



Bedford County

DEPARTMENT OF COMMUNITY DEVELOPMENT
Division of Building Inspection

April 28, 2006

Mr. Garland L. Simmons
1190 Horseshoe Bend Road
Moneta, VA 24121

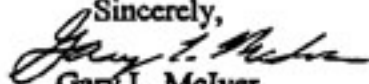
Re: Parcel 194 A 32

Dear Mr. Simmons:

It has come to our attention that the above referenced land parcel is being used in a manner contrary to its agricultural (AR) zoning designation, and the structure located on this parcel which is defined as a "Farm Building" by the Virginia Uniform Statewide Building Code (USBC). Farm buildings conforming to one or more of six criteria as dictated by the USBC are exempt from state code. Cowboy Church will not meet any of these exemptions and therefore must be considered a "Change of Use", per the USBC. This would require full implementation of the codes under an A-3 use group as regulated by the International Building Codes.

The first issue that must be addressed is the illegal land use, we then can move on to the building issues. The Zoning Administrator, Kim Dooley and I will be glad to meet with you and discuss all alternatives and options that you have. We are all in agreement that this event is a worthy and admirable cause, but as dictated by Section 36-99 of the Code of Virginia I am obligated to place public safety as our primary objective.

This must be considered a "Notice of Violation" in accordance with Section 115.2 of the USBC, for an unpermitted change of use as specifically referenced in Section 103.3 of the USBC, until such time all proper permits and approvals have been obtained from this office. It must be noted that you have the right to appeal this decision as per USBC Section 119.5.

Sincerely,

Gary L. McIver
Building Official

Cc: Kim Dooley, Zoning Administrator
Carl Boggess, County Attorney
Kathleen Guzi, County Administrator
Charles Neudorfer, District 2 Supervisor

GLM/