



AGRICULTURAL EXEMPTION ACKNOWLEDGEMENT

75 E Main St * PO Box 417
Castle Dale, Utah 84513 * 435-381-3555

This form is intended to authorize an exemption from receiving a building permit under Section 58-56-4 of the Utah Code Annotated.

Owner(s) of Record:

Name: _____ Phone: _____

Address: _____ PO Box: _____

City: _____ State: _____ Zip: _____

E-mail Address: _____

Project Information:

Parcel #: _____ Subdivision Name: _____

Zone of Proposed Project: A-1 ☐ M-1 ☐ MGR-1 ☐ I-1 ☐

Address: _____

or Qtr/Qtr, Section, Township, Range: _____

Setbacks from all sides: _____

Building Description (proposed agricultural use and proposed building dimensions):

Definitions:

1. As defined by Utah State Code 58-56-4(1)(a), "**agricultural use**" means a use that relates to the tilling of soil and raising of crops, care of livestock, or raising domestic animals;
2. As defined by Utah State Code 58-56-1(b) "**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.
3. As defined by Utah State Code 58-56-1(c) "**residential area**" means land that is not intended for agricultural use which are kept there; and
 - 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; or
 - c. not located in whole or in part in an agricultural protection area created under Title 17, Chapter 41, Agriculture Protection Areas.

Qualifying Conditions:

- | | <u>Yes</u> | <u>No</u> |
|---|--------------------------|--------------------------|
| 1. Will the proposed structure be used only for "agricultural use" as defined above? | ☐ | ☐ |
| 2. Will the proposed structure be used for "human occupancy" as defined above? | ☐ | ☐ |
| 3. Will the proposed structure include electrical, plumbing, or other mechanical code related work? (Work subject to mechanical, electrical, and plumbing code inspections are not exempted). | ☐ | ☐ |
| 4. Is the subject property outside of a "residential area" as strictly defined above? | ☐ | ☐ |
| a. If the subject property is located within a platted subdivision, please identify the subdivision name and acreage of the parcel. | | |
| Subdivision: _____ Acreage: _____ | | |
| b. Is the subject property located in whole or in part in an Agricultural Protection Area created under Title 17, Chapter 41, Agricultural Protection Areas? | ☐ | ☐ |

Submission Requirements:

- ***Application form:*** Completed and signed by the property owner(s).
- ***Approval of the property owner(s) if different from the applicant:*** The property owner(s) must sign the back of the application form, or submit a letter indicating their ownership and authorization for the submittal of the application.
- ***One (1) copy of a detailed site plan:*** The site plan must identify all structures located on the subject parcel, the location of the proposed agricultural structure, and the setbacks from the proposed agricultural structure to all property lines.
- ***One (1) copy of the detailed floor plan.***
- ***One (1) copy of detailed building elevations:*** The elevations must include existing and finished grade lines for the purposes of measuring height.

OWNER(S) ACKNOWLEDGEMENT

PLEASE INITIAL BEHIND EACH STATEMENT

I hereby make application and declaration that I intend to construct a structure solely in conjunction with an "agricultural use" and "not for human occupancy", both as defined previously. _____

I understand that as an exempt building, the Emery County Building Department has not reviewed the plans for the structure and has therefore not made any implied or in fact approvals of any safety, structural integrity, building design, or similar issues. _____

I further understand that this structure may not be converted to a residential building, a non-agricultural storage building, or any other non-agricultural related use without obtaining a building permit and that such permit may require significant modifications to the structure in order to comply with the applicable Codes in effect at that time. _____

I understand that Emery County is authorized to inspect the site as necessary to ensure the structure is complying with the applicable setback and height requirements for the zone in which the structure is located. _____

Any misleading or incorrect answers may constitute an act of falsification of government records under Section 76-8-511 of the Utah Code Annotated or issuing a written false statement under Section 76-8-504 of the Utah Code Annotated, both of which are Class B misdemeanors. I hereby declare under penalty of perjury that this application form, and all information submitted as part of this application is true, complete, and accurate to the best of my knowledge.

Owner(s) Signature: _____ Date: _____

Please Print Name: _____

ACKNOWLEDGEMENT:

STATE OF _____

COUNTY OF _____

On this _____ day of _____, 20_____, before me personally appeared

_____ (owner), and did state upon his/her oath that he/she is the owner of the above described real property in Emery County, Utah, and that the foregoing instrument was acknowledged before me.

Witness my hand and official seal.

Notary Public

My commission expires: _____

FOR OFFICE USE ONLY

FRONT setback from property line: _____ or setback from centerline of road (whichever is greater): _____

REAR setback from property line: _____

SIDE setback from property line: _____

SIDE setback from property line: _____

MAXIMUM HEIGHT of structure: _____

☐ Approved ☐ Not approved ☐ Fee \$ _____

Comments: _____

Zoning Administrator

Date