

## 12-1-2707 PERMITS

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1. Future Uses. Except as specifically provided in paragraph 1, 2, 3, and 4 hereunder, no material change shall be made in the use of the land and no structures or trees shall be erected, altered, planted, or otherwise established in any zone hereby created unless a permit thereof shall have been applied for and granted by the planning commission. Each application for a permit shall indicate the purpose for which the permit is desired, with sufficient particularity to permit it to be determined whether the resulting use, structure, or tree would conform to the regulations herein prescribed. If such determination is in the affirmative, the permit shall be granted.

2. In the territory lying within the limits of the horizontal zone and the conical zone, no permit shall be required for any tree or structure less than 75 feet of vertical height above the ground, except when because of terrain, land contour, or topography features, such tree or structure would extend above the height limits prescribed for such zone.

3. In the area lying within the limits of the horizontal zone and conical zone, no permit shall be required for any tree or structure less than 75 feet of vertical height above the ground, except when, because of terrain, land contour, or topographic features, such tree or structure would extend above the height limits prescribed for such zones.

4. In the territories within the limits of the transition zone beyond the perimeter of the horizontal zone, no permit shall be required for any tree or structure less than 75 feet of vertical height limit prescribed for such transition area except when such tree or structure would extend above the height limits prescribed for such zones.

5. Nothing contained in any of the foregoing exceptions will be construed as permitting or intending to permit any construction, alteration, or growth of any structure or tree in excess of any of the height limits established by this ordinance as set forth in 12-1-2704.

6. Existing Uses. No permit shall be granted that would allow the establishment or creation of an airport hazard or permit a nonconforming use, structure or tree to be made or become higher, or become a greater hazard to air navigation, than it was on the effective date of this ordinance or any amendments thereto or than it is when the application for a permit is made. Except as indicated, all applicants for such a permit shall be granted.

7. Nonconforming Uses Abandoned or Destroyed. Whenever the Building Inspector determines that a nonconforming structure or tree has been abandoned or more than 50% torn down, physically deteriorated, or decayed, no permit shall be granted that would allow such structure or tree to exceed the application or

otherwise deviate from the ordinance.

8. Special Permit. Any person desiring to erect or increase the height of any structure or permit the growth of any tree or use property not in accordance with the regulations prescribed in this ordinance, may apply to the Legislative Body for a Special Permit from such regulations. Such Special Permit shall be allowed where it is duly found that a literal application or enforcement of the regulations would result in practical difficulty, unnecessary hardship, or a taking, and the relief granted would not be contrary to the public interest but will do substantial justice and be in accordance with the spirit of this ordinance. Upon acceptance by the Legislative Body of any application for a Special Permit, Juab County will provide written notice to Nephi City, as the Airport Sponsor, of said application prior to any hearing or action on the application.

9. Hazard Marking and Lighting. Any regular or special permit granted may, if such action is deemed advisable to effectuate the purpose of this ordinance and be reasonable in the circumstances, as a condition, require the owner of the structure or tree in question at his own expense, to install, operate, and maintain thereon such markers and lights as may be necessary to indicate to flyers the presence of any airport hazard.