

FARM USE AFFIDAVIT EXEMPTION FORM

Instructions

1. Complete the form below.
2. Present to the Zoning Administrator for approval or denial.
3. Once the Zoning Administrator has signed as approved, present to Building Official for approval or denial of USBC exemption for farm structures. The definition of a Farm Building or Structure under the Virginia Uniform Statewide Building Code is noted below.

Affidavit

I, _____ of _____,
(Name) (Address)

affirm that I am the owner or agent for the owner of the property identified as real estate parcel number _____ in the City of Chesapeake, Commonwealth of Virginia.

I affirm that said property is used for one of the farming operations described in the City's use of the OSHA SIC codes under Division A: Agriculture, Forestry and Fishing and it conforms to one or more of the listed Major Groups which includes: Agriculture Production Crops, Live Stock and Animal Specialties, Agriculture Services, Forestry and Fishing, Hunting and Trapping.

Specifically, the following farm operation conducted is: _____
_____ (describe farm operation).

If applicable, please provide the USDA Farm Program ID number for the farm operation located on this property. # _____.

"Farm building or structure" means a building or structure not used for residential purposes, located on property where farming operations take place, and used primarily for any of the following uses or combination listed below.

I affirm that the structure to be constructed will not be used for residential purposes and will be used for one or a combination of the six uses for an exempt farm building or structure as listed in Chapter 2 of Part I of the Virginia Uniform Statewide Building Code. Please check all applicable uses:

- Storage, handling, production, display, sampling or sale of agricultural, horticultural, floricultural or silvicultural products produced in the farm;
- Sheltering, raising, handling, processing or sale of agricultural animals or agricultural animal products;
- Business or office uses relating to the farm operations;
- Use of farm machinery or equipment or maintenance or storage of vehicles, machinery or equipment on the farm;
- Storage or use of supplies and materials used on the farm;
- Implementation of best management practices associated with farm operations.

I acknowledge that any non-farm use of the structure may require a new building permit, final inspection, and/or a certificate of occupancy. I acknowledge that the Zoning Administrator must approve the farm use of the property prior to an exemption to the Uniform Statewide Building Code. I further acknowledge that an inspection of the property may be required before the exemption can be approved. I acknowledge that if the exemption is approved, a permit from the Department of Development and Permits-Zoning Division is still required to ensure that the structure complies with the Chesapeake Zoning Ordinance.

Affiant: _____ Date: _____

Phone number: _____ Email: _____

<p>Commonwealth of Virginia</p> <p>County/City _____</p> <p>The foregoing was sworn to and acknowledged before me this ____ day of _____, 20____.</p> <p>Notary Public: _____ My Commission expires: _____</p>

Department Use Only: City Signatures:

The farm use for this property, as described in the City's use of the OSHA SIC codes under Division A, is: Approved Disapproved

Reason for disapproval: _____

Zoning Administrator Signature _____ **Date**

The building permit exemption for this proposed structure is: Approved Disapproved.

Reason for disapproval: _____

Building Official Signature _____ **Date**

Pursuant to Section 119.5 of Part I of the Virginia Uniform Statewide Building Code, any person aggrieved by the local building department's application of the USBC or the refusal to grant a modification to the provisions of the USBC may appeal to the Local Board of Building Code of Appeals. The applicant shall submit a written request for appeal the LBBCA within 30 calendar days of the receipt of the decision being appealed that contains the name and address of the owner of the building or structure and the name and address of the person appealing, when the applicant is not the owner, and a copy of the decision appealed. Failure to submit an application for appeal within 30 days shall constitute acceptance of a building official's decision.