

**MILLARD COUNTY PLANNING & BUILDING DEPARTMENT**  
**AGRICULTURAL USE EXEMPTION APPLICATION**  
 Application for an approval of a permit for Agricultural Uses exemption under  
 Section 15A-1-204(7) (a), Utah State Code

Date Received:  
 Date Approved:  
 Date Denied:

This permit expires 6 months after the date of  
 issuance if no construction commenced.

**Planning Department**  
 Permit Number:

**PETITIONER INFORMATION**

|                  |             |
|------------------|-------------|
| Name             | Phone       |
| Address          | Other Phone |
|                  | Fax         |
| City, State, Zip | e-mail      |

**OWNER INFORMATION (as listed on tax notice)**

|                  |             |
|------------------|-------------|
| Name             | Phone       |
| Address          | Other Phone |
|                  | Fax         |
| City, State, Zip | e-mail      |

*(Additional names and addresses should be listed on a separate paper and attached)*

**PROPERTY and VICINITY DESCRIPTION**

|               |                          |  |
|---------------|--------------------------|--|
| Parcel Number | Property Size (in acres) | Zoning District                                |
| Serial Number | Number of Parcels        | Street Address of Property or General Location |

**BUILDING DESCRIPTION**

|  |   |
|--|---|
| Valuation of Ag Structure:   | Building Dimensions (length, width and height)  |
| Existing Use – Check box or boxes of Existing Land Use(s) on Parcel:   |   |
| List any Existing Structures Associated with the box or boxes checked <input type="checkbox"/> Vacant <input type="checkbox"/> Agriculture <input type="checkbox"/> Single Family <input type="checkbox"/> Multiple Family<br><input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Other |   |
| State the type of new agricultural building to be constructed.   | Greenbelt Tax Exemption? <input type="checkbox"/> Yes <input type="checkbox"/> No <b>STOP!</b><br><span style="color: red; font-weight: bold;">You may not qualify</span>                   |
| <b>FRONT</b> Setback from property line<br>or Setback from center line of road<br><b>REAR</b> Setback from property line.<br><b>SIDE STREET</b> Setback from property line.  | (Whichever is greater)<br><b>SIDE</b> Setback from property line.<br><b>SIDE</b> Setback from property line.<br><b>MAXIMUM HEIGHT</b> of structure.<br><b>DISTANCE</b> to closest dwelling. |

**ZONING COMPLIANCE FOR MINIMUM SETBACK DISTANCES (Applicant to read and acknowledge)**

A setback inspection is required prior to construction. Applicant is required to schedule a setback inspection once the footing trench, holes, or pads are dug, but prior to any construction taking place.

**Applicant Initial:** \_\_\_\_\_ ←

Checklist

| SUBMITTAL REQUIREMENTS   |   |
|--------------------------|---|
| √                        |   |
| <b>Application</b>       | One original which must contain an original signature of the applicant.   |
| <b>Site Plan</b>         | One copy of the site plan drawn to scale and of sufficient size to portray the necessary detail but <b>no larger</b> than 11" x 17". The site plan should include: <ol style="list-style-type: none"> <li>1. North point, scale, and date.</li> <li>2. Property lines with dimensions, adjoining streets, rights-of-way, and any easements.</li> <li>3. Boundaries and dimensions of all existing and proposed structures in relation to the site.</li> <li>4. Any notes or explanations which should include the total square footage of all uses, including landscaping and parking.</li> </ol> |
| <b>Legal Description</b> | A legal description can generally be obtained from the deed, tax notice, or the County Recorder's office. <b>Please attach an accurate and complete legal description on a suitably titled addendum sheet.</b>  |
| <b>Plat Map</b>          | A plat map can be obtained from the Millard County Recorder's Office. 435.743.6210  |
| <b>Other Information</b> | Provide any other information that you feel would be helpful to the Building and Planning Department in their consideration of this application.  |
| <b>Permission</b>        | Written permission from any lien holders, mortgage companies, property owners (if different than the applicant) or anyone having a material interest in the property.   |

**CERTIFICATION SECTION**

*(To be Completed by the Applicant)*

**Applicant:** Please accurately respond to the following statements. In order to qualify for an exemption to the permit requirements of the adopted Uniform Building Code, your answers to the following statements will be evaluated relative to Utah State Code Section 15A-1-204(7)(a).

Any misrepresentation of facts or circumstances could result in a violation of the Millard County Land Use Ordinance and the adopted Uniform Building Code.

**Definitions:**

- I. As defined by Utah State Code 15A-1-202, "Agricultural use" means a use that relates to the tilling of soil and raising of crops, or keeping or raising domestic animals.
- II. As defined by Utah State Code 15A-1-204(7)(a) "residential area" means land that is not used for an agricultural use and is;
  - (ii) Unless located in whole or in part in an agricultural protection area created under Title 17, Chapter 41, Agriculture and Industrial Protection Areas, a structure described in Subsection (7)(a) is not exempt from a permit requirement if the structure is located on land that is:
    - (A) within the boundaries of a city or town, and less than five contiguous acres; or
    - (B) within a subdivision for which the county has approved a subdivision plat under Title 17, Chapter 27a, Part 6, Subdivisions, and less than two contiguous acres.
- III. As defined by Utah State Code 15A-1-202 (10), "Not for human occupancy" means use of a structure for purposes other than protection or comfort of human beings, but allows people to enter the structure for:
  - (a) maintenance and repair; and
  - (b) the care of livestock, crops, or equipment intended for agricultural use which are kept there.

**QUALIFYING CONDITIONS:**

**Yes      No**

- I. Is the proposed structure to be used solely in conjunction with "agricultural use" as defined above?      \_\_\_\_\_

|   |            |          |
|---|------------|----------|
| II. Is the structure “not for human occupancy,” as defined above?   | _____      | _____    |
| III. Is the proposed structure to be constructed with electrical, plumbing or other code related work?<br>(Work subject to mechanical, electrical, and plumbing code inspections are not exempted)  | _____      | _____    |
| <b>If you are installing bathroom facilities, you do <u>NOT</u> qualify for Ag Exemption!</b>   |            |          |
| IV. Is the subject property outside of a “residential area”, as strictly defined by Utah State Code 15A-1-204(7) (b) (ii) above? (See definition above and the following questions below)   | _____      | _____    |
| A. Is the subject property located within an incorporated city, town, or municipality?  | _____      | No _____ |
| B. Is the subject property located within a platted county subdivision?   | _____      | _____    |
| C. If the answer to “B” is yes, what is the acreage of your subdivision lot? _____ acres  | _____      | _____    |
| D. Is the subject property located in whole or in part in the Agricultural Protection Area created Under Title 17, Chapter 41, Agriculture Protection Area?   | _____      | _____    |
| V. State the proposed agricultural use: _____   |            |          |
| I hereby certify that the statements made above are true and accurate. I understand that any misrepresentation of fact could result in a violation of applicable County and State Laws. I will abide by the minimum setback requirements listed on this application.<br><b>Any change in use from an exempt agricultural structure, will require a new permit and documented structural engineering and testing for compliance to current construction codes.</b> |            |          |
| Applicant’s Signature _____   |            |          |
| Print Name _____  | Date _____ |          |

| <b>AUTHORIZATION SIGNATURES</b>  |                 |             |
|--|-----------------|-------------|
| <b>ONLY THE OWNER OF THE PROPERTY OR AN AUTHORIZED AGENT MAY FILE AN APPLICATION</b>   |                 |             |
| I, the Owner/Agent agree to indemnify and hold harmless Millard County and its agents, officers and employees from any claim, action or proceeding against the Owner/Agent’s project.  |                 |             |
| I certify, under penalty of perjury, that I am (check one):  |                 |             |
| <input type="checkbox"/> Legal property owner (includes partner, trustee, grantor, or corporate officer) of the property(s) involved in this application, and that the foregoing application statements are true and correct.                                      |                 |             |
| <input type="checkbox"/> Legal agent (attach proof of the owner’s consent to the application of the property(s) involved in this application and have been authorized to file on their behalf, and that the foregoing application statements are true and correct. |                 |             |
| Print Name _____   | Signature _____ | Date: _____ |
| Print Name _____   | Signature _____ | Date: _____ |
| Print Name _____   | Signature _____ | Date: _____ |
| Print Name _____   | Signature _____ | Date: _____ |
| Print Name _____   | Signature _____ | Date: _____ |
| Print Name _____   | Signature _____ | Date: _____ |

***If signatory is not the owner of record, the attached “Owner/Agent Agreement” must be signed and notarized.***

