



County of Albemarle

COMMUNITY DEVELOPMENT DEPARTMENT

Zoning

401 McIntire Road, North Wing

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AFFIDAVIT FOR THE USE OF AN ACCESSORY STRUCTURE

The Albemarle County Zoning division requires this "Affidavit for the use of an accessory structure" for all buildings or structures constructed on a parcel that meet the exemptions outlined on the Exemption of Farm Buildings or Structures Form. This form is to be completed in the presence of a Public Notary, and a copy is to be submitted with the building and zoning permit application. If you need a Public Notary, several Community Development Department employees are Public Notaries.

I/We, _____, the Owner/s of Tax Map _____ Parcel _____, affirm that the Albemarle County Zoning Ordinance does not allow the accessory structure subject to building permit B _____ - _____, to be used as a dwelling and shall only be used for non-dwelling, (such as storage) purposes. The building or structure may contain any but not all provisions which constitute a dwelling, including permanent provisions for eating, sleeping and sanitation and shall not be used for living quarters nor used for dwelling purposes, or occupied overnight, or I/we will be subject to all of the following penalties of law:

Violations of the State Health Code, per 32.1-27(A). Each day that a violation is committed is a separate offense. Each offense is a Class 1 Misdemeanor. Each offense is punishable by up to a \$2500 fine and/or up-to 12 months in jail.

1. Violations of the Uniform Statewide Building Code, per 36-106. Each offense is a Class 1 Misdemeanor. Each offense is punishable by up to \$2500 fine and/or up-to 12 months in jail.
2. Violations of Chapter 22, Article 7, Zoning of the Code of Virginia, per 15.2-2209 and 15.2-2286 (A)(5) and as stipulated in Section 36 of Chapter 18 (the "Zoning Ordinance") of the Albemarle County Code.

Civil penalties: Any violation of this chapter shall be subject to a civil penalty of \$200.00 for the initial summons, and a civil penalty of \$500.00 for each additional summons, and the total civil penalties from a series of violations arising from the same set of operative facts shall not exceed \$5,000.00.

Criminal penalties: Any person, whether the owner, lessee, principal, agent, employee or otherwise, who violates any provision of the Zoning Ordinance that results in injury to any person, or to whom the \$5,000.00 maximum aggregate civil penalty has been reached and who continues to violate any provision of the Zoning Ordinance shall have committed a misdemeanor offence punishable by a fine of not less than \$10.00 nor more than \$1,000.00. Additional fines may be applicable.

I/We understand that the Zoning Administrator or his/her representative will inspect my land at least two times, once before a zoning permit for the farm building is issued, and at least once after the farm building has been installed and will be announced and will be for compliance purposes. I/We understand that if I/we am/are illegally using the farm building, I/we will be prosecuted to the fullest extent of the law. My/Our signature/s on this affidavit constitutes consent for the Zoning Administrator or his/her representative to inspect my/our property.

Owner 1 Signature _____ Owner 2 Signature _____

STATE OF _____ CITY/COUNTY OF _____, To-wit:

The foregoing instrument was acknowledged before me in the city/county aforesaid, this ____ day of _____, 20____, by _____.

Notary Public _____