

Division 3. Permitted Uses**Section IV-301. Purpose and Applicability**

Development permitted as of right is that development which permits uses which are compatible with other land uses in a zoning district provided they are developed in conformity with these regulations.

A. General Requirement. No building or structure shall be constructed, erected, enlarged, structurally altered, converted, or relocated and no use converted to another classification of use unless zoning approval and a building permit, if applicable, has first been issued by the Building, Zoning, and Code Enforcement Department.

B. Basis for Issuance.

1. A zoning approval shall only be issued after the Director of Building, Zoning and Code Enforcement determines that the proposed development is in compliance with all requirements of these regulations and all other applicable regulations of the City.
2. A building permit shall only be issued after issuance of zoning approval and after the Building Official determines that the proposed development is in compliance with all requirements of these regulations and all other applicable regulations of the City.

Section IV-302. Application Requirements/Building Permit [Sec. 5-3]

Applications for zoning approval and building permits shall be filed in a form prescribed by the Building, Zoning and Code Enforcement Department, along with the fees and charges for building permits and inspections prescribed by Section IV-102 of these regulations. An application for a building permit shall include construction plans drawn to scale and evidence of approval of any other development approval required by these regulations.

Section IV-303. Action on the Application

A. Issuance of Zoning Approval

1. No building, structure, or use may be started, constructed, reconstructed, enlarged, or altered in any way, and no permits, licenses or other approvals therefor may be issued by the City, until the developer or owner shall have obtained approval from the Director of Building, Zoning and Code Enforcement. The Director of Building, Zoning and Code Enforcement's approval shall be evidenced by signature on plats, plans, or permit or license applications, or by other appropriate means.

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2. The Director of Building, Zoning and Code Enforcement shall indicate approval when in his judgment the proposed use or structure complies with all applicable requirements of this Code.
 3. Any person aggrieved by a decision of the Director of Building, Zoning and Code Enforcement may appeal as provided in Article IV, Division 7 of this article.
- B. Issuance of Building Permit. If the Building Official determines that the proposed building or structure is in compliance with these regulations, that all required approvals have been obtained, and that all relevant fees have been paid, he shall issue a building permit.
- C. Denial of Permit. The Building Official shall deny the application for a building permit if the proposed construction of the building or structure does not meet the applicable provisions required by these regulations.
- D. Zoning Approval or Building Permit Issued in Error. A zoning approval or building permit issued in error shall not confer any rights or privileges on the applicant to proceed with construction.
- E. Conspicuous Posting. All zoning approvals and building permits issued by the Building, Zoning and Code Enforcement Department shall be conspicuously posted by the applicant on the property for which it was obtained in the manner prescribed by the department.

Section IV-304. Changes to Zoning Approvals and Building Permits

After either a zoning approval or a building permit has been issued, no changes or deviations from the terms of the approval, permit or the application and accompanying plans and specifications shall be made without the specific written approval of such changes or deviations by the Building, Zoning and Code Enforcement Department.

An amendment to a building permit which requires the payment of an additional fee(s), either because of an increase in the size of the building(s), a change in the scope of the work, or an increase in the estimated cost of the proposed work, shall not be approved until the applicant has paid the additional fee(s) and the amendment has been properly reviewed and approved for conformance with the City's regulations.

Section IV-305. Expiration or Revocation of Building Permits

The Building, Zoning and Code Enforcement Department has the authority to revoke and require the return of any zoning approval or building permit by notifying the permit holder, in writing, stating the reason(s) for such revocation. The department may revoke permits for any of the following reasons:

- A. Any material departure from the approved application, plans, or specifications; or

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- B. Refusal or failure to comply with the requirements of these regulations or any other applicable City regulations; or
- C. False statements or misrepresentations made in securing such permit.