



FARM BUILDING OR STRUCTURE EXEMPTION

Per §36-99 of the Code of Virginia, **farm buildings or structures** can be considered exempt from requirements of the Virginia Uniform Statewide Building Code (USBC). Before consideration, it is important to understand the exemption requirements and whether or not it could have an impact on other activities you might conduct on your property.

The Code of Virginia provides the following definition related to farm buildings or structures:

"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 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; or*
6. *Implementation of best management practices associated with farm operations.*

As part of the process for exemption consideration, a staff review/approval of the use and location of the structure is required to confirm compliance with Chapter 28 (Zoning Ordinance) of the Stafford County Code, as well as other applicable codes and regulations not considered exempt as part of this process.

Applicants are required to submit a [Residential Change \(RESCHG\)](#) permit application along with supporting documentation and applicable fees. Once submitted, an inspection by the Departments of Planning & Zoning and Development Services may be necessary to field verify any application information.

The attached **Farm Building or Structure - Affidavit** form shall be completed and submitted with the corresponding RESCHG permit application



FARM BUILDING OR STRUCTURE - AFFIDAVIT

I, _____, affirm that I am the owner or owner's legal representative of the property identified as:

Tax Parcel: _____ Address: _____

Said property being located in Stafford County, Virginia.

I affirm that the above-mentioned property is actively partaking in an agricultural operation and/or the production of agriculture and silviculture as defined per § 3.2-300 of the Code of Virginia:

"Agricultural operation" means any operation devoted to the bona fide production of crops, or animals, or fowl including the production of fruits and vegetables of all kinds; meat, dairy, and poultry products; nuts, tobacco, nursery, and floral products; and the production and harvest of products from silviculture activity.

"Production agriculture and silviculture" means the bona fide production or harvesting of agricultural or silvicultural products but shall not include the processing of agricultural or silvicultural products or the above ground application or storage of sewage sludge.

Initial

I affirm that the structure to be constructed and/or improved will not be used for residential purposes, and the structure will be used primarily for the following:

(Select at least 1 of 6 allowable uses described on Page 1 of 3)

Initial

I affirm that, in order for any farm building or structure to be considered exempt from the Virginia Uniform Statewide Building Code (USBC), approval from the Stafford County Zoning Administrator (or designee) is required as a prerequisite for approval by the Stafford County Building Official. Furthermore, I understand that the property is subject to inspection as provided in Article XVII (Enforcement) whenever necessary to enforce provisions of this agreement and County Code. Should the farm building or structure be converted to any other use not subject to this exemption, said farm building or structure shall be brought into compliance with the Virginia Uniform Statewide Building Code (USBC) and other applicable codes and regulations to include submittal/approval of any corresponding permit applications.

Initial



I, as owner or owner's legal representative, do hereby certify that I have read and understand the requirements for this submission and that the information submitted can be considered complete and correct.

Signature of Owner or Owner's Legal Representative

Date

Printed Name

COMMONWEALTH OF VIRGINIA

CITY/COUNTY OF _____, to-wit:

I, the undersigned Notary Public, certify that _____, on behalf of
_____, whose name is signed to the foregoing Farm Building or Structure
Exemption form, appeared and acknowledged the same before me this _____ day of
_____, 20_____.

Notary Public

Printed Name

My commission expires: _____

Registration Number: _____