

FARM USE STRUCTURE AFFIDAVIT EXEMPTION FORM

Instructions

1. Complete, sign and notarize the form below.
2. Attach a site plan showing the proposed location of the structure(s) and an image of the proposed structure(s).
3. Present to the Zoning Administrator and Building Official for approval or denial that the properties use conforms with the OSHA SIC codes under Division A: Agriculture, Forestry and Fishing, and the proposed structure(s) meet the Virginia Uniform Statewide Building Code (USBC) definition of a “Farm building or structure” for a building permit exemption. The definition of a Farm Building or Structure under the USBC is noted below.

Affidavit

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

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 further 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, Livestock and Animal Specialties, Agriculture Services, Forestry and Fishing, Hunting and Trapping.

Specifically, the following farm operation conducted is:

(Describe farm operation)
USDA Farm Program ID number for the farm operation located on this property, if applicable: # _____

“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 combinations of uses listed below.

I affirm that the structure(s) 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 USBC.

Please check all applicable uses:

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

FARM STRUCTURE DETAILS		
** EACH STRUCTURE MUST BE CLEARLY MARKED AND LABELED ON A SITE PLAN/SURVEY **		
DIMENSIONS (LENGTH X WIDTH)	TYPE (POLE BARN, GREENHOUSE, SHED, ETC)	STRUCTURE LABEL (ON SITE PLAN)
		A
		B
		C
		D
		E

I understand that the approval or denial of this exemption request applies to the structure(s) listed on this form only. Any structure(s) not listed will require a separate Farm Use Structure Affidavit Exemption Form to be submitted for review.

I acknowledge that any non-farm use of the structure(s) 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(s) complies with the Chesapeake Zoning Ordinance.

Affiant signature: _____ Date: _____

Phone number: _____ Email: _____

FOR NOTARY PUBLIC'S USE ONLY:
State of <u>Virginia</u> City/County of
Acknowledged, subscribed, and sworn to before me this day of, 20.....
_____ Notary Public Signature
_____ (My commission expires:)
Registration Number

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

Conditions of approval/Reason for disapproved: _____

Zoning Administrator Signature **Date**

The building permit exemption for this proposed structure is:

Approved Disapproved

Conditions of approval/Reason for disapproved: _____

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.