



**County of Powhatan,
Virginia**

**Exemption from Code:
Farm Buildings and Structures
Affidavit**

For Office Use Only

Building Permit #

Powhatan County, Virginia
Department of Community Development
3834 Old Buckingham Road: Suite F
Powhatan, VA 23139

Farm buildings and structures are exempt from the Virginia Uniform Statewide Building Code (USBC). To qualify for this exemption, the structure must be used for a specific purpose directly related to an operating farm. The USBC defines a farm building/structure as follows:

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 thereof:

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

Applicant Information			
Name of Owner		Phone Number	
Physical Address		Tax Map Number	

Questions (Answer YES or NO to the Following Questions)	
1. Is the property currently being used to produce agricultural, horticultural, floricultural, or silvicultural products that are sold to customers?	
2. Is the property currently being used for the raising or processing of farm animals or the sale of farm animal products?	
If you answered NO to both question #1 and #2, the proposed structure IS NOT a farm structure exempt from the requirements of the USBC. If you answered yes to one of the questions, please continue.	
3. Is the proposed structure used for the storage, handling, or production of products listed in the response to Question #1?	
4. Is the proposed structure to be used for the sheltering, raising, or processing of animals listed in the response to Question #2?	
5. Is the proposed structure to be used for the maintenance, storage, or use of equipment related to the activities listed in Question #1 or #2?	

If you answered **YES** to #3, #4 **OR** #5, please complete the affidavit on Page #2.

Building Information	
Type of Structure	
Building Use	
Building Size (Sq. Ft.)	

Land Disturbance	
Amount of Land Disturbed (Square Feet or Acres)	

Building Setbacks	
Front	
Rear	
Side (Left)	
Side (Right)	
Two (2) copies of the plat showing the building location with setbacks to all property lines must be submitted with this form to ensure that the proposed structure adheres to zoning requirements.	

Affidavit

By completing the following affidavit, you are swearing that the proposed structure meets the farm structure exemption of the USBC. No building permit or building inspections will be required. **Building a structure without a building permit that is not legally exempt, would constitute a violation of Code of Virginia § 36-106 which is deemed a misdemeanor and subject to a fine of up to \$2,500.** Each day the violation continues after conviction or court-ordered abatement period has expired shall constitute a separate offense. Presentation of a false affidavit may also constitute violation of other state laws which may be punishable separately. The structure is not exempt from other laws, regulations and ordinances, including the Powhatan County Zoning Ordinance and the Powhatan County Erosion and Sediment Control Ordinance.

I, being duly sworn, state that I have read and understand the above, have truthfully answered questions on Page #1 of this application, and affirm that the structure proposed to be built qualifies as a *farm structure* as defined by the USBC.

Signature of Applicant	
------------------------	--

Name of Applicant (Printed)	
-----------------------------	--

Commonwealth of Virginia
 County of _____, to wit:
 Sworn and subscribed to before me a Notary Public in and for the jurisdiction aforesaid by _____, whose name is signed to the above, on this _____ day of _____, 20_____.

Notary Public		Seal
Commission Expires		
Notary Number		

For Office Use Only	Planning/Zoning Approval	
	Building Inspections Approval	