground, indicating absence of middle-class

elites, generally the finding suggest few educated people building to near standard despite large number of buildings does not comply with setback regulations in these locations. It is also revealed that the commercial buildings front setback regulations face greatest challenges of compliance across all locations. This suggests there is pressure from the commercial properties to use up the front setback at the expense of laws for economic purposes. While Oye and Omuo pattern of compliance is similar (83% → 51% → 18-24%), suggesting socioeconomic structures and enforcement levels in these medium-sized towns are identical. Figures 3 to 6 illustrate examples of setback violations in the five cities studied.

Source; (Author image capture, 2026)

Figure 3: An example of setback violation to carnal (natural water lines) in Ikole. The implication to that violation is that this particular building is always submerging in flood every year

Source; (Author image capture, 2026)

Figure 4: A setback violation to building line and the road at Ikare. The building is seen close to the drainage under construction and as well under electricity high tension setback violations

Source; (Author image capture, 2026)

Figure 5: Oye and Ado minimum road and sides setback violation.

In Oye, there was a building under construction that violated setbacks in front, both sides are very close to the building and at the same time under electricity high tension, which is another violation. In Ado the State capital, the Building Development agency started demolition of properties that violate road and drainage setback rules as seen in figure 5.

Source; (Author image capture, 2026)

Figure 6: an example of building setback violation in Omuo.
The setback to the side is 600mm and less than 2500mm to the front.

4.2.Practical Implications

The findings from the compliance trends have the following implications: First, Non-compliance with setback regulations across many locations creates long term urban chaos, since setback law is made to provide adequate ventilation, creating privacy, preventing fire hazard, and creating space for future road expansion. Second, the implication of the finding also suggests that better living environments can only be enjoyed by the wealthy or the elites who can afford compliance while the poor will keep facing enforcement actions back of continuous non-compliance with the regulations. Third, the need for improving monitoring for more compliance in areas with low compliance to ensure safer urban development is more important than punishing non-compliance of low or very low buildings.

5. Discussion

It was observed that economic status is the primary determinant of setback compliance; Group A build near setback regulations, the strong correlation between group classification and compliance rates confirms that, leave required open spaces than Groups D and E that built up every space for business purpose. Non-compliance with setback regulations comes from key indices such as weak enforcement, social and economic factors. This was also supported by literature where we have seen how weak regulatory enforcement from officials, lack of awareness of specific setback rules affects effective implementation for compliance. The findings show economic pressure on. high-

value land and therefore lower compliance and difficult to enforce as seen in the commercial front setbacks requirements of 9m.

The higher level of setback laws compliance in Ado Ekiti suggests disparities of enforcement across the state. Indicating the capital cities receive more attention with planning officials and building control officers for better results than rural areas where enforcement may be sporadic or absent as shown in group C, D, and E smaller towns. Developers encroach into setback areas in places of higher land values like Lagos, Port-Harcourt, and Abuja; therefore, causing congestion and environmental risks. Similarly [8], [13] explains further that corruption within enforcement officials and political class creates imbalance in compliance and enforcement. It was also revealed that non-compliance to setback regulations also affect low-income areas due to limited resources to pay for building permits or approval and government carelessness in their responsibility to those informal settlements' areas. This is reflected in the compliance gap between Group A and other groups, suggesting higher-income developers or those in the cities are more likely to consult professionals who know the requirements and awareness of the setback regulations. The missing link of middle class in the compliance distribution from different locations in group A with high compliance and Group B with very low compliance, suggests is either small in those locations or behaves like lower-income groups regarding compliance with setback regulation. Technology had been advocated in improving compliance despite its slow adoption as a result of technical expertise, funding and availability [16], [19], [20], [21]. The implications of non-compliance are witnessed through cases of severe flooding, congestion of buildings and fire hazards. [9], [15] stated further that in flood prone areas non-compliance with minimum setback regulations has severe environmental and safety implications. Therefore, advise the need for enforcement policy that is community engaging and technological solutions to advance the cause of monitoring for effective implementation.

6. Conclusion and Recommendations: -

6.1. Conclusion

It was revealing that compliance with minimum setback regulations in Nigeria is hindered by weak enforcement mechanism, corruption, lack of property developers and owners' awareness of specific setback regulations, and rapid urbanization. It was also revealed that compliance with setback regulations varies across state with some demonstrating stronger adherence while some

show wider spread and others lack compliance presence. The implications of non-compliance with setback regulations are the severe flooding, urban chaos, and unplanned cities and multiple approaches such as legislative reform, public awareness campaign, and technological interventions are recommended in addressing the challenges. While challenges persist, effective enforcement, public awareness, and policy reforms can improve adherence. Ensuring that buildings comply with these regulations will contribute to better urban planning, environmental sustainability, and improved living standards for all Nigerians.

6.2. Recommendations for Improved Compliance

For better compliance with setback rules in Nigeria, the following must be enforced:

- Public Awareness Campaigns – Educating developers and owners about setback requirements and advantages.
- Enhanced Enforcement Mechanisms – Enhancing the capability of regulatory agencies to track and enforce compliance.
- Digitization of Building Approvals – Using technology to track and approve building permits in an open manner.
- Tougher Penalties for Offenders – Demanding greater fines and severe legal consequences for non-compliance.
- Harmonization of Regulations – Creating a standardized setback policy for states for simplified implementation.

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U.S. Yakubu: contributed to develop conceptualization, first draft, data curation, validation and overall project supervision. **B. Benjamin:** Research methodology, data analysis. **A. A. Ekule**: Review and Editing, Visualization.

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