

AGENDA

STATE BUILDING CODE TECHNICAL REVIEW BOARD

Friday, September 16, 2022 - 10:00am

Virginia Housing Center
4224 Cox Road Glen Allen, Virginia

- I. Roll Call **(TAB 1)**
- II. Approval of August 19, 2022 Minutes **(TAB 2)**
- III. Approval of Final Order **(TAB 3)**
 - In Re: TLF McClung LLC
Appeal No 22-06
- IV. Approval of Interpretation 03/2022 **(TAB 4)**
 - In Re: Greg Revels (Henrico County)
Interpretation Request No 05-22
- V. Public Comment
- VI. Preliminary Hearing **(TAB 5)**
 - In Re: Shenandoah Sheds (Gary Arghyris)
Appeal No 22-09
- VII. Preliminary Hearing **(TAB 6)**
 - In Re: Daniel Maller
Appeal No 22-10
- VIII. Appeal Hearing **(TAB 7)**
 - In Re: Black Wolf Services LLC
Appeal No 22-05
- IX. Appeal Hearing **(TAB 8)**
 - In Re: Warren County
Appeal No 22-07
- X. Interpretation Request No. 06-22 **(TAB 9)**
 - In Re: William Yeager (Montgomery County)

Is a Hemp Farm Lab exempt from the USBC pursuant to Section 1402.3(9)?
- XI. Secretary's Report
 - a. November 2022 meeting update - location VHC

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STATE BUILDING CODE TECHNICAL REVIEW BOARD

James R. Dawson, Chair
(Virginia Fire Chiefs Association)

W. Shaun Pharr, Esq., Vice-Chair
(The Apartment and Office Building Association of Metropolitan Washington)

Vince Butler
(Virginia Home Builders Association)

J. Daniel Crigler
(Virginia Association of Plumbing-Heating-Cooling Contractors and the Virginia Chapters of the Air Conditioning Contractors of America)

Alan D. Givens
(Virginia Association of Plumbing-Heating-Cooling Contractors and the Virginia Chapters of the Air Conditioning Contractors of America)

David V. Hutchins
(Electrical Contractor)

Christina Jackson
(Commonwealth at large)

Joseph A. Kessler, III
(Associated General Contractors)

R. Jonah Margarella, AIA, NCARB, LEED AP
(American Institute of Architects Virginia)

Eric Mays
(Virginia Building and Code Officials Association)

Joanne D. Monday
(Virginia Building Owners and Managers Association)

Elizabeth C. White
(Commonwealth at large)

Aaron Zdinak, PE
(Virginia Society of Professional Engineers)

Vacant
(Virginia Building and Code Officials Association)

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1 **STATE BUILDING CODE TECHNICAL REVIEW BOARD**
2 **MEETING MINUTES**
3 **August 19, 2022**
4 **Virginia Housing Center**
5 **4224 Cox Road Glen Allen, Virginia 23260**
6

Members Present

Mr. James R. Dawson, Chairman
Mr. Vince Butler
Mr. Daniel Crigler
Mr. David V. Hutchins
Ms. Christina Jackson
Mr. Joseph Kessler (arrived at the end of roll call)
Mr. R. Jonah Margarella
Mr. Eric Mays, PE
Ms. Joanne Monday
Mr. W. Shaun Pharr, Esq., Vice-Chairman
Mr. Aaron Zdinak, PE

Members Absent

Mr. Alan D. Givens
Ms. Elizabeth White

7
8 Call to Order The meeting of the State Building Code Technical Review Board
9 ("Review Board") was called to order at approximately 10:00 a.m. by
10 Secretary Travis Luter.

11
12 Roll Call The roll was called by Mr. Luter and a quorum was present. Mr. Justin
13 I. Bell, legal counsel for the Board from the Attorney General's Office,
14 arrived at approximately 10:20 a.m.

15
16 Approval of Minutes The draft minutes of the July 15, 2022 meeting in the Review Board
17 members' agenda package were considered. Ms. Monday moved to
18 approve the minutes with the suggested editorial change to remove the
19 word "is" and replace it with the word "in" on lines 82 and 85 as well
20 as add a comma (,) after the word No" in line 85. The motion was
21 seconded by Mr. Pharr and passed with Ms. Jackson abstaining.

22
23 Interpretation Approval of Interpretation 02/2022:
24
25 After review and consideration of Interpretation 02/2022 in the Review
26 Board members' agenda package, Mr. Mays moved to approve
27 Interpretation 02/2022 with the editorial change to remove the word
28 "is" and replace with the word "in"; therefore the question reads as
29 follows:
30 *Does the local Fire Official have the authority to require*
31 *operational permits prescribed by Sections 107 and 108 of the*
32 *SFPC references in table 107.2?*
33

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State Building Code Technical Review Board
August 19, 2022 Minutes - Page 2

34 The motion was seconded by Mr. Zdinak and passed with Ms. Jackson
35 abstaining.

36
37 Public Comment Chair Dawson opened the meeting for public comment. Mr. Luter
38 advised that no one had signed up to speak. With no one coming
39 forward, Chair Dawson closed the public comment period.

40
41 New Business TLF McClung LLC: Appeal No. 22-06:
42
43 A hearing convened with Chair Dawson serving as the presiding
44 officer. The hearing was related to the structure on the property located
45 at 17 East 7th Street, in the City of Salem.

46
47 The following persons were sworn in and given an opportunity to
48 present testimony:

49
50 Christopher Dadak, legal counsel for the City of Salem

51
52 *Note: TLF McClung LLC owner, Lew McClung and TLF McClung,*
53 *legal counsel, Scott Gardner were properly noticed. In an email dated*
54 *August 17, 2022 Scott Gardner informed Review Board staff that he*
55 *would not be traveling to Richmond for oral arguments.*

56
57 After testimony concluded, Chair Dawson closed the hearing and stated
58 a decision from the Review Board members would be forthcoming and
59 the deliberations would be conducted in open session. It was further
60 noted that a final order reflecting the decision would be considered at a
61 subsequent meeting and, when approved, would be distributed to the
62 parties, and would contain a statement of further right of appeal.

63
64 Decision: TLF McClung LLC: Appeal No. 22-06:

65
66 After deliberations, Mr. Crigler moved that the appeal was not properly
67 before the Board because the decision being appealed cited the City of
68 Salem local ordinance and not the building code; therefore, the Review
69 Board lacked jurisdiction to hear the appeal. The motion was seconded
70 by Mr. Mays and passed unanimously.

71
72 Request for Interpretation of Greg Revels (Henrico County):
73 Interpretation Request No. 04-22:

74
75 An interpretation request from Greg Revels of Henrico County was
76 considered concerning NFPA 70 National Electrical Code/2017
77 (NEC), on Article 336 related to whether the use of TC-ER (JP) cable
78 meets the intent of the code when installed as the inverter output circuit
79 for a solar photovoltaic system in one-and two-family dwelling units.

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80 With consent of the Chair, Mr. Revels offered a revised question for
81 his request which read:

82
83 *“Is the use of TC-ER (JP) cable safe and meets the intent of the*
84 *code when installed as the inverter output circuit for a solar*
85 *photovoltaic system in one-and two-family dwelling units?”*

86
87 Mr. Mays moved to accept the revised question as written, *“Is the use*
88 *of TC-ER (JP) cable safe and meets the intent of the code when*
89 *installed as the inverter output circuit for a solar photovoltaic system*
90 *in one-and two-family dwelling units?”*; Mr. Mays further moved that
91 the answer is *“Yes”*. The motion was seconded by Ms. Monday.

92
93 After further deliberation Mr. Pharr offered an amendment to Mr.
94 Mays’ motion to further revise the question to read *“Does the use of*
95 *TC-ER (JP) cable meet the intent of the code when installed as the*
96 *inverter output circuit for a solar photovoltaic system in one-and two-*
97 *family dwelling units?”*; Ms. Mays accepted the amendment to his
98 motion, Ms. Monday reaffirmed her second to include the amendment.
99 Mr. Mays’ portion of the motion that the answer be *“Yes”* remained as
100 originally moved. The amended motion and answer of *“Yes”* passed
101 unanimously.

102
103 Secretary’s Report Mr. Luter distributed a draft copy of Review Board Policies #27, #28,
104 and #29, which were prepared by staff at the request of the Review
105 Board.

106
107 After review and consideration of Review Board Policy #27, Mr. Mays
108 moved to approve Review Board Policy #27 as written. The motion
109 was seconded by Ms. Jackson and passed unanimously.

110
111 After review and consideration of Review Board Policy #28, Mr. Mays
112 moved to approve Review Board Policy #28 as written. The motion
113 was seconded by Mr. Crigler and passed unanimously.

114
115 After review and consideration of Review Board Policy #29, Mr.
116 Kessler moved to approve Review Board Policy #29 as written. The
117 motion was seconded by Mr. Pharr and passed unanimously.

118
119 Mr. Luter informed the Board of the current caseload for the upcoming
120 meeting scheduled for September 16, 2022.

121
122 Attorney Bell had no legal updates to provide to the Board.

123
124 Adjournment There being no further business, the meeting was adjourned by proper
125 motion at approximately 12:15 p.m.

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State Building Code Technical Review Board
August 19, 2022 Minutes - Page 4

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Approved: September 16, 2022

Chairman, State Building Code Technical Review Board

Secretary, State Building Code Technical Review Board

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1 VIRGINIA:
2

3 BEFORE THE
4 STATE BUILDING CODE TECHNICAL REVIEW BOARD
5 (For Preliminary Hearing as to Jurisdiction)
6

7
8 IN RE: Appeal of TLF McClung LLC
9 Appeal No. 22-06
10

11 DECISION OF THE REVIEW BOARD
12

13 I. Procedural Background
14

15 The State Building Code Technical Review Board (Review Board) is a Governor-
16 appointed board established to rule on disputes arising from application of regulations of the
17 Department of Housing and Community Development. See §§ 36-108 and 36-114 of the Code of
18 Virginia. The Review Board's proceedings are governed by the Virginia Administrative Process
19 Act (§ 2.2-4000 et seq. of the Code of Virginia).

20 II. Case History

21 On October 25, 2021, the City of Salem Department of Community Development (City),
22 the agency responsible for the enforcement of Part III of the 2018 Virginia Uniform Statewide
23 Building Code (Virginia Maintenance Code or VMC), issued a letter for the structure located at
24 17 E. 7th Street, in the City of Salem, owned by TLF McClung LLC (McClung). The letter cited
25 a violation of Section 18-38 of the City of Salem Code for dilapidated buildings deeming the
26 structure unsafe and dangerous to the safety of other inhabitants to the city. The letter ordered that
27 documentation outlining how the structure would be brought into compliance be submitted to the
28 City within 15 days of the date of the letter or the City would bring the matter before the City of
29 Salem Board of Building Appeals (appeals board). The letter cited the following needed to be
30 repaired:

- 31 a. The entry way needs to be demolished or repaired.

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- 32 b. The sidewall needs to be repaired
33 c. The siding needs to be replaced

34
35 On February 17, 2022, the City issued another letter to McClung for the structure. In the
36 letter the City again cited a violation of Section 18-38 of the City of Salem Code for dilapidated
37 buildings and again deemed the structure unsafe and dangerous to the safety of other inhabitants
38 to the city. The letter ordered that documentation outlining how the structure would be brought
39 into compliance be submitted to the City within 15 days of the date of the letter or the City would
40 bring the matter before the appeals board. The letter cited the following needed to be repaired:

- 41 1) The entry way needs to be demolished or repaired.
42 2) The sidewall needs to be repaired
43 3) The siding needs to be replaced
44 4) All unsafe structural issues need to be made code compliant

45
46 The City scheduled a hearing with the appeals board for March 31, 2022¹ concerning
47 McClung’s structure for a violation of Section 18-38 of the City of Salem Code.

48 In a letter from the City dated April 4, 2022, the City notified McClung that the appeals
49 board ruled that McClung had to obtain a demolition permit within 30 days of the date of the
50 meeting and complete demolition of the structure within 120 days of the meeting date. The appeals
51 board also gave the City authority to proceed with demolition of the structure if McClung failed
52 to obtain the required permit and/or complete demolition in the required timeframe. In the last
53 paragraph of the letter the City advised that *“any person who was a party to the appeal may appeal
54 to the State Review Board by submitting an application to such Board within 21 calendar days
55 upon receipt by certified mail of this decision”*. The letter included the address and phone number
56 for the Office of the Review Board.

¹ McClung never filed an appeal to the appeals board on this matter

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57 After receiving the decision of the appeals board McClung, through legal counsel, further
58 appealed to the Review Board.

59 While processing McClung's appeal, Review Board staff advised the parties and their legal
60 counsel that in prior cases concerning jurisdiction, the Review Board ruled it lacked jurisdiction
61 to hear appeals for the application of local ordinances and/or regulations while referencing the
62 Perry Smith Appeal No. 16-3².

63 III. Findings of the Review Board

64 A. Whether the appeal is properly before the Board.

65 The City, through legal counsel Christopher Dadak, argued that the letter outlining the
66 alleged violation was solely based on the City of Salem ordinance. The City reminded the Board
67 of the Perry Smith Appeal No. 16-3 from six years ago, where the Board decided that it lacked
68 jurisdiction when violations of a city ordinance were cited. The City asked that the Board come
69 to the same conclusion for this matter as it did six years ago and dismiss the case for lack of
70 jurisdiction.

71 TLF McClung LLC owner, Lew McClung, and his legal counsel, Scott Gardner, were
72 properly noticed of the hearing. Neither Mr. McClung nor Mr. Gardner attended the hearing;
73 furthermore, Mr. Gardner in an email dated August 17, 2022, advised Review Board staff that he
74 would not be traveling to Richmond for oral arguments.

75 The Review Board finds that the City did not cite a violation to the VMC. Moreover, the
76 appeals board did not reference or cite a violations of the VMC in its decision. The Review Board
77 finds that its basic law, §36-114 of the Code of Virginia, does not authorize it to hear appeals of
78 local ordinances:

² Perry Smith Appeal No. 16-3 is from the City of Salem for cited violation of Section 18-38 of the City of Salem Code

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VIRGINIA STATE BUILDING CODE TECHNICAL REVIEW BOARD

I N T E R P R E T A T I O N

Interpretation Number: 3/2022

Code: NFPA 70 - National Electrical Code/2017

Section No(s): Article 336

ARTICLE 336

ARTICLE 336

Power and Control Tray Cable: Type TC

Part I. General

336.1 Scope. This article covers the use, installation, and construction specifications for power and control tray cable, Type TC.

336.2 Definition.

Power and Control Tray Cable, Type TC. A factory assembly of two or more insulated conductors, with or without associated bare or covered grounding conductors, under a nonmetallic jacket.

336.6 Listing Requirements. Type TC cables and associated fittings shall be listed.

Part II. Installation

336.10 Uses Permitted. Type TC cable shall be permitted to be used as follows:

- (1) For power, lighting, control, and signal circuits.
- (2) In cable trays, including those with mechanically discontinuous segments up to 300 mm (1 ft).
- (3) In raceways.
- (4) In outdoor locations supported by a messenger wire.
- (5) For Class 1 circuits as permitted in Parts II and III of Article 725.
- (6) For non-power-limited fire alarm circuits if conductors comply with the requirements of 760.49.

cable tray to ensure that the minimum bending radius is not exceeded.

- (8) Where installed in wet locations, Type TC cable shall also be resistant to moisture and corrosive agents.
- (9) In one- and two-family dwelling units, Type TC-ER cable containing both power and control conductors that is identified for pulling through structural members shall be permitted. Type TC-ER cable used as interior wiring shall be installed per the requirements of Part II of Article 334 and, where installed as exterior wiring, shall be installed per the requirements of Part II of Article 340.

Exception: Where used to connect a generator and associated equipment having terminals rated 75°C (140°F) or higher, the cable shall not be limited in ampacity by 334.80 or 340.80.

Informational Note No. 1: TC-ER cable that is suitable for pulling through structural members is marked "JP."

Informational Note No. 2: See 725.136 for limitations on Class 2 or 3 circuits contained within the same cable with conductors of electric light, power, or Class 1 circuits.

- (10) Direct buried, where identified for such use

Informational Note: See 310.15(A)(3) for temperature limitation of conductors.

QUESTION: Does the use of TC-ER (JP) cable meet the intent of the code when installed as the inverter output circuit for a solar photovoltaic system in one-and two-family dwelling units?

ANSWER: Yes.

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This Official Interpretation was issued by the State Building Code Technical Review Board at its meeting of August 19, 2022.

Chairman, State Building Code Technical Review Board

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VIRGINIA:

BEFORE THE
STATE BUILDING CODE TECHNICAL REVIEW BOARD

IN RE: Appeal of Shenandoah Sheds (Gary Arghyris)
Appeal No. 22-09

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VIRGINIA:

BEFORE THE
STATE BUILDING CODE TECHNICAL REVIEW BOARD
(For Preliminary Hearing for Right to Appeal)

IN RE: Appeal of Shenandoah Sheds LLC (Gary Arghyris)
Appeal No. 22-09

REVIEW BOARD STAFF DOCUMENT

Suggested Statement of Case History and Pertinent Facts

1. On March 21, 2022, the County of Frederick Department of Inspections (County), the agency responsible for the enforcement of Part I of the 2018 Virginia Uniform Statewide Building Code (Virginia Construction Code or VCC), issued a Notice of Violation (NOV) to Shenandoah Sheds LLC (Shenandoah) for the storage building located at 262 Clayhill Drive, in the County of Frederick, owned by Michael and Audrey Anderson (Anderson).
2. The NOV cited violations related to construction without the required permits and lack of required inspections for the storage building.
3. Shenandoah filed a timely appeal to the Frederick County Local Board of Appeals (local appeals board) which was heard on May 10, 2022; the local appeals board denied the appeal.
4. Shenandoah further appealed to the Review Board initially on June 27, 2022 but needed to revise the application. The revised application was submitted on June 28, 2022.
5. Shenandoah removed the structure from the Anderson's property on June 27, 2022, subsequently abating the cited violations in the NOV.
6. The County rescinded the NOV on June 30, 2022.
7. While processing Shenandoah's appeal, Review Board staff advised the parties that in prior cases concerning the right to appeal, the Review Board consistently interpreted that the

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right to appeal is tied to applications of the code and the aggrievement by application of the code. Staff further advised that when the building official rescinded the NOV, which is the application of the code, he removed the application of the code and that the removal of the application of the code also ended whatever aggrievement there was against Shenandoah; therefore, without the NOV there is no right to appeal.

8. This staff document along with a copy of the documents submitted related to the jurisdictional issue of right to appeal will be sent to the parties and opportunity given for the submittal of additions, corrections or objections to the staff document, and the submittal of additional documents or written arguments related to the jurisdictional issue of right to appeal to be included in the information distributed to the Review Board members for the preliminary hearing before the Review Board.

Suggested Preliminary Issues for Resolution by the Review Board

1. Whether to dismiss the appeal as not properly before the Board since the County rescinded the notice of violation, based on previous rulings of the Review Board which hold that no right of appeal exists where a NOV has been resolved.¹

¹ See Review Board Case No. 03-3 and 17-9. See also Review Board Case Nos. 98-8, 98-16, 00-2, 00-14, 11-9&10, 16-6, and 18-14.

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Basic Documents

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COPY

COUNTY of FREDERICK

Inspections Department

Mark A. Fleet, Building Official

540-665-5650

Fax 540-678-0682

CERTIFIED MAIL

March 21, 2022

Shenandoah Sheds, LLC
1518 Fairfax Pike
White Post, Va. 22663

RE: Violation Notice, 262 Clayhill Drive

Dear Business Owner,

On, a code enforcement inspector responded to a complaint at the above address. Upon arrival at the site our Inspector that a storage building had been constructed without the required permits being obtained. It was also noted that the construction of the building had numerous structural issues. A correction order dated March 3, 2022 was issued and copies of the correction order was sent to you regarding this matter. To date no permits have been applied for by your company. Enclosed with this notice you will find copies of the original correction order.

Virginia Uniform Statewide Building Code, Section 108.1 When applications are required.

Application for a permit shall be made to the building official and a permit shall be obtained prior to the commencement of any of the following activities, except that applications for emergency construction, alterations or equipment replacement shall be submitted by the end of the first working day that follows the day such work commences. In addition, the building official may authorize work to commence pending the receipt of an application or the issuance of a permit.

1. Construction or demolition of a building or structure. Installations or alterations involving (i) the removal or addition of any wall, partition or portion thereof, (ii) any structural component, (iii) the repair or replacement of any required component of a fire or smoke rated assembly, (iv) the alteration of any required means of egress system, (v) water supply and distribution system, sanitary drainage system or vent system, (vi) electric wiring, (vii) fire protection system, mechanical systems or fuel supply systems or (viii) any equipment regulated by the USBC.

Letter

Page Two

2. For change of occupancy, application for a permit shall be made when a new certificate of occupancy is required under Section 103.3.
3. Movement of a lot line that increases the hazard to or decreases the level of safety of an existing building or structure in comparison to the building code under which such building or structure was constructed.
4. Removal or disturbing of any asbestos containing materials during the construction or demolition of a building or structure, including additions.

UNIFORM STATEWIDE BUILDING CODE, SECTION 113 INSPECTIONS

113.3 Minimum inspections. The following minimum inspections shall be conducted by the building official when applicable to the construction or permit:

1. Inspection of footing excavations and reinforcement material for concrete footings prior to the placement of concrete.
2. Inspection of foundation systems during phases of construction necessary to assure compliance with this code.
3. Inspection of preparatory work prior to placement of concrete.
4. Inspections of structural members and fasteners prior to concealment.
5. Inspection of electrical, mechanical and plumbing materials, equipment and systems prior to concealment.
6. Inspection of energy conservation material prior to concealment.
7. Final inspection.

This office hereby gives you thirty (30) days from the date of this letter to obtain the required permits and schedule the proper inspections. Please be aware that the above is subject to appeal under Section 119 of the Virginia Uniform Statewide Building Code. If you have any questions, please do not hesitate to contact me.

Sincerely,



Mark A. Fleet
Building Code Official

CC: Michael Anderson
Mark Cheran, Zoning Administrator
Derek Crider, Commonwealth's Attorney

RESOLUTION

WHEREAS, The Frederick County Local Board of Appeals is duly appointed to resolve disputes arising out of enforcement of the USBC;

WHEREAS, an appeal has been filed and brought to the attention of the board of appeals;

WHEREAS, a hearing has been held to consider the aforementioned appeal; and

WHEREAS, the board has fully deliberated this matter; now, therefore, be it

RESOLVED, That in the matter of

Appeal Number 01-2022

RE: Douglas W. Harold, Jr. for Shenandoah Sheds v. Frederick County

The appeal is hereby **denied**, for the reasons set out below:

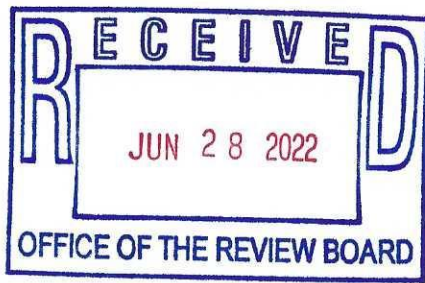
The Frederick County Board of Building Appeals voted unanimously to uphold the decision of the Building Official to require a building permit for the shed and lean-to.

Date: May 10, 2022

Signature:


Chairman of Local Board of Appeals

Note: "Any person who was a party to the appeals to the State Review Board by submitting an application to such Board with 21 calendar days upon receipt by certified mail of this resolution. Application forms are available from the Office of the State Review Board, 501 North Second Street, Richmond, VA 23219, 804-371-7150."



COMMONWEALTH OF VIRGINIA
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
State Building Codes Office and Office of the State Technical Review Board
Main Street Centre, 600 E. Main Street, Suite 300, Richmond, Virginia 23219
Tel: (804) 371-7150, Fax: (804) 371-7092, Email: sbco@dhd.virginia.gov

APPLICATION FOR ADMINISTRATIVE APPEAL

Regulation Serving as Basis of Appeal (check one):

- Uniform Statewide Building Code
 - Virginia Construction Code
 - Virginia Existing Building Code
 - Virginia Maintenance Code

- Statewide Fire Prevention Code
- Industrialized Building Safety Regulations
- Amusement Device Regulations

540-869-4050
shenandoahsheds@gmail.com

Appealing Party Information (name, address, telephone number and email address):

Gary Arghyris, Shenandoah Sheds, LLC
1518 Fairfax Pike, White Post, VA 22663

Oposing Party Information (name, address, telephone number and email address of all other parties):

Frederick County Building Inspections
Department and Board of Appeals 540-665-5650
107 N. Kent St. Winchester, VA 22601 mfkettefcva.us

Additional Information (to be submitted with this application)

- Copy of enforcement decision being appealed
- Copy of the decision of local government appeals board (if applicable)
- Statement of specific relief sought

on June 27/28 2022

CERTIFICATE OF SERVICE

I hereby certify that on the 27th 28 day of JUNE, 2022, a completed copy of this application, including the additional information required above, was either mailed, hand delivered, emailed or sent by facsimile to the Office of the State Technical Review Board and to all opposing parties listed.

Note: This application must be received by the Office of the State Technical Review Board within five (5) working days of the date on the above certificate of service for that date to be considered as the filing date of the appeal. If not received within five (5) working days, the date this application is actually received by the Office of the Review Board will be considered to be the filing date.

Signature of Applicant:

on June 28, 2022

Name of Applicant:

GARY ARGHYRIS
(please print or type)



COPY

COUNTY of FREDERICK

Inspections Department

Mark A. Fleet, Building Official

540-665-5650

Fax 540-678-0682

June 30, 2022

Shenandoah Sheds, LLC
1518 Fairfax Pike
White Post, Va. 22663

RE: Violation Notice, 262 Clayhill Drive

Dear Business Owner,

On June 28, 2022 I received notification that the storage building that had been constructed at 262 Clayhill Drive had been removed. Upon arrival at the site it was found that the building had been removed. Therefore as of June 28, 2022 the violation has been abated and the Notice of Violation has been rescinded.

Sincerely,

A handwritten signature in cursive script that reads "Mark A. Fleet".

Mark A. Fleet
Building Code Official

CC: Austin Cano, Assistant County Attorney

VIRGINIA:

FOR THE STATE BUILDING CODE TECHNICAL REVIEW BOARD

COUNTY OF FREDERICK, VIRGINIA, :
 :
 Appellee, :
 :
 v. :
 :
 SHENANDOAH SHEDS, LLC, :
 :
 Appellant. :

MOTION TO DISMISS
IN RESPONSE TO APPEAL

COMES NOW the appellee, the County of Frederick, Virginia (the “County”), by counsel, and moves to dismiss the appeal filed by appellant Shenandoah Sheds, LLC (“Shenandoah Sheds”) for lack of jurisdiction. The County avers as follows:

1. On March 21, 2022, the County, through its Building Official Mark Fleet, issued a Notice of Violation to Shenandoah Sheds for violations of the Virginia Uniform Statewide Building Code (the “Building Code”).
2. The Notice of Violation alleged that Shenandoah Sheds had constructed a structure, larger than 256 square feet, without obtaining a permit.
3. The Notice of Violation further alleged that this structure, after inspection, did not meet the standards of the Building Code.
4. Shenandoah Sheds appealed the notice of violation to the Frederick County Local Board of Building Code Appeals (the “Local Board”).
5. On May 10, 2022, the Local Board met and determined that the Notice of Violation should be upheld.

6. On June 27, 2022, Shenandoah Sheds filed an appeal of this determination to the State Building Code Technical Review Board (the “State Board”).

7. However, on or about this date, Shenandoah Sheds removed the allegedly non-compliant structure from the offending property.

8. In doing so, Shenandoah Sheds voluntarily corrected and abated the violation, and the Building Official rescinded the Notice of Violation.


9. In so correcting the violation, the County contends that the appearance of this appeal is not properly before the State Board as Shenandoah Sheds no longer has the right to appeal a now rescinded Notice of Violation.

10. The County reserves the right, should the State Board not dismiss this appeal, to file an additional response addressing the merits of the appeal.


Therefore, the County asks that the State Board schedule a preliminary hearing on this jurisdictional issue, and consequently dismiss this appeal as being moot.

Respectfully submitted,

COUNTY OF FREDERICK, VIRGINIA



Austin Cano, VSB No. 95714
Assistant County Attorney
County of Frederick, Virginia
Telephone: 540-722-8383
Facsimile: 540-667-0370
E-mail: austin.cano@fcva.us



Mark Fleet
Frederick County Building Official
County of Frederick, Virginia
Telephone: 540-665-5650
Facsimile: 540-678-0682

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Documents Submitted by
Shenandoah Sheds LLC
(Gary Arghyris)

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22-09: Appellant's response to Review Board Staff Document and Appellee's Motion to Dismiss in Response to Appeal

As a layman appellant, I believe that I understand the principle of why previous appeals would be deemed moot and dismissed after a violation notice is rescinded.

However, this appellant hopes that it is within the Review Board's charge and the public's interest to fully investigate and hear the facts first hand in this case because, at least in part, the appellant didn't find any previous case examples of 115.2 being levied upon a party without a building permit while another party had an active building permit. The 115.2 action in this case required the respondent to independently obtain a building permit even though no legal provision exists for doing so. The same can be said for scheduling inspections. The appellant believes that allowing the local board's 108.1 Resolution to stand as-is would set a dangerous precedent that could embolden this and other jurisdictions to abuse or misuse laws such as 115.2 for whatever motives that may exist or present to individuals during the routine courses of public administration.

Additionally, the appellant does not find any precedent for "Misc(ellaneous)" correction orders that follow "Final" correction orders. Given that the party receiving the second set of correction orders more than 3 months after the "Final" correction orders never visited, and did not cause any work to be done at, the job site during the time interval, the appellant is hopeful that the Review Board and its Staff will recognize and address the highly unusual nature of differing versions of orders to differing parties at different times for a supposedly static job site that hadn't been touched by anyone for several months.

Similarly, none of the available cases concern other instances that are unique to this this case in terms of Frederick County's alleged infringement or denial of the appellant's legal rights (aggrievement) by its local building officials and board of appeals . . . acts that a building official cannot cure by simply rescinding a violation notice while Frederick County 's 108.1 Resolution continues to preserve the contents of, the outcome of, and the public's accessibility to the allegedly illegal hearing which sustained allegedly illegal correction orders, an allegedly illegal violation notice and the alleged denial of the appellant's due process rights which included the local board's irrefutable decision to knowingly conduct a hearing without proper advance notice to the appellant.

In further distinguishing this case from the cited cases of precedence, the appellant in this case is also alleging that the conduct of some public officials may have risen to potentially illegal, unethical or immoral conduct prior to, during and after the hearing such as knowingly introducing misleading or false information during the courses of the hearing and multiple public agency investigations.

To the extent that the SRB may generally govern or regulate the practices and conduct of Virginia Building Code administrators, the appellant desires the SRB's assistance in determining any relief that may be appropriate for this appellant, as well as preventive relief for all of Virginia's citizens and businesses that may result from whatever was, and whatever wasn't, proper about Fredrick County's handling of this matter.

The appellant is hopeful that amongst the various forms of requested relief will be an action by the Review Board which will cause the local board to at least rescind its 108.1 Resolution by rejecting the 115.2 enforcement rationale that multiple FCVA personnel presented to the board.

If applicable to the unique circumstances in this case, please provide a link to 03-3, 17-9 and 16-6 as they were not found at

<https://www.dhcd.virginia.gov/sbctrb-decisions>

MOOTNESS

<https://www.dhcd.virginia.gov/sites/default/files/Docx/sbctrb/appeal-decisions/TRB%20PSA/trb-psa-98-8-battlefield.pdf>

<https://www.dhcd.virginia.gov/sites/default/files/Docx/sbctrb/appeal-decisions/TRB%20PSA/trb-psa-98-16-parker-lancaster.pdf>

VIOLATIONS CORRECTED

<https://www.dhcd.virginia.gov/sites/default/files/Docx/sbctrb/appeal-decisions/TRB%20PSA/trb-psa-00-2-lapinski.pdf>

REMAND

<https://www.dhcd.virginia.gov/sites/default/files/Docx/sbctrb/appeal-decisions/TRB%20PSA/trb-psa-00-14-stewart.pdf>

VIRGINIA STATEWIDE FIRE PREVENTION CODE

<https://www.dhcd.virginia.gov/sites/default/files/Docx/sbctrb/appeal-decisions/TRB%20SFPC/trb-sfpc-11-9-and-11-10-snsa-inc.pdf>

VIRGINIA MAINTENANCE CODE

<https://www.dhcd.virginia.gov/sites/default/files/Docx/sbctrb/appeal-decisions/TRB%20VMC/Appeals-Virginia%20Maintenance%20Code%3D%20trb-vmc-18-14-amcl%20llc%20reconsideration.pdf>

<https://www.dhcd.virginia.gov/sites/default/files/Docx/sbctrb/appeal-decisions/TRB%20VMC/Appeals-Virginia%20Maintenance%20Code%3D%20trb-vmc-18-14-amcl%20llc.pdf>

- Jul 6, 2022 Communication ends here. Thank you.

DPOR's Board for Contractors definition of "ruling" is only for licensed contractors

As to your question regarding the Appeals Board's interpretation of the Board for Contractors' "ruling", the Board for Contractors does not have jurisdiction over unlicensed contractors and as such cannot make such a ruling. DPOR does have the authority to address unlicensed activity through the Code of Virginia Title 54.1, and such matters may be handled via several methods including but not limited to compliance, Cease & Desist Notification, and unlicensed activity prosecution through the court system.

A DPOR representative recently provided the above information about DPOR's Board for Contractor "rulings."

Neither the appellant nor his business were a licensed contractor.

Therefore, the appellant claims that a truthful statement about the appellant or his business CANNOT begin with the words "DPOR has ruled . . ."

On Thursday, June 30, 2022 at 02:31:19 PM EDT, DPOR Investigations, rr
<investigations@dpor.virginia.gov> wrote:

Good Afternoon [REDACTED]

I am responding to your question regarding the 4/25/22 "To Whom It May Concern" letter. The investigator in the case provided the letter to Frederick Co. Sheriff's Office since that office was considering placing criminal charges in consultation with the Commonwealth's Attorney's office based on the Andersons' complaint to local law enforcement. The request for the letter came from the Officer Derek Crider. I do not have information as to how other parties outside of Frederick Co. Sheriff's Office or Commonwealth Attorney obtained this letter.

Although the information contained in the letter is not untrue, DPOR Investigations staff does not routinely provide letters such as the 4/25/22 "To Whom It May Concern" letter. However, DPOR does share information with local law enforcement as needed with regard to criminal investigations. I have instructed the investigator in this case not to provide information in the format of the "To Whom It May Concern" letter as it not standard practice for DPOR Investigations.

As to your question regarding the Appeals Board's interpretation of the Board for Contractors' "ruling", the Board for Contractors does not have jurisdiction over unlicensed contractors and as such cannot make such a ruling. DPOR does have the authority to address unlicensed activity through the Code of Virginia Title 54.1, and such matters may be handled via several methods including but not limited to compliance, Cease & Desist Notification, and unlicensed activity prosecution through the court system.

Should the Appeals Board need further information regarding activity requiring licensure related to the "ruling", I can be reached at the contact information listed below.

Sincerely,

Valerie Matney
Director of Investigations-Field Operations

Yahoo Mail - Re: Fw: 3rd reply to Re: Clarification: 2022-01714

<https://mail.yahoo.com/d/folders/1/messages/AIW2Rt4hWCuvYswu0...>

Department of Professional and Occupational Regulation
9960 Mayland Drive, Suite 400
Richmond, VA 23233

email: valerie.matney@dpor.virginia.gov
(757) 477-9760 cell
(855) 438-7717 fax

Governmental email is generally subject to disclosure pursuant to the Virginia Freedom of Information Act. However, if you have received this message in error, please notify the Sender and delete the message as well as all attachments.

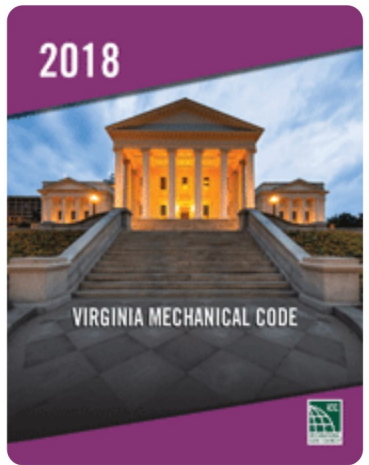
Search Type ?

119.6 Meetings and postponements.

Title Content

The LBBCA shall meet within 30 calendar days after the date of receipt of the application for appeal, except that a period of up to 45 calendar days shall be permitted where the LBBCA has regularly scheduled monthly meetings. A longer time period shall be permitted if agreed to by all the parties involved in the appeal. Notice indicating the time and place of the hearing shall be sent to the parties in writing to the addresses listed on the application if requested or by electronic means at least 14 calendar days prior to the date of the hearing unless a lesser time period is agreed to by all the parties involved in the appeal. When a quorum of the LBBCA is not present at a hearing to hear an appeal, any party involved in the appeal shall have the right to request a postponement of the hearing. The LBBCA shall reschedule the appeal within 30 calendar days of the postponement, except that a longer time period shall be permitted if agreed to by all the parties involved in the appeal.

Jump to Chapter



2018 Virginia Mechanical Code

Categories: Virginia PMG

About this Title

This is a fully integrated code based on the 2018 *International Mechanical Code*®.

FEEDBACK

LIVE CHAT



Luter, William <travis.luter@dhcd.virginia.gov>

Re: '[External]'Fwd: Appeal 22-09 Shenandoah Sheds, LLC

Shenandoah Sheds <shenandoahsheds@gmail.com>
To: "Luter, William" <travis.luter@dhcd.virginia.gov>, Mark Fleet <mfleet@fcva.us>

Wed, Jul 13, 2022 at 1:53 PM

Mr. Luter,

As for the DPOR memo about "rulings," the appellant agrees that memo is part of the appeal's "substance."

However, the appellant disagrees with applying this same rationale to the 119.6 argument which arguably goes to the substance of the law 119.6 rather than any of the appeal's substance.

Therefore, the appellant maintains that it has a right to appeal based on an allegation that FCVA violated 119.6 and in so doing did propagate what appellant believes was an illegal hearing that should, at the very least, render its 108.1 Resolution as illegitimate, regardless of any of the substance or contents within the appeal itself.

Unless there is a precedent of 119.6 being irrelevant, the appellant intends to pursue this argument throughout the course of this action.

This response does not contain an attachment.

Thank you.

On Wed, Jul 13, 2022 at 12:27 PM Austin Cano <austin.cano@fcva.us> wrote:

Mr. Luter,

Attached, please find the County's Reply to Appellant Shenandoah Sheds's Response to Frederick County's Motion to Dismiss. If there is anything else you would like, please let me know.

Sincerely,

Austin Cano

Assistant County Attorney

Frederick County, Virginia

[107 North Kent Street](#)[Winchester, Virginia 22601](#)

(540) 722-8383

Austin.cano@fcva.us

From: Luter, William <travis.luter@dhcd.virginia.gov>**Sent:** Tuesday, July 12, 2022 3:31 PM

To: Shenandoah Sheds <shenandoahsheds@gmail.com>
Cc: Potts, Richard <richard.potts@dhcd.virginia.gov>; Paul Messplay IV <paul.messplayiv@dhcd.virginia.gov>; Florin Moldovan <florin.moldovan@dhcd.virginia.gov>; Mark Fleet <mfleet@fcva.us>; wfrd64mwa@yahoo.com; Austin Cano <austin.cano@fcva.us>
Subject: '[External]'Fwd: Appeal 22-09 Shenandoah Sheds, LLC

I have copied all parties on my response to ensure ex parte communication does not take place and to provide your submittal to all parties.

Received.

W. Travis Luter, Sr.

Secretary to the State Building Code Technical Review Board

Code and Regulation Specialist

Virginia Department of Housing and Community Development (DHCD)

804-371-7163

travis.luter@dhcd.virginia.gov

----- Forwarded message -----

From: Shenandoah Sheds <shenandoahsheds@gmail.com>
Date: Mon, Jul 11, 2022 at 4:15 PM
Subject: Appeal 22-09 Shenandoah Sheds, LLC
To: Luter, William <travis.luter@dhcd.virginia.gov>, Mark Fleet <mfleet@fcva.us>

Sorry for another mid-stream document submission, but these 2 now seem too important for postponing until July 29. I will try not to send anymore documents until the week of 7/25-7/29.

I have made changes to the "rulings" pdf and replaced it with an updated title "0711 DPOR's Board For Contractors rulings only for licensed contractors."

I am also informing everyone that Shenandoah Sheds, LLC intends to argue that although the NOV was rescinded, Shenandoah Sheds still maintains it has a right to appeal on due process grounds including, but perhaps not limited to, FCVA's failure to fulfill its 119.6 responsibilities prior to and upon commencing its May 10 hearing despite hearing the appellant's counsel's claim at the hearing's onset that he had received the Hearing Notice that same day.

The appellant would be pleased to see this appeal and case come to a close quickly on September 19 or sooner without much further discussion and:

- 1) FCVA's rescision of its May 10, 2022 108.1 Resolution; and,
- 2) all records of the May 10 hearing to be destroyed, expunged and/or sealed from public view

Thank you.

13VAC5-63-500 Section 107.6 Meetings and postponements.

The LBBCA shall meet within 30 calendar days after the date of receipt of the application for appeal, except that a period of up to 45 calendar days shall be permitted where the LBBCA has regularly scheduled monthly meetings. A longer time period shall be permitted if agreed to by all the parties involved in the appeal. A notice indicating the time and place of the hearing shall be sent to the parties in writing to the addresses listed on the application at least 14 calendar days prior to the date of the hearing, except that a lesser time period shall be permitted if agreed to by all the parties involved in the appeal. When a quorum of the LBBCA is not present at a hearing to hear an appeal, any party involved in the appeal shall have the right to request a postponement of the hearing. The LBBCA shall reschedule the appeal within 30 calendar days of the postponement, except that a longer time period shall be permitted if agreed to by all the parties involved in the appeal.

2018 Virginia Construction Code Third Version October 2021 & 2018 Virginia Residential Code Second Version August 2021

Section 119.6 Meetings and postponements

The LBBCA shall meet within 30 calendar days after the date of receipt of the application for appeal, except that a period of up to 45 calendar days shall be permitted where the LBBCA has regularly scheduled monthly meetings. A longer time period shall be permitted if agreed to by all the parties involved in the appeal. Notice indicating the time and place of the hearing shall be sent to the parties in writing to the addresses listed on the application if requested or by electronic means at least 14 calendar days prior to the date of the hearing unless a lesser time period is agreed to by all the parties involved in the appeal. When a quorum of the LBBCA is not present at a hearing to hear an appeal, any party involved in the appeal shall have the right to request a postponement of the hearing. The LBBCA shall reschedule the appeal within 30 calendar days of the postponement, except that a longer time period shall be permitted if agreed to by all the parties involved in the appeal.

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Documents Submitted by Frederick County

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VIRGINIA:

FOR THE STATE BUILDING CODE TECHNICAL REVIEW BOARD

COUNTY OF FREDERICK, VIRGINIA, :
 :
 Appellee, :
 :
 v. :
 :
 SHENANDOAH SHEDS, LLC, :
 :
 Appellant. :

**REPLY TO SHENANDOAH SHEDS’S
RESPONSE TO FREDERICK COUNTY’S MOTION TO DISMISS**

COMES NOW the appellee, the County of Frederick, Virginia (the “County”), by counsel, to reply to the response filed by appellant Shenandoah Sheds, LLC (“Shenandoah Sheds”) to the County’s Motion to Dismiss. The County avers as follows:

1. Shenandoah Sheds’s response largely focuses on the actions of the Frederick County Local Board of Building Code Appeals (the “Local Board”). The County maintains that such arguments go to the substance of this appeal and are thus irrelevant; merely labeling them as “distinguishing” from previous cases does not make the arguments more relevant. As the sole issue before the State Building Code Technical Review Board (the “State Board”) at the upcoming Preliminary Hearing is whether or not jurisdiction is proper, Shenandoah Sheds’s irrelevant arguments as to the substance of this appeal require no further response at this time.

2. To the extent that Shenandoah Sheds’s response properly focuses on the issue of jurisdiction, the County contends that the State Board’s previous decisions, including those cited by Shenandoah Sheds in their response, support the County’s position that the State Board lacks jurisdiction. *See, e.g.* Appeal of Parker Lancaster Corporation and John E. Rhodes, Appeal No. 98-16, St. Building Code Technical Rev. Board (August 17, 1999) (dismissing the appeal as

moot in part because the violation for which a notice of violation was issued was abated); Appeal of James Lapinski, Appeal No. 00-2, St. Building Code Technical Rev. Board (May 19, 2000) (finding that once the appealed condemnation order was rescinded and the violations in the appealed notice of violation were corrected, “there is no appeal right for [these] decisions no longer in effect.”).

3. Similar to Appeal No. 98-16, by abating the violations cited in the Notice of Violation, Shenandoah Sheds has rendered this appeal moot. Thus, as noted in Appeal No. 00-2, Shenandoah Sheds no longer has an appeal right and the State Board does not have jurisdiction to hear this appeal.

4. The County reserves the right to make further and/or additional arguments and evidence on the issue of jurisdiction at the Preliminary Hearing. If after the Preliminary Hearing the State Board were to find jurisdiction proper in this case, the County further reserves the right to put forth argument as to the substance of the appeal.

Therefore, the County asks that the State Board to find that it does not have jurisdiction over this appeal and to consequently dismiss this appeal as moot.

Respectfully submitted,

COUNTY OF FREDERICK, VIRGINIA

Austin Cano, VSB No. 95714
Assistant County Attorney
County of Frederick, Virginia
Telephone: 540-722-8383
Facsimile: 540-667-0370
E-mail: austin.cano@fcva.us

VIRGINIA:

BEFORE THE
STATE BUILDING CODE TECHNICAL REVIEW BOARD

IN RE: Appeal of Daniel Maller
Appeal No. 22-10

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VIRGINIA:

BEFORE THE
STATE BUILDING CODE TECHNICAL REVIEW BOARD
(For Preliminary Hearing as to Jurisdiction)

IN RE: Appeal of Daniel Maller
Appeal No. 22-10

REVIEW BOARD STAFF DOCUMENT

Suggested Statement of Case History and Pertinent Facts

1. On January 26, 2022, the County of Arlington County Department of Community Planning, Housing, and Development (County), the agency responsible for the enforcement of Part I of the 2018 Virginia Uniform Statewide Building Code (Virginia Construction Code or VCC), issued a Notice of Violation (NOV) to Daniel Maller (Maller) for two structures, located at 104 N. Montague, in the County of Arlington.

2. The NOV cited violations related to construction without the required permits and lack of required inspections for the structures.

3. Maller filed an appeal to the Arlington County Board of Building Code Appeals (local appeals board) which was administratively denied by Gary Greene, Assistant Building Official, on May 31, 2022 for being untimely. The County did not convene the local appeals board and Maller's appeal was not heard by the local appeals board.

4. Maller appealed to the Review Board on June 21, 2022.

5. While processing Maller's appeal, Review Board staff advised the parties that no appeal to the Review Board shall lie prior to a final determination by the local appeals board.¹

¹ See Review Board Case No. 91-16

(Page left blank intentionally)

6. This staff document along with a copy of the documents submitted related to the jurisdictional issue will be sent to the parties and opportunity given for the submittal of additions, corrections or objections to the staff document, and the submittal of additional documents or written arguments related to the jurisdictional issue to be included in the information distributed to the Review Board members for the preliminary hearing before the Review Board.

Suggested Preliminary Issues for Resolution by the Review Board

1. Whether to remand the appeal back to the local appeals board for hearing and decision.²

² See Review Board Case No. 91-16

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Basic Documents

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ARLINGTON
VIRGINIA

DEPARTMENT OF COMMUNITY PLANNING,
HOUSING AND DEVELOPMENT

Inspection Services Division-Code Enforcement

2100 Clarendon Boulevard, Suite 1000,
Arlington, VA 22201

Telephone 703-228-3232 Fax 703-228-3241
CodeEnforcement@ArlingtonVa.us

Richard Freeman Supervisor-Code Enforcement

Gary Greene Building Maintenance Official
Code Program Manager

Violation Notice

RESPONSIBLE PARTIES: **Daniel Keith Maller**
104 N Montague
Arlington, Virginia 22203

CASE REFERENCE NUMBER	CE220062
PREMISES IN VIOLATION	104 N Montague St Arlington, Virginia 22203
VIOLATION DATE	January 24, 2022
ISSUANCE DATE	January 26, 2022
COMPLIANCE DATE	February 28, 2022

POSTED ON PREMISES

An inspection of the above premises has disclosed violations of Virginia Uniform Statewide Building Code and/or Virginia Maintenance Code, as referenced below. To abate this notice, you are directed to correct these violations by the compliance date indicated above.

If extenuating circumstances exist, your compliance deadline may be extended. A Request for Extension must be submitted, in writing, and received before the compliance deadline. For appropriate consideration, please include any supporting documentation and a projected date of completion in your written request. Submit the request to your inspector at the address noted above.

It is the responsibility of the owner or agent to schedule a re-inspection of the corrected conditions. Contact the assigned inspector at 703-228-3232 to schedule a reinspection of conditions. Inspectors may be reached between 8:00 A.M. - 9:30 A.M. and 4:00 - 4:30, business days.

You may be required to secure construction or construction trade permits for repairs referenced in this notice. Present a copy of this notice to the Permit Specialist when addressing your permitting needs to ensure the scope of the required work, is authorized by the appropriate permit.

You have the right to appeal to the Arlington County Building Code Board of Appeals, provided that a written application for appeal is filed within thirty days after the notice is served and filing fee paid. For information on how to appeal, call (703) 228-3232



PREMISES IN VIOLATION		CASE REFERENCE NUMBER
104 N Montague St		CE220062
VIOLATION DATE	January 24, 2022	
COMPLIANCE DATE	February 28, 2022	

CODE REFERENCE	VIOLATION	CORRECTION ACTION
2018 Virginia Construction Code Section 108.1.1	Unpermitted work performed (building two structures) at the rear of the property without the necessary permits	Secure the required building permit, inspections and final approvals. You can visit the Building Arlington website (www.Building.arlingtonva.us) for information on permits, the application and inspection approval processes or call 703-228-3800 for additional information. When applying for a new permit to resolve violations noted on this notice, present this document to the permit technicians to ensure the permit fully covers the intended scope of work.

IN CONJUNCTION WITH EFFORTS REQUIRED TO DIRECT COMPLIANCE AND RESOLVE CONDITIONS CITED IN THIS DOCUMENT, THE INSPECTOR MAY NOTE WHERE SPECIAL CONSTRUCTION OR LAND USE PERMITS OR APPROVALS ARE REQUIRED. HOWEVER, THE FAILURE TO DETAIL REQUIRED SUPPLEMENTAL APPROVALS AND PERMITS OR THE SCOPE OF WORK FOR PERMITS IN THE CORRECTION ACTION SECTION OF THIS DOCUMENT, DOES NOT INVALIDATE THE NEED FOR ANY REQUIRED APPROVALS OR PERMITS BY CODE OR ORDINANCE. BE ADVISED TO CONTACT THE CONSTRUCTION PERMIT (703-228-3800) AND/OR THE ZONING ADMINISTRATION (703-228-3883) SECTIONS TO DETERMINE IF THE SCOPE OF YOUR CORRECTIVE ACTION PLAN REQUIRES PERMITS OR OTHER SPECIAL APPROVALS.

M. Villarroel, Code Enforcement Inspector 571-220-2921

M VILLARROEL @

[Click Here to Search](#) 

Record CAPP22-00001:

[Add to collection](#)

Code Appeal

Record Status: In Review

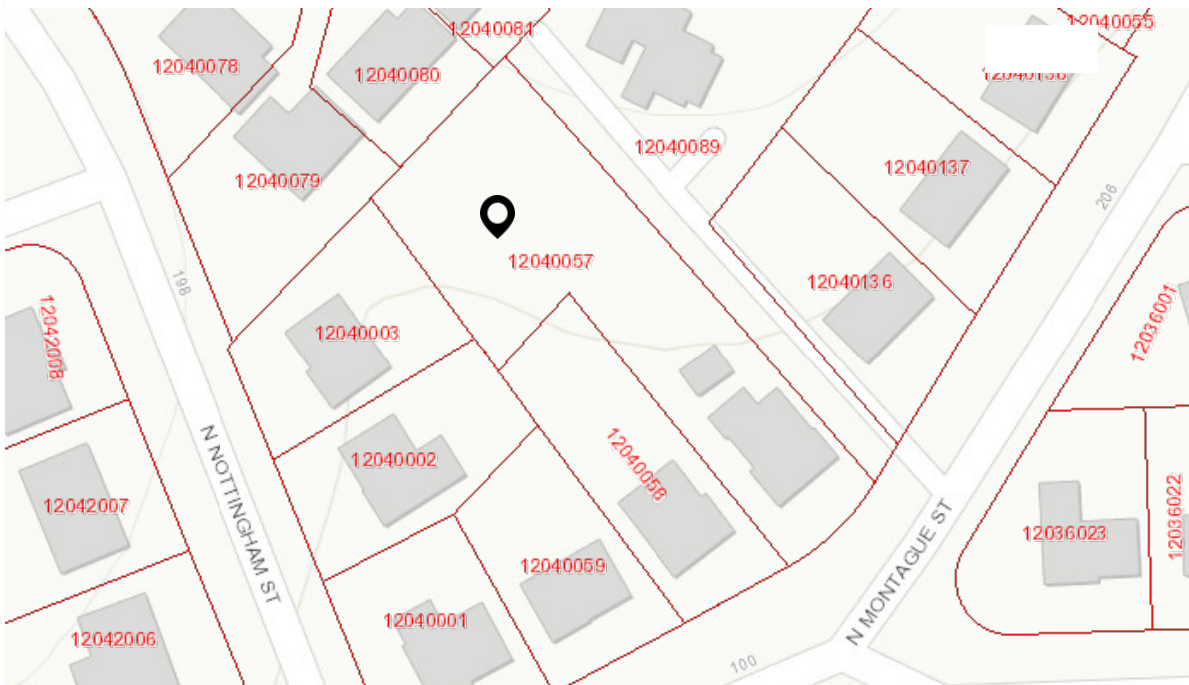
Record Info ▾

Payments ▾

Plan Review

Work Location

104 N MONTAGUE ST, ARLINGTON, VA 22203



Record Details

Owner:

MALLER DANIEL KEITH,
104 N MONTAGUE ST
ARLINGTON VA 22203

▼ More Details

▣ Related Contacts

▣ Application Information

Work Location

Is this code appeal request associated with a specific address?: Yes

Basis for Appeal

The true intent of the referenced code has been incorrectly interpreted by the code official: Yes

The provisions of the code, as interpreted by the code official, do not fully apply in the circumstances presented: Yes

The code official has denied a form of construction or method of compliance that meets or exceeds the minimum code standard specified: No

The code official has refused to grant a modification which complies with the intent and the provisions of the code: No

The code official has refused to grant an approval for work performed No

which complies with the intent of the provisions of the code:

Given your selection(s) for the basis of your appeal, provide a brief description of any additional details:

As to the "Treehouse" I have acknowledged I misinterpreted requirement, to the extent Code considers this a "deck" instead of a "playhouse" structure. By way of background, County indicated treehouse under 256 sf was OK, but after Beetles killed 2 of the trees and unavailability of ISD during COVID I proceeded to construct in ground instead of in trees. As to the Toolshed, I carefully researched prior to construction and determined I did not need a permit to build a structure under 256 sf as long as it was >1' from property line and >8' from main house. The structure is 13x14', which is ~182 sf, and I am using this as a toolshed and woodshed (and a playhouse!). Zoning has confirmed there is no zoning violation based on location or lot coverage, but ISD states that it is "Unpermitted work." As indicated above, Building Code §108.2(2) clearly exempts this structure from a permit requirement.

Project Details

Did you or the person you are representing directly receive notification of a code application decision, code modification decision, or maintenance violation decision?: Yes

What is being appealed?: Code Violation

What is being appealed?:

Code violation

What code is being appealed?:

Virginia Construction Code (VCC)

Provide the permit, complaint, or violation ID number:

CE220062

Provide date that notification of the violation was received:

01/26/2022

Is the subject of this appeal request a residential building that is 3 stories or less above grade and contains no more than 2 dwelling units?:

Yes

Briefly describe your understanding of the code requirements:

Question of Requirement for Building Permit. Note timely request for extension was approved though and including April 28, 2022.

Briefly describe your desired remedy, alternate outcome or relief sought from the Arlington Board of Building Code Appeals:

(1) "Treehouse" permit was filed 4/1, updated 4/5; ISD refused extension so this permit is filed to preserve rights as may be needed. (2) Confirm citation is in error in asserting requirement for permit for "One story detached structures used as tool and storage sheds..." See VA Construction Code §108.2(2) (2018,

same language as 2015 Code).

Who is submitting this appeal request?:

Appellant

[Parcel Information](#)

Maller v. Arlington County Exhibit A (including confirmation below that this is the complete record of the decision being appealed)



DEPARTMENT OF COMMUNITY PLANNING,
HOUSING AND DEVELOPMENT
INSPECTION SERVICES DIVISION/CODE ENFORCEMENT
2100 Clarendon Boulevard, Suite 1000, Arlington, VA 22201
Phone: 703-228-3232 | Fax: 703-228-3241
codeenforcement@arlingtonva.us

May 31, 2022

Tammy Watson, Secretary
Arlington County Board of Building Code Appeals
2100 Clarendon Boulevard, Suite 1000
Arlington, Virginia 22201

RE: Completeness Review- Appeal CAPP22-00001, and Recommendation for Application Denial

Dear Tammy Watson,

This correspondence is forwarded after a completeness review for an Application for Appeal to the Virginia Uniform Statewide Building Code by Daniel Keith Maller, the property owner of a single-family dwelling located at 104 N. Montague Street, Arlington, Virginia 22203.

On, February 22, 2022, Mr. Maller submitted a request to extend the compliance deadline of his violation notice issued on January 26, 2022, with required compliance by February 28, 2022. On February 23, 2022 Inspector Myriam Villarroel and Supervising Inspector Richard Freeman, reviewed the request, and extended the compliance deadline of Violation Notice CE220062 to April 28, 2022.

On, April 27, 2022, Mr. Maller filed an Application for Appeal to the Virginia Construction Code, a subset of the Virginia Uniform Statewide Building Code, requesting a hearing before the Arlington Building Code Board of Appeals. His application illustrates that he received the Notice of Violation (CE220062) on January 26, 2022.

The application submitted by the Appellant arrives significantly after the window for appeal has closed. The Virginia Construction Code (Section 119.5) provides thirty (30) days from receipt of the notice to file for an appeal, with documentation provided on each violation notice. Based on the application, the window for appeal of the violation notice closed on Friday, February 25, 2022. The extension of compliance allows the locality to officially extend the time to abate violations, it does not extend the state mandated timeline for appeals; subsequently, this application for appeal (CAPP22-00001) should be denied.

Sincerely,

Gary Greene, Assistant Building Official
Code Enforcement Section Chief

cc: Daniel Keith Maller, Appellant/Owner
104 N. Montague Street
Arlington, Virginia 22203

Shahriar Amiri, CPHD-ISD
Myriam Villarroel, CPHD-ISD.CODE
Richard Freeman, CPHD-ISD.CODE

Letter is above, in the box to the right is email confirming this is the record and decision:

From: Tammy Watson twatson@arlingtonva.us
Subject: RE: Arlington County LBBCA
Date: June 6, 2022 at 10:02 AM
To: Daniel Maller dan@maller.com

Good morning Dan,
I am confirming the letter provided is the full record for the decision.
Thank you!

Tammy Watson

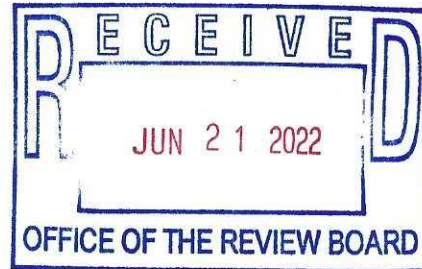
Secretary to Local Board of Building Code Appeals
Management Specialist/Office Services Manager
Arlington County Government
Inspection Services Division
Dept. of Community Planning, Housing and Development
2100 Clarendon Blvd., Suite 1000 (10th Floor)
Arlington, Virginia 22201
Cell: (571) 335-2063
Voice: (703) 228-3356
twatson@arlingtonva.us

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
State Building Codes Office and Office of the State Technical Review Board
Main Street Centre, 600 E. Main Street, Suite 300, Richmond, Virginia 23219
Tel: (804) 371-7150, Fax: (804) 371-7092, Email: sbco@dhcd.virginia.gov

APPLICATION FOR ADMINISTRATIVE APPEAL

Regulation Serving as Basis of Appeal (check one):

- Uniform Statewide Building Code
 - Virginia Construction Code
 - Virginia Existing Building Code
 - Virginia Maintenance Code
- Statewide Fire Prevention Code
- Industrialized Building Safety Regulations
- Amusement Device Regulations



Appealing Party Information (name, address, telephone number and email address):

Daniel K. Maller (703) 731-8433
104 N Montague Street Dan@Maller.com
Arlington, VA 22203

Opposing Party Information (name, address, telephone number and email address of all other parties):

Shahriar Amiri, Chief Building Official
Arlington County, Virginia (703) 228-3232
2100 Clarendon Blvd., Suite 1000 (10th Floor)
Arlington, Virginia 22201 SAMiri@ArlingtonVA.US

Additional Information (to be submitted with this application)

- o Copy of enforcement decision being appealed See attached Exhibit A
- o Copy of the decision of local government appeals board (if applicable) None
- o Statement of specific relief sought See attached Exhibit C

CERTIFICATE OF SERVICE

I hereby certify that on the 21st day of June, 2022, a completed copy of this application, including the additional information required above, was either mailed, hand delivered, emailed or sent by facsimile to the Office of the State Technical Review Board and to all opposing parties listed.

Note: This application must be received by the Office of the State Technical Review Board within five (5) working days of the date on the above certificate of service for that date to be considered as the filing date of the appeal. If not received within five (5) working days, the date this application is actually received by the Office of the Review Board will be considered to be the filing date.

Signature of Applicant: /s/

Name of Applicant: Daniel K. Maller
(please print or type)

**COMMONWEALTH OF VIRGINIA
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**

State Building Codes Office and Office of the State Technical Review Board

APPLICATION FOR ADMINISTRATIVE APPEAL

Exhibit C: Appellant’s Statement of Facts and Specific Relief Requested

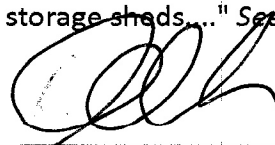
The Appellant Daniel K. Maller respectfully submits the following Statement of Facts and Specific Relief Requested.

Facts:

1. The letter Dated May 31, 2022, marked Exhibit A, is the “decision being appealed,” which was confirmed by the LBBCA Secretary to be the full record of the decision.
2. As noted in Exhibit A, I filed this appeal to the Arlington County Local Board of Building Code Appeals (LBBCA) after receiving an extension pursuant to my letter dated February 22, 2022, which is included in the Record of LBBCA Appeal CAPP22-1 attached as Exhibit B. At the time of filing I requested the case be set for June 15, 2022, which the LBBCA Secretary confirmed on April 27 [see Ex.B p.4].
3. Exhibit A *recommends* that the LBBCA decline to hear the appeal (“**Recommendation** for Application Denial” in the heading and “closing comment that “this application for appeal (CAPP22-00001) **should be** denied.” [Exhibit A, emphasis added]. Note that this letter does NOT state that it is a decision but merely raises arguments.
4. Mr. Greene’s characterization of my 2/22/22 Extension request is incomplete and misleading. Mr. Greene states that I “submitted a request to extend the compliance deadline....” My request was titled “Request for Extension, Withdrawal, and Clarification” and my last statement was that “I would also appreciate if there are any questions, that I be given an audience and an opportunity to have a dialog before any sort of formal proceedings are required. **Lacking that, this would have to be my Notice of Appeal to the relevant Board**, which would be wasteful and unnecessary.” [Ex.B pp 7-8, emphasis added]
5. I made numerous efforts to have a dialog which were fruitless, but at every opportunity I made it clear that I did not accept the interpretations being advanced by the County officials.
6. The LBBCA took no action on the Appeal.
7. As indicated in the underlying appeal, Exhibit B, there are real and substantial issues.

Specific Relief Requested:

1. This case was not heard within the 45 days required by 3VAC5-63-190(F), which allows the parties to agree on additional time beyond the 45 days as was done here. As contemplated by Part 8 of the published Appeal Participant Guide (the "Guide"), Appellant respectfully requests the TRB Staff to inquire of the LBBCA whether they will schedule and hear the appeal.
2. As also contemplated by Part 8 of the Guide, the TRB may remand the case to the LBBCA if the local board refuses to process the appeal and I request that the TRB remand this to the LBBCA with direction to hear it. This includes a determination that the Appeal was timely given the power of the Building Official to "approve a modification of **any provision** of the USBC," notwithstanding the asserted lack of power to grant extensions. *See* 13VAC5-63-60 §106.3 [emphasis added]
3. Alternatively, I request that the TRB accept jurisdiction and hear this appeal, and grant the relief requested in the underlying Appeal:
 - a. Suspend or grant further extension of the citation pending completion or other resolution of the "Treehouse" permit.
 - b. Find that the citation was in error in asserting requirement for permit for "One story detached structures used as tool and storage sheds..." *See below* VA Construction Code §108.2(2) (2018).



Daniel K. Maller, Pro Se
Attorney at Law
104 N Montague Street
Arlington, VA 22203

VA Building Code §108.2 (2018)

13VAC5-63-80. Section 108 Application for permit.

B. Section 108.2 Exemptions from application for permit. Notwithstanding the requirements of Section 108.1, application for a permit and any related inspections shall not be required for the following;

2. One story detached structures used as tool and storage sheds, playhouses or similar uses, provided the building area does not exceed 256 square feet (23.78 m²) and the structures are not classified as a Group F-1 or H occupancy.

Note these are from definitions:

Factory and Industrial (F) F-1, F-2 High Hazard (H)

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Documents Submitted by Daniel Maller

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From: Tammy Watson Twatson@arlingtonva.us
Subject: RE: Arlington County LBBCA
Date: April 27, 2022 at 4:36 PM
To: Daniel Maller dan@maller.com



Hi Dan and thank you. I will review the application and get back with you regarding the hearing being moved to June. I do not anticipate any reason it cannot be.
Thanks again!

Tammy Watson

Management Specialist/Office Services Manager
Arlington County Government
Inspection Services Division
Department of Community Planning, Housing and Development
2100 Clarendon Boulevard, Suite 1000
Arlington, Virginia 22201
Cell: (571) 335-2063
Office: (703) 228-3356
twatson@arlingtonva.us

From: Daniel Maller <dan@maller.com>
Sent: Wednesday, April 27, 2022 11:32 AM
To: Tammy Watson <Twatson@arlingtonva.us>
Subject: Re: Arlington County LBBCA

EXTERNAL EMAIL

Tammy, I met with ISD last week and I was hopeful that they will at least clarify the alleged violation of the Code, but unfortunately they did not, so I have gone ahead and filed my Appeal to the LBCBA.

I understand your advice concerning scheduling and this might be scheduled for the third Wednesday of May, which is 5/18, however I am having major surgery on May 7 and will not be permitted to attend a hearing on May 18. Therefore I respectfully request this be set for the next available date, which I understand is June 15.

Best regards,
Dan Maller
(703) 731-8433

Daniel K. Maller
104 N Montague
Arlington, VA 22203
(703) 731-8433

February 22, 2022

Arlington Code Enforcement
2100 Clarendon Blvd.
Suite 1000
Arlington, VA 22201

Re: CE220062
Request for Extension, Withdrawal and Clarification

Dear Sir/Madam:

This will acknowledge the referenced communication. Before we get into more details I respectfully request an extension of time to comply with the Notice. Given the deadline indicated for compliance, I hope you can advise by 2/25 if this is granted. Also as set out below, I request clarification of the measures that will suffice to clear the issue(s).

As to the extension of time, given the time of year and the weather it is not practical to do much of anything concerning the physical conditions of the structures if that is required. In addition, I have only now completed a series of work projects that have consumed all of my time and energy, and I want to be sure that what I do is the right thing not to waste your time and resources. Depending on your responses to the below, I would appreciate 30-60 days, but I have travel plans and medical issues that may impact exactly when I can address this as required, but I am absolutely committed to whatever may be required to comply.

Regarding clarification, etc., there are two structures which I will address separately:

- (1) "Garage." I built an accessory structure at the end of my driveway, which is in no way actually a garage, but rather a free-standing wood & tool shed. I may have contributed to the confusion when I was contacted because I understood only murkily the possible significance of the terminology. The structure is 12x12 with a ~3 foot overhang on the side facing my driveway. Before doing anything I reviewed the placement provisions of the code and plotted the placement. I confirmed with Darryle Smith of the Zoning Division the lack of any issue with placement when he visited subsequent to your letter. As I planned, and as explicitly allowed, the building is more than 8 feet from the house and more than one foot from the side lot line, and below the threshold for requiring a permit, which is why I did not file for one.
- (2) "Treehouse." In 2019 I had contacted the County and designed a treehouse which I wanted to build on the hillside behind my house. I understood that there was no requirement for a building permit provided it was below a certain size (256sf), and

unless there were 120V electrical fixtures or other trade permit requirements. My design was a hexagon sitting on a triangle formed by beams spanning the 16 feet between the three trees that were nearly perfectly spaced. Owing to a series of personal misfortunes that I would rather not describe, except that two of the trees in which I planned to construct my treehouse died, and I had a car accident in October and was unable to work because of a head injury, I did not return to my treehouse project until the Spring of 2020. Obviously the Pandemic created a number of issues, including interfering with the County operations, so when I started to feel better and reached out to the County in March, the office was closed. I tried to navigate the website to the permit functionality, which did not work, so I called and/or emailed for assistance and never received a call back. I reasoned that because of the advice about treehouses and the fact that the structure was below the threshold size that had been pointed out, I was OK to proceed. In the Summer of 2020, after completing the structure, I called again and left a message that I wanted to make sure that what I did was OK. I never heard back from the County, at least until I had a call from the County about six months ago stating that a neighbor had complained. After a conversation with the inspector, I was informed that based on my explanation they would not need to visit or to take any further action. Then after several months elapsed, an inspector paid an unannounced visit, and unfortunately I was not home, but the inspector was given access and apparently felt this was an issue.

So in addition to a modest initial time extension, I am respectfully requesting:

- (1) Reconsideration and withdrawal of the violation notice for my Tool Shed to allow me to focus on the other item.
- (2) Regarding the "Treehouse," I am proposing, and asking for confirmation, that I should file for a deck permit to allow inspection and approval. I am not certain that I can file for this within 30 days of today, depending also on the level of detail required,* but assuming that your consideration of my request(s) will take a week or two, if you would allow me to file for this within 30 days of your response I would appreciate it and will diligently pursue this by mid-April.

* Regarding the "level of detail required" as I stated, I can certainly provide a detailed set of drawings for the structure, but I need guidance of how that should be prepared to avoid unnecessary delays in processing and inspection.

I hope that you can assist me as I have outlined. I would also appreciate if there are any questions, that I be given an audience and an opportunity to have a dialog before any sort of formal proceedings are required. Lacking that, this would have to be my Notice of Appeal to the relevant Board, which would be wasteful and unnecessary.

Thank you for your consideration.

Daniel K. Maller



DEPARTMENT OF COMMUNITY PLANNING, HOUSING AND DEVELOPMENT
INSPECTION SERVICES DIVISION – COMMUNITY CODE ENFORCEMENT
2100 Clarendon Boulevard Arlington, VA 22201
TEL 703 228 3232 FAX 703 228 3241 www.codeenforcement@arlingtonva.us

February 23, 2022

Mr.
Daniel Keith Maller
104 N Montague St
Arlington, Virginia 22203

Re: CE220062– 104 N Montague St

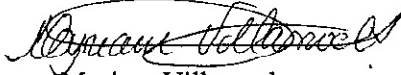
Mr. Maller:

This letter is to inform you that we have reviewed your request for an extension. An extension of time to bring your property into compliance has been granted until April 28, 2022

This decision was based upon your correspondence and explanation to the above referenced notice.

At this time, you are directed to correct this violation by **April 28, 2022**. If you have any further questions or concerns, please call me at (571) 220-2921

Sincerely,


Myriam Villarroel
Code Enforcement Inspector

Note : Please contact Permit Division Office at 703-228-3800 for your concerns regarding the Building Permit or contact Mr. Ellis McKinney (703) 228-3857 if you need the Inspector visits the property and inspects the work done

Supplemental Information
Provided by Staff

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COMMONWEALTH of VIRGINIA

DEPARTMENT OF
HOUSING AND COMMUNITY DEVELOPMENT

205 NORTH FOURTH STREET
RICHMOND, VIRGINIA 23219
(804) 786-4751

NEAL J. BARBER
DIRECTOR

JACK A. PROCTOR, CPCA
DEPUTY DIRECTOR,
BUILDING REGULATORY SERVICES

BEFORE THE
STATE BUILDING CODE TECHNICAL REVIEW BOARD
IN RICHMOND, VIRGINIA

Lloyd T. Little
James River Petroleum, Inc.
P.O. Box 7200
Richmond, Virginia 23221

Appellant,

v.

Debra W. Byrd, Acting Commissioner of Buildings
City of Richmond
900 E. Broad St., Room 110
Richmond, Virginia 23261

Appellees.

and

Harold J. Beavers, Fire Marshal
501 North 9th St.
Room 128
Richmond, Virginia 23219

Case 91-16

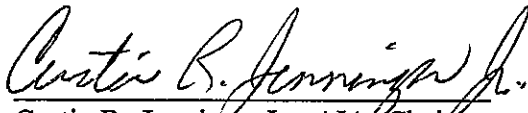
This matter is before the State Building Code Technical Review Board (Technical Review Board) on the appeal of Lloyd T. Little of Richmond. In accordance with Section 36-114 of the Code of Virginia, this appeal was heard on Thursday, October 31, 1991 at 12:00 noon, in Conference Room #2 of the Virginia Housing Development Authority located at 601 S. Belvidere Street in Richmond, Virginia.

The parties were sworn in by the chairman and given an opportunity to present testimony in this matter. The testimony revealed that the appeal concerns a decision of the Building Official of the City of Richmond regarding the application of the Virginia Uniform Statewide Building Code (USBC). The decision in question affects the construction of a vehicle fuel dispensing facility that the appellant proposes to construct on a site at or near Bells Road and Industry Avenue in Richmond. The testimony also revealed the appeal was first heard at the City of Richmond Board of Fire Code Appeals. Testimony further revealed that the City of Richmond Board of Fire Code Appeals is not authorized to decide appeals concerning applications of the USBC.

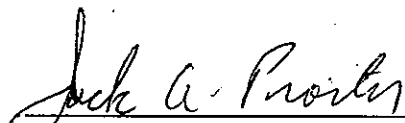
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The Technical Review Board finds that "[n]o appeal to the State Building Code Technical Review Board shall lie prior to a final determination by the local board of building code appeals" (§ 36-105, *Code of Virginia*, emphasis added). Therefore, the Technical Review Board hereby remands the appeal to the City of Richmond Board of Building Code Appeals for a decision.

We enter this decision the 6 day of November, 1991 A.D. You have thirty (30) days to appeal this decision.


Curtis R. Jennings, Jr., AIA, Chairman

COPY TESTEE:


Jack A. Proctor, Secretary
State Building Code Technical Review Board

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VIRGINIA:

BEFORE THE
STATE BUILDING CODE TECHNICAL REVIEW BOARD

IN RE: Appeal of Black Wolf Services LLC
Appeal No. 22-05

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VIRGINIA:

BEFORE THE
STATE BUILDING CODE TECHNICAL REVIEW BOARD

IN RE: Appeal of Black Wolf Services LLC
Appeal No. 22-05

REVIEW BOARD STAFF DOCUMENT

Suggested Statement of Case History and Pertinent Facts

1. On September 8, 2021, the Prince William County Department of Development Services, Building Development Division (County), the agency responsible for the enforcement of Part 1 of the 2015 Virginia Uniform Statewide Building Code (VUSBC), performed an inspection of the structure located at 1316 Profit Court, in Prince William County, owned by Brightleaf Industrial Holdings LLC (Brightleaf) and occupied by Black Wolf Automotive Specialties (Black Wolf) following a complaint of possible work performed without permits and lack of sprinkler coverage.

2. The inspection resulted in the issuance of a Notice of Violation (NOV) dated September 8, 2021 which cited the following two code violations:

- a) *“Occupying Structure w/o Certificate of Occupancy – Obtain an issued certificate of occupancy for the current tenant (Black Wolf Automotive Specialties).” Pursuant to “VUSBC Section 116.1”.*
- b) *“Construction Without Permits – Obtain all appropriate permits to resolve the sprinkler coverage issues.” Pursuant to “VUSBC Section 108.1.1”.*

3. On September 30, 2021, Black Wolf completed the Prince William County Joint Occupancy Evaluation (JOE) permit application (Commercial).

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4. On October 1, 2021 the cited violation in the NOV for VUSBC Section 108.1.1 for construction without permits was abated by the removal of an illegally constructed wall.

5. On October 12, 2021, the JOE inspection was performed and rejected by the County.

6. According to the County summary of case history and pertinent facts submitted on page two of the local appeals board package, the County issued the final determination letter on January 25, presumably 2022, as the year was not indicated on the summary and the final determination letter is not dated. The final determination letter stated that minimum life safety requirements for fall protection and egress for the mezzanine in accordance with 1990 VUSBC/BOCA must be present in order for the County to issue the Certificate of Occupancy (CO) and cited the following three violations:

- a) Means of Egress for Mezzanines (Stairway) pursuant to VUSBC/BOCA Section 605.3 Egress
- b) Open-sided floor areas more than 30 inches above the floor or grade below (guardrail) pursuant to VUSBC/BOCA Section 803.6 Open-sided floor areas
- c) Guardrail systems are required on the open sides of elevated walking surfaces to minimize a fall from the walking surface to the lower level below pursuant to VUSBC/BOCA Section 824.1 General

7. Black Wolf filed a timely appeal to the Prince William County Building Code Board of Appeals (local appeals board) for the final determination letter. The local appeals board upheld the decision of the County.

8. On May 2, 2022, Black Wolf further appealed to the Review Board.

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9. This staff document, along with a copy of all documents submitted, will be sent to the parties and opportunity given for the submittal of additions, corrections, or objections to the staff document, and the submittal of additional documents or written arguments to be included in the information distributed to the Review Board members for the appeal hearing before the Review Board.

Suggested Issues for Resolution by the Review Board

1. Whether to uphold the decision of the County and the local appeals board that a violation of 1987 VUSBC/BOCA Section 605.3 Egress exists.

2. Whether to uphold the decision of the County and the local appeals board that a violation of 1987 VUSBC/BOCA Section 803.6 Open-sided floor areas exists.

3. Whether to uphold the decision of the County and the local appeals board that a violation of 1987 VUSBC/BOCA Section 824.1 General exists.

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Basic Documents

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VIOLATION NOTICE

PREMISE IN VIOLATION: 1316 PROFIT CT
TENANT: BLACK WOLF AUTOMOTIVE SPECIALTIES
 1316 PROFIT CT
 WOODBRIDGE VA 22191

CASE # : BCE2022-00117
VIOLATION DATE: September 08, 2021
NOTICE DATE: September 08, 2021

INSPECTOR: Stephen Steiner

CONTACT # / EMAIL: 703-792-7337 /
 SSteiner@pwcgov.org

An investigation of the premises above has revealed violation(s) of the Virginia Uniform Statewide Building Code (VUSBC). You are directed to bring the violation(s) described below into compliance within the specified compliance deadline on this notice. Failure to comply with the requirement of the VUSBC may result in criminal prosecution. Under the Code of Virginia Title 36-106 any such violation shall be deemed a misdemeanor and any owner or any other person, firm or corporation convicted of such a violation shall be punished by a fine of not more than \$2,500, per offense.

VUSBC Code Year	VUSBC Code Section	VIOLATION	CORRECTIVE ACTION NECESSARY	Compliance Date
2015	116.1 No Certificate Of Occupancy Issued	Occupying Structure w/o Certificate of Occupancy - Obtain an issued certificate of occupancy for the current tenant (Black Wolf Automotive Specialties).	Cease All Occupancies and Uses until a Certificate of Occupancy is obtained.	10/8/21
2015	108.1.1 No Permit	Construction Without Permit - Obtain all appropriate permits to resolve the sprinkler coverage issues.	Immediately Stop all work and Obtain All Required Permits and Inspections.	10/8/21

You have the right of appeal in accordance with Chapter 1 section 119.5 of the VUSBC. A written request for appeal shall be submitted to the Local Board of Building Code Appeals within 30 calendar days of receipt of this notice. Contact the inspector if you have any questions or require assistance in bringing this project into compliance with the VUSBC. Helpful information and guidance on how to correct violations may be found at www.pwcgov.org/UnpermittedWork.

/S/Stephen Steiner

BUILDING CODE ENFORCEMENT INSPECTOR

VIOLATION NOTICE

PREMISE IN VIOLATION: 1316 PROFIT CT
OWNER: BRIGHTLEAF INDUSTRIAL HOLDINGS LLC
P.O. BOX 1754
UPPER MARLBORO MD 20773

CASE # : BCE2022-00117
VIOLATION DATE: September 08, 2021
NOTICE DATE: September 08, 2021

INSPECTOR: Stephen Steiner

CONTACT # / EMAIL: 703-792-7337 /
SSteiner@pwcgov.org

An investigation of the premises above has revealed violation(s) of the Virginia Uniform Statewide Building Code (VUSBC). You are directed to bring the violation(s) described below into compliance within the specified compliance deadline on this notice. Failure to comply with the requirement of the VUSBC may result in criminal prosecution. Under the Code of Virginia Title 36-106 any such violation shall be deemed a misdemeanor and any owner or any other person, firm or corporation convicted of such a violation shall be punished by a fine of not more than \$2,500, per offense.

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/S/Stephen Steiner

BUILDING CODE ENFORCEMENT INSPECTOR

The following document known as the "JOE app" was submitted by Black Wolf via email attachment but was replaced with the original "JOE app" provided by Eric Mays, BO for Prince William County via request of Black Wolf during submittals on May 16, 2022

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PRINCE WILLIAM COUNTY
Department of Development Services – Building Development Division

JOINT OCCUPANCY EVALUATION (JOE)
PERMIT APPLICATION (Commercial)

Version 2020_0619

<i>Staff Use Only</i>	
OCC20	22-00446
Fee \$	527.75
Rcpt. # 20	210931183948

NEW OCCUPANT INFORMATION	
APPLICANT INFORMATION IS REQUIRED PRIOR TO SUBMITTING APPLICATION (You will be notified if your application is approved or denied for inspection within 5 business days) (PLEASE TYPE OR PRINT CLEARLY IN INK AND FILL IN ALL BLANK SPACES)	
Previous Business Name:	Proposed Business Name: Black Wolf Automotive Specialties
Previous type of Business:	Proposed type of Business: Auto Repair
Premise Address: 1308,1312,1316 Profit Court, Woodbridge, Virginia 22191	
Proposed Use Classification: OS	Square Footage: 5400
Number of Floors: 1	Number of Restrooms: 2
Applicant Name: Chris Berry	Applicant Email: Chris@BlackWolfAuto.com
Contact Name: Chris Berry	Contact Phone: 703-490-4000
Applicant Signature - I have read Policy 2.4 (JOE) Program:	
<input checked="" type="checkbox"/> By checking this box, I agree to electronically signing this form.	Date: 9.30-21

BDD Staff Use Only			
Date Received: 9/30/21	Received by: SDG	Link to Occupancy Case: 90103846	
ADR#: ADR20 22-00593	ZNA#: ZNA20 22-01927	SB DPM#: SBPM20 22-00134	
Street Files Found: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (Partial)	Certificate of Occupancy Copy Attached: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Outstanding Permit / Inspection Issues: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	If Yes, issues are: <input type="checkbox"/> Minor <input type="checkbox"/> Major <input checked="" type="checkbox"/> Attached		
Project eligible for Level 1 per Policy: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	QC Approved for Level 2: <input type="checkbox"/> N/A <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
BDD Staff Signature:			

BCE and FMO Staff Use Only			
Project Eligible for Level 2 per Policy: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Inspection Date(s): 10/12/21 /		
Meeting Required: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Change of Use is Approved per Policy: From ___ To ___		
Mixed Use: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Use Groups: B, SL, ___	Const Type: TB Code Year: 2018 Calc. Occ Load: 16		
Is Alteration/Repair Required: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	JOE Denial and TLO Required: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Applicant Present for Inspection: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Name of Agent:			
BCE Inspector Signature:		Date:	
FMO Inspector Signature:		Date: 10/11/2021	

Dear Mr. Berry,

Your Joint Occupancy Evaluation (JOE) Level II Inspection has been elevated to me for consideration.

The Virginia Uniform Statewide Building Code (VUSBC) only establishes the minimum safety requirements for the construction of structures and buildings. There is no justification for going below or to arbitrarily waive those minimum safety requirements. When your space was originally constructed, the Building Code in Virginia was the 1990 VUSBC which adopted the 1990 Building Officials & Code Administrators (BOCA) National Building Code. Therefore, Black Wolf Services, LLC must fully comply with the 1990 VUSBC/BOCA. This includes, but is not limited to the following, Chapter 6 Mezzanines and Chapter 8 Means of Egress requirements:

- Means of Egress for Mezzanines (Stairway) per VUSBC/BOCA 605.3 *
- Open-sided floor areas more than 30 inches above the floor or grade below (guardrails) per VUSBC/BOCA 803.6 **
- Guardrail systems are required on the open sides of elevated walking surfaces to minimize a fall from the walking surface to the lower level below per VUSBC/BOCA 824.1 ***

This is a Final Determination on behalf of the Building Official. You may appeal the Final Determination in accordance with the VUSBC/2018, Section 19.5 Right of Appeal; filing of an appeal application, which states:

Any person aggrieved by the *local building department's* application of the VUSBC or the refusal to grant a modification to the provisions of the VUSBC may appeal to the LBBCA. The applicant shall submit a written request for appeal to the LBBCA within 30 calendar days of the receipt of the decision being appealed. The application shall contain the name and address of the *owner* of the *building* or *structure* and, in addition, the name and address of the person appealing when the applicant is not the *owner*. A copy of the *building official's* decision shall be submitted along with the application for appeal and maintained as part of the record. The application shall be marked by the LBBCA to indicate the date received. Failure to submit an application for appeal within the time limit established by this section shall constitute acceptance of a *building official's* decision.

To submit an application for appeal, please send the application to the Secretary of the Building Code Appeals Board for Prince William County

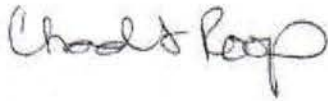
Mailing Address

Ms. Amanda Bates
Secretary
Prince William Building Code Appeals Board
5 County Complex Suite 120
Prince William, Virginia 22192

Contact

abates@pwcgov.org
(703) 792-5267

Sincerely,



Chad Roop
Deputy Building Official
Building Development Division
Prince William County, VA
(703) 792-7162
croop@pwcgov.org

Attachment page 3:

***Section 605 Mezzanines**

605.3 Egress: Each occupant of a mezzanine shall have access to at least two independent means of egress where such spaces require two means of egress according to Section 813.2. Where a stairway provides a means of exit success from a mezzanine, the maximum travel distance required by section 813.2 shall be measured to the bottom of the stairway.

****Section 803 General Limitations**

803.6 Open- sided floor areas: Guards shall be located along open-sided walking surfaces, mezzanines and landings which are located more than 30 inches above the floor or grade below. The guards shall be constructed in accordance with Section 824.0

Exception: Guards are not required on the loading side of loading docks and auditorium sides of stages and raised platforms.

*****Section 824 Guards**

824.1 General: Where required by the provisions of Section 609.2.2, 607.5, 803.6, 816.5, 817.7, and 1223.5, guards shall be designed and constructed in accordance with the requirements of this section and Section 1109.8. A guardrail system is a system of building components located near the open sides o elevated walking surfaces for the purpose of minimizing the possibility of an accidental fall from the walking surface to the lower level.



Luter, William <travis.luter@dhcd.virginia.gov>

FW: Request for Appeal

Chris Berry <chris@blackwolfauto.com>
To: "Luter, William" <travis.luter@dhcd.virginia.gov>
Cc: Chris Berry <chris@blackwolfauto.com>

Thu, Apr 28, 2022 at 2:03 PM

Travis,

Thank you for your time and guidance earlier today. You were very helpful.

Following up on our conversation, please find below, as requested, the email I initially sent requesting the local appeals hearing.

Also, I have emailed my county assigned Project Manager requesting the current contact info for Eric Mays. As soon as I receive a reply, I will forward the amended application immediately.

Sincerely,

Chris Berry

Black Wolf Automotive Specialties

[1320 Profit Ct.](#)

[Woodbridge, Va. 22191](#)

703-490-4000

From: Chris Berry <chris@blackwolfauto.com>
Sent: Wednesday, February 2, 2022 2:54 PM
To: abates@pwcgov.org
Cc: Chris Berry <chris@blackwolfauto.com>
Subject: Request for Appeal

Ms. Bates,

I hereby submit a request for appeal, regarding the matter described in the enclosed Final Determination from Deputy Building Official Chad Roop.

The owner of the building/ Structure is;

Brightleaf Industrial Holdings, LLC
C/O Edge Commercial Real Estate
[2273 Research Blvd, Suite 150](#)
[Rockville, MD 20850](#)

Person Appealing;

Chris Berry
[1320 Profit Ct.](#)
[Woodbridge, VA 22191](#)

If it is possible, I would like to request that the date to be scheduled for my appearance before the Appeals Board be any day during the week of March 7-11, with Monday or Tuesday of that week being my preferred days to appear.

Thank you for your assistance with this matter.

Sincerely,

Chris Berry
Black Wolf Automotive Specialties
[1320 Profit Ct.](#)
[Woodbridge, Va. 22191](#)
703-490-4000

This document is also being mailed.

Prince William County
Building Code Board of Appeals
Resolution

WHEREAS, the Prince William County Building Code Board of Appeals is duly appointed to resolve disputes arising out of enforcement of the Virginia Uniform Statewide Building Code; and

WHEREAS, an appeal has been filed and brought to the attention of the Board of Appeals; and

WHEREAS, a hearing was held on March 11, 2022, to consider the aforementioned appeal; and

WHEREAS, the Board of Appeals has fully deliberated this matter;

NOW, THEREFORE, BE IT RESOLVED that in the matter of:

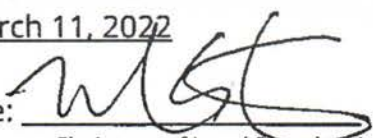
Appeal No: APL2022-00010

IN RE: Mr. Berry v. Prince William County Building Official

The decision of the Building Official is hereby upheld, for the reasons set out below:

The Building Official was correct in the determination.

Date: March 11, 2022

Signature: 
Chairman of Local Board of Appeals

Note: Any person who was a party to the appeal may appeal to the State Building Code Technical Review Board by submitting an application to such board within 21 calendar days upon receipt by certified mail of this resolution. Application forms are available from the Office of the State Review Board, 600 East Main Street, Richmond, VA 23219, (804) 371-7150.



COUNTY OF PRINCE WILLIAM
 Department of Development Services
 Building Development Services
 5 County Complex Court, #120
 Prince William, VA 22192-9201

RETURN SERVICE REQUESTED

CERTIFIED MAIL



NOV 22 2022

5:45 PM 4



US POSTAGE



ZIP 22192 \$ 007.33⁰
 02 4W
 0000360340 APR 04 2022

NOV 22
4-7-22
 Christopher Berry
 1320 Profit Ct.
 Woodbridge, VA 22191



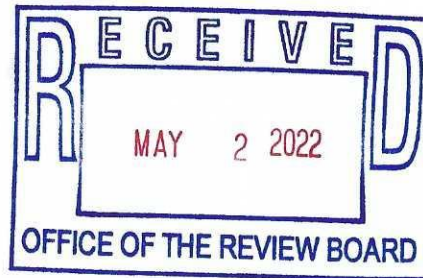
22191-356320

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
State Building Codes Office and Office of the State Technical Review Board
Main Street Centre, 600 E. Main Street, Suite 300, Richmond, Virginia 23219
Tel: (804) 371-7150, Fax: (804) 371-7092, Email: sbco@dhcd.virginia.gov

APPLICATION FOR ADMINISTRATIVE APPEAL

Regulation Serving as Basis of Appeal (check one):

- Uniform Statewide Building Code
- Virginia Construction Code
 - Virginia Existing Building Code
 - Virginia Maintenance Code
- Statewide Fire Prevention Code
- Industrialized Building Safety Regulations
- Amusement Device Regulations



Appealing Party Information (name, address, telephone number and email address):

BLACK WOLF SERVICES, LLC c/o CHRISTOPHER BERRY
1320 PROFIT CT, WOODBRIDGE, VA 22191 (703) 490-4000
CHRIS@BLACKWOLFAUTO.COM

Opposing Party Information (name, address, telephone number and email address of all other parties):

BUILDING OFFICIAL ERIC MAYS
5 COUNTY COMPLEX CT. SUITE 120, PRINCE WILLIAM, VA 22192
703-792-5267 EMAYS@PWCGOV.ORG

Additional Information (to be submitted with this application)

- Copy of enforcement decision being appealed
- Copy of the decision of local government appeals board (if applicable)
- Statement of specific relief sought

CERTIFICATE OF SERVICE

I hereby certify that on the 28 day of APRIL, 2022 a completed copy of this application, including the additional information required above, was either mailed, hand delivered, emailed or sent by facsimile to the Office of the State Technical Review Board and to all opposing parties listed.

Note: This application must be received by the Office of the State Technical Review Board within five (5) working days of the date on the above certificate of service for that date to be considered as the filing date of the appeal. If not received within five (5) working days, the date this application is actually received by the Office of the Review Board will be considered to be the filing date.

Signature of Applicant: _____

Name of Applicant: _____

CHRISTOPHER BERRY
(please print or type)

To whom it may concern,

Regarding our appeal of Prince William County Building Code Board of Appeals Resolution Appeal No: APL2022-00010, the specific relief we are seeking is the issuance of our occupancy permit.

Thank you for your assistance and consideration regarding this matter.

Sincerely,

Chris Berry

Black Wolf Automotive Specialties

1320 Profit Ct

Woodbridge, Va 22191

**Documents Submitted
by Black Wolf
Services, LLC**

(Page left blank intentionally)



ADDRESS VALIDATION Plan Number: ADR2022-00593

GIS Analyst: WOLD, DREW

Validation Date: 09/20/2021

GPIN: 8391-84-9243

Company Name: BLACK WOLF SERVICES, LLC

Contact: BRIGHTLEAF INDUSTRIAL HOLDINGS LLC

Contact Type: Owner

Contact: BLACK WOLF SERVICES, LLC ATTN: CHRISTOPHER BERRY

Contact Type: Tenant

Validated Address(es):

1312 PROFIT CT

1316 PROFIT CT

1308 PROFIT CT *

* indicates Main address

Multi-Tenant Space: No

Marketing Name: FEATHERSTONE INDUSTRIAL CENTER

Legal Name:

Subleased? No

If yes, primary tenant name:

Unoccupied Structure? No

If yes, unoccupied structure code: -

New Address: No

Plan Description: NEW TENANT TO OCCUPY EXISTING TENANT SPACES

Additional Info: NEW TENANT NOW DOING BUSINESS AS BLACK WOLF SERVICES, LLC. TENANT CURRENTLY OCCUPIES 1320 AND 1324 PROFIT CT. THEY WILL NOW EXPAND TO 1308, 1312, 1316 PROFIT CT.

Address Validations can be processed and approved on-line via email at www.pwcgov.org/addressform.

"This address validation verifies the address and location only. This validation does not constitute approval for any permits or plans associated with this address, which may be subject to additional County approvals."



COUNTY OF PRINCE WILLIAM, VA

ZONING APPROVAL FOR OCCUPANCY PERMIT

APPROVED

PERMIT NO: ZNA2022-01927

ISSUE DATE: September 29, 2021

APPLICANT INFORMATION

NAME: BLACK WOLF SERVICES, LLC
ATTN: CHRISTOPHER BERRY

ADDRESS: 1320 PROFIT CT
WOODBIDGE VA 22191

PHONE: (703) 490-4000

BUSINESS NAME: BLACK WOLF AUTOMOTIVE SPECIALTIES

OWNER INFORMATION

NAME: BRIGHTLEAF INDUSTRIAL HOLDINGS LLC

ADDRESS: P.O. BOX 1754
UPPER MARLBORO MD 20773

SITE INFORMATION

SITE ADDRESS: 1308 PROFIT CT
WOODBIDGE VA 22191
HCOD: Chesapeake Bay Preservation Area

GPIN: 8391-84-9243
MAGISTERIAL DISTRICT: 35 - Woodbridge

DEVELOPMENT: ZONING: M-1 LOT: 0080

USE/COND: OPA - OK FOR OCCUPANCY FOR MOTOR VEHICLE REPAIR SHOP USE - SHOP OCCUPYING SPACES 1308, 1312
1316 - SUBJECT TO THE ISSUANCE OF THE CERTIFICATE OF USE AND OCCUPANCY BY DEVELOPMENT SERVICES

All signs two (2) square feet or greater require permits.



APPLICANT SIGNATURE

CHRISTOPHER BERRY

APPLICANT PRINT NAME

Katelyn Hirmer

ISSUING AGENT



LISA FINK-BUTLER, CZA, CTM
ZONING ADMINISTRATOR

RECEIPT NO: RCPT20210929183902

Occupancies for: 1312 PROFIT

Permit Number	Permit Type	Permit Workclass	Master Permit	Description	Street Type	Unit or Suite	Permit Status	Issued Date	Retired Date
90103846B00	Building Permit IMPORT	Building Permit IMPORT		SOUTH LEE BUS CTR / / / / / / / / 028967			Finalcd	03/23/1990	
OCC2012-00085	Certificate of Occupancy IMPORT	Occupancy Permit IMPORT	90103846B00	SOUTH LEE BUS CTR / / / / / / / / 028967			Retired	05/24/1990	



1316 PROFIT

OPEN COMPLAINT AND VIOLATION CASES

The following is a summary of open Building Code, Building Maintenance Code, Fire Prevention Code, Property Maintenance Code, and Zoning Violation cases for this address:

Case Number	Case Description	Status	Street Type	Unit
BCE2022-00117	SPRINKLER COVERAGE ISSUES & OCCUPYING W/O VALID CERTIFICATE OF OCCUPANCY	Violation Issued		
Violations:	Code	Code Section	Violation	Issued Date
	108.1.1 No Permit	VCC	Construction Without Permit	09/08/2021
	116.1 No Certificate Of Occupancy Issued	VCC	Occupying Structure w/o Certificate of Occupancy	09/08/2021
ZON2022-00424	Current tenant (Black Wolf Automotive Specialities) occupying the space without zoning approval	Violation Issued		
Violations:	Code	Code Section	Violation	Issued Date
	updated per email			
	32-200.12	Zoning Ordinance	Zoning Approval Required for All Structures and Uses	09/15/2021

OPEN AND ABANDONED PERMITS

The following is a summary of all open and abandoned permits for this address:

Permit Number	Permit Type	Permit Workclass	Description	STR	Unit	Apply Date	Status
---------------	-------------	------------------	-------------	-----	------	------------	--------



**BUILDING AND PROPERTY SEARCH
OPEN PERMITS AND VIOLATIONS**

1308 PROFIT

OPEN AND ABANDONED PERMITS

The following is a summary of all open and abandoned permits for this address:

Permit Number	Permit Type	Permit Workclass	Description	STR	Unit	Apply Date	Status
---------------	-------------	------------------	-------------	-----	------	------------	--------



1312 PROFIT

OPEN AND ABANDONED PERMITS

The following is a summary of all open and abandoned permits for this address:

Permit Number	Permit Type	Permit Workclass	Description	STR	Unit	Apply Date	Status
---------------	-------------	------------------	-------------	-----	------	------------	--------

COUNTY OF PRINCE WILLIAM, VIRGINIA

CERTIFICATE OF USE AND OCCUPANCY

OCCUPANCY PERMIT NO. 028967

BASE TRADE PERMIT NO. 90103846

OWNER TOUCH OF GLASS

PREMISE ADDRESS 1312 PROFIT CT

SUBDIVISION SOUTH LEE BUS CTR SECTION

LANDBAY PHASE BLOCK LOT

USE GROUP S11B DATE BLDG. PERMIT ISSUED 90/03/23 # BEDROOMS - 00

OTHER INSPECTIONS FIRE MARSHALL, PWCSA AND SITE APPROVED

SPECIAL STIPULATIONS AND CONDITIONS OF BUILDING PERMIT: _____

FINAL INSPECTIONS ON THE ABOVE PERMITS HAVE BEEN SATISFACTORILY COMPLETED AND OCCUPANCY IS PERMITTED FOR THE ABOVE USE OF THIS STRUCTURE.

[Signature]
ISSUING AGENT

DATE ISSUED: 90/05/24

[Signature]
BUILDING OFFICIAL

REMARKS: _____

COMMONWEALTH OF VIRGINIA
COUNTY OF PRINCE WILLIAM
DEPARTMENT OF DEVELOPMENT ADMINISTRATION

OCCUPANCY LOAD

BUILDING OR BUSINESS NAME: TOUCH OF GLASS

STREET ADDRESS: 1312 PROFIT COURT

USE GROUP: S11B TYPE CONSTRUCTION: 2-C

LIVE LOAD: 100 P.S.F.

OCCUPANCY LOAD: (OFFICE 8 OCCUPANTS) - (WAREHOUSE 15 OCCUPANTS) TOTAL - 23 OCCUPANTS

SPECIAL STIPULATIONS AND CONDITIONS OF THE BUILDING

PERMIT 90-10-3846

DATE CERTIFICATE ISSUED: 05/24/90



Richard E. Lawson

BUILDING OFFICIAL

LBBCA Board Package

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Prince William County, Virginia

BEFORE THE
PRINCE WILLIAM COUNTY BUILDING CODE APPEALS BOARD

IN RE: Appeal No. Appeal No. 2022-00010 Appeal of Mr. Chris Berry

CONTENTS

<u>Section</u>	<u>Page No.</u>
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Attachment #9a Fire Plan	16
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Attachment #11 Code Sections from BOCA 1990	22
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Email exchanges, pictures	24-320
Addendum: Video link of meeting between County Staff, Chris Berry, and Cody Wood	

BEFORE THE
PRINCE WILLIAM COUNTY BUILDING CODE APPEALS BOARD

IN RE: Appeal No. Appeal No. 2022-00010 Appeal of Mr. Chris Berry

BUILDING OFFICIAL'S DOCUMENT

Summary Of Case History And Pertinent Facts

1. On September 8, 2021, Building Code Enforcement received a complaint about possible work without a permit and no sprinkler coverage at 1316 Profit Court, Woodbridge, VA, 22191.
2. On September 8, 2021, Building Code Enforcement staff performed an on-site safety investigation. The safety investigation resulted in a Notice of Violation being issued to Black Wolf Automotive Specialties for Construction Without a Permit and Occupying without a Certificate of Occupancy (Attachment #1).
3. On September 30, 2021, Mr. Chris Berry with Black Wolf Automotive Specialties submitted an application for the Joint Occupancy Evaluation process (Attachment #2).
4. On October 1, 2021, the work without a permit violation was abated by removing the illegally constructed wall (Attachment #3).
5. On October 12, 2021, the Joint Occupancy Evaluation inspection was performed and rejected by Building Code Enforcement and Fire Marshal Office staff (Attachment #4).
6. On October 18, 2021, Fire Marshal Office and Building Code Enforcement Staff elevated concerns they had about rack storage on top of the mezzanine to their supervisors (Attachment #5 & #6).
7. On October 28, 2021, County staff contacted Mr. Berry and provided an option to remove the storage, including the racks on top of the mezzanine, which would abate the concerns (Attachment #7a).
8. On December 7, 2021, the Joint Occupancy Evaluation re-inspection was performed, all of the maintenance issues were corrected other than the storage on top of the mezzanine (Attachment #8a).
9. On January 11, 2022, County staff held a virtual meeting with Mr. Berry and his team to discuss the concerns with the mezzanine. During the meeting, a County approved Fire Sprinkler plan of the space currently occupied by Black Wolf Automotive Specialties illustrated the mezzanine and the attached stairway. At this time, Mr. Berry admitted that he had removed the stairway (Attachment #9a).
10. On January 18, 2022, County staff elevated the Joint Occupancy Evaluation Inspection to the Deputy Building Official for a determination on the code requirements for the mezzanine.
11. On January 25, the County Deputy Building Official issued a Final Determination letter illustrating the 1990 VUSBC/BOCA code sections that establish the minimum life safety requirements for fall protection and egress for mezzanines. These minimum life safety requirements must be present to approve the Joint Occupancy Evaluation inspection to issue a Certificate of Occupancy (Attachment #10). The Code Extracts from the BOCA 1990 Building Code (Attachment #11).





PRINCE WILLIAM COUNTY
Department of Development Services – Building Development Division

JOINT OCCUPANCY EVALUATION (JOE)
PERMIT APPLICATION (Commercial)

Version 2020_0619

<i>Staff Use Only</i>	
OCC20	<u>22-00446</u>
Fee \$	<u>527.75</u>
Rept. #	<u>20210930183948</u>

NEW OCCUPANT INFORMATION	
APPLICANT INFORMATION IS REQUIRED PRIOR TO SUBMITTING APPLICATION (You will be notified if your application is approved or denied for inspection within 5 business days) (PLEASE TYPE OR PRINT CLEARLY IN INK AND FILL IN ALL BLANK SPACES)	
Previous Business Name:	Proposed Business Name: Black Wolf Automotive Specialties
Previous type of Business:	Proposed type of Business: Auto Repair
Premise Address: 1308,1312,1316 Profit Court, Woodbridge, Virginia 22191	
Proposed Use Classification: OS	Square Footage: 5400
Number of Floors: 1	Number of Restrooms: 2
Applicant Name: Chris Berry	Applicant Email: Chris@BlackWolfAuto.com
Contact Name: Chris Berry	Contact Phone: 703-490-4000
Applicant Signature - I have read Policy 2.4 (JOE) Program: <input checked="" type="checkbox"/> By checking this box, I agree to electronically signing this form. 	
Date: <u>9.30-21</u>	

BDD Staff Use Only			
Date Received: <u>9/30/21</u>	Received by: <u>SDG</u>	Link to Occupancy Case: <u>90103846</u>	
ADR#: ADR20 <u>22-00593</u>	ZNA#: ZNA20 <u>22-01927</u>	SB DPM#: SBPM20 <u>22-00134</u>	
Street Files Found: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <u>(Partial)</u>	Certificate of Occupancy Copy Attached: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Outstanding Permit / Inspection Issues: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	If Yes, issues are: <input type="checkbox"/> Minor <input type="checkbox"/> Major <input checked="" type="checkbox"/> Attached		
Project eligible for Level 1 per Policy: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	QC Approved for Level 2: <input type="checkbox"/> N/A <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
BDD Staff Signature: 			

BCE and FMO Staff Use Only	
Project Eligible for Level 2 per Policy: <input type="checkbox"/> Yes <input type="checkbox"/> No	Inspection Date(s): <u>/</u>
Meeting Required: <input type="checkbox"/> Yes <input type="checkbox"/> No	Change of Use is Approved per Policy: From <u> </u> To <u> </u>
Mixed Use: <input type="checkbox"/> Yes <input type="checkbox"/> No Use Groups: <u> </u> , <u> </u> , <u> </u>	Const Type: <u> </u> Code Year: <u> </u> Calc. Occ Load: <u> </u>
Is Alteration/Repair Required: <input type="checkbox"/> Yes <input type="checkbox"/> No	JOE Denial and TLO Required: <input type="checkbox"/> Yes <input type="checkbox"/> No
Applicant Present for Inspection: <input type="checkbox"/> Yes <input type="checkbox"/> No or Name of Agent: <u> </u>	
BCE Inspector Signature: <u> </u>	Date: <u> </u>
FMO Inspector Signature: <u> </u>	Date: <u> </u>

Attachment #3





INSPECTION REPORT

Case Number:	OCC2022-00446	Inspection Status:	Rejected
Inspection Scheduled:	10/12/2021	Inspection Date:	10/12/2021 3:33 pm
Inspector:	Stephen Steiner - Main Inspector	Inspection Type:	144C Occupancy Evaluation
Job Address:	1308 Profit Ct Woodbridge, VA 22191	Parcel Number:	8391-84-9243

Contact Type	Company Name	Name	Phone
County Project Manager	PWC DDS BUILDING DEVELOPMENT	SARMIN GHIMIRE	7037925631
Owner	BRIGHTLEAF INDUSTRIAL HOLDINGS LLC		
Tenant	BLACK WOLF SERVICES, LLC	CHRISTOPHER BERRY	7034904000

	Results	Comments
Ceiling tiles missing/not installed properly.	Failed	Replace all broken ceiling tiles or ceiling tiles with holes in them throughout the office area.
Electrical issues must be corrected.	Failed	Add a cover plate on the open junction box in the office area behind the trophies. Completely remove the unused electrical wire above the smaller electrical panel or terminate into a junction box with a cover plate.
Follow-Up is required by Building Code Enforcement. A re-inspection is to be scheduled no later than noted. To reschedule the inspection, call 703-792-6931.	Failed	Once all of the issues are resolved please call 703-792-6931 to reschedule the JOE inspection.
All doors leading to the space requires that the space/building address be posted so that it is visible.	Failed	Add the address to the outside of the front door to the office area "1316". Add the address to the outside of the door from the garage "1308".
Building issues must be corrected.	Failed	Add appropriate restroom signage to the outside of each restroom door x2. Add a sign to the inside of the door in the garage between the next door space that reads "Not An Exit".
Electrical panel issues must be corrected.	Failed	Correct panel schedule is required at the smaller electrical panel, current panel schedule does not appear to be correct. Properly label which circuit breaker in the electrical panel controls the emergency exit signs and lights.
Emergency exit lights & sign issues must be corrected.	Failed	Ensure that all emergency exit lights work throughout the space.

Doors and exit issues must be corrected.

Failed

Remove the current door hardware and install appropriate hardware or add a sign to the inside of the door that reads "Door Is To Remain Unlocked During Business Hours" at the door from the smaller office.

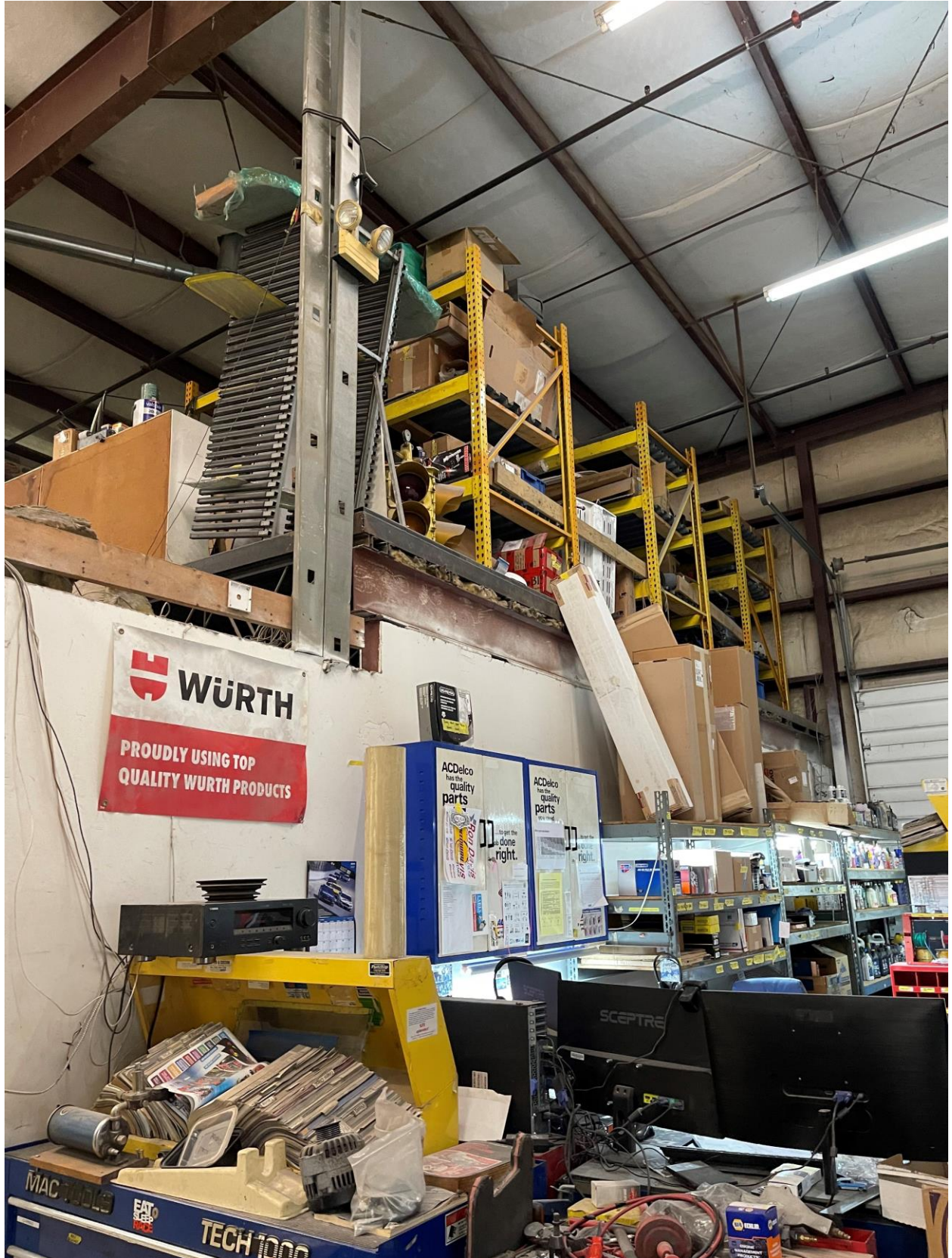
Remove the current door hardware and install appropriate hardware or add a sign to the inside of the door that reads "Door Is To Remain Unlocked During Business Hours" at the door from the garage.

Emergency exit door from the garage needs to be adjusted, currently it does not close correctly.

Attachment #5



Attachment #6



From: [Steiner Jr., Stephen F.](#)
To: [Chris Berry](#)
Cc: [Harrell, Robert W.](#); [Alexander, Kristin O.](#)
Subject: RE: Case Number OCC2022-00446
Date: Thursday, October 28, 2021 8:09:00 AM

Mr. Berry,

Mr. Harrell met with my supervisor regarding the storage on top of the office area. It has been determined that you have a couple of options in order to take care of this issue.

1. Remove all storage from on top of the office area, including the racks
2. Provide a letter from either an architect or engineer that says that the ceiling can hold the additional load

But even if you are able to get this letter, a guard is required. But your architect or engineer would determine what type of guard and how it is to be installed.

If you have any questions feel free to ask, thanks!

Stephen Steiner, Jr
Senior Building Code Enforcement Inspector
Building Development Division
5 County Complex Court #120
Woodbridge VA, 22192
703-792-7337
ssteiner@pwcgov.org

Find Important Development Services COVID-19 Update Information Online at:

<https://www.pwcva.gov/department/development-services/covid-19-update>

From: Harrell, Robert W. <rharrell@pwcgov.org>
Sent: Wednesday, October 27, 2021 8:43 AM
To: Chris Berry <chris@blackwolfauto.com>
Cc: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>
Subject: RE: Case Number OCC2022-00446

Hello Mr. Berry,

Mr. Steiner, the building inspector from Building Code Enforcement will be contacting you. Concerning your storage and racks over the officer area.

Be Safe
Assistant Fire Marshal
Robert Harrell

From: Chris Berry <chris@blackwolfauto.com>
Sent: Tuesday, October 26, 2021 4:47 PM
To: Harrell, Robert W. <rharrell@pwcgov.org>
Subject: Case Number OCC2022-00446

This email is from an EXTERNAL source. Use caution when replying or clicking embedded links.

Fire Marshall Harrell,

On April 29, you emailed me a violation list (ISIP2019-066171) following your thorough inspection of our premises. As you are aware, we immediately rectified the concerns you raised, as your subsequent reinspection verified such.

Based on a follow-up by Prince William Senior Building Code Enforcement Inspector Steiner, it was revealed that I (inadvertently) failed to procure an occupancy permit when I expanded my business into units 1308,1312, and 1316 Profit Ct.

This mistake I made set off the requirement for an inspection by Building Code Enforcement, and a reinspection by the Fire Marshall.

On October 12, 2021, both you and Senior Building Code Enforcement Inspector Steiner performed a JOE inspection.

Later that same day, BCE Inspector Steiner emailed a list of about a dozen items that needed rectification. I then worked my tail off over the remainder of the week attending to his concerns.

I then requested a reinspection from BCE Inspector Steiner, and he has informed me that before he can perform the reinspection, your sign off is required.

Although I was certain you signed off on the JOE form while at my premises at the end of the October 12 inspection, BCE Inspector Steiner has informed me that you still have some reservations about the final sign off.

My questions for you today are;

When do you anticipate identifying the next steps?

What can I do help expedite this process?

As this has cost both me and my wife a great deal of lost sleep. I cannot express how anxious I am to clear up the mistake I made eight years ago when I expanded into units 1308, 1312, and 1316 Profit Court and did not procure the necessary occupancy permit.

I am looking forward to alleviating this worry and getting back to focusing on running my business.

Thank you for your assistance with this matter.

Sincerely,
Chris Berry
Black Wolf Automotive Specialties
703-490-4000 w
703-819-0203 c



INSPECTION REPORT

Case Number:	OCC2022-00446	Inspection Status:	Rejected
Inspection Scheduled:		Inspection Type:	144C Occupancy Evaluation
Inspection Date:	12/07/2021 2:51 pm		
Inspector:	Stephen Steiner - Main Inspector		
Job Address:	1308 Profit Ct Woodbridge, VA 22191	Parcel Number:	8391-84-9243

Contact Type	Company Name	Name	Phone
County Project Manager	PWC DDS BUILDING DEVELOPMENT	SARMIN GHIMIRE	7037925631
Owner	BRIGHTLEAF INDUSTRIAL HOLDINGS LLC		
Tenant	BLACK WOLF SERVICES, LLC	CHRISTOPHER BERRY	7034904000

	Results	Comments
Miscellaneous issues as noted must be corrected.	Failed	12/7/21 - Reinspection, all issues resolved. Will hold off on approval and issuing the certificate of occupancy until a determination is made from leadership regarding the storage over the office.
Emergency exit lights & sign issues must be corrected.	Passed	Ensure that all emergency exit lights work throughout the space.
Doors and exit issues must be corrected.	Passed	Remove the current door hardware and install appropriate hardware or add a sign to the inside of the door that reads "Door Is To Remain Unlocked During Business Hours" at the door from the smaller office. Remove the current door hardware and install appropriate hardware or add a sign to the inside of the door that reads "Door Is To Remain Unlocked During Business Hours" at the door from the garage. Emergency exit door from the garage needs to be adjusted, currently it does not close correctly.
Ceiling tiles missing/not installed properly.	Passed	Replace all broken ceiling tiles or ceiling tiles with holes in them throughout the office area.
Electrical issues must be corrected.	Passed	Add a cover plate on the open junction box in the office area behind the trophies. Completely remove the unused electrical wire above the smaller electrical panel or terminate into a junction box with a cover plate.
Follow-Up is required by Building Code Enforcement. A re-inspection is to be scheduled no later than noted. To reschedule the inspection, call 703-792-6931.	Passed	Once all of the issues are resolved please call 703-792-6931 to reschedule the JOE inspection.

All doors leading to the space requires that the space/building address be posted so that it is visible.

Passed

Add the address to the outside of the front door to the office area "1316".
Add the address to the outside of the door from the garage "1308".

Building issues must be corrected.

Passed

Add appropriate restroom signage to the outside of each restroom door x2.
Add a sign to the inside of the door in the garage between the next door space that reads "Not An Exit".

Electrical panel issues must be corrected.

Passed

Correct panel schedule is required at the smaller electrical panel, current panel schedule does not appear to be correct.
Properly label which circuit breaker in the electrical panel controls the emergency exit signs and lights.



Selby C. Jacobs
Chief

1346 Profit Ct.
COUNTY OF PRINCE WILLIAM

9250 Lee Avenue, Manassas, Virginia 22110
(703) 792-6360 Metro 631-1703 Fax (703) 792-6492

DEPARTMENT OF FIRE and RESCUE

89-36

February 25, 1993.

TO: Planning Office, Division of Land Permitting Services
FROM: Lt. Mark S. Dinsmore, LIEUTENANT, FMO TSD, Fire
Marshal'S Office
RE: Plan No: 93-00457 Revision: 0 Submission: 1
Plan Name: AUTO COLLISION PAINT

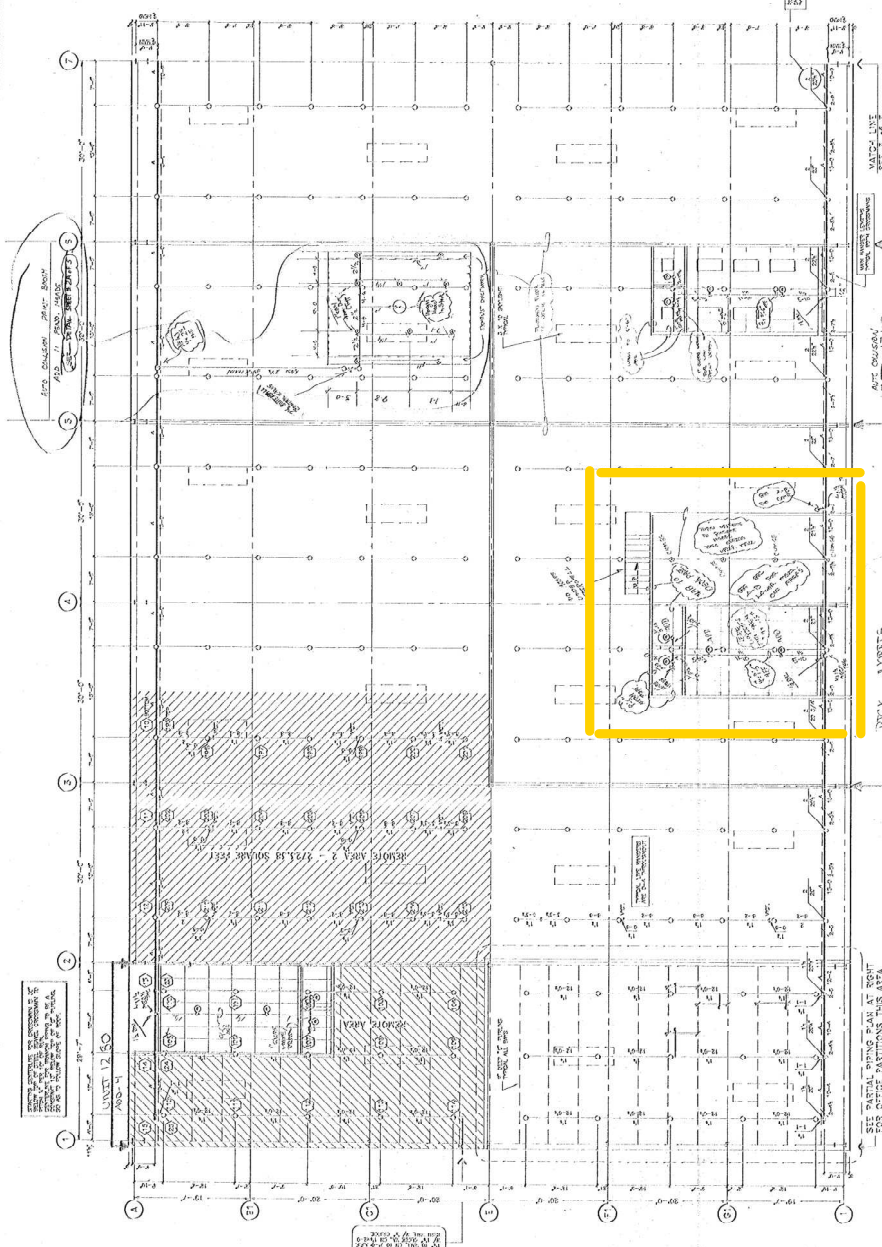
The above referenced plan has been reviewed by the Plan Review staff. The following comments are offered:

The above referenced plan has been reviewed with the following comments:

1. Control valve must be an indicating type valve, and supervised as per the Building Code.
2. Ventilation system shall be in accordance with NFPA 91, "Standard for the installation of blower and exhaust systems for dust, stock and vapor removal or conveying".
3. Notify Fire Marshal's Office at least 24 hours prior to requested test date.
4. Tag all valves to indicate use.
5. Provide spare heads and wrench.
6. All work subject to field inspection.
7. Provide at least an audible or visual alarm device within the building per requirements of the building code.

These comments may be addressed at next submission. If you have any questions, please feel free to call.

Thank you.



WAREHOUSE PIPING PLAN - PART ONE

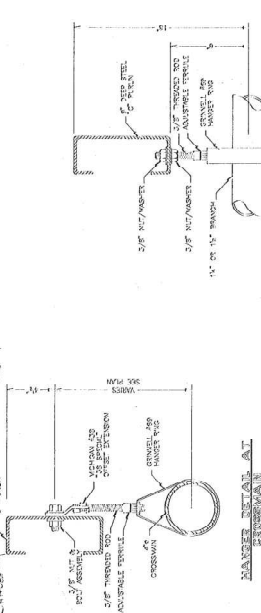
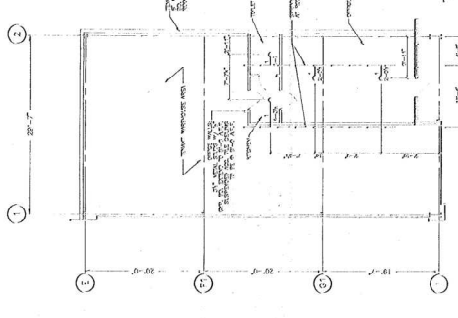
PLEASE SEE ALL NOTES ON THIS PLAN. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED. ALL DIMENSIONS TO FACE UNLESS OTHERWISE NOTED.

WAREHOUSE PIPING PLAN - PART TWO

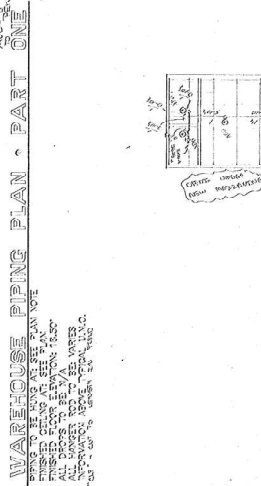
PLEASE SEE ALL NOTES ON THIS PLAN. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED. ALL DIMENSIONS TO FACE UNLESS OTHERWISE NOTED.

TENANT SPACE

NO DIMENSIONS TO FACE UNLESS OTHERWISE NOTED. ALL DIMENSIONS TO FACE UNLESS OTHERWISE NOTED.



HANGER STEEL AT BEAM LINE



HANGER STEEL AT COLUMN

SPRINKLERS DESIGN CRITERIA

SPRINKLER	TYPE	TEMP.	MANUAL	FINISH	TOTAL	AREA	DESIGN	CRITERIA
1	ES	157	NO	NO	1	1	1	ES
2	ES	157	NO	NO	1	1	1	ES
3	ES	157	NO	NO	1	1	1	ES
4	ES	157	NO	NO	1	1	1	ES
5	ES	157	NO	NO	1	1	1	ES
6	ES	157	NO	NO	1	1	1	ES
7	ES	157	NO	NO	1	1	1	ES
8	ES	157	NO	NO	1	1	1	ES
9	ES	157	NO	NO	1	1	1	ES
10	ES	157	NO	NO	1	1	1	ES
11	ES	157	NO	NO	1	1	1	ES
12	ES	157	NO	NO	1	1	1	ES
13	ES	157	NO	NO	1	1	1	ES
14	ES	157	NO	NO	1	1	1	ES
15	ES	157	NO	NO	1	1	1	ES
16	ES	157	NO	NO	1	1	1	ES
17	ES	157	NO	NO	1	1	1	ES
18	ES	157	NO	NO	1	1	1	ES
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48	ES	157	NO	NO	1	1	1	ES
49	ES	157	NO	NO	1	1	1	ES
50	ES	157	NO	NO	1	1	1	ES

UNITED SPRINKLER CO., INC.
 15041 VAN DYKE ROAD, WOODBRIDGE, VA 22191
 (703) 499-1100

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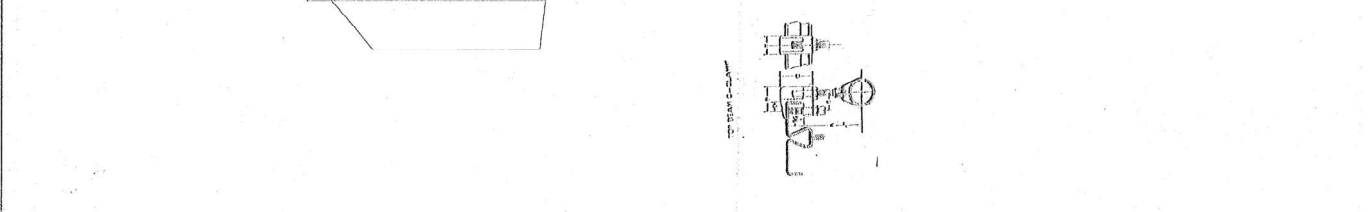
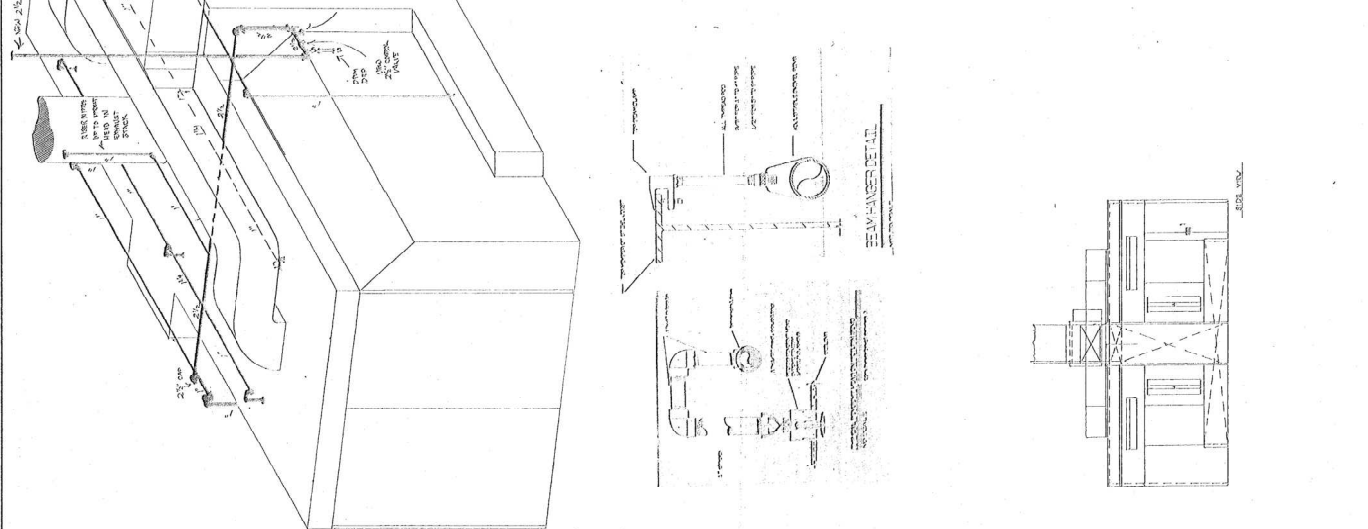
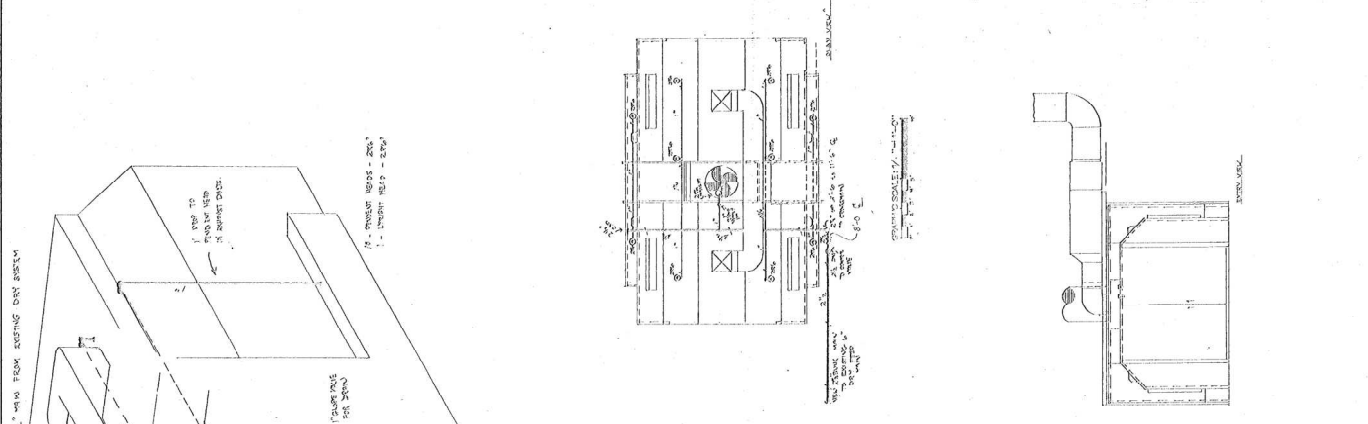
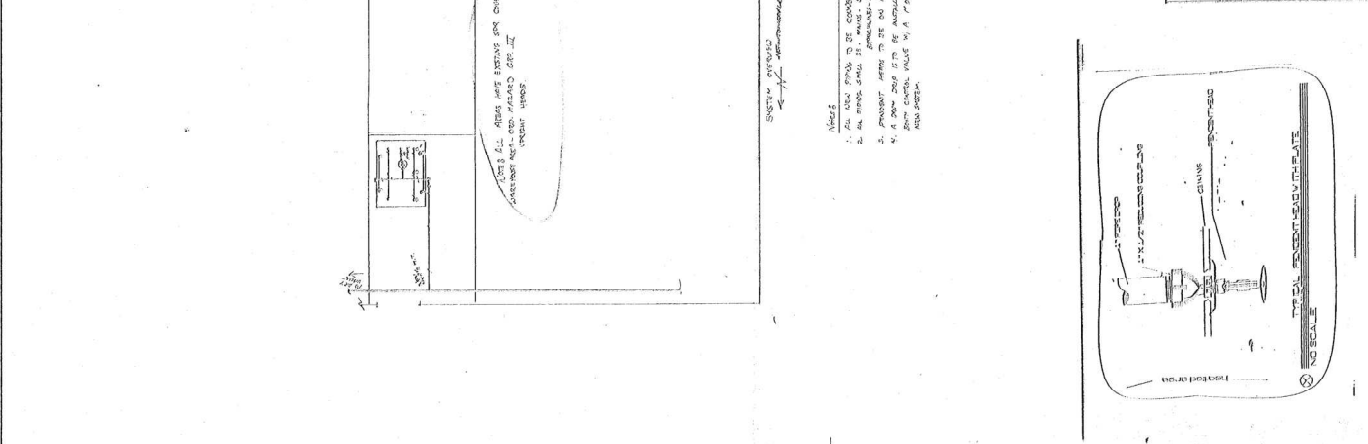
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 15041 VAN DYKE ROAD, WOODBRIDGE, VA 22191
 (703) 499-1100

DESIGN CRITERIA		SPECIALTY ITEMS		MECH. ITEMS/NOTES		PLAN REVIEWS	
NO.	DESCRIPTION	NO.	DESCRIPTION	NO.	DESCRIPTION	NO.	DESCRIPTION
1	...	1	...	1	...	1	...
2	...	2	...	2	...	2	...
3	...	3	...	3	...	3	...
4	...	4	...	4	...	4	...
5	...	5	...	5	...	5	...
6	...	6	...	6	...	6	...
7	...	7	...	7	...	7	...
8	...	8	...	8	...	8	...
9	...	9	...	9	...	9	...
10	...	10	...	10	...	10	...
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15	...	15	...	15	...	15	...

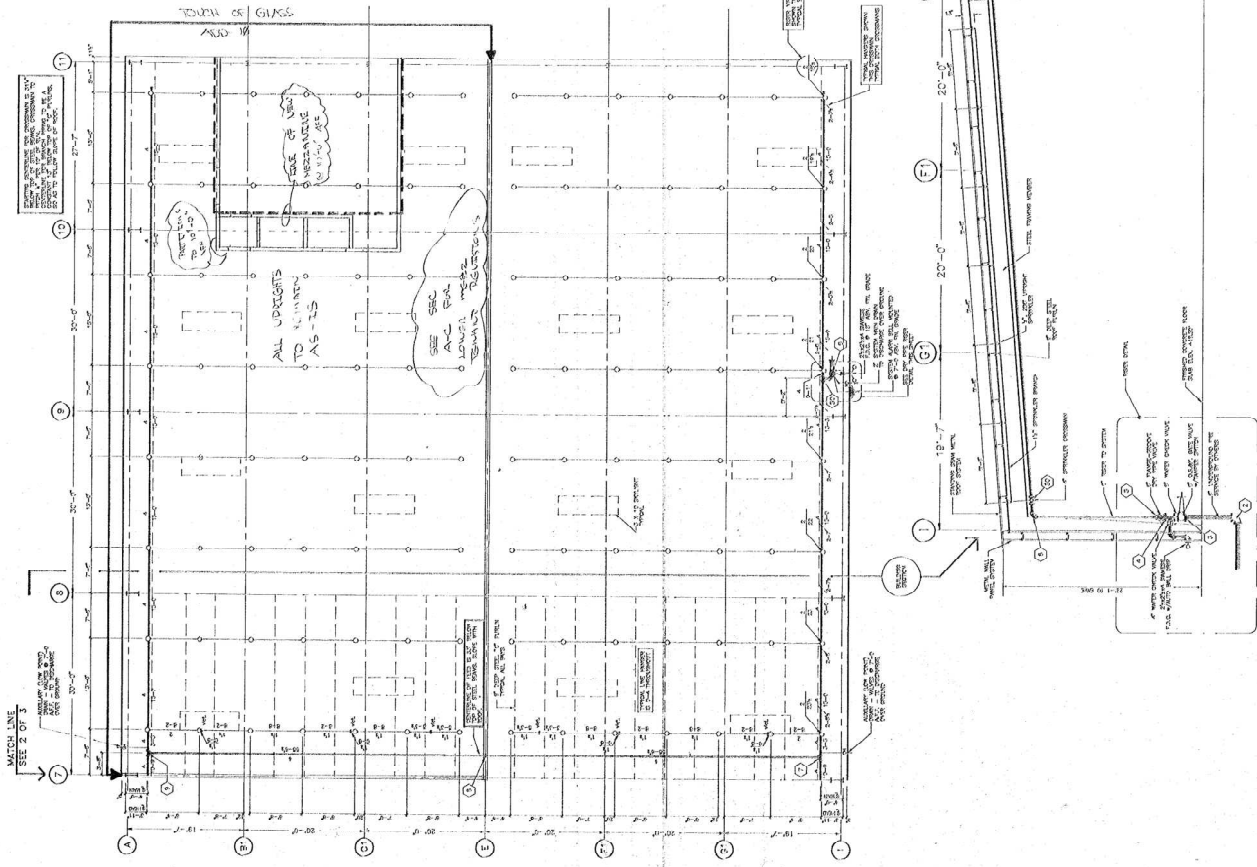
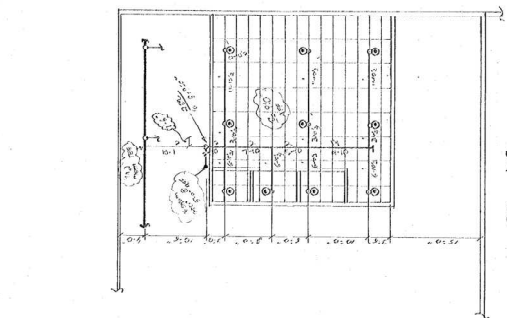
PROJECT NO.	18001
PROJECT NAME	AUTO COLLECTOR
DATE	10/11/57
DESIGNER	...
CHECKER	...
APPROVED	...



FOR REF ONLY

SOUTH LEE BUSINESS CENTER
 FRANKFORD INDUSTRIAL PARK, PHASE 1-A
 WOODBRIDGE, VIRGINIA
 SCALE: 1/8" = 1'-0"
 DATE: 8-26-88
 DRAWN BY: [Signature]
 CHECKED BY: [Signature]
 APPROVED BY: [Signature]
 PROJECT NO.: 88-1500
 SHEET NO.: 104
 UNITED SPRINKLER CO., INC.
 1500 RIVINGTON ROAD, WOODBRIDGE, VA 22191
 (703) 671-1100

SYMBOL	TYPE	TEMP.	MANUL.	ENLSP.	TOTAL	DESIGN CRITERIA	FIRE PUMP
1	DRY	157	100	100	100	NOVA, 157°F & 2"	NO PUMP
2	WET	157	100	100	100	NOVA, 157°F & 2"	NO PUMP
3	WET	157	100	100	100	NOVA, 157°F & 2"	NO PUMP
4	WET	157	100	100	100	NOVA, 157°F & 2"	NO PUMP
5	WET	157	100	100	100	NOVA, 157°F & 2"	NO PUMP
6	WET	157	100	100	100	NOVA, 157°F & 2"	NO PUMP
7	WET	157	100	100	100	NOVA, 157°F & 2"	NO PUMP
8	WET	157	100	100	100	NOVA, 157°F & 2"	NO PUMP
9	WET	157	100	100	100	NOVA, 157°F & 2"	NO PUMP
10	WET	157	100	100	100	NOVA, 157°F & 2"	NO PUMP
11	WET	157	100	100	100	NOVA, 157°F & 2"	NO PUMP
12	WET	157	100	100	100	NOVA, 157°F & 2"	NO PUMP
13	WET	157	100	100	100	NOVA, 157°F & 2"	NO PUMP
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15	WET	157	100	100	100	NOVA, 157°F & 2"	NO PUMP
16	WET	157	100	100	100	NOVA, 157°F & 2"	NO PUMP
17	WET	157	100	100	100	NOVA, 157°F & 2"	NO PUMP
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20	WET	157	100	100	100	NOVA, 157°F & 2"	NO PUMP
21	WET	157	100	100	100	NOVA, 157°F & 2"	NO PUMP
22	WET	157	100	100	100	NOVA, 157°F & 2"	NO PUMP
23	WET	157	100	100	100	NOVA, 157°F & 2"	NO PUMP
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39	WET	157	100	100	100	NOVA, 157°F & 2"	NO PUMP
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41	WET	157	100	100	100	NOVA, 157°F & 2"	NO PUMP
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48	WET	157	100	100	100	NOVA, 157°F & 2"	NO PUMP
49	WET	157	100	100	100	NOVA, 157°F & 2"	NO PUMP
50	WET	157	100	100	100	NOVA, 157°F & 2"	NO PUMP



Dear Mr. Berry,

Your Joint Occupancy Evaluation (JOE) Level II Inspection has been elevated to me for consideration.

The Virginia Uniform Statewide Building Code (VUSBC) only establishes the minimum safety requirements for the construction of structures and buildings. There is no justification for going below or to arbitrarily waive those minimum safety requirements. When your space was originally constructed, the Building Code in Virginia was the 1990 VUSBC which adopted the 1990 Building Officials & Code Administrators (BOCA) National Building Code. Therefore, Black Wolf Services, LLC must fully comply with the 1990 VUSBC/BOCA. This includes, but is not limited to the following, Chapter 6 Mezzanines and Chapter 8 Means of Egress requirements:

- Means of Egress for Mezzanines (Stairway) per VUSBC/BOCA 605.3 *
- Open-sided floor areas more than 30 inches above the floor or grade below (guardrails) per VUSBC/BOCA 803.6 **
- Guardrail systems are required on the open sides of elevated walking surfaces to minimize a fall from the walking surface to the lower level below per VUSBC/BOCA 824.1 ***

This is a Final Determination on behalf of the Building Official. You may appeal the Final Determination in accordance with the VUSBC/2018, Section 19.5 Right of Appeal; filing of an appeal application, which states:

Any person aggrieved by the *local building department's* application of the VUSBC or the refusal to grant a modification to the provisions of the VUSBC may appeal to the LBBCA. The applicant shall submit a written request for appeal to the LBBCA within 30 calendar days of the receipt of the decision being appealed. The application shall contain the name and address of the *owner* of the *building* or *structure* and, in addition, the name and address of the person appealing when the applicant is not the *owner*. A copy of the *building official's* decision shall be submitted along with the application for appeal and maintained as part of the record. The application shall be marked by the LBBCA to indicate the date received. Failure to submit an application for appeal within the time limit established by this section shall constitute acceptance of a *building official's* decision.

To submit an application for appeal, please send the application to the Secretary of the Building Code Appeals Board for Prince William County

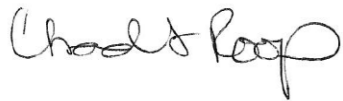
Mailing Address

Ms. Amanda Bates
Secretary
Prince William Building Code Appeals Board
5 County Complex Suite 120
Prince William, Virginia 22192

Contact

abates@pwcgov.org
(703) 792-5267

Sincerely,

A handwritten signature in black ink that reads "Chad Roop". The signature is written in a cursive style with a large, looped "R" at the end.

Chad Roop
Deputy Building Official
Building Development Division
Prince William County, VA
(703) 792-7162
croop@pwcgov.org

Attachment page 3:

***Section 605 Mezzanines**

605.3 Egress: Each occupant of a mezzanine shall have access to at least two independent means of egress where such spaces require two means of egress according to Section 813.2. Where a stairway provides a means of exit success from a mezzanine, the maximum travel distance required by section 813.2 shall be measured to the bottom of the stairway.

****Section 803 General Limitations**

803.6 Open- sided floor areas: Guards shall be located along open-sided walking surfaces, mezzanines and landings which are located more than 30 inches above the floor or grade below. The guards shall be constructed in accordance with Section 824.0

Exception: Guards are not required on the loading side of loading docks and auditorium sides of stages and raised platforms.

*****Section 824 Guards**

824.1 General: Where required by the provisions of Section 609.2.2, 607.5, 803.6, 816.5, 817.7, and 1223.5, guards shall be designed and constructed in accordance with the requirements of this section and Section 1109.8. A guardrail system is a system of building components located near the open sides o elevated walking surfaces for the purpose of minimizing the possibility of an accidental fall from the walking surface to the lower level.

Statement of Facts

My reasons for the appeal are:

The final determination references BOCA 1990 as the standard to be adhered to. With the building having been built and approved in 1989, BOCA 1990 was not in effect, as BOCA 1990 did not become effective until March 1, 1991.

Battalion Chief/ Deputy Fire Marshall Jarmin provided plans he described as approved, that were dated early 1989. These approved plans show the mezzanine without stairs in the unit we are leasing.

Thirty three years ago, the building and mezzanine were approved with no stairs or guard. To our knowledge, no prior tenants including ourselves (8+ year occupant with regular annual inspections) have previously been issued a violation regarding the mezzanine.

Sincerely,
Chris Berry
Black Wolf Automotive Specialties
1320 Profit Ct.
Woodbridge, Va. 22191
703-490-4000

From: [Chris Berry](#)
To: [Chris Berry](#)
Subject: FW: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]
Date: Sunday, February 20, 2022 6:16:27 PM

From: Chris Berry
Sent: Friday, November 12, 2021 11:28 AM
To: Ghimire, Sarmin <SGhimire@pwcgov.org>
Subject: RE: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

Ms. Ghimire,

I am planning on rescheduling. I am currently waiting on the fire marshal to follow up regarding a concern he apparently expressed to Mr. Steiner.

I will follow up with you immediately following clearing up this current concern.

Thank you for your assistance.

Chris Berry

From: Ghimire, Sarmin <SGhimire@pwcgov.org>
Sent: Tuesday, November 9, 2021 3:01 PM
To: Chris Berry <chris@blackwolfauto.com>
Subject: FW: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

Good afternoon,

I wanted to see if you are planning to reschedule your inspections anytime soon? If so, please reach out to Kris Jesse, same as the first time.

And please let me know when you plan on scheduling it.

Sarmin Ghimire
Development Project Manager
Department of Development Services
5 County Complex Court, Suite 120
Prince William, VA 22192
Phone: 703.792.5631
SGhimire@pwcgov.org

From: no-reply-EnerGov@pwcgov.org <no-reply-EnerGov@pwcgov.org>
Sent: Tuesday, October 12, 2021 3:34 PM
To: chris@blackwolfauto.com; Ghimire, Sarmin <SGhimire@pwcgov.org>
Subject: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

Attached are the Inspection Results for 144C Occupancy Evaluation. The inspection was completed on 10/12/2021.

If you need to contact the Inspector to review the results, their contact information is on the Inspection Report.

If you need to contact the Building Construction Inspections Office, please call 703-792-7006. If you need to contact the Fire Marshal's Office, please call 703-792-6360.

Thank You, Department of Development Services DDS@pwcgov.org 703-792-6930

Please let us know how we are doing by completing the Development Services Customer Satisfaction Survey at www.pwcgov.org/DDSSurvey

Please do not reply to this auto-generated email.

From: [Chris Berry](#)
To: [Chris Berry](#)
Subject: FW: BCE2022-00117 Profit Ct
Date: Sunday, February 20, 2022 5:13:21 PM

From: Chris Berry
Sent: Friday, October 1, 2021 8:18 AM
To: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>
Subject: RE: BCE2022-00117 Profit Ct

Mr.Steiner,

Thank you for following up. Having visited your office yesterday morning when it opened, in an effort to complete the next steps, Ms. Ghimire (assigned as our BDD Project Manager) was very helpful in furthering my mission to clear up this violation and gain our legitimate occupancy permit. Around 9:30am, she indicated that she had just spoken directly with you, and that you were extremely helpful in contending with the potential complication of the three units actually being only one.

Thank you very much for that help.

As I understand, the next/ final step to obtain our occupancy permit, is the sign off from both you, and the Fire Marshal.

I am aware that all of this started with the very thorough recent inspection performed by Assistant Fire Marshal Robert Harrell, where he issued three violations (re: case ECI2011-00053). He has since returned to inspect our location, and verified that all of the deficiencies have been rectified.

As you are already aware, based on your recent inspection that brought to light the sprinkler head issue in the hall way and the missing occupancy permit, we have been in diligent pursual of the paperwork necessary to obtain the occupancy permit, and filed the required paperwork with your office. We have also addressed the sprinkler head issue, by removing the section of glass wall that you indicated would be required, short of relocating the sprinkler head(s). Please see the attached pictures.

At this point, understanding the inspections have been completed by both your office and the Fire Marshal, and all the violations have been cured, could you please advise me if there is anything remaining for me to do to be able to come pick up the formal occupancy permit?

If you have any additional questions, comments or concerns, please feel free to reach out to me directly on my personal cell phone, at 703-819-0203.

Thank you again for your assistance with this matter.

Sincerely,

Sincerely,
Chris Berry
Black Wolf Automotive Specialties
1320 Profit Ct.
Woodbridge, Va. 22191
703-490-4000

From: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>
Sent: Thursday, September 30, 2021 7:58 AM
To: Chris Berry <chris@blackwolfauto.com>
Subject: BCE2022-00117 Profit Ct

Mr. Berry,

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If you have any questions feel free to ask, thanks!

Stephen Steiner, Jr
Senior Building Code Enforcement Inspector
Building Development Division
5 County Complex Court #120
Woodbridge VA, 22192
703-792-7337
ssteiner@pwcgov.org

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Wall removed





From: [Chris Berry](#)
To: [Chris Berry](#)
Subject: FW: BCE2022-00117 Profit Ct
Date: Sunday, February 20, 2022 5:12:59 PM

From: Chris Berry
Sent: Sunday, October 3, 2021 5:40 PM
To: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>
Subject: RE: BCE2022-00117 Profit Ct

October 12, at 10:00 AM. See you then.
Thanks

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From: [Chris Berry](#)
To: [Chris Berry](#)
Subject: FW: BCE2022-00117 Profit Ct
Date: Sunday, February 20, 2022 5:12:52 PM

From: Chris Berry
Sent: Friday, October 15, 2021 4:53 PM
To: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>
Subject: RE: BCE2022-00117 Profit Ct

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From: [Chris Berry](#)
To: [Chris Berry](#)
Subject: FW: BCE2022-00117 Profit Ct
Date: Sunday, February 20, 2022 5:12:43 PM

From: Chris Berry
Sent: Monday, October 18, 2021 8:37 AM
To: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>
Subject: RE: BCE2022-00117 Profit Ct

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Sent: Monday, October 18, 2021 7:45 AM
To: Chris Berry <chris@blackwolfauto.com>
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I am also going to forward him your email and attempt to reach out.

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To: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>
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To: [Chris Berry](#)
Subject: FW: BCE2022-00117 Profit Ct
Date: Sunday, February 20, 2022 5:12:34 PM

From: Chris Berry
Sent: Wednesday, October 20, 2021 3:02 PM
To: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>
Subject: RE: BCE2022-00117 Profit Ct

Mr. Steiner,

Just following up... I am assuming you have not heard back from Mr. Harrell?

If Tuesday October 26 is still available on your calendar, can we still schedule that date for you to come complete your reinspection? Otherwise, at your next available opportunity. At least that part will then be taken care of.

As you know, we have diligently done our best to rectify all of the items you noted, and I am looking forward to having this mistake I made 8 years ago behind me. I am anxious to clear this worry, and get back to focusing on my business.

If there is anything I can do to help with Mr. Harrell, please do let me know what that might be, so I can get right on it.

For what it's worth, as the storage over the office was obviously never mentioned during the inspection, what I can say is that there is a concrete pad over the office, that is fully sprinklered, and the shelving up there does not exceed 6 feet, and any storage has remained a minimum of 24 inches below the sprinkler heads. I hope this helps.

Thanks for your help.

Chris

From: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>
Sent: Monday, October 18, 2021 8:42 AM
To: Chris Berry <chris@blackwolfauto.com>
Subject: RE: BCE2022-00117 Profit Ct

He was going to sign off but when I met him last week on another inspection he mentioned to me about yours. He said that he was speaking with one of his supervisors regarding a couple items so he was holding off on signing off.

But I did send him an email so if I hear back from him I will let you know.

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Thank you again for your assistance with this matter.

Sincerely,

Sincerely,
Chris Berry
Black Wolf Automotive Specialties
1320 Profit Ct.
Woodbridge, Va. 22191
703-490-4000

From: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>

Sent: Thursday, September 30, 2021 7:58 AM

To: Chris Berry <chris@blackwolfauto.com>

Subject: BCE2022-00117 Profit Ct

Mr. Berry,

I see that you received zoning approval to occupy 1308, 1312, and 1316 Profit Ct. That is a good start to abating the violation for occupying without a certificate of occupancy. Your next step will be to meet with one of our project managers to discuss the path towards getting the certificate of occupancy. The current compliance date is October 8, 2021 so hopefully you can get the remaining part of the process started before this date.

If you have any questions feel free to ask, thanks!

Stephen Steiner, Jr
Senior Building Code Enforcement Inspector
Building Development Division
5 County Complex Court #120
Woodbridge VA, 22192
703-792-7337
ssteiner@pwcgov.org

Find Important Development Services COVID-19 Update Information Online at:

<https://www.pwcva.gov/department/development-services/covid-19-update>

From: [Bates, Amanda](#)
To: [Chris Berry](#)
Subject: RE: Request for Appeal
Date: Tuesday, February 15, 2022 2:50:58 PM
Importance: High

Good afternoon Mr. Berry,

I have confirmed the Appeals Hearing date for Friday, March 11th from 10:00 a.m. to 11:30a.m. located in person at our offices:

5 County Complex Ct.
Woodbridge, VA 22192

Upon arrival you can go to our Early assistance desk and let them know you are here for an appeal hearing. I will come out and take you to one of our conference rooms.

At this time, I will need some information from you in order to put together our Board Package for the Board, yourself, and the Building Official. Your appeal case number for reference is, APL2022-00010 This can include but is not limited to:

- Statement of Facts (your reason for the appeal and facts of the case as you see it)
- Any pictures, violation notices, emails, anything you believe is relevant for the Board to see that supports your case.
- Witnesses, anyone you feel would help your case by bringing them to the hearing to testify. (Please let me know ahead of time you have witnesses so I can inform the Chair to the Board)

Please provide all documents to me by **COB Tuesday, March 1st**. The Board Package will be sent out on Monday March 7th.

If you have any questions or need additional assistance, please do not hesitate to reach out to me.

Thanks,

Amanda Bates

Administrative Coordinator I Department of Development Services
5 County Complex Ct. | Suite 120 | Prince William, VA 22192
703-792-5267 (direct) | Abates@pwcgov.org

Find Important Development Services COVID-19 Update Information Online at:
[Development Services – COVID-19 UPDATE Operational Guidance](#)

From: Chris Berry <chris@blackwolfauto.com>
Sent: Sunday, February 13, 2022 7:45 PM
To: Bates, Amanda <ABates@pwcgov.org>
Cc: Chris Berry <chris@blackwolfauto.com>
Subject: RE: Request for Appeal

This email is from an EXTERNAL source. Use caution when replying or clicking embedded links.

Ms. Bates,

Sorry I missed your call on Friday afternoon.

If I understand your question, I am appealing the final determination letter. I am assuming that after (ideally) prevailing at the appeals hearing my occupancy permit will be issued, without any new hoops to jump through.

Sincerely,
Chris Berry
Black Wolf Automotive Specialties
1320 Profit Ct.
Woodbridge, Va. 22191
703-490-4000

From: Bates, Amanda <ABates@pwcgov.org>
Sent: Wednesday, February 9, 2022 2:34 PM
To: Chris Berry <chris@blackwolfauto.com>
Subject: RE: Request for Appeal

Good afternoon Mr. Berry,

A few clarifying things I want to go over before I respond to your question, as the Secretary for the Appeals Board. One is the Prince William County Appeals Board hearings are considered public hearings, subject to FOIA. It is up to you as the appellant to defend yourself by providing your case facts to me so I can compile a Board Package for the board members, you as the appellant, and the building official.

You do, however, have the option to introduce evidence the day of the hearing to the Chair of the Board. He has to approve it and you would need to bring extra copies for everyone to present at that time.

I must know what you are appealing so our Building Official can put his statement of facts together and provide to me his documentation and I can compile your documents as well. The Board package

is sent out to everyone a few days before the hearing.

Are you appealing the Building Code Enforcement Violation, or are you appealing all items listed in the final determination letter sent to you by Deputy Building Official Chad Roop?

If it is easier to chat by phone I would be happy to give you a call.

Thank you,

Amanda Bates

Administrative Coordinator I Department of Development Services
5 County Complex Ct. | Suite 120 | Prince William, VA 22192
703-792-5267 (direct) | Abates@pwcgov.org

Find Important Development Services COVID-19 Update Information Online at:
[Development Services – COVID-19 UPDATE Operational Guidance](#)

From: Chris Berry <chris@blackwolfauto.com>
Sent: Tuesday, February 8, 2022 7:53 AM
To: Bates, Amanda <ABates@pwcgov.org>
Subject: RE: Request for Appeal

This email is from an EXTERNAL source. Use caution when replying or clicking embedded links.

Good morning Ms. Bates,

Thank you very much for working with our schedule request. If possible, Monday or Tuesday of the week 7-11 March would be our preferred meeting dates.

Regarding your request for specifics, I am certain I can present a clear and compelling case that the county code enforcement officials have harassed us egregiously. Their multiple arbitrary allegations of code violations have been a progressively evolving series of throwing things at the wall to see what might stick, including backpedaling and buck-passing when deemed advantageous. I am genuinely concerned that if I divulge the details of my case, and if these details were to be made available to the involved officials, they will **again** amend their determination(s). Understanding that I am not familiar with the rules of these proceedings to follow, can you assure me that if I divulge the facts of my case to you, that these facts not be made available to the involved code officials until the actual appeals hearing?

Thank you for your assistance with this matter.

Sincerely,
Chris Berry

Black Wolf Automotive Specialties
1320 Profit Ct.
Woodbridge, Va. 22191
703-490-4000

From: Bates, Amanda <ABates@pwcgov.org>
Sent: Monday, February 7, 2022 3:22 PM
To: Chris Berry <chris@blackwolfauto.com>
Subject: RE: Request for Appeal

Good afternoon Mr. Berry,

I am in receipt of your appeal request. Usually, appeals are held within 30 days of receipt unless both parties agree on an extension. Both parties meaning the appellant and the Building Official.

I have been given approval to extend this hearing to your requested week of March 7-11. I will email the Board of Appeals to confirm a date. Once the date is confirmed, I will email you additional instructions for the appeals hearing, including what information I need from you for the Board Package that will be presented the day of the hearing.

For clarification, and the Appeals Board Records, can you be specific on what in the Deputy Building Officials determination you are appealing.

Thanks,

Amanda Bates
Administrative Coordinator I Department of Development Services
5 County Complex Ct. | Suite 120 | Prince William, VA 22192
703-792-5267 (direct) | Abates@pwcgov.org

Find Important Development Services COVID-19 Update Information Online at:
[Development Services – COVID-19 UPDATE Operational Guidance](#)

From: Chris Berry <chris@blackwolfauto.com>
Sent: Wednesday, February 2, 2022 2:54 PM
To: Bates, Amanda <ABates@pwcgov.org>
Cc: Chris Berry <chris@blackwolfauto.com>
Subject: Request for Appeal

This email is from an EXTERNAL source. Use caution when replying or clicking embedded links.

Ms. Bates,

I hereby submit a request for appeal, regarding the matter described in the enclosed Final Determination from Deputy Building Official Chad Roop.

The owner of the building/ Structure is;
Brightleaf Industrial Holdings, LLC
C/O Edge Commercial Real Estate
2273 Research Blvd, Suite 150
Rockville, MD 20850

Person Appealing;
Chris Berry
1320 Profit Ct.
Woodbridge, VA 22191

If it is possible, I would like to request that the date to be scheduled for my appearance before the Appeals Board be any day during the week of March 7-11, with Monday or Tuesday of that week being my preferred days to appear.
Thank you for your assistance with this matter.

Sincerely,
Chris Berry
Black Wolf Automotive Specialties
1320 Profit Ct.
Woodbridge, Va. 22191
703-490-4000

This document is also being mailed.

From: [Bates, Amanda](#)
To: [Chris Berry](#)
Subject: RE: Request for Appeal
Date: Monday, February 14, 2022 11:32:47 AM

Good morning Mr. Berry,

Thank you for that information. I emailed the Board this morning to get a date and time nailed down for the March 7th week. As soon as I get that back from them, I will send you additional information.

Thanks,

Amanda Bates

Administrative Coordinator I Department of Development Services
5 County Complex Ct. | Suite 120 | Prince William, VA 22192
703-792-5267 (direct) | Abates@pwcgov.org

Find Important Development Services COVID-19 Update Information Online at:
[Development Services – COVID-19 UPDATE Operational Guidance](#)

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Sent: Sunday, February 13, 2022 7:45 PM
To: Bates, Amanda <ABates@pwcgov.org>
Cc: Chris Berry <chris@blackwolfauto.com>
Subject: RE: Request for Appeal

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Ms. Bates,

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Sincerely,
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1320 Profit Ct.
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703-490-4000

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5 County Complex Ct. | Suite 120 | Prince William, VA 22192
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Black Wolf Automotive Specialties
1320 Profit Ct.
Woodbridge, Va. 22191
703-490-4000

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Amanda Bates

Administrative Coordinator I Department of Development Services
5 County Complex Ct. | Suite 120 | Prince William, VA 22192
703-792-5267 (direct) | Abates@pwcgov.org

Find Important Development Services COVID-19 Update Information Online at:
[Development Services – COVID-19 UPDATE Operational Guidance](#)

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Cc: Chris Berry <chris@blackwolfauto.com>
Subject: Request for Appeal

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The owner of the building/ Structure is;
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Person Appealing;
Chris Berry
1320 Profit Ct.
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Thank you for your assistance with this matter.

Sincerely,
Chris Berry
Black Wolf Automotive Specialties
1320 Profit Ct.
Woodbridge, Va. 22191
703-490-4000

This document is also being mailed.

From: [Chris Berry](#)
To: [Chris Berry](#)
Subject: FW: Site Visit
Date: Sunday, February 20, 2022 6:22:26 PM

From: Chris Berry
Sent: Thursday, December 2, 2021 10:40 AM
To: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>
Cc: SGhimire@pwcgov.org
Subject: RE: Site Visit

As I am anxious to put this behind me, let's plan on Tuesday.
Thank you

From: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>
Sent: Thursday, December 2, 2021 8:09 AM
To: Chris Berry <chris@blackwolfauto.com>
Cc: Alexander, Kristin O. <KAlexander@pwcgov.org>
Subject: Site Visit

Mr. Berry,

I was just speaking with my supervisor and she would like to arrange a day and time when we can stop by and perform another site visit. We will be checking the items from my list and discuss the additional items brought up by the fire marshal. What day would work for you? I have Tuesday, Wednesday, or Thursday next week. Time TBD once I have confirmed with you and spoken with the fire marshal.

Let me know, thanks!

Stephen Steiner, Jr
Senior Building Code Enforcement Inspector
Building Development Division
5 County Complex Court #120
Woodbridge VA, 22192
703-792-7337
ssteiner@pwcgov.org

Find Important Development Services COVID-19 Update Information Online at:
<https://www.pwcva.gov/department/development-services/covid-19-update>

From: [Chris Berry](#)
To: [Chris Berry](#)
Subject: FW: Case Number OCC2022-00446
Date: Sunday, February 20, 2022 6:20:53 PM

From: Chris Berry
Sent: Monday, November 8, 2021 9:05 AM
To: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>
Subject: RE: Case Number OCC2022-00446

Mr. Steiner,

This email is in response to your email concerning storage we have on a platform above the ceiling of our office space. As shown in Prince William County records, the base building, that our space is now a portion of, was completed and approved in 1989 under the applicable Virginia Uniformed Statewide Building Code. This is a one story structure that has an overall height of 22'. It is our understanding that the platform, in question, was constructed and approved during the building construction. Tenant improvement construction, included the addition of the office space and associated ceilings below the platform, were added at a later date. The office ceilings in no way contribute to the floor load capacity or performance of the platform.

The platform is constructed of steel beams, steel web joists, metal pan and poured concrete. (See attached photographs). There were no combustible materials used in the construction of the platform. The floor of the platform currently has long term, ordinary hazard materials stored on it. The storage material, loaded on the platform, is lightweight in comparison to the load capacity of the platform and is uniformly distributed. All long term storage items are stored below a height of 8' off of the floor of the platform and no storage is placed within 18" of the sprinkler heads. This is a fully sprinklered building. At no time are any flammable or combustible liquids stored on this platform. The platform is accessed by portable ladder for the occasional placement or removal of long term stored items. Only designated personnel are allowed to use the portable ladders and access the stored items. This platform is unoccupied. Designated personnel may utilize appropriate fall protection when accessing items on this unoccupied platform.

We hope this email answers any questions you have about the appropriate use of the platform and it's construction.

Sincerely,
Chris Berry

From: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>
Sent: Monday, November 8, 2021 8:26 AM
To: Chris Berry <chris@blackwolfauto.com>
Subject: RE: Case Number OCC2022-00446

I have reached the current compliance date for the violation at 1308, 1312, & 1312 Profit Ct. I know have submitted the JOE application and are working on things so I went ahead and granted an additional 30 day extension to December 8, 2021. Hopefully this gives you enough time to work on the below issue from the fire marshal. Once the issue has been resolved you will need to reschedule the JOE inspection and once that is approved the certificate of occupancy will be issued.

If you have any questions feel free to ask, thanks!

Stephen Steiner, Jr
Senior Building Code Enforcement Inspector
Building Development Division
5 County Complex Court #120
Woodbridge VA, 22192
703-792-7337
ssteiner@pwcgov.org

Find Important Development Services COVID-19 Update Information Online at:

<https://www.pwcva.gov/department/development-services/covid-19-update>

From: Steiner Jr., Stephen F.

Sent: Thursday, October 28, 2021 8:10 AM

To: Chris Berry <chris@blackwolfauto.com>

Cc: Harrell, Robert W. <rharrell@pwcgov.org>; Alexander, Kristin O. <KAlexander@pwcgov.org>

Subject: RE: Case Number OCC2022-00446

Mr. Berry,

Mr. Harrell met with my supervisor regarding the storage on top of the office area. It has been determined that you have a couple of options in order to take care of this issue.

1. Remove all storage from on top of the office area, including the racks
2. Provide a letter from either an architect or engineer that says that the ceiling can hold the additional load

But even if you are able to get this letter, a guard is required. But your architect or engineer would determine what type of guard and how it is to be installed.

If you have any questions feel free to ask, thanks!

Stephen Steiner, Jr
Senior Building Code Enforcement Inspector
Building Development Division
5 County Complex Court #120
Woodbridge VA, 22192

703-792-7337

ssteiner@pwcgov.org

Find Important Development Services COVID-19 Update Information Online at:

<https://www.pwcva.gov/department/development-services/covid-19-update>

From: Harrell, Robert W. <rharrell@pwcgov.org>

Sent: Wednesday, October 27, 2021 8:43 AM

To: Chris Berry <chris@blackwolfauto.com>

Cc: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>

Subject: RE: Case Number OCC2022-00446

Hello Mr. Berry,

Mr. Steiner, the building inspector from Building Code Enforcement will be contacting you. Concerning your storage and racks over the officer area.

Be Safe

Assistant Fire Marshal

Robert Harrell

From: Chris Berry <chris@blackwolfauto.com>

Sent: Tuesday, October 26, 2021 4:47 PM

To: Harrell, Robert W. <rharrell@pwcgov.org>

Subject: Case Number OCC2022-00446

This email is from an EXTERNAL source. Use caution when replying or clicking embedded links.

Fire Marshall Harrell,

On April 29, you emailed me a violation list (ISIP2019-066171) following your thorough inspection of our premises. As you are aware, we immediately rectified the concerns you raised, as your subsequent reinspection verified such.

Based on a follow-up by Prince William Senior Building Code Enforcement Inspector Steiner, it was revealed that I (inadvertently) failed to procure an occupancy permit when I expanded my business into units 1308,1312, and 1316 Profit Ct.

This mistake I made set off the requirement for an inspection by Building Code Enforcement, and a reinspection by the Fire Marshall.

On October 12, 2021, both you and Senior Building Code Enforcement Inspector Steiner performed a JOE inspection.

Later that same day, BCE Inspector Steiner emailed a list of about a dozen items that needed

rectification. I then worked my tail off over the remainder of the week attending to his concerns.

I then requested a reinspection from BCE Inspector Steiner, and he has informed me that before he can perform the reinspection, your sign off is required.

Although I was certain you signed off on the JOE form while at my premises at the end of the October 12 inspection, BCE Inspector Steiner has informed me that you still have some reservations about the final sign off.

My questions for you today are;

When do you anticipate identifying the next steps?

What can I do help expedite this process?

As this has cost both me and my wife a great deal of lost sleep. I cannot express how anxious I am to clear up the mistake I made eight years ago when I expanded into units 1308, 1312, and 1316 Profit Court and did not procure the necessary occupancy permit.

I am looking forward to alleviating this worry and getting back to focusing on running my business.

Thank you for your assistance with this matter.

Sincerely,
Chris Berry
Black Wolf Automotive Specialties
703-490-4000 w
703-819-0203 c



Poured Concrete Thickness



Metal Pan



Steel Web Joist Height



I Beam Height

From: [Chris Berry](#)
To: [Chris Berry](#)
Subject: FW: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]
Date: Sunday, February 20, 2022 6:20:26 PM
Attachments: [Inspection Results Report_07-12-2021_14-51-30.pdf](#)

From: Chris Berry
Sent: Tuesday, December 14, 2021 5:47 PM
To: Ghimire, Sarmin <SGhimire@pwcgov.org>
Subject: RE: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

Ms. Ghimire,
Per the most recent (attached) inspection report dated December 7, all items passed with only one item remaining. I believe the remaining item has been fully remedied, but is, according to the report, just waiting for final clearance from county leadership.
Thank you,
Chris Berry

From: Ghimire, Sarmin <SGhimire@pwcgov.org>
Sent: Tuesday, December 14, 2021 11:07 AM
To: Chris Berry <chris@blackwolfauto.com>
Cc: Alexander, Kristin O. <KAlexander@pwcgov.org>; Steiner Jr., Stephen F. <SSteiner@pwcgov.org>; Harrell, Robert W. <rharrell@pwcgov.org>
Subject: RE: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

Mr. Berry,

Are you interested in having an issue resolution meeting? We all can jump in on a web call and discuss your path forward.
I can invite FMO and BCE team, you can invite your designer, if you are working with one.

Please let me know, I can setup this meeting for you.

Thanks,

Sarmin Ghimire
Development Project Manager
Department of Development Services
5 County Complex Court, Suite 120
Prince William, VA 22192
Phone: 703.792.5631
SGhimire@pwcgov.org

From: Chris Berry <chris@blackwolfauto.com>

Sent: Friday, November 12, 2021 11:28 AM

To: Ghimire, Sarmin <SGhimire@pwcgov.org>

Subject: RE: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

This email is from an EXTERNAL source. Use caution when replying or clicking embedded links.

Ms. Ghimire,

I am planning on rescheduling. I am currently waiting on the fire marshal to follow up regarding a concern he apparently expressed to Mr. Steiner.

I will follow up with you immediately following clearing up this current concern.

Thank you for your assistance.

Chris Berry

From: Ghimire, Sarmin <SGhimire@pwcgov.org>

Sent: Tuesday, November 9, 2021 3:01 PM

To: Chris Berry <chris@blackwolfauto.com>

Subject: FW: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

Good afternoon,

I wanted to see if you are planning to reschedule your inspections anytime soon? If so, please reach out to Kris Jesse, same as the first time.

And please let me know when you plan on scheduling it.

Sarmin Ghimire

Development Project Manager

Department of Development Services

5 County Complex Court, Suite 120

Prince William, VA 22192

Phone: 703.792.5631

SGhimire@pwcgov.org

From: no-reply-EnerGov@pwcgov.org <no-reply-EnerGov@pwcgov.org>

Sent: Tuesday, October 12, 2021 3:34 PM

To: chris@blackwolfauto.com; Ghimire, Sarmin <SGhimire@pwcgov.org>

Subject: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

Attached are the Inspection Results for 144C Occupancy Evaluation. The inspection was completed on 10/12/2021.

If you need to contact the Inspector to review the results, their contact information is on the Inspection Report.

If you need to contact the Building Construction Inspections Office, please call 703-792-7006. If you need to contact the Fire Marshal's Office, please call 703-792-6360.

Thank You, Department of Development Services DDS@pwcgov.org 703-792-6930

Please let us know how we are doing by completing the Development Services Customer Satisfaction Survey at www.pwcgov.org/DDSSurvey

Please do not reply to this auto-generated email.



County of Prince William

5 County Complex Court, Prince William, Virginia 22192-5308

INSPECTION REPORT

Case Number: OCC2022-00446

Inspection Scheduled:

Inspection Status: Rejected

Inspection Date: 12/07/2021 2:51 pm

Inspector: Stephen Steiner - Main Inspector

Inspection Type: 144C Occupancy Evaluation

Job Address: 1308 Profit Ct
Woodbridge, VA 22191

Parcel Number: 8391-84-9243

Contact Type	Company Name	Name	Phone
County Project Manager	PWC DDS BUILDING DEVELOPMENT	SARMIN GHIMIRE	7037925631
Owner	BRIGHTLEAF INDUSTRIAL HOLDINGS LLC		
Tenant	BLACK WOLF SERVICES, LLC	CHRISTOPHER BERRY	7034904000

	Results	Comments
Miscellaneous issues as noted must be corrected.	Failed	12/7/21 - Reinspection, all issues resolved. Will hold off on approval and issuing the certificate of occupancy until a determination is made from leadership regarding the storage over the office.
Emergency exit lights & sign issues must be corrected.	Passed	Ensure that all emergency exit lights work throughout the space.
Doors and exit issues must be corrected.	Passed	Remove the current door hardware and install appropriate hardware or add a sign to the inside of the door that reads "Door Is To Remain Unlocked During Business Hours" at the door from the smaller office. Remove the current door hardware and install appropriate hardware or add a sign to the inside of the door that reads "Door Is To Remain Unlocked During Business Hours" at the door from the garage. Emergency exit door from the garage needs to be adjusted, currently it does not close correctly.
Ceiling tiles missing/not installed properly.	Passed	Replace all broken ceiling tiles or ceiling tiles with holes in them throughout the office area.
Electrical issues must be corrected.	Passed	Add a cover plate on the open junction box in the office area behind the trophies. Completely remove the unused electrical wire above the smaller electrical panel or terminate into a junction box with a cover plate.
Follow-Up is required by Building Code Enforcement. A re-inspection is to be scheduled no later than noted. To reschedule the inspection, call 703-792-6931.	Passed	Once all of the issues are resolved please call 703-792-6931 to reschedule the JOE inspection.

All doors leading to the space requires that the space/building address be posted so that it is visible.

Passed

Add the address to the outside of the front door to the office area "1316".
Add the address to the outside of the door from the garage "1308".

Building issues must be corrected.

Passed

Add appropriate restroom signage to the outside of each restroom door x2.
Add a sign to the inside of the door in the garage between the next door space that reads "Not An Exit".

Electrical panel issues must be corrected.

Passed

Correct panel schedule is required at the smaller electrical panel, current panel schedule does not appear to be correct.
Properly label which circuit breaker in the electrical panel controls the emergency exit signs and lights.

From: [Chris Berry](#)
To: [Chris Berry](#)
Subject: FW: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]
Date: Sunday, February 20, 2022 6:20:17 PM

From: Chris Berry
Sent: Wednesday, January 5, 2022 4:42 PM
To: Ghimire, Sarmin <SGhimire@pwcgov.org>
Subject: RE: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

We can make 2pm on Friday the 7th work. Please resend the invite.
Thanks

From: Ghimire, Sarmin <SGhimire@pwcgov.org>
Sent: Thursday, December 30, 2021 9:46 AM
To: Chris Berry <chris@blackwolfauto.com>
Subject: RE: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

Mr. Berry,

Our BCE supervisor cannot make it after 2 PM on Friday the 7th for our meeting.

Sarmin Ghimire
Development Project Manager
Department of Development Services
5 County Complex Court, Suite 120
Prince William, VA 22192
Phone: 703.792.5631
SGhimire@pwcgov.org

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Sent: Wednesday, December 29, 2021 2:14 PM
To: Chris Berry <chris@blackwolfauto.com>
Subject: RE: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

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We can discuss on our findings and path to move forward.

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Sent: Tuesday, December 14, 2021 11:07 AM
To: Chris Berry <chris@blackwolfauto.com>
Cc: Alexander, Kristin O. <KAlexander@pwcgov.org>; Steiner Jr., Stephen F. <SSteiner@pwcgov.org>; Harrell, Robert W. <rharrell@pwcgov.org>
Subject: RE: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

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From: Chris Berry <chris@blackwolfauto.com>
Sent: Friday, November 12, 2021 11:28 AM
To: Ghimire, Sarmin <SGhimire@pwcgov.org>
Subject: RE: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

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Ms. Ghimire,
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Attached are the Inspection Results for 144C Occupancy Evaluation. The inspection was completed on 10/12/2021.

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If you need to contact the Building Construction Inspections Office, please call 703-792-7006. If you need to contact the Fire Marshal's Office, please call 703-792-6360.

Thank You, Department of Development Services DDS@pwcgov.org 703-792-6930

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From: [Chris Berry](#)
To: [Chris Berry](#)
Subject: FW: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]
Date: Sunday, February 20, 2022 6:20:06 PM

From: Chris Berry
Sent: Thursday, January 6, 2022 8:52 AM
To: Ghimire, Sarmin <SGhimire@pwcgov.org>
Subject: RE: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

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SGhimire@pwcgov.org

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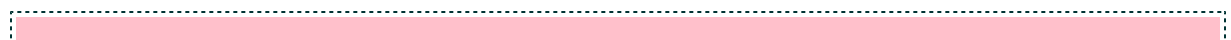
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Sent: Friday, November 12, 2021 11:28 AM

To: Ghimire, Sarmin <SGhimire@pwcgov.org>

Subject: RE: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

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To: chris@blackwolfauto.com; Ghimire, Sarmin <SGhimire@pwcgov.org>
Subject: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

Attached are the Inspection Results for 144C Occupancy Evaluation. The inspection was completed on 10/12/2021.

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From: [Chris Berry](#)
To: [Chris Berry](#)
Subject: FW: Today's meeting - OCC2022-00446 - 1308 PROFIT CT [none]
Date: Sunday, February 20, 2022 6:19:57 PM

From: Chris Berry
Sent: Friday, January 7, 2022 3:44 PM
To: Ghimire, Sarmin <SGhimire@pwcgov.org>
Subject: RE: Today's meeting - OCC2022-00446 - 1308 PROFIT CT [none]

Ms. Ghimire,

Based on Senior Building Code Inspector Steiner's November 8 email, this remaining issue is solely due to Fire Marshal Harrel's evolving concerns.

For what it's worth, during the October 12 inspection, I personally witnessed Fire Marshal Harrel physically signing the JOE inspection form, granting approval/ clearance.

Following some subsequent back and forth correspondence between Senior Building Code Inspector Steiner and myself, a reinspection addressing Senior Building Code Inspector Steiner's concerns was performed on December 7 (all of Senior Building Code Inspector Steiner's concerns were then approved), when Fire Marshal Harrel then argued that the storage over the office qualified as 'High Pile Storage'.

When we spoke earlier today, you indicated that you needed to coordinate 5 others schedules to be present for the meeting we now have scheduled for Tuesday next week.

As the county concerns appear to be evolving, I am very concerned. I am wondering if I should have my attorney present for the meeting as well as my already planned fire protection and building code related specialist consultant.

Would you please provide me with the list of all those planning to take part in Tuesday's meeting?

Sincerely,
Chris Berry
Black Wolf Automotive Specialties
1320 Profit Ct
Woodbridge, Va 22191
703-490-4000

From: Ghimire, Sarmin <SGhimire@pwcgov.org>
Sent: Friday, January 7, 2022 8:29 AM
To: Chris Berry <chris@blackwolfauto.com>
Subject: Today's meeting - OCC2022-00446 - 1308 PROFIT CT [none]

Mr. Berry,

I am about to reschedule today meeting to 2 PM, can you make it?
Please let me know.

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SGhimire@pwcgov.org

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Subject: RE: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

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Prince William, VA 22192

Phone: 703.792.5631

SGhimire@pwcgov.org

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Sent: Tuesday, October 12, 2021 3:34 PM

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Thank You, Department of Development Services DDS@pwcgov.org 703-792-6930

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From: [Chris Berry](#)
To: [Chris Berry](#)
Subject: FW: Case Number OCC2022-00446
Date: Sunday, February 20, 2022 6:19:33 PM

From: Chris Berry
Sent: Wednesday, January 12, 2022 5:04 PM
To: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>
Subject: RE: Case Number OCC2022-00446

Mr. Steiner,

Thank you for the update. That is good news regarding the plans having been found by the Fire Marshal.

I am anxiously awaiting the findings from Ms. Goodman's research to determine if the mezzanine can remain in its current configuration.

Sincerely,
Chris Berry
Black Wolf Automotive Specialties
1320 Profit Ct
Woodbridge, Va 22191
703-490-4000

From: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>
Sent: Wednesday, January 12, 2022 8:19 AM
To: Chris Berry <chris@blackwolfauto.com>
Cc: Alexander, Kristin O. <KAlexander@pwcgov.org>; Ghimire, Sarmin <SGhimire@pwcgov.org>
Subject: FW: Case Number OCC2022-00446

FYI

After the meeting yesterday I wanted to forward one of my previous emails to you from November 8, 2021 which was also sent previously on October 28, 2021. I believe that option 2 has been addressed because the fire marshal found those plans. The big thing now appears to be the lack of a guard.

I also wanted to let you know that your compliance date has been extended to February 8, 2022. Hopefully the issues with the storage/guard can get resolved by this date so that I can get you your certificate of occupancy issued and close out the case.

If you have any questions let me know, thanks!

Stephen Steiner, Jr
Senior Building Code Enforcement Inspector
Building Development Division
5 County Complex Court #120
Woodbridge VA, 22192
703-792-7337
ssteiner@pwcgov.org

Find Important Development Services COVID-19 Update Information Online at:

<https://www.pwcva.gov/department/development-services/covid-19-update>

From: Steiner Jr., Stephen F.
Sent: Monday, November 8, 2021 9:12 AM
To: Chris Berry <chris@blackwolfauto.com>
Subject: RE: Case Number OCC2022-00446

I have forwarded this email to the fire marshal, as he is the one that raised the issue. I don't think this is going to work though as it doesn't really address either option I was given in terms of abatement for the storage issues.

The below yellow highlight is my previous email that I sent:

Mr. Berry,

Mr. Harrell met with my supervisor regarding the storage on top of the office area. It has been determined that you have a couple of options in order to take care of this issue.

1. Remove all storage from on top of the office area, including the racks
2. Provide a letter from either an architect or engineer that says that the ceiling can hold the additional load

But even if you are able to get this letter, a guard is required. But your architect or engineer would determine what type of guard and how it is to be installed.

If you have any questions feel free to ask, thanks!

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From: Chris Berry <chris@blackwolfauto.com>
Sent: Monday, November 8, 2021 9:05 AM
To: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>
Subject: RE: Case Number OCC2022-00446

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Mr. Steiner,

This email is in response to your email concerning storage we have on a platform above the ceiling of our office space. As shown in Prince William County records, the base building, that our space is now a portion of, was completed and approved in 1989 under the applicable Virginia Uniformed Statewide Building Code. This is a one story structure that has an overall height of 22'. It is our understanding that the platform, in question, was constructed and approved during the building construction. Tenant improvement construction, included the addition of the office space and associated ceilings below the platform, were added at a later date. The office ceilings in no way contribute to the floor load capacity or performance of the platform.

The platform is constructed of steel beams, steel web joists, metal pan and poured concrete. (See attached photographs). There were no combustible materials used in the construction of the platform. The floor of the platform currently has long term, ordinary hazard materials stored on it. The storage material, loaded on the platform, is lightweight in comparison to the load capacity of the platform and is uniformly distributed. All long term storage items are stored below a height of 8' off of the floor of the platform and no storage is placed within 18" of the sprinkler heads. This is a fully sprinklered building. At no time are any flammable or combustible liquids stored on this platform. The platform is accessed by portable ladder for the occasional placement or removal of long term stored items. Only designated personnel are allowed to use the portable ladders and access the stored items. This platform is unoccupied. Designated personnel may utilize appropriate fall protection when accessing items on this unoccupied platform.

We hope this email answers any questions you have about the appropriate use of the platform and it's construction.

Sincerely,
Chris Berry

From: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>
Sent: Monday, November 8, 2021 8:26 AM
To: Chris Berry <chris@blackwolfauto.com>
Subject: RE: Case Number OCC2022-00446

I have reached the current compliance date for the violation at 1308, 1312, & 1312 Profit Ct. I know have submitted the JOE application and are working on things so I went ahead and granted an additional 30 day extension to December 8, 2021. Hopefully this gives you enough time to work on the below issue from the fire marshal. Once the issue has been resolved you will need to reschedule the JOE inspection and once that is approved the certificate of occupancy will be issued.

If you have any questions feel free to ask, thanks!

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703-792-7337
ssteiner@pwcgov.org

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From: Steiner Jr., Stephen F.
Sent: Thursday, October 28, 2021 8:10 AM
To: Chris Berry <chris@blackwolfauto.com>
Cc: Harrell, Robert W. <rharrell@pwcgov.org>; Alexander, Kristin O. <KAlexander@pwcgov.org>
Subject: RE: Case Number OCC2022-00446

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<https://www.pwcva.gov/department/development-services/covid-19-update>

From: Harrell, Robert W. <rharrell@pwcgov.org>
Sent: Wednesday, October 27, 2021 8:43 AM
To: Chris Berry <chris@blackwolfauto.com>
Cc: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>
Subject: RE: Case Number OCC2022-00446

Hello Mr. Berry,

Mr. Steiner, the building inspector from Building Code Enforcement will be contacting you. Concerning your storage and racks over the officer area.

Be Safe
Assistant Fire Marshal
Robert Harrell

From: Chris Berry <chris@blackwolfauto.com>
Sent: Tuesday, October 26, 2021 4:47 PM
To: Harrell, Robert W. <rharrell@pwcgov.org>
Subject: Case Number OCC2022-00446

This email is from an EXTERNAL source. Use caution when replying or clicking embedded links.

Fire Marshall Harrell,

On April 29, you emailed me a violation list (ISIP2019-066171) following your thorough inspection of our premises. As you are aware, we immediately rectified the concerns you raised, as your subsequent reinspection verified such.

Based on a follow-up by Prince William Senior Building Code Enforcement Inspector Steiner, it was revealed that I (inadvertently) failed to procure an occupancy permit when I expanded my business into units 1308,1312, and 1316 Profit Ct.

This mistake I made set off the requirement for an inspection by Building Code Enforcement, and a reinspection by the Fire Marshall.

On October 12, 2021, both you and Senior Building Code Enforcement Inspector Steiner performed a JOE inspection.

Later that same day, BCE Inspector Steiner emailed a list of about a dozen items that needed rectification. I then worked my tail off over the remainder of the week attending to his concerns.

I then requested a reinspection from BCE Inspector Steiner, and he has informed me that before he can perform the reinspection, your sign off is required.

Although I was certain you signed off on the JOE form while at my premises at the end of the October 12 inspection, BCE Inspector Steiner has informed me that you still have some reservations about the final sign off.

My questions for you today are;

When do you anticipate identifying the next steps?

What can I do help expedite this process?

As this has cost both me and my wife a great deal of lost sleep. I cannot express how anxious I am to clear up the mistake I made eight years ago when I expanded into units 1308, 1312, and 1316 Profit Court and did not procure the necessary occupancy permit.

I am looking forward to alleviating this worry and getting back to focusing on running my business.

Thank you for your assistance with this matter.

Sincerely,
Chris Berry
Black Wolf Automotive Specialties
703-490-4000 w
703-819-0203 c

From: [Chris Berry](#)
To: [Chris Berry](#)
Subject: FW: 1308 PROFIT CT
Date: Sunday, February 20, 2022 6:19:10 PM

From: Chris Berry
Sent: Wednesday, February 2, 2022 2:51 PM
To: Ghimire, Sarmin <SGhimire@pwcgov.org>
Cc: Chris Berry <chris@blackwolfauto.com>
Subject: RE: 1308 PROFIT CT

Ms. Ghimire,

I am in the process of assembling the application for appeal. I will be mailing it either later today or tomorrow.

If you have any control over the date to be scheduled to appear before the Appeals Board, I would like to request that the appearance be scheduled any day during the week of March 7-11. Our preference is earlier in the week (Monday or Tuesday), but I can make any day that week work. Thank you for your continued assistance with this matter.

Sincerely,
Chris Berry
Black Wolf Automotive Specialties
1320 Profit Ct.
Woodbridge, Va. 22191
703-490-4000

From: Ghimire, Sarmin <SGhimire@pwcgov.org>
Sent: Tuesday, February 1, 2022 2:15 PM
To: Chris Berry <chris@blackwolfauto.com>
Subject: RE: 1308 PROFIT CT

Mr. Berry,

This is a follow up email regarding the letter that you received from our deputy building official Chad Roop. Please let me know how you are planning to move forward with this project. So that I can update my case accordingly.

Thank you.

Sarmin Ghimire

Development Project Manager
Department of Development Services
5 County Complex Court, Suite 120
Prince William, VA 22192
Phone: 703.792.5631
SGhimire@pwcgov.org

From: Ghimire, Sarmin
Sent: Tuesday, January 25, 2022 3:01 PM
To: Chris Berry <chris@blackwolfauto.com>
Subject: 1308 PROFIT CT

Mr. Berry,

Please find attached letter from Deputy Building Official.

Letter has contact information if you have any question.

Sarmin Ghimire
Development Project Manager
Department of Development Services
5 County Complex Court, Suite 120
Prince William, VA 22192
Phone: 703.792.5631
SGhimire@pwcgov.org

From: Chris Berry <chris@blackwolfauto.com>
Sent: Friday, January 7, 2022 3:44 PM
To: Ghimire, Sarmin <SGhimire@pwcgov.org>
Subject: RE: Today's meeting - OCC2022-00446 - 1308 PROFIT CT [none]

This email is from an EXTERNAL source. Use caution when replying or clicking embedded links.

Ms. Ghimire,

Based on Senior Building Code Inspector Steiner's November 8 email, this remaining issue is solely due to Fire Marshal Harrel's evolving concerns.

For what it's worth, during the October 12 inspection, I personally witnessed Fire Marshal Harrel physically signing the JOE inspection form, granting approval/ clearance.

Following some subsequent back and forth correspondence between Senior Building Code Inspector Steiner and myself, a reinspection addressing Senior Building Code Inspector Steiner's concerns was performed on December 7 (all of Senior Building Code Inspector Steiner's concerns were then approved), when Fire Marshal Harrel then argued that the storage over the office qualified as 'High Pile Storage'.

When we spoke earlier today, you indicated that you needed to coordinate 5 others schedules to be

present for the meeting we now have scheduled for Tuesday next week. As the county concerns appear to be evolving, I am very concerned. I am wondering if I should have my attorney present for the meeting as well as my already planned fire protection and building code related specialist consultant.

Would you please provide me with the list of all those planning to take part in Tuesday's meeting?

Sincerely,
Chris Berry
Black Wolf Automotive Specialties
1320 Profit Ct
Woodbridge, Va 22191
703-490-4000

From: Ghimire, Sarmin <SGhimire@pwcgov.org>
Sent: Friday, January 7, 2022 8:29 AM
To: Chris Berry <chris@blackwolfauto.com>
Subject: Today's meeting - OCC2022-00446 - 1308 PROFIT CT [none]

Mr. Berry,

I am about to reschedule today meeting to 2 PM, can you make it?
Please let me know.

Sarmin Ghimire
Development Project Manager
Department of Development Services
5 County Complex Court, Suite 120
Prince William, VA 22192
Phone: 703.792.5631
SGhimire@pwcgov.org

From: Chris Berry <chris@blackwolfauto.com>
Sent: Thursday, January 6, 2022 8:52 AM
To: Ghimire, Sarmin <SGhimire@pwcgov.org>
Subject: RE: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

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I am sorry I misunderstood.
Is it possible to shift to Monday or Tuesday at 3 pm preferably, or 2 pm as a second option?

From: Ghimire, Sarmin <SGhimire@pwcgov.org>
Sent: Thursday, January 6, 2022 8:01 AM
To: Chris Berry <chris@blackwolfauto.com>
Subject: RE: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

Mr. Berry,

I had mentioned earlier that we cannot make it after 2 PM.

Sarmin Ghimire
Development Project Manager
Department of Development Services
5 County Complex Court, Suite 120
Prince William, VA 22192
Phone: 703.792.5631
SGhimire@pwcgov.org

From: Chris Berry <chris@blackwolfauto.com>
Sent: Wednesday, January 5, 2022 4:42 PM
To: Ghimire, Sarmin <SGhimire@pwcgov.org>
Subject: RE: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

This email is from an EXTERNAL source. Use caution when replying or clicking embedded links.

We can make 2pm on Friday the 7th work. Please resend the invite.
Thanks

From: Ghimire, Sarmin <SGhimire@pwcgov.org>
Sent: Thursday, December 30, 2021 9:46 AM
To: Chris Berry <chris@blackwolfauto.com>
Subject: RE: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

Mr. Berry,

Our BCE supervisor cannot make it after 2 PM on Friday the 7th for our meeting.

Sarmin Ghimire
Development Project Manager
Department of Development Services
5 County Complex Court, Suite 120
Prince William, VA 22192
Phone: 703.792.5631
SGhimire@pwcgov.org

From: Ghimire, Sarmin

Sent: Wednesday, December 29, 2021 2:14 PM

To: Chris Berry <chris@blackwolfauto.com>

Subject: RE: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

Mr. Berry,

We have scheduled meeting on the 7th at 9:30 AM, you must have got the invite on a separate email.

Please feel free to forward the invite to your design professional for their presence.

I have invited representatives from Building plan review, Building code enforcement and Fire Marshall's office.

We can discuss on our findings and path to move forward.

Thanks,

Sarmin Ghimire

Development Project Manager
Department of Development Services
5 County Complex Court, Suite 120
Prince William, VA 22192
Phone: 703.792.5631
SGhimire@pwcgov.org

From: Chris Berry <chris@blackwolfauto.com>

Sent: Tuesday, December 14, 2021 5:47 PM

To: Ghimire, Sarmin <SGhimire@pwcgov.org>

Subject: RE: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

This email is from an EXTERNAL source. Use caution when replying or clicking embedded links.

Ms. Ghimire,

Per the most recent (attached) inspection report dated December 7, all items passed with only one item remaining. I believe the remaining item has been fully remedied, but is, according to the report, just waiting for final clearance from county leadership.

Thank you,

Chris Berry

From: Ghimire, Sarmin <SGhimire@pwcgov.org>

Sent: Tuesday, December 14, 2021 11:07 AM

To: Chris Berry <chris@blackwolfauto.com>

Cc: Alexander, Kristin O. <KAlexander@pwcgov.org>; Steiner Jr., Stephen F. <SSteiner@pwcgov.org>; Harrell, Robert W. <rharrell@pwcgov.org>

Subject: RE: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

Mr. Berry,

Are you interested in having an issue resolution meeting? We all can jump in on a web call and discuss your path forward.

I can invite FMO and BCE team, you can invite your designer, if you are working with one.

Please let me know, I can setup this meeting for you.

Thanks,

Sarmin Ghimire
Development Project Manager
Department of Development Services
5 County Complex Court, Suite 120
Prince William, VA 22192
Phone: 703.792.5631
SGhimire@pwcgov.org

From: Chris Berry <chris@blackwolfauto.com>

Sent: Friday, November 12, 2021 11:28 AM

To: Ghimire, Sarmin <SGhimire@pwcgov.org>

Subject: RE: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

This email is from an EXTERNAL source. Use caution when replying or clicking embedded links.

Ms. Ghimire,

I am planning on rescheduling. I am currently waiting on the fire marshal to follow up regarding a concern he apparently expressed to Mr. Steiner.

I will follow up with you immediately following clearing up this current concern.

Thank you for your assistance.

Chris Berry

From: Ghimire, Sarmin <SGhimire@pwcgov.org>

Sent: Tuesday, November 9, 2021 3:01 PM

To: Chris Berry <chris@blackwolfauto.com>

Subject: FW: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

Good afternoon,

I wanted to see if you are planning to reschedule your inspections anytime soon? If so, please reach out to Kris Jesse, same as the first time.

And please let me know when you plan on scheduling it.

Sarmin Ghimire

Development Project Manager
Department of Development Services
5 County Complex Court, Suite 120
Prince William, VA 22192
Phone: 703.792.5631
SGhimire@pwcgov.org

From: no-reply-EnerGov@pwcgov.org <no-reply-EnerGov@pwcgov.org>

Sent: Tuesday, October 12, 2021 3:34 PM

To: chris@blackwolfauto.com; Ghimire, Sarmin <SGhimire@pwcgov.org>

Subject: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

Attached are the Inspection Results for 144C Occupancy Evaluation. The inspection was completed on 10/12/2021.

If you need to contact the Inspector to review the results, their contact information is on the Inspection Report.

If you need to contact the Building Construction Inspections Office, please call 703-792-7006. If you need to contact the Fire Marshal's Office, please call 703-792-6360.

Thank You, Department of Development Services DDS@pwcgov.org 703-792-6930

Please let us know how we are doing by completing the Development Services Customer Satisfaction Survey at www.pwcgov.org/DDSSurvey

Please do not reply to this auto-generated email.

From: [Chris Berry](#)
To: [Chris Berry](#)
Subject: FW: Case Number OCC2022-00446
Date: Sunday, February 20, 2022 6:18:11 PM

From: Chris Berry
Sent: Monday, February 7, 2022 9:08 AM
To: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>
Cc: Ghimire, Sarmin <SGhimire@pwcgov.org>
Subject: RE: Case Number OCC2022-00446

Mr. Steiner,

An application for appeal has been submitted.

Sincerely,
Chris Berry
Black Wolf Automotive Specialties
1320 Profit Ct.
Woodbridge, Va. 22191
703-490-4000

From: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>
Sent: Monday, February 7, 2022 8:30 AM
To: Chris Berry <chris@blackwolfauto.com>
Subject: RE: Case Number OCC2022-00446

FYI

I am about to reach the extended compliance date of February 8, 2022 for the violation. So I wanted to check in with you and see where you were at with things. I also did not know if you received the final determination letter from Chad Roop yet. Just in case I have attached a copy of the letter to this email for you.

Any update you can provide would be appreciated, thanks!

Stephen Steiner, Jr
Senior Building Code Enforcement Inspector
Building Development Division
5 County Complex Court #120
Woodbridge VA, 22192

703-792-7337

ssteiner@pwcgov.org

Find Important Development Services COVID-19 Update Information Online at:

<https://www.pwcva.gov/department/development-services/covid-19-update>

From: Chris Berry <chris@blackwolfauto.com>
Sent: Wednesday, January 12, 2022 5:04 PM
To: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>
Subject: RE: Case Number OCC2022-00446

This email is from an EXTERNAL source. Use caution when replying or clicking embedded links.

Mr. Steiner,

Thank you for the update. That is good news regarding the plans having been found by the Fire Marshal.

I am anxiously awaiting the findings from Ms. Goodman's research to determine if the mezzanine can remain in its current configuration.

Sincerely,
Chris Berry
Black Wolf Automotive Specialties
1320 Profit Ct
Woodbridge, Va 22191
703-490-4000

From: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>
Sent: Wednesday, January 12, 2022 8:19 AM
To: Chris Berry <chris@blackwolfauto.com>
Cc: Alexander, Kristin O. <KAlexander@pwcgov.org>; Ghimire, Sarmin <SGhimire@pwcgov.org>
Subject: FW: Case Number OCC2022-00446

FYI

After the meeting yesterday I wanted to forward one of my previous emails to you from November 8, 2021 which was also sent previously on October 28, 2021. I believe that option 2 has been addressed because the fire marshal found those plans. The big thing now appears to be the lack of a guard.

I also wanted to let you know that your compliance date has been extended to February 8, 2022. Hopefully the issues with the storage/guard can get resolved by this date so that I can get you your certificate of occupancy issued and close out the case.

If you have any questions let me know, thanks!

Stephen Steiner, Jr
Senior Building Code Enforcement Inspector
Building Development Division
5 County Complex Court #120
Woodbridge VA, 22192
703-792-7337
ssteiner@pwcgov.org

Find Important Development Services COVID-19 Update Information Online at:

<https://www.pwcva.gov/department/development-services/covid-19-update>

From: Steiner Jr., Stephen F.
Sent: Monday, November 8, 2021 9:12 AM
To: Chris Berry <chris@blackwolfauto.com>
Subject: RE: Case Number OCC2022-00446

I have forwarded this email to the fire marshal, as he is the one that raised the issue. I don't think this is going to work though as it doesn't really address either option I was given in terms of abatement for the storage issues.

The below yellow highlight is my previous email that I sent:

Mr. Berry,

Mr. Harrell met with my supervisor regarding the storage on top of the office area. It has been determined that you have a couple of options in order to take care of this issue.

1. Remove all storage from on top of the office area, including the racks
2. Provide a letter from either an architect or engineer that says that the ceiling can hold the additional load

But even if you are able to get this letter, a guard is required. But your architect or engineer would determine what type of guard and how it is to be installed.

If you have any questions feel free to ask, thanks!

Stephen Steiner, Jr
Senior Building Code Enforcement Inspector
Building Development Division
5 County Complex Court #120
Woodbridge VA, 22192
703-792-7337

ssteiner@pwcgov.org

Find Important Development Services COVID-19 Update Information Online at:

<https://www.pwcva.gov/department/development-services/covid-19-update>

From: Chris Berry <chris@blackwolfauto.com>
Sent: Monday, November 8, 2021 9:05 AM
To: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>
Subject: RE: Case Number OCC2022-00446

This email is from an EXTERNAL source. Use caution when replying or clicking embedded links.

Mr. Steiner,

This email is in response to your email concerning storage we have on a platform above the ceiling of our office space. As shown in Prince William County records, the base building, that our space is now a portion of, was completed and approved in 1989 under the applicable Virginia Uniformed Statewide Building Code. This is a one story structure that has an overall height of 22'. It is our understanding that the platform, in question, was constructed and approved during the building construction. Tenant improvement construction, included the addition of the office space and associated ceilings below the platform, were added at a later date. The office ceilings in no way contribute to the floor load capacity or performance of the platform.

The platform is constructed of steel beams, steel web joists, metal pan and poured concrete. (See attached photographs). There were no combustible materials used in the construction of the platform. The floor of the platform currently has long term, ordinary hazard materials stored on it. The storage material, loaded on the platform, is lightweight in comparison to the load capacity of the platform and is uniformly distributed. All long term storage items are stored below a height of 8' off of the floor of the platform and no storage is placed within 18" of the sprinkler heads. This is a fully sprinklered building. At no time are any flammable or combustible liquids stored on this platform. The platform is accessed by portable ladder for the occasional placement or removal of long term stored items. Only designated personnel are allowed to use the portable ladders and access the stored items. This platform is unoccupied. Designated personnel may utilize appropriate fall protection when accessing items on this unoccupied platform.

We hope this email answers any questions you have about the appropriate use of the platform and it's construction.

Sincerely,
Chris Berry

From: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>
Sent: Monday, November 8, 2021 8:26 AM
To: Chris Berry <chris@blackwolfauto.com>

Subject: RE: Case Number OCC2022-00446

I have reached the current compliance date for the violation at 1308, 1312, & 1312 Profit Ct. I know I have submitted the JOE application and are working on things so I went ahead and granted an additional 30 day extension to December 8, 2021. Hopefully this gives you enough time to work on the below issue from the fire marshal. Once the issue has been resolved you will need to reschedule the JOE inspection and once that is approved the certificate of occupancy will be issued.

If you have any questions feel free to ask, thanks!

Stephen Steiner, Jr
Senior Building Code Enforcement Inspector
Building Development Division
5 County Complex Court #120
Woodbridge VA, 22192
703-792-7337
ssteiner@pwcgov.org

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From: Steiner Jr., Stephen F.
Sent: Thursday, October 28, 2021 8:10 AM
To: Chris Berry <chris@blackwolfauto.com>
Cc: Harrell, Robert W. <rharrell@pwcgov.org>; Alexander, Kristin O. <KAlexander@pwcgov.org>
Subject: RE: Case Number OCC2022-00446

Mr. Berry,

Mr. Harrell met with my supervisor regarding the storage on top of the office area. It has been determined that you have a couple of options in order to take care of this issue.

1. Remove all storage from on top of the office area, including the racks
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But even if you are able to get this letter, a guard is required. But your architect or engineer would determine what type of guard and how it is to be installed.

If you have any questions feel free to ask, thanks!

Stephen Steiner, Jr
Senior Building Code Enforcement Inspector
Building Development Division
5 County Complex Court #120

Woodbridge VA, 22192
703-792-7337
ssteiner@pwcgov.org

Find Important Development Services COVID-19 Update Information Online at:
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From: Harrell, Robert W. <rharrell@pwcgov.org>
Sent: Wednesday, October 27, 2021 8:43 AM
To: Chris Berry <chris@blackwolfauto.com>
Cc: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>
Subject: RE: Case Number OCC2022-00446

Hello Mr. Berry,

Mr. Steiner, the building inspector from Building Code Enforcement will be contacting you.
Concerning your storage and racks over the officer area.

Be Safe
Assistant Fire Marshal
Robert Harrell

From: Chris Berry <chris@blackwolfauto.com>
Sent: Tuesday, October 26, 2021 4:47 PM
To: Harrell, Robert W. <rharrell@pwcgov.org>
Subject: Case Number OCC2022-00446

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Fire Marshall Harrell,

On April 29, you emailed me a violation list (ISIP2019-066171) following your thorough inspection of our premises. As you are aware, we immediately rectified the concerns you raised, as your subsequent reinspection verified such.

Based on a follow-up by Prince William Senior Building Code Enforcement Inspector Steiner, it was revealed that I (inadvertently) failed to procure an occupancy permit when I expanded my business into units 1308,1312, and 1316 Profit Ct.

This mistake I made set off the requirement for an inspection by Building Code Enforcement, and a reinspection by the Fire Marshall.

On October 12, 2021, both you and Senior Building Code Enforcement Inspector Steiner performed a JOE inspection.

Later that same day, BCE Inspector Steiner emailed a list of about a dozen items that needed rectification. I then worked my tail off over the remainder of the week attending to his concerns.

I then requested a reinspection from BCE Inspector Steiner, and he has informed me that before he can perform the reinspection, your sign off is required.

Although I was certain you signed off on the JOE form while at my premises at the end of the October 12 inspection, BCE Inspector Steiner has informed me that you still have some reservations about the final sign off.

My questions for you today are;

When do you anticipate identifying the next steps?

What can I do help expedite this process?

As this has cost both me and my wife a great deal of lost sleep. I cannot express how anxious I am to clear up the mistake I made eight years ago when I expanded into units 1308, 1312, and 1316 Profit Court and did not procure the necessary occupancy permit.

I am looking forward to alleviating this worry and getting back to focusing on running my business.

Thank you for your assistance with this matter.

Sincerely,
Chris Berry
Black Wolf Automotive Specialties
703-490-4000 w
703-819-0203 c

From: [Chris Berry](#)
To: [Chris Berry](#)
Subject: FW: Today's meeting - OCC2022-00446 - 1308 PROFIT CT [none]
Date: Sunday, February 20, 2022 6:17:19 PM

From: Chris Berry
Sent: Tuesday, January 11, 2022 8:02 PM
To: Ghimire, Sarmin <SGhimire@pwcgov.org>
Subject: RE: Today's meeting - OCC2022-00446 - 1308 PROFIT CT [none]

Ms. Ghimire,

I appreciate your continued efforts in helping to rectify this situation. Based on today's conversation, and your office's recommendation, I have reached out to the building owner requesting a copy of the approved construction drawings. During our meeting today, Chief Jarmin of the Fire Marshall's office said he had obtained construction plans, and he offered to provide a copy of said plans. As I do not have his direct contact info, can you please assist me with the procurement of a copy of the plans he offered? Thank you in advance for your continued assistance with this matter.

Sincerely,
Chris Berry
Black Wolf Automotive Specialties
Blackwolfauto.com
703-490-4000

From: Ghimire, Sarmin <SGhimire@pwcgov.org>
Sent: Friday, January 7, 2022 3:53 PM
To: Chris Berry <chris@blackwolfauto.com>
Subject: RE: Today's meeting - OCC2022-00446 - 1308 PROFIT CT [none]

Mr. Berry,

We will have representatives from building code enforcement, Plan review & Fire marshal office.

You will not need your attorney to be present, but you can forward meeting invite to your consultants.

Sarmin Ghimire
Development Project Manager
Department of Development Services

5 County Complex Court, Suite 120
Prince William, VA 22192
Phone: 703.792.5631
SGhimire@pwcgov.org

From: Chris Berry <chris@blackwolfauto.com>
Sent: Friday, January 7, 2022 3:44 PM
To: Ghimire, Sarmin <SGhimire@pwcgov.org>
Subject: RE: Today's meeting - OCC2022-00446 - 1308 PROFIT CT [none]

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Would you please provide me with the list of all those planning to take part in Tuesday's meeting?

Sincerely,
Chris Berry
Black Wolf Automotive Specialties
1320 Profit Ct
Woodbridge, Va 22191
703-490-4000

From: Ghimire, Sarmin <SGhimire@pwcgov.org>
Sent: Friday, January 7, 2022 8:29 AM
To: Chris Berry <chris@blackwolfauto.com>

Subject: Today's meeting - OCC2022-00446 - 1308 PROFIT CT [none]

Mr. Berry,

I am about to reschedule today meeting to 2 PM, can you make it?
Please let me know.

Sarmin Ghimire
Development Project Manager
Department of Development Services
5 County Complex Court, Suite 120
Prince William, VA 22192
Phone: 703.792.5631
SGhimire@pwcgov.org

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Sent: Thursday, January 6, 2022 8:52 AM
To: Ghimire, Sarmin <SGhimire@pwcgov.org>
Subject: RE: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

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To: Chris Berry <chris@blackwolfauto.com>
Subject: RE: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

Mr. Berry,

I had mentioned earlier that we cannot make it after 2 PM.

Sarmin Ghimire
Development Project Manager
Department of Development Services
5 County Complex Court, Suite 120
Prince William, VA 22192
Phone: 703.792.5631
SGhimire@pwcgov.org

From: Chris Berry <chris@blackwolfauto.com>
Sent: Wednesday, January 5, 2022 4:42 PM

To: Ghimire, Sarmin <SGhimire@pwcgov.org>

Subject: RE: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

This email is from an EXTERNAL source. Use caution when replying or clicking embedded links.

We can make 2pm on Friday the 7th work. Please resend the invite.

Thanks

From: Ghimire, Sarmin <SGhimire@pwcgov.org>

Sent: Thursday, December 30, 2021 9:46 AM

To: Chris Berry <chris@blackwolfauto.com>

Subject: RE: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

Mr. Berry,

Our BCE supervisor cannot make it after 2 PM on Friday the 7th for our meeting.

Sarmin Ghimire

Development Project Manager
Department of Development Services
5 County Complex Court, Suite 120
Prince William, VA 22192
Phone: 703.792.5631
SGhimire@pwcgov.org

From: Ghimire, Sarmin

Sent: Wednesday, December 29, 2021 2:14 PM

To: Chris Berry <chris@blackwolfauto.com>

Subject: RE: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

Mr. Berry,

We have scheduled meeting on the 7th at 9:30 AM, you must have got the invite on a separate email.

Please feel free to forward the invite to your design professional for their presence.

I have invited representatives from Building plan review, Building code enforcement and Fire Marshall's office.

We can discuss on our findings and path to move forward.

Thanks,

Sarmin Ghimire

Development Project Manager

Department of Development Services
5 County Complex Court, Suite 120
Prince William, VA 22192
Phone: 703.792.5631
SGhimire@pwcgov.org

From: Chris Berry <chris@blackwolfauto.com>
Sent: Tuesday, December 14, 2021 5:47 PM
To: Ghimire, Sarmin <SGhimire@pwcgov.org>
Subject: RE: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

This email is from an EXTERNAL source. Use caution when replying or clicking embedded links.

Ms. Ghimire,
Per the most recent (attached) inspection report dated December 7, all items passed with only one item remaining. I believe the remaining item has been fully remedied, but is, according to the report, just waiting for final clearance from county leadership.
Thank you,
Chris Berry

From: Ghimire, Sarmin <SGhimire@pwcgov.org>
Sent: Tuesday, December 14, 2021 11:07 AM
To: Chris Berry <chris@blackwolfauto.com>
Cc: Alexander, Kristin O. <KAlexander@pwcgov.org>; Steiner Jr., Stephen F. <SSteiner@pwcgov.org>; Harrell, Robert W. <rharrell@pwcgov.org>
Subject: RE: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

Mr. Berry,

Are you interested in having an issue resolution meeting? We all can jump in on a web call and discuss your path forward.
I can invite FMO and BCE team, you can invite your designer, if you are working with one.

Please let me know, I can setup this meeting for you.

Thanks,

Sarmin Ghimire
Development Project Manager
Department of Development Services
5 County Complex Court, Suite 120
Prince William, VA 22192
Phone: 703.792.5631
SGhimire@pwcgov.org

From: Chris Berry <chris@blackwolfauto.com>

Sent: Friday, November 12, 2021 11:28 AM

To: Ghimire, Sarmin <SGhimire@pwcgov.org>

Subject: RE: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

This email is from an EXTERNAL source. Use caution when replying or clicking embedded links.

Ms. Ghimire,

I am planning on rescheduling. I am currently waiting on the fire marshal to follow up regarding a concern he apparently expressed to Mr. Steiner.

I will follow up with you immediately following clearing up this current concern.

Thank you for your assistance.

Chris Berry

From: Ghimire, Sarmin <SGhimire@pwcgov.org>

Sent: Tuesday, November 9, 2021 3:01 PM

To: Chris Berry <chris@blackwolfauto.com>

Subject: FW: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

Good afternoon,

I wanted to see if you are planning to reschedule your inspections anytime soon? If so, please reach out to Kris Jesse, same as the first time.

And please let me know when you plan on scheduling it.

Sarmin Ghimire

Development Project Manager
Department of Development Services
5 County Complex Court, Suite 120
Prince William, VA 22192
Phone: 703.792.5631
SGhimire@pwcgov.org

From: no-reply-EnerGov@pwcgov.org <no-reply-EnerGov@pwcgov.org>

Sent: Tuesday, October 12, 2021 3:34 PM

To: chris@blackwolfauto.com; Ghimire, Sarmin <SGhimire@pwcgov.org>

Subject: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

Attached are the Inspection Results for 144C Occupancy Evaluation. The inspection was completed on 10/12/2021.

If you need to contact the Inspector to review the results, their contact information is on the Inspection Report.

If you need to contact the Building Construction Inspections Office, please call 703-792-7006. If you

need to contact the Fire Marshal's Office, please call 703-792-6360.

Thank You, Department of Development Services DDS@pwcgov.org 703-792-6930

Please let us know how we are doing by completing the Development Services Customer Satisfaction Survey at www.pwcgov.org/DDSSurvey

Please do not reply to this auto-generated email.

From: [Chris Berry](#)
To: [Heather Summers](#)
Cc: [Chris Berry](#)
Subject: FW: Building Plans Requirement
Date: Sunday, February 13, 2022 7:48:53 PM

Ms. Summers,

I am following up, having not received any reply regarding the building plans I have requested. As I mentioned below, as expected, the county has now issued a final determination requiring that stairs and a guard for the mezzanine be installed, before they will issue my occupancy permit. I have applied to appeal the county's final determination. I am still waiting for a date to be set for the appeal. It appears the appeals hearing will take place in early March.

Is there any chance the requested plans will be made available to me to use as evidence in the appeals hearing?

If not, it appears that I will need you to expeditiously initiate the installation of stairs and a guard (permits required), to prevent me from being subject to the county's wrath.

Thank you again for your assistance with this matter.

Sincerely,

Chris Berry

Black Wolf Automotive Specialties

1320 Profit Ct.

Woodbridge, Va. 22191

703-490-4000

From: Chris Berry
Sent: Wednesday, January 26, 2022 4:43 PM
To: Heather Summers <hsummers@edgecre.com>
Subject: Building Plans Requirement

Ms. Summers,

As you are aware, I am still waiting for a copy of the building plans to assist with my issue with the county. I now have a requirement to have these plans within the next 10 working days. The approved plans we require must be dated pre-1990 (I assume 1989). Without these plans, the code officials are demanding that stairs and a guard/ railing are required for the mezzanine that pre-existed my tenancy. It also appears that this expense will be the responsibility of the landlord.

With these plans, it is likely we can avoid having to jump through these hoops, but time is running out.

Thank you for your assistance with this matter.

Sincerely,

Chris Berry

Black Wolf Automotive Specialties

1320 Profit Ct.

Woodbridge, Va. 22191

703-490-4000

From: [Chris Berry](#)
To: [Chris Berry](#)
Subject: FW: Building Plans Requirement
Date: Sunday, February 13, 2022 10:59:03 AM

From: Chris Berry
Sent: Wednesday, January 26, 2022 4:43 PM
To: Heather Summers <hsummers@edgecre.com>
Subject: Building Plans Requirement

Ms. Summers,

As you are aware, I am still waiting for a copy of the building plans to assist with my issue with the county. I now have a requirement to have these plans within the next 10 working days. The approved plans we require must be dated pre-1990 (I assume 1989). Without these plans, the code officials are demanding that stairs and a guard/ railing are required for the mezzanine that pre-existed my tenancy. It also appears that this expense will be the responsibility of the landlord. With these plans, it is likely we can avoid having to jump through these hoops, but time is running out.

Thank you for your assistance with this matter.

Sincerely,
Chris Berry
Black Wolf Automotive Specialties
1320 Profit Ct.
Woodbridge, Va. 22191
703-490-4000

From: [Chris Berry](#)
To: [Chris Berry](#)
Subject: FW: Today's call
Date: Sunday, February 13, 2022 10:57:46 AM

From: Chris Berry
Sent: Thursday, February 3, 2022 5:34 PM
To: Heather Summers <hsummers@edgecre.com>
Subject: Today's call

Ms. Summers,

Thank you for the call earlier today. Fortunately, I have been able to rearrange my schedule to accommodate the visit from your structural engineer to assess the damage, on this Saturday between 11am and 12pm. I will personally make the trip to the building to provide them access.

Regarding the building plans we have been seeking, as I mentioned to you when we spoke, I just received a certified letter from the county specifying that as their final determination, prior to issuing my occupancy permit will require a guard and stairs for the mezzanine. At this point, I have just under 30 days to appeal their decision. With a copy of the approved plans from 1989 showing the mezzanine, I suspect we can avert this requirement.

Sincerely,
Chris Berry
Black Wolf Automotive Specialties
1320 Profit Ct.
Woodbridge, Va. 22191
703-490-4000

From: [Bates, Amanda](#)
To: [Chris Berry](#)
Subject: RE: Request for Appeal
Date: Wednesday, February 9, 2022 2:33:43 PM

Good afternoon Mr. Berry,

A few clarifying things I want to go over before I respond to your question, as the Secretary for the Appeals Board. One is the Prince William County Appeals Board hearings are considered public hearings, subject to FOIA. It is up to you as the appellant to defend yourself by providing your case facts to me so I can compile a Board Package for the board members, you as the appellant, and the building official.

You do, however, have the option to introduce evidence the day of the hearing to the Chair of the Board. He has to approve it and you would need to bring extra copies for everyone to present at that time.

I must know what you are appealing so our Building Official can put his statement of facts together and provide to me his documentation and I can compile your documents as well. The Board package is sent out to everyone a few days before the hearing.

Are you appealing the Building Code Enforcement Violation, or are you appealing all items listed in the final determination letter sent to you by Deputy Building Official Chad Roop?

If it is easier to chat by phone I would be happy to give you a call.

Thank you,

Amanda Bates

Administrative Coordinator I Department of Development Services
5 County Complex Ct. | Suite 120 | Prince William, VA 22192
703-792-5267 (direct) | Abates@pwcgov.org

Find Important Development Services COVID-19 Update Information Online at:
[Development Services – COVID-19 UPDATE Operational Guidance](#)

From: Chris Berry <chris@blackwolfauto.com>
Sent: Tuesday, February 8, 2022 7:53 AM
To: Bates, Amanda <ABates@pwcgov.org>
Subject: RE: Request for Appeal

This email is from an EXTERNAL source. Use caution when replying or clicking embedded links.

Good morning Ms. Bates,

Thank you very much for working with our schedule request. If possible, Monday or Tuesday of the week 7-11 March would be our preferred meeting dates.

Regarding your request for specifics, I am certain I can present a clear and compelling case that the county code enforcement officials have harassed us egregiously. Their multiple arbitrary allegations of code violations have been a progressively evolving series of throwing things at the wall to see what might stick, including backpedaling and buck-passing when deemed advantageous. I am genuinely concerned that if I divulge the details of my case, and if these details were to be made available to the involved officials, they will **again** amend their determination(s).

Understanding that I am not familiar with the rules of these proceedings to follow, can you assure me that if I divulge the facts of my case to you, that these facts not be made available to the involved code officials until the actual appeals hearing?

Thank you for your assistance with this matter.

Sincerely,
Chris Berry
Black Wolf Automotive Specialties
1320 Profit Ct.
Woodbridge, Va. 22191
703-490-4000

From: Bates, Amanda <ABates@pwcgov.org>

Sent: Monday, February 7, 2022 3:22 PM

To: Chris Berry <chris@blackwolfauto.com>

Subject: RE: Request for Appeal

Good afternoon Mr. Berry,

I am in receipt of your appeal request. Usually, appeals are held within 30 days of receipt unless both parties agree on an extension. Both parties meaning the appellant and the Building Official.

I have been given approval to extend this hearing to your requested week of March 7-11. I will email the Board of Appeals to confirm a date. Once the date is confirmed, I will email you additional instructions for the appeals hearing, including what information I need from you for the Board Package that will be presented the day of the hearing.

For clarification, and the Appeals Board Records, can you be specific on what in the Deputy Building Officials determination you are appealing.

Thanks,

Amanda Bates

Administrative Coordinator | Department of Development Services
5 County Complex Ct. | Suite 120 | Prince William, VA 22192
703-792-5267 (direct) | Abates@pwcgov.org

Find Important Development Services COVID-19 Update Information Online at:
[Development Services – COVID-19 UPDATE Operational Guidance](#)

From: Chris Berry <chris@blackwolfauto.com>
Sent: Wednesday, February 2, 2022 2:54 PM
To: Bates, Amanda <ABates@pwcgov.org>
Cc: Chris Berry <chris@blackwolfauto.com>
Subject: Request for Appeal

This email is from an EXTERNAL source. Use caution when replying or clicking embedded links.

Ms. Bates,

I hereby submit a request for appeal, regarding the matter described in the enclosed Final Determination from Deputy Building Official Chad Roop.

The owner of the building/ Structure is;
Brightleaf Industrial Holdings, LLC
C/O Edge Commercial Real Estate
2273 Research Blvd, Suite 150
Rockville, MD 20850

Person Appealing;
Chris Berry
1320 Profit Ct.
Woodbridge, VA 22191

If it is possible, I would like to request that the date to be scheduled for my appearance before the Appeals Board be any day during the week of March 7-11, with Monday or Tuesday of that week being my preferred days to appear.
Thank you for your assistance with this matter.

Sincerely,
Chris Berry
Black Wolf Automotive Specialties
1320 Profit Ct.
Woodbridge, Va. 22191
703-490-4000

This document is also being mailed.

From: [Bates, Amanda](#)
To: [Chris Berry](#)
Subject: RE: Request for Appeal
Date: Monday, February 7, 2022 3:22:26 PM

Good afternoon Mr. Berry,

I am in receipt of your appeal request. Usually, appeals are held within 30 days of receipt unless both parties agree on an extension. Both parties meaning the appellant and the Building Official.

I have been given approval to extend this hearing to your requested week of March 7-11. I will email the Board of Appeals to confirm a date. Once the date is confirmed, I will email you additional instructions for the appeals hearing, including what information I need from you for the Board Package that will be presented the day of the hearing.

For clarification, and the Appeals Board Records, can you be specific on what in the Deputy Building Officials determination you are appealing.

Thanks,

Amanda Bates

Administrative Coordinator I Department of Development Services
5 County Complex Ct. | Suite 120 | Prince William, VA 22192
703-792-5267 (direct) | Abates@pwcgov.org

Find Important Development Services COVID-19 Update Information Online at:
[Development Services – COVID-19 UPDATE Operational Guidance](#)

From: Chris Berry <chris@blackwolfauto.com>
Sent: Wednesday, February 2, 2022 2:54 PM
To: Bates, Amanda <ABates@pwcgov.org>
Cc: Chris Berry <chris@blackwolfauto.com>
Subject: Request for Appeal

This email is from an EXTERNAL source. Use caution when replying or clicking embedded links.

Ms. Bates,

I hereby submit a request for appeal, regarding the matter described in the enclosed Final Determination from Deputy Building Official Chad Roop.

The owner of the building/ Structure is;
Brightleaf Industrial Holdings, LLC
C/O Edge Commercial Real Estate

2273 Research Blvd, Suite 150
Rockville, MD 20850

Person Appealing;
Chris Berry
1320 Profit Ct.
Woodbridge, VA 22191

If it is possible, I would like to request that the date to be scheduled for my appearance before the Appeals Board be any day during the week of March 7-11, with Monday or Tuesday of that week being my preferred days to appear.

Thank you for your assistance with this matter.

Sincerely,
Chris Berry
Black Wolf Automotive Specialties
1320 Profit Ct.
Woodbridge, Va. 22191
703-490-4000

This document is also being mailed.

From: [Steiner Jr., Stephen F.](#)
To: [Chris Berry](#)
Subject: RE: Case Number OCC2022-00446
Date: Monday, February 7, 2022 9:27:00 AM

Thank you for the update. Since you have submitted an appeal I am going to grant another 30 day extension to the current code case that I have for the occupying without a certificate of occupancy. The new compliance date will be March 8, 2022.

Stephen Steiner, Jr
Senior Building Code Enforcement Inspector
Building Development Division
5 County Complex Court #120
Woodbridge VA, 22192
703-792-7337
ssteiner@pwcgov.org

Find Important Development Services COVID-19 Update Information Online at:

<https://www.pwcva.gov/department/development-services/covid-19-update>

From: Chris Berry <chris@blackwolfauto.com>
Sent: Monday, February 7, 2022 9:08 AM
To: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>
Cc: Ghimire, Sarmin <SGhimire@pwcgov.org>
Subject: RE: Case Number OCC2022-00446

This email is from an EXTERNAL source. Use caution when replying or clicking embedded links.

Mr. Steiner,

An application for appeal has been submitted.

Sincerely,
Chris Berry
Black Wolf Automotive Specialties
1320 Profit Ct.
Woodbridge, Va. 22191
703-490-4000

From: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>
Sent: Monday, February 7, 2022 8:30 AM
To: Chris Berry <chris@blackwolfauto.com>
Subject: RE: Case Number OCC2022-00446

FYI

I am about to reach the extended compliance date of February 8, 2022 for the violation. So I wanted to check in with you and see where you were at with things. I also did not know if you received the final determination letter from Chad Roop yet. Just in case I have attached a copy of the letter to this email for you.

Any update you can provide would be appreciated, thanks!

Stephen Steiner, Jr
Senior Building Code Enforcement Inspector
Building Development Division
5 County Complex Court #120
Woodbridge VA, 22192
703-792-7337
ssteiner@pwcgov.org

Find Important Development Services COVID-19 Update Information Online at:

<https://www.pwcva.gov/department/development-services/covid-19-update>

From: Chris Berry <chris@blackwolfauto.com>
Sent: Wednesday, January 12, 2022 5:04 PM
To: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>
Subject: RE: Case Number OCC2022-00446

This email is from an EXTERNAL source. Use caution when replying or clicking embedded links.

Mr. Steiner,

Thank you for the update. That is good news regarding the plans having been found by the Fire Marshal.

I am anxiously awaiting the findings from Ms. Goodman's research to determine if the mezzanine can remain in its current configuration.

Sincerely,
Chris Berry
Black Wolf Automotive Specialties
1320 Profit Ct
Woodbridge, Va 22191
703-490-4000

From: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>

Sent: Wednesday, January 12, 2022 8:19 AM
To: Chris Berry <chris@blackwolfauto.com>
Cc: Alexander, Kristin O. <KAlexander@pwcgov.org>; Ghimire, Sarmin <SGhimire@pwcgov.org>
Subject: FW: Case Number OCC2022-00446

FYI

After the meeting yesterday I wanted to forward one of my previous emails to you from November 8, 2021 which was also sent previously on October 28, 2021. I believe that option 2 has been addressed because the fire marshal found those plans. The big thing now appears to be the lack of a guard.

I also wanted to let you know that your compliance date has been extended to February 8, 2022. Hopefully the issues with the storage/guard can get resolved by this date so that I can get you your certificate of occupancy issued and close out the case.

If you have any questions let me know, thanks!

Stephen Steiner, Jr
Senior Building Code Enforcement Inspector
Building Development Division
5 County Complex Court #120
Woodbridge VA, 22192
703-792-7337
ssteiner@pwcgov.org

Find Important Development Services COVID-19 Update Information Online at:
<https://www.pwcva.gov/department/development-services/covid-19-update>

From: Steiner Jr., Stephen F.
Sent: Monday, November 8, 2021 9:12 AM
To: Chris Berry <chris@blackwolfauto.com>
Subject: RE: Case Number OCC2022-00446

I have forwarded this email to the fire marshal, as he is the one that raised the issue. I don't think this is going to work though as it doesn't really address either option I was given in terms of abatement for the storage issues.

The below yellow highlight is my previous email that I sent:

Mr. Berry,

Mr. Harrell met with my supervisor regarding the storage on top of the office area. It has been determined that you have a couple of options in order to take care of this issue.

1. Remove all storage from on top of the office area, including the racks
2. Provide a letter from either an architect or engineer that says that the ceiling can hold the additional load

But even if you are able to get this letter, a guard is required. But your architect or engineer would determine what type of guard and how it is to be installed.

If you have any questions feel free to ask, thanks!

Stephen Steiner, Jr
Senior Building Code Enforcement Inspector
Building Development Division
5 County Complex Court #120
Woodbridge VA, 22192
703-792-7337
ssteiner@pwcgov.org

Find Important Development Services COVID-19 Update Information Online at:

<https://www.pwcva.gov/department/development-services/covid-19-update>

From: Chris Berry <chris@blackwolfauto.com>
Sent: Monday, November 8, 2021 9:05 AM
To: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>
Subject: RE: Case Number OCC2022-00446

This email is from an EXTERNAL source. Use caution when replying or clicking embedded links.

Mr. Steiner,

This email is in response to your email concerning storage we have on a platform above the ceiling of our office space. As shown in Prince William County records, the base building, that our space is now a portion of, was completed and approved in 1989 under the applicable Virginia Uniformed Statewide Building Code. This is a one story structure that has an overall height of 22'. It is our understanding that the platform, in question, was constructed and approved during the building construction. Tenant improvement construction, included the addition of the office space and associated ceilings below the platform, were added at a later date. The office ceilings in no way contribute to the floor load capacity or performance of the platform.

The platform is constructed of steel beams, steel web joists, metal pan and poured concrete. (See attached photographs). There were no combustible materials used in the construction of the platform. The floor of the platform currently has long term, ordinary hazard materials stored on it. The storage material, loaded on the platform, is lightweight in comparison to the load capacity of the platform and is uniformly distributed. All long term storage items are stored below a height of 8' off of the floor of the platform and no storage is placed within 18" of the sprinkler heads. This is a fully sprinklered building. At no time are any flammable or combustible liquids stored on this

platform. The platform is accessed by portable ladder for the occasional placement or removal of long term stored items. Only designated personnel are allowed to use the portable ladders and access the stored items. This platform is unoccupied. Designated personnel may utilize appropriate fall protection when accessing items on this unoccupied platform.

We hope this email answers any questions you have about the appropriate use of the platform and it's construction.

Sincerely,
Chris Berry

From: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>
Sent: Monday, November 8, 2021 8:26 AM
To: Chris Berry <chris@blackwolfauto.com>
Subject: RE: Case Number OCC2022-00446

I have reached the current compliance date for the violation at 1308, 1312, & 1312 Profit Ct. I know have submitted the JOE application and are working on things so I went ahead and granted an additional 30 day extension to December 8, 2021. Hopefully this gives you enough time to work on the below issue from the fire marshal. Once the issue has been resolved you will need to reschedule the JOE inspection and once that is approved the certificate of occupancy will be issued.

If you have any questions feel free to ask, thanks!

Stephen Steiner, Jr
Senior Building Code Enforcement Inspector
Building Development Division
5 County Complex Court #120
Woodbridge VA, 22192
703-792-7337
ssteiner@pwcgov.org

Find Important Development Services COVID-19 Update Information Online at:
<https://www.pwcva.gov/department/development-services/covid-19-update>

From: Steiner Jr., Stephen F.
Sent: Thursday, October 28, 2021 8:10 AM
To: Chris Berry <chris@blackwolfauto.com>
Cc: Harrell, Robert W. <rharrell@pwcgov.org>; Alexander, Kristin O. <KAlexander@pwcgov.org>
Subject: RE: Case Number OCC2022-00446

Mr. Berry,

Mr. Harrell met with my supervisor regarding the storage on top of the office area. It has been determined that you have a couple of options in order to take care of this issue.

1. Remove all storage from on top of the office area, including the racks
2. Provide a letter from either an architect or engineer that says that the ceiling can hold the additional load

But even if you are able to get this letter, a guard is required. But your architect or engineer would determine what type of guard and how it is to be installed.

If you have any questions feel free to ask, thanks!

Stephen Steiner, Jr
Senior Building Code Enforcement Inspector
Building Development Division
5 County Complex Court #120
Woodbridge VA, 22192
703-792-7337
ssteiner@pwcgov.org

Find Important Development Services COVID-19 Update Information Online at:
<https://www.pwcva.gov/department/development-services/covid-19-update>

From: Harrell, Robert W. <rharrell@pwcgov.org>
Sent: Wednesday, October 27, 2021 8:43 AM
To: Chris Berry <chris@blackwolfauto.com>
Cc: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>
Subject: RE: Case Number OCC2022-00446

Hello Mr. Berry,

Mr. Steiner, the building inspector from Building Code Enforcement will be contacting you. Concerning your storage and racks over the officer area.

Be Safe
Assistant Fire Marshal
Robert Harrell

From: Chris Berry <chris@blackwolfauto.com>
Sent: Tuesday, October 26, 2021 4:47 PM
To: Harrell, Robert W. <rharrell@pwcgov.org>
Subject: Case Number OCC2022-00446

This email is from an EXTERNAL source. Use caution when replying or clicking embedded

Fire Marshall Harrell,

On April 29, you emailed me a violation list (ISIP2019-066171) following your thorough inspection of our premises. As you are aware, we immediately rectified the concerns you raised, as your subsequent reinspection verified such.

Based on a follow-up by Prince William Senior Building Code Enforcement Inspector Steiner, it was revealed that I (inadvertently) failed to procure an occupancy permit when I expanded my business into units 1308,1312, and 1316 Profit Ct.

This mistake I made set off the requirement for an inspection by Building Code Enforcement, and a reinspection by the Fire Marshall.

On October 12, 2021, both you and Senior Building Code Enforcement Inspector Steiner performed a JOE inspection.

Later that same day, BCE Inspector Steiner emailed a list of about a dozen items that needed rectification. I then worked my tail off over the remainder of the week attending to his concerns.

I then requested a reinspection from BCE Inspector Steiner, and he has informed me that before he can perform the reinspection, your sign off is required.

Although I was certain you signed off on the JOE form while at my premises at the end of the October 12 inspection, BCE Inspector Steiner has informed me that you still have some reservations about the final sign off.

My questions for you today are;

When do you anticipate identifying the next steps?

What can I do help expedite this process?

As this has cost both me and my wife a great deal of lost sleep. I cannot express how anxious I am to clear up the mistake I made eight years ago when I expanded into units 1308, 1312, and 1316 Profit Court and did not procure the necessary occupancy permit.

I am looking forward to alleviating this worry and getting back to focusing on running my business.

Thank you for your assistance with this matter.

Sincerely,
Chris Berry
Black Wolf Automotive Specialties
703-490-4000 w
703-819-0203 c

From: [Steiner Jr., Stephen F.](#)
To: [Chris Berry](#)
Subject: RE: Case Number OCC2022-00446
Date: Monday, February 7, 2022 8:29:37 AM
Attachments: [Final Determination Letter Profit Court Mr. Berry.pdf](#)

FYI

I am about to reach the extended compliance date of February 8, 2022 for the violation. So I wanted to check in with you and see where you were at with things. I also did not know if you received the final determination letter from Chad Roop yet. Just in case I have attached a copy of the letter to this email for you.

Any update you can provide would be appreciated, thanks!

Stephen Steiner, Jr
Senior Building Code Enforcement Inspector
Building Development Division
5 County Complex Court #120
Woodbridge VA, 22192
703-792-7337
ssteiner@pwcgov.org

Find Important Development Services COVID-19 Update Information Online at:

<https://www.pwcva.gov/department/development-services/covid-19-update>

From: Chris Berry <chris@blackwolfauto.com>
Sent: Wednesday, January 12, 2022 5:04 PM
To: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>
Subject: RE: Case Number OCC2022-00446

This email is from an EXTERNAL source. Use caution when replying or clicking embedded links.

Mr. Steiner,

Thank you for the update. That is good news regarding the plans having been found by the Fire Marshal.

I am anxiously awaiting the findings from Ms. Goodman's research to determine if the mezzanine can remain in its current configuration.

Sincerely,
Chris Berry
Black Wolf Automotive Specialties
1320 Profit Ct
Woodbridge, Va 22191

703-490-4000

From: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>
Sent: Wednesday, January 12, 2022 8:19 AM
To: Chris Berry <chris@blackwolfauto.com>
Cc: Alexander, Kristin O. <KAlexander@pwcgov.org>; Ghimire, Sarmin <SGhimire@pwcgov.org>
Subject: FW: Case Number OCC2022-00446

FYI

After the meeting yesterday I wanted to forward one of my previous emails to you from November 8, 2021 which was also sent previously on October 28, 2021. I believe that option 2 has been addressed because the fire marshal found those plans. The big thing now appears to be the lack of a guard.

I also wanted to let you know that your compliance date has been extended to February 8, 2022. Hopefully the issues with the storage/guard can get resolved by this date so that I can get you your certificate of occupancy issued and close out the case.

If you have any questions let me know, thanks!

Stephen Steiner, Jr
Senior Building Code Enforcement Inspector
Building Development Division
5 County Complex Court #120
Woodbridge VA, 22192
703-792-7337
ssteiner@pwcgov.org

Find Important Development Services COVID-19 Update Information Online at:
<https://www.pwcva.gov/department/development-services/covid-19-update>

From: Steiner Jr., Stephen F.
Sent: Monday, November 8, 2021 9:12 AM
To: Chris Berry <chris@blackwolfauto.com>
Subject: RE: Case Number OCC2022-00446

I have forwarded this email to the fire marshal, as he is the one that raised the issue. I don't think this is going to work though as it doesn't really address either option I was given in terms of abatement for the storage issues.

The below yellow highlight is my previous email that I sent:

Mr. Berry,

Mr. Harrell met with my supervisor regarding the storage on top of the office area. It has been determined that you have a couple of options in order to take care of this issue.

1. Remove all storage from on top of the office area, including the racks
2. Provide a letter from either an architect or engineer that says that the ceiling can hold the additional load

But even if you are able to get this letter, a guard is required. But your architect or engineer would determine what type of guard and how it is to be installed.

If you have any questions feel free to ask, thanks!

Stephen Steiner, Jr
Senior Building Code Enforcement Inspector
Building Development Division
5 County Complex Court #120
Woodbridge VA, 22192
703-792-7337
ssteiner@pwcgov.org

Find Important Development Services COVID-19 Update Information Online at:

<https://www.pwcva.gov/department/development-services/covid-19-update>

From: Chris Berry <chris@blackwolfauto.com>
Sent: Monday, November 8, 2021 9:05 AM
To: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>
Subject: RE: Case Number OCC2022-00446

This email is from an EXTERNAL source. Use caution when replying or clicking embedded links.

Mr. Steiner,

This email is in response to your email concerning storage we have on a platform above the ceiling of our office space. As shown in Prince William County records, the base building, that our space is now a portion of, was completed and approved in 1989 under the applicable Virginia Uniformed Statewide Building Code. This is a one story structure that has an overall height of 22'. It is our understanding that the platform, in question, was constructed and approved during the building construction. Tenant improvement construction, included the addition of the office space and associated ceilings below the platform, were added at a later date. The office ceilings in no way contribute to the floor load capacity or performance of the platform.

The platform is constructed of steel beams, steel web joists, metal pan and poured concrete. (See attached photographs). There were no combustible materials used in the construction of the platform. The floor of the platform currently has long term, ordinary hazard materials stored on it.

The storage material, loaded on the platform, is lightweight in comparison to the load capacity of the platform and is uniformly distributed. All long term storage items are stored below a height of 8' off of the floor of the platform and no storage is placed within 18" of the sprinkler heads. This is a fully sprinklered building. At no time are any flammable or combustible liquids stored on this platform. The platform is accessed by portable ladder for the occasional placement or removal of long term stored items. Only designated personnel are allowed to use the portable ladders and access the stored items. This platform is unoccupied. Designated personnel may utilize appropriate fall protection when accessing items on this unoccupied platform.

We hope this email answers any questions you have about the appropriate use of the platform and it's construction.

Sincerely,
Chris Berry

From: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>
Sent: Monday, November 8, 2021 8:26 AM
To: Chris Berry <chris@blackwolfauto.com>
Subject: RE: Case Number OCC2022-00446

I have reached the current compliance date for the violation at 1308, 1312, & 1312 Profit Ct. I know have submitted the JOE application and are working on things so I went ahead and granted an additional 30 day extension to December 8, 2021. Hopefully this gives you enough time to work on the below issue from the fire marshal. Once the issue has been resolved you will need to reschedule the JOE inspection and once that is approved the certificate of occupancy will be issued.

If you have any questions feel free to ask, thanks!

Stephen Steiner, Jr
Senior Building Code Enforcement Inspector
Building Development Division
5 County Complex Court #120
Woodbridge VA, 22192
703-792-7337
ssteiner@pwcgov.org

Find Important Development Services COVID-19 Update Information Online at:
<https://www.pwcva.gov/department/development-services/covid-19-update>

From: Steiner Jr., Stephen F.
Sent: Thursday, October 28, 2021 8:10 AM
To: Chris Berry <chris@blackwolfauto.com>
Cc: Harrell, Robert W. <rharrell@pwcgov.org>; Alexander, Kristin O. <KAlexander@pwcgov.org>

Subject: RE: Case Number OCC2022-00446

Mr. Berry,

Mr. Harrell met with my supervisor regarding the storage on top of the office area. It has been determined that you have a couple of options in order to take care of this issue.

1. Remove all storage from on top of the office area, including the racks
2. Provide a letter from either an architect or engineer that says that the ceiling can hold the additional load

But even if you are able to get this letter, a guard is required. But your architect or engineer would determine what type of guard and how it is to be installed.

If you have any questions feel free to ask, thanks!

Stephen Steiner, Jr
Senior Building Code Enforcement Inspector
Building Development Division
5 County Complex Court #120
Woodbridge VA, 22192
703-792-7337
ssteiner@pwcgov.org

Find Important Development Services COVID-19 Update Information Online at:

<https://www.pwcva.gov/department/development-services/covid-19-update>

From: Harrell, Robert W. <rharrell@pwcgov.org>
Sent: Wednesday, October 27, 2021 8:43 AM
To: Chris Berry <chris@blackwolfauto.com>
Cc: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>
Subject: RE: Case Number OCC2022-00446

Hello Mr. Berry,

Mr. Steiner, the building inspector from Building Code Enforcement will be contacting you. Concerning your storage and racks over the officer area.

Be Safe
Assistant Fire Marshal
Robert Harrell

From: Chris Berry <chris@blackwolfauto.com>
Sent: Tuesday, October 26, 2021 4:47 PM

To: Harrell, Robert W. <rhoarrell@pwcgov.org>

Subject: Case Number OCC2022-00446

This email is from an EXTERNAL source. Use caution when replying or clicking embedded links.

Fire Marshall Harrell,

On April 29, you emailed me a violation list (ISIP2019-066171) following your thorough inspection of our premises. As you are aware, we immediately rectified the concerns you raised, as your subsequent reinspection verified such.

Based on a follow-up by Prince William Senior Building Code Enforcement Inspector Steiner, it was revealed that I (inadvertently) failed to procure an occupancy permit when I expanded my business into units 1308,1312, and 1316 Profit Ct.

This mistake I made set off the requirement for an inspection by Building Code Enforcement, and a reinspection by the Fire Marshall.

On October 12, 2021, both you and Senior Building Code Enforcement Inspector Steiner performed a JOE inspection.

Later that same day, BCE Inspector Steiner emailed a list of about a dozen items that needed rectification. I then worked my tail off over the remainder of the week attending to his concerns.

I then requested a reinspection from BCE Inspector Steiner, and he has informed me that before he can perform the reinspection, your sign off is required.

Although I was certain you signed off on the JOE form while at my premises at the end of the October 12 inspection, BCE Inspector Steiner has informed me that you still have some reservations about the final sign off.

My questions for you today are;

When do you anticipate identifying the next steps?

What can I do help expedite this process?

As this has cost both me and my wife a great deal of lost sleep. I cannot express how anxious I am to clear up the mistake I made eight years ago when I expanded into units 1308, 1312, and 1316 Profit Court and did not procure the necessary occupancy permit.

I am looking forward to alleviating this worry and getting back to focusing on running my business.

Thank you for your assistance with this matter.

Sincerely,
Chris Berry
Black Wolf Automotive Specialties
703-490-4000 w

703-819-0203 c

From: [Heather Summers](#)
To: [Chris Berry](#)
Subject: RE: Today's call
Date: Thursday, February 3, 2022 5:37:01 PM
Attachments: [image001.png](#)

Thank you for getting back to me, Chris!

I will let the Engineer know. I appreciate your kind cooperation.

As for the building plans, I will go on Monday to see what I can find...fingers crossed, as it will be our last place to look.

Have a wonderful evening.

Sincerely,

Heather L. Summers

CCIM, CPM, CSM, RPA, BPOR
Senior Property Manager

D: 301-222-0022

e-mail: hsummers@edgecre.com

edgecre.com

[LinkedIn](#) / [Instagram](#) / [Twitter](#)



From: Chris Berry <chris@blackwolfauto.com>
Sent: Thursday, February 3, 2022 5:34 PM
To: Heather Summers <hsummers@edgecre.com>
Subject: Today's call

Ms. Summers,

Thank you for the call earlier today. Fortunately, I have been able to rearrange my schedule to accommodate the visit from your structural engineer to assess the damage, on this Saturday between 11am and 12pm. I will personally make the trip to the building to provide them access.

Regarding the building plans we have been seeking, as I mentioned to you when we spoke, I just received a certified letter from the county specifying that as their final determination, prior to issuing my occupancy permit will require a guard and stairs for the mezzanine. At this point, I have just under 30 days to appeal their decision. With a copy of the approved plans from 1989 showing the mezzanine, I suspect we can avert this requirement.

Sincerely,

Chris Berry
Black Wolf Automotive Specialties
1320 Profit Ct.
Woodbridge, Va. 22191
703-490-4000

From: [Chris Berry](#)
To: [Bates, Amanda](#)
Cc: [Chris Berry](#)
Subject: FW: Request for Appeal
Date: Wednesday, February 2, 2022 3:01:51 PM
Attachments: [Final Determination Letter Profit Court Mr. Berry.pdf](#)

Please find attached the Final Determination...

From: Chris Berry <chris@blackwolfauto.com>
Sent: Wednesday, February 2, 2022 2:54 PM
To: abates@pwcgov.org
Cc: Chris Berry <chris@blackwolfauto.com>
Subject: Request for Appeal

Ms. Bates,

I hereby submit a request for appeal, regarding the matter described in the enclosed Final Determination from Deputy Building Official Chad Roop.

The owner of the building/ Structure is;
Brightleaf Industrial Holdings, LLC
C/O Edge Commercial Real Estate
2273 Research Blvd, Suite 150
Rockville, MD 20850

Person Appealing;
Chris Berry
1320 Profit Ct.
Woodbridge, VA 22191

If it is possible, I would like to request that the date to be scheduled for my appearance before the Appeals Board be any day during the week of March 7-11, with Monday or Tuesday of that week being my preferred days to appear.

Thank you for your assistance with this matter.

Sincerely,
Chris Berry
Black Wolf Automotive Specialties
1320 Profit Ct.
Woodbridge, Va. 22191
703-490-4000

This document is also being mailed.

Dear Mr. Berry,

Your Joint Occupancy Evaluation (JOE) Level II Inspection has been elevated to me for consideration.

The Virginia Uniform Statewide Building Code (VUSBC) only establishes the minimum safety requirements for the construction of structures and buildings. There is no justification for going below or to arbitrarily waive those minimum safety requirements. When your space was originally constructed, the Building Code in Virginia was the 1990 VUSBC which adopted the 1990 Building Officials & Code Administrators (BOCA) National Building Code. Therefore, Black Wolf Services, LLC must fully comply with the 1990 VUSBC/BOCA. This includes, but is not limited to the following, Chapter 6 Mezzanines and Chapter 8 Means of Egress requirements:

- Means of Egress for Mezzanines (Stairway) per VUSBC/BOCA 605.3 *
- Open-sided floor areas more than 30 inches above the floor or grade below (guardrails) per VUSBC/BOCA 803.6 **
- Guardrail systems are required on the open sides of elevated walking surfaces to minimize a fall from the walking surface to the lower level below per VUSBC/BOCA 824.1 ***

This is a Final Determination on behalf of the Building Official. You may appeal the Final Determination in accordance with the VUSBC/2018, Section 19.5 Right of Appeal; filing of an appeal application, which states:

Any person aggrieved by the *local building department's* application of the VUSBC or the refusal to grant a modification to the provisions of the VUSBC may appeal to the LBBCA. The applicant shall submit a written request for appeal to the LBBCA within 30 calendar days of the receipt of the decision being appealed. The application shall contain the name and address of the *owner* of the *building* or *structure* and, in addition, the name and address of the person appealing when the applicant is not the *owner*. A copy of the *building official's* decision shall be submitted along with the application for appeal and maintained as part of the record. The application shall be marked by the LBBCA to indicate the date received. Failure to submit an application for appeal within the time limit established by this section shall constitute acceptance of a *building official's* decision.

To submit an application for appeal, please send the application to the Secretary of the Building Code Appeals Board for Prince William County

Mailing Address

Ms. Amanda Bates
Secretary
Prince William Building Code Appeals Board
5 County Complex Suite 120
Prince William, Virginia 22192

Contact

abates@pwcgov.org
(703) 792-5267

Sincerely,

A handwritten signature in black ink that reads "Chad Roop". The signature is written in a cursive, slightly slanted style.

Chad Roop
Deputy Building Official
Building Development Division
Prince William County, VA
(703) 792-7162
croop@pwcgov.org

Attachment page 3:

***Section 605 Mezzanines**

605.3 Egress: Each occupant of a mezzanine shall have access to at least two independent means of egress where such spaces require two means of egress according to Section 813.2. Where a stairway provides a means of exit success from a mezzanine, the maximum travel distance required by section 813.2 shall be measured to the bottom of the stairway.

****Section 803 General Limitations**

803.6 Open- sided floor areas: Guards shall be located along open-sided walking surfaces, mezzanines and landings which are located more than 30 inches above the floor or grade below. The guards shall be constructed in accordance with Section 824.0

Exception: Guards are not required on the loading side of loading docks and auditorium sides of stages and raised platforms.

*****Section 824 Guards**

824.1 General: Where required by the provisions of Section 609.2.2, 607.5, 803.6, 816.5, 817.7, and 1223.5, guards shall be designed and constructed in accordance with the requirements of this section and Section 1109.8. A guardrail system is a system of building components located near the open sides o elevated walking surfaces for the purpose of minimizing the possibility of an accidental fall from the walking surface to the lower level.

From: [Ghimire, Sarmin](#)
To: [Chris Berry](#)
Subject: RE: 1308 PROFIT CT
Date: Wednesday, February 2, 2022 2:58:15 PM

Mr. Berry,

You may send that request for preferred date along with the appeal, I am sure they will consider it.

Thanks,

Sarmin Ghimire
Development Project Manager
Department of Development Services
5 County Complex Court, Suite 120
Prince William, VA 22192
Phone: 703.792.5631
SGhimire@pwcgov.org

From: Chris Berry <chris@blackwolfauto.com>
Sent: Wednesday, February 2, 2022 2:51 PM
To: Ghimire, Sarmin <SGhimire@pwcgov.org>
Cc: Chris Berry <chris@blackwolfauto.com>
Subject: RE: 1308 PROFIT CT

This email is from an EXTERNAL source. Use caution when replying or clicking embedded links.

Ms. Ghimire,

I am in the process of assembling the application for appeal. I will be mailing it either later today or tomorrow.

If you have any control over the date to be scheduled to appear before the Appeals Board, I would like to request that the appearance be scheduled any day during the week of March 7-11. Our preference is earlier in the week (Monday or Tuesday), but I can make any day that week work. Thank you for your continued assistance with this matter.

Sincerely,
Chris Berry
Black Wolf Automotive Specialties
1320 Profit Ct.
Woodbridge, Va. 22191
703-490-4000

From: Ghimire, Sarmin <SGhimire@pwcgov.org>
Sent: Tuesday, February 1, 2022 2:15 PM
To: Chris Berry <chris@blackwolfauto.com>
Subject: RE: 1308 PROFIT CT

Mr. Berry,

This is a follow up email regarding the letter that you received from our deputy building official Chad Roop.
Please let me know how you are planning to move forward with this project. So that I can update my case accordingly.

Thank you.

Sarmin Ghimire
Development Project Manager
Department of Development Services
5 County Complex Court, Suite 120
Prince William, VA 22192
Phone: 703.792.5631
SGhimire@pwcgov.org

From: Ghimire, Sarmin
Sent: Tuesday, January 25, 2022 3:01 PM
To: Chris Berry <chris@blackwolfauto.com>
Subject: 1308 PROFIT CT

Mr. Berry,

Please find attached letter from Deputy Building Official.

Letter has contact information if you have any question.

Sarmin Ghimire
Development Project Manager
Department of Development Services
5 County Complex Court, Suite 120
Prince William, VA 22192
Phone: 703.792.5631
SGhimire@pwcgov.org

From: Chris Berry <chris@blackwolfauto.com>
Sent: Friday, January 7, 2022 3:44 PM
To: Ghimire, Sarmin <SGhimire@pwcgov.org>
Subject: RE: Today's meeting - OCC2022-00446 - 1308 PROFIT CT [none]

This email is from an EXTERNAL source. Use caution when replying or clicking embedded links.

Ms. Ghimire,

Based on Senior Building Code Inspector Steiner's November 8 email, this remaining issue is solely due to Fire Marshal Harrel's evolving concerns.

For what it's worth, during the October 12 inspection, I personally witnessed Fire Marshal Harrel physically signing the JOE inspection form, granting approval/ clearance.

Following some subsequent back and forth correspondence between Senior Building Code Inspector Steiner and myself, a reinspection addressing Senior Building Code Inspector Steiner's concerns was performed on December 7 (all of Senior Building Code Inspector Steiner's concerns were then approved), when Fire Marshal Harrel then argued that the storage over the office qualified as 'High Pile Storage'.

When we spoke earlier today, you indicated that you needed to coordinate 5 others schedules to be present for the meeting we now have scheduled for Tuesday next week.

As the county concerns appear to be evolving, I am very concerned. I am wondering if I should have my attorney present for the meeting as well as my already planned fire protection and building code related specialist consultant.

Would you please provide me with the list of all those planning to take part in Tuesday's meeting?

Sincerely,
Chris Berry
Black Wolf Automotive Specialties
1320 Profit Ct
Woodbridge, Va 22191
703-490-4000

From: Ghimire, Sarmin <SGhimire@pwcgov.org>
Sent: Friday, January 7, 2022 8:29 AM
To: Chris Berry <chris@blackwolfauto.com>
Subject: Today's meeting - OCC2022-00446 - 1308 PROFIT CT [none]

Mr. Berry,

I am about to reschedule today meeting to 2 PM, can you make it?
Please let me know.

Sarmin Ghimire
Development Project Manager
Department of Development Services
5 County Complex Court, Suite 120
Prince William, VA 22192

Phone: 703.792.5631
SGhimire@pwcgov.org

From: Chris Berry <chris@blackwolfauto.com>
Sent: Thursday, January 6, 2022 8:52 AM
To: Ghimire, Sarmin <SGhimire@pwcgov.org>
Subject: RE: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

This email is from an EXTERNAL source. Use caution when replying or clicking embedded links.

I am sorry I misunderstood.
Is it possible to shift to Monday or Tuesday at 3 pm preferably, or 2 pm as a second option?

From: Ghimire, Sarmin <SGhimire@pwcgov.org>
Sent: Thursday, January 6, 2022 8:01 AM
To: Chris Berry <chris@blackwolfauto.com>
Subject: RE: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

Mr. Berry,

I had mentioned earlier that we cannot make it after 2 PM.

Sarmin Ghimire
Development Project Manager
Department of Development Services
5 County Complex Court, Suite 120
Prince William, VA 22192
Phone: 703.792.5631
SGhimire@pwcgov.org

From: Chris Berry <chris@blackwolfauto.com>
Sent: Wednesday, January 5, 2022 4:42 PM
To: Ghimire, Sarmin <SGhimire@pwcgov.org>
Subject: RE: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

This email is from an EXTERNAL source. Use caution when replying or clicking embedded links.

We can make 2pm on Friday the 7th work. Please resend the invite.
Thanks

From: Ghimire, Sarmin <SGhimire@pwcgov.org>
Sent: Thursday, December 30, 2021 9:46 AM
To: Chris Berry <chris@blackwolfauto.com>

Subject: RE: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

Mr. Berry,

Our BCE supervisor cannot make it after 2 PM on Friday the 7th for our meeting.

Sarmin Ghimire

Development Project Manager
Department of Development Services
5 County Complex Court, Suite 120
Prince William, VA 22192
Phone: 703.792.5631
SGhimire@pwcgov.org

From: Ghimire, Sarmin

Sent: Wednesday, December 29, 2021 2:14 PM

To: Chris Berry <chris@blackwolfauto.com>

Subject: RE: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

Mr. Berry,

We have scheduled meeting on the 7th at 9:30 AM, you must have got the invite on a separate email.

Please feel free to forward the invite to your design professional for their presence.

I have invited representatives from Building plan review, Building code enforcement and Fire Marshall's office.

We can discuss on our findings and path to move forward.

Thanks,

Sarmin Ghimire

Development Project Manager
Department of Development Services
5 County Complex Court, Suite 120
Prince William, VA 22192
Phone: 703.792.5631
SGhimire@pwcgov.org

From: Chris Berry <chris@blackwolfauto.com>

Sent: Tuesday, December 14, 2021 5:47 PM

To: Ghimire, Sarmin <SGhimire@pwcgov.org>

Subject: RE: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

This email is from an EXTERNAL source. Use caution when replying or clicking embedded links.

Ms. Ghimire,

Per the most recent (attached) inspection report dated December 7, all items passed with only one item remaining. I believe the remaining item has been fully remedied, but is, according to the report, just waiting for final clearance from county leadership.

Thank you,

Chris Berry

From: Ghimire, Sarmin <SGhimire@pwcgov.org>

Sent: Tuesday, December 14, 2021 11:07 AM

To: Chris Berry <chris@blackwolfauto.com>

Cc: Alexander, Kristin O. <KAlexander@pwcgov.org>; Steiner Jr., Stephen F. <SSteiner@pwcgov.org>; Harrell, Robert W. <rharrell@pwcgov.org>

Subject: RE: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

Mr. Berry,

Are you interested in having an issue resolution meeting? We all can jump in on a web call and discuss your path forward.

I can invite FMO and BCE team, you can invite your designer, if you are working with one.

Please let me know, I can setup this meeting for you.

Thanks,

Sarmin Ghimire

Development Project Manager
Department of Development Services
5 County Complex Court, Suite 120
Prince William, VA 22192
Phone: 703.792.5631
SGhimire@pwcgov.org

From: Chris Berry <chris@blackwolfauto.com>

Sent: Friday, November 12, 2021 11:28 AM

To: Ghimire, Sarmin <SGhimire@pwcgov.org>

Subject: RE: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

This email is from an EXTERNAL source. Use caution when replying or clicking embedded links.

Ms. Ghimire,

I am planning on rescheduling. I am currently waiting on the fire marshal to follow up regarding a concern he apparently expressed to Mr. Steiner.

I will follow up with you immediately following clearing up this current concern.

Thank you for your assistance.

Chris Berry

From: Ghimire, Sarmin <SGhimire@pwcgov.org>
Sent: Tuesday, November 9, 2021 3:01 PM
To: Chris Berry <chris@blackwolfauto.com>
Subject: FW: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

Good afternoon,

I wanted to see if you are planning to reschedule your inspections anytime soon? If so, please reach out to Kris Jesse, same as the first time. And please let me know when you plan on scheduling it.

Sarmin Ghimire
Development Project Manager
Department of Development Services
5 County Complex Court, Suite 120
Prince William, VA 22192
Phone: 703.792.5631
SGhimire@pwcgov.org

From: no-reply-EnerGov@pwcgov.org <no-reply-EnerGov@pwcgov.org>
Sent: Tuesday, October 12, 2021 3:34 PM
To: chris@blackwolfauto.com; Ghimire, Sarmin <SGhimire@pwcgov.org>
Subject: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

Attached are the Inspection Results for 144C Occupancy Evaluation. The inspection was completed on 10/12/2021.

If you need to contact the Inspector to review the results, their contact information is on the Inspection Report.

If you need to contact the Building Construction Inspections Office, please call 703-792-7006. If you need to contact the Fire Marshal's Office, please call 703-792-6360.

Thank You, Department of Development Services DDS@pwcgov.org 703-792-6930

Please let us know how we are doing by completing the Development Services Customer Satisfaction Survey at www.pwcgov.org/DDSSurvey

Please do not reply to this auto-generated email.

From: [Chris Berry](#)
To: [Bates, Amanda](#)
Cc: [Chris Berry](#)
Subject: Request for Appeal
Date: Wednesday, February 2, 2022 2:54:27 PM

Ms. Bates,

I hereby submit a request for appeal, regarding the matter described in the enclosed Final Determination from Deputy Building Official Chad Roop.

The owner of the building/ Structure is;
Brightleaf Industrial Holdings, LLC
C/O Edge Commercial Real Estate
2273 Research Blvd, Suite 150
Rockville, MD 20850

Person Appealing;
Chris Berry
1320 Profit Ct.
Woodbridge, VA 22191

If it is possible, I would like to request that the date to be scheduled for my appearance before the Appeals Board be any day during the week of March 7-11, with Monday or Tuesday of that week being my preferred days to appear.

Thank you for your assistance with this matter.

Sincerely,
Chris Berry
Black Wolf Automotive Specialties
1320 Profit Ct.
Woodbridge, Va. 22191
703-490-4000

This document is also being mailed.

From: [Chris Berry](#)
To: [Ghimire, Sarmin](#)
Cc: [Chris Berry](#)
Subject: RE: 1308 PROFIT CT
Date: Wednesday, February 2, 2022 2:51:02 PM

Ms. Ghimire,

I am in the process of assembling the application for appeal. I will be mailing it either later today or tomorrow.

If you have any control over the date to be scheduled to appear before the Appeals Board, I would like to request that the appearance be scheduled any day during the week of March 7-11. Our preference is earlier in the week (Monday or Tuesday), but I can make any day that week work. Thank you for your continued assistance with this matter.

Sincerely,
Chris Berry
Black Wolf Automotive Specialties
1320 Profit Ct.
Woodbridge, Va. 22191
703-490-4000

From: Ghimire, Sarmin <SGhimire@pwcgov.org>
Sent: Tuesday, February 1, 2022 2:15 PM
To: Chris Berry <chris@blackwolfauto.com>
Subject: RE: 1308 PROFIT CT

Mr. Berry,

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Development Project Manager
Department of Development Services
5 County Complex Court, Suite 120
Prince William, VA 22192
Phone: 703.792.5631
SGhimire@pwcgov.org

From: Ghimire, Sarmin

Sent: Tuesday, January 25, 2022 3:01 PM
To: Chris Berry <chris@blackwolfauto.com>
Subject: 1308 PROFIT CT

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Please find attached letter from Deputy Building Official.

Letter has contact information if you have any question.

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Sent: Friday, January 7, 2022 3:44 PM
To: Ghimire, Sarmin <SGhimire@pwcgov.org>
Subject: RE: Today's meeting - OCC2022-00446 - 1308 PROFIT CT [none]

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Thank You, Department of Development Services DDS@pwcgov.org 703-792-6930

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Subject: RE: 1308 PROFIT CT
Date: Tuesday, February 1, 2022 2:14:59 PM

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Date: Tuesday, January 25, 2022 3:01:20 PM
Attachments: [Final Determination Letter Profit Court Mr. Berry.pdf](#)

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Cc: [Jarman, Thomas W.](#)
Subject: RE: Today's meeting - OCC2022-00446 - 1308 PROFIT CT [none]
Date: Wednesday, January 12, 2022 5:47:50 PM
Attachments: [1316-1340 Profit Court Plans record \(Markup\) twj_0001.pdf](#)
Importance: High

Mr. Berry,

These are the only copies we have. Keep in mind there have been some address changes over the years (We have no 1308 Profit Court in our plan records) due to changes in suites and occupancies. This is the best alignment we could establish given these records and what currently exists in your tenant space. I circled the staircase on the two sets of plans in red. Please remember, these were sprinkler plans so the focus is on those plans. As I stated yesterday, the requirements for building records and plans rest with the building owner under the Uniform Statewide Building Code (USBC) and the Virginia Statewide Fire Prevention Code (VSFPC). At the time, the contractor could not submit the sprinkler plans without having a set of approved building plans, but these can not be considered approved building plans which is why I suggested contacting the building owner for the official approved set of building plans. Hope this helps.

TOMJ.

Thomas W. Jarman, CFM, NREMT-P

Battalion Chief/Deputy Fire Marshal

Main Office: 703-792-6360

Desk: 703-792-6957

Mobile: (571) 722-5876

tjarman@pwcgov.org

Prince William County Government

Department of Fire and Rescue/Fire Marshal's Office

5 County Complex Court Suite 160

Woodbridge, Va. 22192

<http://www.pwcgov.org/government/dept/FR/fmo/Pages/default.aspx>

From: Ghimire, Sarmin <SGhimire@pwcgov.org>
Sent: Wednesday, January 12, 2022 8:58 AM
To: Chris Berry <chris@blackwolfauto.com>
Cc: Jarman, Thomas W. <tjarman@pwcgov.org>
Subject: RE: Today's meeting - OCC2022-00446 - 1308 PROFIT CT [none]

Mr. Berry,

We had clarified that he has a copy of sprinkler plans not the building plans.

Here is his email tjarman@pwcgov.org.

Sarmin Ghimire
Development Project Manager

Department of Development Services
5 County Complex Court, Suite 120
Prince William, VA 22192
Phone: 703.792.5631
SGhimire@pwcgov.org

From: Chris Berry <chris@blackwolfauto.com>
Sent: Tuesday, January 11, 2022 8:02 PM
To: Ghimire, Sarmin <SGhimire@pwcgov.org>
Subject: RE: Today's meeting - OCC2022-00446 - 1308 PROFIT CT [none]

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Ms. Ghimire,

I appreciate your continued efforts in helping to rectify this situation. Based on today's conversation, and your office's recommendation, I have reached out to the building owner requesting a copy of the approved construction drawings. During our meeting today, Chief Jarmin of the Fire Marshall's office said he had obtained construction plans, and he offered to provide a copy of said plans. As I do not have his direct contact info, can you please assist me with the procurement of a copy of the plans he offered?
Thank you in advance for your continued assistance with this matter.

Sincerely,
Chris Berry
Black Wolf Automotive Specialties
Blackwolfauto.com
703-490-4000

From: Ghimire, Sarmin <SGhimire@pwcgov.org>
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To: Chris Berry <chris@blackwolfauto.com>
Subject: RE: Today's meeting - OCC2022-00446 - 1308 PROFIT CT [none]

Mr. Berry,

We will have representatives from building code enforcement, Plan review & Fire marshal office.

You will not need your attorney to be present, but you can forward meeting invite to your consultants.

Sarmin Ghimire

Development Project Manager
Department of Development Services
5 County Complex Court, Suite 120
Prince William, VA 22192
Phone: 703.792.5631
SGhimire@pwcgov.org

From: Chris Berry <chris@blackwolfauto.com>
Sent: Friday, January 7, 2022 3:44 PM
To: Ghimire, Sarmin <SGhimire@pwcgov.org>
Subject: RE: Today's meeting - OCC2022-00446 - 1308 PROFIT CT [none]

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Ms. Ghimire,

Based on Senior Building Code Inspector Steiner's November 8 email, this remaining issue is solely due to Fire Marshal Harrel's evolving concerns.

For what it's worth, during the October 12 inspection, I personally witnessed Fire Marshal Harrel physically signing the JOE inspection form, granting approval/ clearance.

Following some subsequent back and forth correspondence between Senior Building Code Inspector Steiner and myself, a reinspection addressing Senior Building Code Inspector Steiner's concerns was performed on December 7 (all of Senior Building Code Inspector Steiner's concerns were then approved), when Fire Marshal Harrel then argued that the storage over the office qualified as 'High Pile Storage'.

When we spoke earlier today, you indicated that you needed to coordinate 5 others schedules to be present for the meeting we now have scheduled for Tuesday next week.

As the county concerns appear to be evolving, I am very concerned. I am wondering if I should have my attorney present for the meeting as well as my already planned fire protection and building code related specialist consultant.

Would you please provide me with the list of all those planning to take part in Tuesday's meeting?

Sincerely,
Chris Berry
Black Wolf Automotive Specialties
1320 Profit Ct
Woodbridge, Va 22191
703-490-4000

From: Ghimire, Sarmin <SGhimire@pwcgov.org>
Sent: Friday, January 7, 2022 8:29 AM

To: Chris Berry <chris@blackwolfauto.com>

Subject: Today's meeting - OCC2022-00446 - 1308 PROFIT CT [none]

Mr. Berry,

I am about to reschedule today meeting to 2 PM, can you make it?
Please let me know.

Sarmin Ghimire

Development Project Manager
Department of Development Services
5 County Complex Court, Suite 120
Prince William, VA 22192
Phone: 703.792.5631
SGhimire@pwcgov.org

From: Chris Berry <chris@blackwolfauto.com>

Sent: Thursday, January 6, 2022 8:52 AM

To: Ghimire, Sarmin <SGhimire@pwcgov.org>

Subject: RE: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

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I am sorry I misunderstood.

Is it possible to shift to Monday or Tuesday at 3 pm preferably, or 2 pm as a second option?

From: Ghimire, Sarmin <SGhimire@pwcgov.org>

Sent: Thursday, January 6, 2022 8:01 AM

To: Chris Berry <chris@blackwolfauto.com>

Subject: RE: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

Mr. Berry,

I had mentioned earlier that we cannot make it after 2 PM.

Sarmin Ghimire

Development Project Manager
Department of Development Services
5 County Complex Court, Suite 120
Prince William, VA 22192
Phone: 703.792.5631
SGhimire@pwcgov.org

From: Chris Berry <chris@blackwolfauto.com>

Sent: Wednesday, January 5, 2022 4:42 PM

To: Ghimire, Sarmin <SGhimire@pwcgov.org>

Subject: RE: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

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We can make 2pm on Friday the 7th work. Please resend the invite.

Thanks

From: Ghimire, Sarmin <SGhimire@pwcgov.org>

Sent: Thursday, December 30, 2021 9:46 AM

To: Chris Berry <chris@blackwolfauto.com>

Subject: RE: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

Mr. Berry,

Our BCE supervisor cannot make it after 2 PM on Friday the 7th for our meeting.

Sarmin Ghimire

Development Project Manager
Department of Development Services
5 County Complex Court, Suite 120
Prince William, VA 22192
Phone: 703.792.5631
SGhimire@pwcgov.org

From: Ghimire, Sarmin

Sent: Wednesday, December 29, 2021 2:14 PM

To: Chris Berry <chris@blackwolfauto.com>

Subject: RE: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

Mr. Berry,

We have scheduled meeting on the 7th at 9:30 AM, you must have got the invite on a separate email.

Please feel free to forward the invite to your design professional for their presence.

I have invited representatives from Building plan review, Building code enforcement and Fire Marshall's office.

We can discuss on our findings and path to move forward.

Thanks,

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5 County Complex Court, Suite 120
Prince William, VA 22192
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Ms. Ghimire,
Per the most recent (attached) inspection report dated December 7, all items passed with only one item remaining. I believe the remaining item has been fully remedied, but is, according to the report, just waiting for final clearance from county leadership.
Thank you,
Chris Berry

From: Ghimire, Sarmin <SGhimire@pwcgov.org>
Sent: Tuesday, December 14, 2021 11:07 AM
To: Chris Berry <chris@blackwolfauto.com>
Cc: Alexander, Kristin O. <KAlexander@pwcgov.org>; Steiner Jr., Stephen F. <SSteiner@pwcgov.org>; Harrell, Robert W. <rharrell@pwcgov.org>
Subject: RE: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

Mr. Berry,

Are you interested in having an issue resolution meeting? We all can jump in on a web call and discuss your path forward.
I can invite FMO and BCE team, you can invite your designer, if you are working with one.

Please let me know, I can setup this meeting for you.

Thanks,

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Development Project Manager
Department of Development Services
5 County Complex Court, Suite 120
Prince William, VA 22192
Phone: 703.792.5631
SGhimire@pwcgov.org

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Sent: Friday, November 12, 2021 11:28 AM
To: Ghimire, Sarmin <SGhimire@pwcgov.org>
Subject: RE: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

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Ms. Ghimire,
I am planning on rescheduling. I am currently waiting on the fire marshal to follow up regarding a concern he apparently expressed to Mr. Steiner.
I will follow up with you immediately following clearing up this current concern.
Thank you for your assistance.
Chris Berry

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To: Chris Berry <chris@blackwolfauto.com>
Subject: FW: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

Good afternoon,

I wanted to see if you are planning to reschedule your inspections anytime soon? If so, please reach out to Kris Jesse, same as the first time.
And please let me know when you plan on scheduling it.

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Development Project Manager
Department of Development Services
5 County Complex Court, Suite 120
Prince William, VA 22192
Phone: 703.792.5631
SGhimire@pwcgov.org

From: no-reply-EnerGov@pwcgov.org <no-reply-EnerGov@pwcgov.org>
Sent: Tuesday, October 12, 2021 3:34 PM
To: chris@blackwolfauto.com; Ghimire, Sarmin <SGhimire@pwcgov.org>
Subject: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

Attached are the Inspection Results for 144C Occupancy Evaluation. The inspection was completed on 10/12/2021.

If you need to contact the Inspector to review the results, their contact information is on the Inspection Report.

If you need to contact the Building Construction Inspections Office, please call 703-792-7006. If you need to contact the Fire Marshal's Office, please call 703-792-6360.

Thank You, Department of Development Services DDS@pwcgov.org 703-792-6930

Please let us know how we are doing by completing the Development Services Customer Satisfaction Survey at www.pwcgov.org/DDSSurvey

Please do not reply to this auto-generated email.

From: [Ghimire, Sarmin](#)
To: [Chris Berry](#)
Cc: [Jarman, Thomas W.](#)
Subject: RE: Today's meeting - OCC2022-00446 - 1308 PROFIT CT [none]
Date: Wednesday, January 12, 2022 8:58:08 AM

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Subject: RE: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

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SGhimire@pwcgov.org

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Phone: 703.792.5631

SGhimire@pwcgov.org

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If you need to contact the Building Construction Inspections Office, please call 703-792-7006. If you need to contact the Fire Marshal's Office, please call 703-792-6360.

Thank You, Department of Development Services DDS@pwcgov.org 703-792-6930

Please let us know how we are doing by completing the Development Services Customer Satisfaction Survey at www.pwcgov.org/DDSSurvey

Please do not reply to this auto-generated email.

From: [Steiner Jr., Stephen F.](#)
To: [Chris Berry](#)
Cc: [Alexander, Kristin O.](#); [Ghimire, Sarmin](#)
Subject: FW: Case Number OCC2022-00446
Date: Wednesday, January 12, 2022 8:18:48 AM

FYI

After the meeting yesterday I wanted to forward one of my previous emails to you from November 8, 2021 which was also sent previously on October 28, 2021. I believe that option 2 has been addressed because the fire marshal found those plans. The big thing now appears to be the lack of a guard.

I also wanted to let you know that your compliance date has been extended to February 8, 2022. Hopefully the issues with the storage/guard can get resolved by this date so that I can get you your certificate of occupancy issued and close out the case.

If you have any questions let me know, thanks!

Stephen Steiner, Jr
Senior Building Code Enforcement Inspector
Building Development Division
5 County Complex Court #120
Woodbridge VA, 22192
703-792-7337
ssteiner@pwcgov.org

Find Important Development Services COVID-19 Update Information Online at:

<https://www.pwcva.gov/department/development-services/covid-19-update>

From: Steiner Jr., Stephen F.
Sent: Monday, November 8, 2021 9:12 AM
To: Chris Berry <chris@blackwolfauto.com>
Subject: RE: Case Number OCC2022-00446

I have forwarded this email to the fire marshal, as he is the one that raised the issue. I don't think this is going to work though as it doesn't really address either option I was given in terms of abatement for the storage issues.

The below yellow highlight is my previous email that I sent:

Mr. Berry,

Mr. Harrell met with my supervisor regarding the storage on top of the office area. It has been determined that you have a couple of options in order to take care of this issue.

1. Remove all storage from on top of the office area, including the racks
2. Provide a letter from either an architect or engineer that says that the ceiling can hold the additional load

But even if you are able to get this letter, a guard is required. But your architect or engineer would determine what type of guard and how it is to be installed.

If you have any questions feel free to ask, thanks!

Stephen Steiner, Jr
Senior Building Code Enforcement Inspector
Building Development Division
5 County Complex Court #120
Woodbridge VA, 22192
703-792-7337
ssteiner@pwcgov.org

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From: Chris Berry <chris@blackwolfauto.com>
Sent: Monday, November 8, 2021 9:05 AM
To: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>
Subject: RE: Case Number OCC2022-00446

This email is from an EXTERNAL source. Use caution when replying or clicking embedded links.

Mr. Steiner,

This email is in response to your email concerning storage we have on a platform above the ceiling of our office space. As shown in Prince William County records, the base building, that our space is now a portion of, was completed and approved in 1989 under the applicable Virginia Uniformed Statewide Building Code. This is a one story structure that has an overall height of 22'. It is our understanding that the platform, in question, was constructed and approved during the building construction. Tenant improvement construction, included the addition of the office space and associated ceilings below the platform, were added at a later date. The office ceilings in no way contribute to the floor load capacity or performance of the platform.

The platform is constructed of steel beams, steel web joists, metal pan and poured concrete. (See attached photographs). There were no combustible materials used in the construction of the platform. The floor of the platform currently has long term, ordinary hazard materials stored on it. The storage material, loaded on the platform, is lightweight in comparison to the load capacity of the platform and is uniformly distributed. All long term storage items are stored below a height of 8' off of the floor of the platform and no storage is placed within 18" of the sprinkler heads. This is a fully sprinklered building. At no time are any flammable or combustible liquids stored on this

platform. The platform is accessed by portable ladder for the occasional placement or removal of long term stored items. Only designated personnel are allowed to use the portable ladders and access the stored items. This platform is unoccupied. Designated personnel may utilize appropriate fall protection when accessing items on this unoccupied platform.

We hope this email answers any questions you have about the appropriate use of the platform and it's construction.

Sincerely,
Chris Berry

From: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>
Sent: Monday, November 8, 2021 8:26 AM
To: Chris Berry <chris@blackwolfauto.com>
Subject: RE: Case Number OCC2022-00446

I have reached the current compliance date for the violation at 1308, 1312, & 1312 Profit Ct. I know have submitted the JOE application and are working on things so I went ahead and granted an additional 30 day extension to December 8, 2021. Hopefully this gives you enough time to work on the below issue from the fire marshal. Once the issue has been resolved you will need to reschedule the JOE inspection and once that is approved the certificate of occupancy will be issued.

If you have any questions feel free to ask, thanks!

Stephen Steiner, Jr
Senior Building Code Enforcement Inspector
Building Development Division
5 County Complex Court #120
Woodbridge VA, 22192
703-792-7337
ssteiner@pwcgov.org

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From: Steiner Jr., Stephen F.
Sent: Thursday, October 28, 2021 8:10 AM
To: Chris Berry <chris@blackwolfauto.com>
Cc: Harrell, Robert W. <rharrell@pwcgov.org>; Alexander, Kristin O. <KAlexander@pwcgov.org>
Subject: RE: Case Number OCC2022-00446

Mr. Berry,

Mr. Harrell met with my supervisor regarding the storage on top of the office area. It has been determined that you have a couple of options in order to take care of this issue.

1. Remove all storage from on top of the office area, including the racks
2. Provide a letter from either an architect or engineer that says that the ceiling can hold the additional load

But even if you are able to get this letter, a guard is required. But your architect or engineer would determine what type of guard and how it is to be installed.

If you have any questions feel free to ask, thanks!

Stephen Steiner, Jr
Senior Building Code Enforcement Inspector
Building Development Division
5 County Complex Court #120
Woodbridge VA, 22192
703-792-7337
ssteiner@pwcgov.org

Find Important Development Services COVID-19 Update Information Online at:

<https://www.pwcva.gov/department/development-services/covid-19-update>

From: Harrell, Robert W. <rharrell@pwcgov.org>
Sent: Wednesday, October 27, 2021 8:43 AM
To: Chris Berry <chris@blackwolfauto.com>
Cc: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>
Subject: RE: Case Number OCC2022-00446

Hello Mr. Berry,

Mr. Steiner, the building inspector from Building Code Enforcement will be contacting you. Concerning your storage and racks over the officer area.

Be Safe
Assistant Fire Marshal
Robert Harrell

From: Chris Berry <chris@blackwolfauto.com>
Sent: Tuesday, October 26, 2021 4:47 PM
To: Harrell, Robert W. <rharrell@pwcgov.org>
Subject: Case Number OCC2022-00446

This email is from an EXTERNAL source. Use caution when replying or clicking embedded

Fire Marshall Harrell,

On April 29, you emailed me a violation list (ISIP2019-066171) following your thorough inspection of our premises. As you are aware, we immediately rectified the concerns you raised, as your subsequent reinspection verified such.

Based on a follow-up by Prince William Senior Building Code Enforcement Inspector Steiner, it was revealed that I (inadvertently) failed to procure an occupancy permit when I expanded my business into units 1308,1312, and 1316 Profit Ct.

This mistake I made set off the requirement for an inspection by Building Code Enforcement, and a reinspection by the Fire Marshall.

On October 12, 2021, both you and Senior Building Code Enforcement Inspector Steiner performed a JOE inspection.

Later that same day, BCE Inspector Steiner emailed a list of about a dozen items that needed rectification. I then worked my tail off over the remainder of the week attending to his concerns.

I then requested a reinspection from BCE Inspector Steiner, and he has informed me that before he can perform the reinspection, your sign off is required.

Although I was certain you signed off on the JOE form while at my premises at the end of the October 12 inspection, BCE Inspector Steiner has informed me that you still have some reservations about the final sign off.

My questions for you today are;

When do you anticipate identifying the next steps?

What can I do help expedite this process?

As this has cost both me and my wife a great deal of lost sleep. I cannot express how anxious I am to clear up the mistake I made eight years ago when I expanded into units 1308, 1312, and 1316 Profit Court and did not procure the necessary occupancy permit.

I am looking forward to alleviating this worry and getting back to focusing on running my business.

Thank you for your assistance with this matter.

Sincerely,
Chris Berry
Black Wolf Automotive Specialties
703-490-4000 w
703-819-0203 c

From: [Ghimire, Sarmin](#)
To: [Chris Berry](#)
Subject: RE: Today's meeting - OCC2022-00446 - 1308 PROFIT CT [none]
Date: Friday, January 7, 2022 3:53:21 PM

Mr. Berry,

We will have representatives from building code enforcement, Plan review & Fire marshal office.

You will not need your attorney to be present, but you can forward meeting invite to your consultants.

Sarmin Ghimire
Development Project Manager
Department of Development Services
5 County Complex Court, Suite 120
Prince William, VA 22192
Phone: 703.792.5631
SGhimire@pwcgov.org

From: Chris Berry <chris@blackwolfauto.com>
Sent: Friday, January 7, 2022 3:44 PM
To: Ghimire, Sarmin <SGhimire@pwcgov.org>
Subject: RE: Today's meeting - OCC2022-00446 - 1308 PROFIT CT [none]

This email is from an EXTERNAL source. Use caution when replying or clicking embedded links.

Ms. Ghimire,

Based on Senior Building Code Inspector Steiner's November 8 email, this remaining issue is solely due to Fire Marshal Harrel's evolving concerns.

For what it's worth, during the October 12 inspection, I personally witnessed Fire Marshal Harrel physically signing the JOE inspection form, granting approval/ clearance.

Following some subsequent back and forth correspondence between Senior Building Code Inspector Steiner and myself, a reinspection addressing Senior Building Code Inspector Steiner's concerns was performed on December 7 (all of Senior Building Code Inspector Steiner's concerns were then approved), when Fire Marshal Harrel then argued that the storage over the office qualified as 'High Pile Storage'.

When we spoke earlier today, you indicated that you needed to coordinate 5 others schedules to be present for the meeting we now have scheduled for Tuesday next week.

As the county concerns appear to be evolving, I am very concerned. I am wondering if I should have my attorney present for the meeting as well as my already planned fire protection and building code related specialist consultant.

Would you please provide me with the list of all those planning to take part in Tuesday's

meeting?

Sincerely,
Chris Berry
Black Wolf Automotive Specialties
1320 Profit Ct
Woodbridge, Va 22191
703-490-4000

From: Ghimire, Sarmin <SGhimire@pwcgov.org>
Sent: Friday, January 7, 2022 8:29 AM
To: Chris Berry <chris@blackwolfauto.com>
Subject: Today's meeting - OCC2022-00446 - 1308 PROFIT CT [none]

Mr. Berry,

I am about to reschedule today meeting to 2 PM, can you make it?
Please let me know.

Sarmin Ghimire
Development Project Manager
Department of Development Services
5 County Complex Court, Suite 120
Prince William, VA 22192
Phone: 703.792.5631
SGhimire@pwcgov.org

From: Chris Berry <chris@blackwolfauto.com>
Sent: Thursday, January 6, 2022 8:52 AM
To: Ghimire, Sarmin <SGhimire@pwcgov.org>
Subject: RE: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

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Sarmin Ghimire

Development Project Manager
Department of Development Services
5 County Complex Court, Suite 120
Prince William, VA 22192
Phone: 703.792.5631
SGhimire@pwcgov.org

From: Chris Berry <chris@blackwolfauto.com>

Sent: Wednesday, January 5, 2022 4:42 PM

To: Ghimire, Sarmin <SGhimire@pwcgov.org>

Subject: RE: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

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We can make 2pm on Friday the 7th work. Please resend the invite.

Thanks

From: Ghimire, Sarmin <SGhimire@pwcgov.org>

Sent: Thursday, December 30, 2021 9:46 AM

To: Chris Berry <chris@blackwolfauto.com>

Subject: RE: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

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Our BCE supervisor cannot make it after 2 PM on Friday the 7th for our meeting.

Sarmin Ghimire

Development Project Manager
Department of Development Services
5 County Complex Court, Suite 120
Prince William, VA 22192
Phone: 703.792.5631
SGhimire@pwcgov.org

From: Ghimire, Sarmin

Sent: Wednesday, December 29, 2021 2:14 PM

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Subject: RE: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

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Please feel free to forward the invite to your design professional for their presence.

I have invited representatives from Building plan review, Building code enforcement and Fire Marshall's office.

We can discuss on our findings and path to move forward.

Thanks,

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Thank you,
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Cc: Alexander, Kristin O. <KAlexander@pwcgov.org>; Steiner Jr., Stephen F. <SSteiner@pwcgov.org>; Harrell, Robert W. <rhharrell@pwcgov.org>
Subject: RE: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

Mr. Berry,

Are you interested in having an issue resolution meeting? We all can jump in on a web call and discuss your path forward.

I can invite FMO and BCE team, you can invite your designer, if you are working with one.

Please let me know, I can setup this meeting for you.

Thanks,

Sarmin Ghimire
Development Project Manager
Department of Development Services
5 County Complex Court, Suite 120
Prince William, VA 22192
Phone: 703.792.5631
SGhimire@pwcgov.org

From: Chris Berry <chris@blackwolfauto.com>
Sent: Friday, November 12, 2021 11:28 AM
To: Ghimire, Sarmin <SGhimire@pwcgov.org>
Subject: RE: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

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Ms. Ghimire,

I am planning on rescheduling. I am currently waiting on the fire marshal to follow up regarding a concern he apparently expressed to Mr. Steiner.

I will follow up with you immediately following clearing up this current concern.

Thank you for your assistance.

Chris Berry

From: Ghimire, Sarmin <SGhimire@pwcgov.org>
Sent: Tuesday, November 9, 2021 3:01 PM
To: Chris Berry <chris@blackwolfauto.com>
Subject: FW: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

Good afternoon,

I wanted to see if you are planning to reschedule your inspections anytime soon? If so, please reach out to Kris Jesse, same as the first time.
And please let me know when you plan on scheduling it.

Sarmin Ghimire
Development Project Manager
Department of Development Services
5 County Complex Court, Suite 120
Prince William, VA 22192
Phone: 703.792.5631

SGhimire@pwcgov.org

From: no-reply-EnerGov@pwcgov.org <no-reply-EnerGov@pwcgov.org>

Sent: Tuesday, October 12, 2021 3:34 PM

To: chris@blackwolfauto.com; Ghimire, Sarmin <SGhimire@pwcgov.org>

Subject: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

Attached are the Inspection Results for 144C Occupancy Evaluation. The inspection was completed on 10/12/2021.

If you need to contact the Inspector to review the results, their contact information is on the Inspection Report.

If you need to contact the Building Construction Inspections Office, please call 703-792-7006. If you need to contact the Fire Marshal's Office, please call 703-792-6360.

Thank You, Department of Development Services DDS@pwcgov.org 703-792-6930

Please let us know how we are doing by completing the Development Services Customer Satisfaction Survey at www.pwcgov.org/DDSSurvey

Please do not reply to this auto-generated email.

From: [Ghimire, Sarmin](#)
To: [Chris Berry](#)
Subject: Webex meeting changed: BLACK WOLF SERVICES - 1308 PROFIT CT WOODBRIDGE
Attachments: [Webex Meeting.ics](#)

Ghimire, Sarmin changed the Webex meeting information.

When it's time, join the Webex meeting here.

Tuesday, January 11, 2022
3:00 PM | (UTC-05:00) Eastern Time (US & Canada) | 1 hr

Join meeting <<https://pwc-doit.webex.com/pwc-doit/j.php?MTID=m841873d4073c76c09a1090b4d617bc05>>

More ways to join:

Join from the meeting link
<https://pwc-doit.webex.com/pwc-doit/j.php?MTID=m841873d4073c76c09a1090b4d617bc05>

Join by meeting number
Meeting number (access code): 2315 031 4849
Meeting password: EFp8jQNxF67

Tap to join from a mobile device (attendees only)
+1-415-655-0001,,23150314849## <tel:%2B1-415-655-0001,,*01*23150314849%23%23*01*> US Toll

Join by phone
+1-415-655-0001 US Toll
Global call-in numbers <<https://pwc-doit.webex.com/pwc-doit/globalcallin.php?MTID=m761bb06be9583cf6e884a5b3fc24c9d4>>

Join from a video system or application
Dial 23150314849@pwc-doit.webex.com <<sip:23150314849@pwc-doit.webex.com>>
You can also dial 173.243.2.68 and enter your meeting number.

Need help? Go to <https://help.webex.com> <<https://help.webex.com>>

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Join from a video system or application
Dial [23150314849@pwc-doit.webex.com](tel:23150314849) <[sip:23150314849@pwc-doit.webex.com](tel:23150314849)>
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From: [Ghimire, Sarmin](#)
To: [Chris Berry](#)
Subject: Today's meeting - OCC2022-00446 - 1308 PROFIT CT [none]
Date: Friday, January 7, 2022 8:28:37 AM

Mr. Berry,

I am about to reschedule today meeting to 2 PM, can you make it?
Please let me know.

Sarmin Ghimire
Development Project Manager
Department of Development Services
5 County Complex Court, Suite 120
Prince William, VA 22192
Phone: 703.792.5631
SGhimire@pwcgov.org

From: Chris Berry <chris@blackwolfauto.com>
Sent: Thursday, January 6, 2022 8:52 AM
To: Ghimire, Sarmin <SGhimire@pwcgov.org>
Subject: RE: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

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Development Project Manager
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5 County Complex Court, Suite 120
Prince William, VA 22192
Phone: 703.792.5631
SGhimire@pwcgov.org

From: Chris Berry <chris@blackwolfauto.com>

Sent: Wednesday, January 5, 2022 4:42 PM

To: Ghimire, Sarmin <SGhimire@pwcgov.org>

Subject: RE: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

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We can make 2pm on Friday the 7th work. Please resend the invite.

Thanks

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Development Project Manager

Department of Development Services

5 County Complex Court, Suite 120

Prince William, VA 22192

Phone: 703.792.5631

SGhimire@pwcgov.org

From: Ghimire, Sarmin

Sent: Wednesday, December 29, 2021 2:14 PM

To: Chris Berry <chris@blackwolfauto.com>

Subject: RE: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

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We can discuss on our findings and path to move forward.

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Sarmin Ghimire
Development Project Manager
Department of Development Services
5 County Complex Court, Suite 120
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Sent: Tuesday, December 14, 2021 5:47 PM
To: Ghimire, Sarmin <SGhimire@pwcgov.org>
Subject: RE: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

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Subject: RE: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

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Department of Development Services
5 County Complex Court, Suite 120
Prince William, VA 22192
Phone: 703.792.5631

SGhimire@pwcgov.org

From: Chris Berry <chris@blackwolfauto.com>

Sent: Friday, November 12, 2021 11:28 AM

To: Ghimire, Sarmin <SGhimire@pwcgov.org>

Subject: RE: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

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Ms. Ghimire,

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I will follow up with you immediately following clearing up this current concern.

Thank you for your assistance.

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Prince William, VA 22192

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Thank You, Department of Development Services DDS@pwcgov.org 703-792-6930

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To: [Chris Berry](#)
Subject: RE: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]
Date: Thursday, January 6, 2022 8:01:17 AM

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Prince William, VA 22192
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Cc: Alexander, Kristin O. <KAlexander@pwcgov.org>; Steiner Jr., Stephen F. <SSteiner@pwcgov.org>;

Harrell, Robert W. <rharrell@pwcgov.org>

Subject: RE: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

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From: no-reply-EnerGov@pwcgov.org <no-reply-EnerGov@pwcgov.org>

Sent: Tuesday, October 12, 2021 3:34 PM

To: chris@blackwolfauto.com; Ghimire, Sarmin <SGhimire@pwcgov.org>

Subject: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

Attached are the Inspection Results for 144C Occupancy Evaluation. The inspection was completed on 10/12/2021.

If you need to contact the Inspector to review the results, their contact information is on the Inspection Report.

If you need to contact the Building Construction Inspections Office, please call 703-792-7006. If you need to contact the Fire Marshal's Office, please call 703-792-6360.

Thank You, Department of Development Services DDS@pwcgov.org 703-792-6930

Please let us know how we are doing by completing the Development Services Customer Satisfaction Survey at www.pwcgov.org/DDSSurvey

Please do not reply to this auto-generated email.

From: [Ghimire, Sarmin](#)
To: [Chris Berry](#)
Subject: RE: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]
Date: Thursday, December 30, 2021 9:46:17 AM

Mr. Berry,

Our BCE supervisor cannot make it after 2 PM on Friday the 7th for our meeting.

Sarmin Ghimire
Development Project Manager
Department of Development Services
5 County Complex Court, Suite 120
Prince William, VA 22192
Phone: 703.792.5631
SGhimire@pwcgov.org

From: Ghimire, Sarmin
Sent: Wednesday, December 29, 2021 2:14 PM
To: Chris Berry <chris@blackwolfauto.com>
Subject: RE: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

Mr. Berry,

We have scheduled meeting on the 7th at 9:30 AM, you must have got the invite on a separate email.

Please feel free to forward the invite to your design professional for their presence.

I have invited representatives from Building plan review, Building code enforcement and Fire Marshall's office.

We can discuss on our findings and path to move forward.

Thanks,

Sarmin Ghimire
Development Project Manager
Department of Development Services
5 County Complex Court, Suite 120
Prince William, VA 22192
Phone: 703.792.5631
SGhimire@pwcgov.org

From: Chris Berry <chris@blackwolfauto.com>
Sent: Tuesday, December 14, 2021 5:47 PM
To: Ghimire, Sarmin <SGhimire@pwcgov.org>
Subject: RE: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

This email is from an EXTERNAL source. Use caution when replying or clicking embedded links.

Ms. Ghimire,

Per the most recent (attached) inspection report dated December 7, all items passed with only one item remaining. I believe the remaining item has been fully remedied, but is, according to the report, just waiting for final clearance from county leadership.

Thank you,

Chris Berry

From: Ghimire, Sarmin <SGhimire@pwcgov.org>

Sent: Tuesday, December 14, 2021 11:07 AM

To: Chris Berry <chris@blackwolfauto.com>

Cc: Alexander, Kristin O. <KAlexander@pwcgov.org>; Steiner Jr., Stephen F. <SSteiner@pwcgov.org>; Harrell, Robert W. <rharrell@pwcgov.org>

Subject: RE: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

Mr. Berry,

Are you interested in having an issue resolution meeting? We all can jump in on a web call and discuss your path forward.

I can invite FMO and BCE team, you can invite your designer, if you are working with one.

Please let me know, I can setup this meeting for you.

Thanks,

Sarmin Ghimire

Development Project Manager

Department of Development Services

5 County Complex Court, Suite 120

Prince William, VA 22192

Phone: 703.792.5631

SGhimire@pwcgov.org

From: Chris Berry <chris@blackwolfauto.com>

Sent: Friday, November 12, 2021 11:28 AM

To: Ghimire, Sarmin <SGhimire@pwcgov.org>

Subject: RE: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

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Ms. Ghimire,

I am planning on rescheduling. I am currently waiting on the fire marshal to follow up regarding a

concern he apparently expressed to Mr. Steiner.
I will follow up with you immediately following clearing up this current concern.
Thank you for your assistance.
Chris Berry

From: Ghimire, Sarmin <SGhimire@pwcgov.org>
Sent: Tuesday, November 9, 2021 3:01 PM
To: Chris Berry <chris@blackwolfauto.com>
Subject: FW: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

Good afternoon,

I wanted to see if you are planning to reschedule your inspections anytime soon? If so, please reach out to Kris Jesse, same as the first time.
And please let me know when you plan on scheduling it.

Sarmin Ghimire
Development Project Manager
Department of Development Services
5 County Complex Court, Suite 120
Prince William, VA 22192
Phone: 703.792.5631
SGhimire@pwcgov.org

From: no-reply-EnerGov@pwcgov.org <no-reply-EnerGov@pwcgov.org>
Sent: Tuesday, October 12, 2021 3:34 PM
To: chris@blackwolfauto.com; Ghimire, Sarmin <SGhimire@pwcgov.org>
Subject: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

Attached are the Inspection Results for 144C Occupancy Evaluation. The inspection was completed on 10/12/2021.

If you need to contact the Inspector to review the results, their contact information is on the Inspection Report.

If you need to contact the Building Construction Inspections Office, please call 703-792-7006. If you need to contact the Fire Marshal's Office, please call 703-792-6360.

Thank You, Department of Development Services DDS@pwcgov.org 703-792-6930

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From: [Ghimire, Sarmin](#)
To: [Chris Berry](#)
Subject: RE: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]
Date: Wednesday, December 29, 2021 2:14:04 PM

Mr. Berry,

We have scheduled meeting on the 7th at 9:30 AM, you must have got the invite on a separate email.

Please feel free to forward the invite to your design professional for their presence.

I have invited representatives from Building plan review, Building code enforcement and Fire Marshall's office.

We can discuss on our findings and path to move forward.

Thanks,

Sarmin Ghimire
Development Project Manager
Department of Development Services
5 County Complex Court, Suite 120
Prince William, VA 22192
Phone: 703.792.5631
SGhimire@pwcgov.org

From: Chris Berry <chris@blackwolfauto.com>
Sent: Tuesday, December 14, 2021 5:47 PM
To: Ghimire, Sarmin <SGhimire@pwcgov.org>
Subject: RE: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

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Thank you,
Chris Berry

From: Ghimire, Sarmin <SGhimire@pwcgov.org>
Sent: Tuesday, December 14, 2021 11:07 AM
To: Chris Berry <chris@blackwolfauto.com>
Cc: Alexander, Kristin O. <KAlexander@pwcgov.org>; Steiner Jr., Stephen F. <SSteiner@pwcgov.org>; Harrell, Robert W. <rharrell@pwcgov.org>
Subject: RE: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

Mr. Berry,

Are you interested in having an issue resolution meeting? We all can jump in on a web call and discuss your path forward.

I can invite FMO and BCE team, you can invite your designer, if you are working with one.

Please let me know, I can setup this meeting for you.

Thanks,

Sarmin Ghimire
Development Project Manager
Department of Development Services
5 County Complex Court, Suite 120
Prince William, VA 22192
Phone: 703.792.5631
SGhimire@pwcgov.org

From: Chris Berry <chris@blackwolfauto.com>
Sent: Friday, November 12, 2021 11:28 AM
To: Ghimire, Sarmin <SGhimire@pwcgov.org>
Subject: RE: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

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Ms. Ghimire,

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To: Chris Berry <chris@blackwolfauto.com>
Subject: FW: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

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And please let me know when you plan on scheduling it.

Sarmin Ghimire

Development Project Manager
Department of Development Services
5 County Complex Court, Suite 120
Prince William, VA 22192
Phone: 703.792.5631
SGhimire@pwcgov.org

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Sent: Tuesday, October 12, 2021 3:34 PM

To: chris@blackwolfauto.com; Ghimire, Sarmin <SGhimire@pwcgov.org>

Subject: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

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Thank You, Department of Development Services DDS@pwcgov.org 703-792-6930

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From: [Ghimire, Sarmin](#)
To: [Chris Berry](#)
Cc: [Alexander, Kristin O.](#); [Steiner Jr., Stephen F.](#); [Harrell, Robert W.](#)
Subject: RE: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]
Date: Tuesday, December 14, 2021 11:06:46 AM

Mr. Berry,

Are you interested in having an issue resolution meeting? We all can jump in on a web call and discuss your path forward.
I can invite FMO and BCE team, you can invite your designer, if you are working with one.

Please let me know, I can setup this meeting for you.

Thanks,

Sarmin Ghimire
Development Project Manager
Department of Development Services
5 County Complex Court, Suite 120
Prince William, VA 22192
Phone: 703.792.5631
SGhimire@pwcgov.org

From: Chris Berry <chris@blackwolfauto.com>
Sent: Friday, November 12, 2021 11:28 AM
To: Ghimire, Sarmin <SGhimire@pwcgov.org>
Subject: RE: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

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Ms. Ghimire,

I am planning on rescheduling. I am currently waiting on the fire marshal to follow up regarding a concern he apparently expressed to Mr. Steiner.

I will follow up with you immediately following clearing up this current concern.

Thank you for your assistance.

Chris Berry

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To: Chris Berry <chris@blackwolfauto.com>
Subject: FW: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

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And please let me know when you plan on scheduling it.

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Department of Development Services
5 County Complex Court, Suite 120
Prince William, VA 22192
Phone: 703.792.5631
SGhimire@pwcgov.org

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Sent: Tuesday, October 12, 2021 3:34 PM

To: chris@blackwolfauto.com; Ghimire, Sarmin <SGhimire@pwcgov.org>

Subject: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

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Thank You, Department of Development Services DDS@pwcgov.org 703-792-6930

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Please do not reply to this auto-generated email.

From: [Alexander, Kristin O.](#)
To: [Chris Berry](#)
Cc: [Duff, Kristian](#)
Subject: RE: Black Wolf Building Damage Follow-up
Date: Thursday, December 9, 2021 8:41:49 AM

Mr. Berry - I sent photos and info to Sr Inspector Kristian Duff, the same day I was there.

Kristian – can you please follow up with Mr. Berry?

Thank you,

Kristin Alexander CBO, CBMO, CZA
Building Code Compliance Supervisor
703-792-5702

From: Chris Berry <chris@blackwolfauto.com>
Sent: Wednesday, December 8, 2021 7:02 PM
To: Alexander, Kristin O. <KAlexander@pwcgov.org>
Subject: Black Wolf Building Damage Follow-up

This email is from an EXTERNAL source. Use caution when replying or clicking embedded links.

Ms. Alexander,

I appreciate your time and assistance yesterday regarding both issues at my premises. As I have not yet heard from the inspector assigned the case regarding the building damage that occurred, could you please forward me his contact information?
Thanks again for your help.

Sincerely,
Chris Berry
Black Wolf Automotive Specialties
Blackwolfauto.com
703-490-4000



County of Prince William

5 County Complex Court, Prince William, Virginia 22192-5308

INSPECTION REPORT

Case Number: OCC2022-00446

Inspection Scheduled: **Inspection Status:** Rejected

Inspection Date: 12/07/2021 2:51 pm

Inspector: Stephen Steiner - Main Inspector **Inspection Type:** 144C Occupancy Evaluation

Job Address: 1308 Profit Ct **Parcel Number:** 8391-84-9243
Woodbridge, VA 22191

Contact Type	Company Name	Name	Phone
County Project Manager	PWC DDS BUILDING DEVELOPMENT	SARMIN GHIMIRE	7037925631
Owner	BRIGHTLEAF INDUSTRIAL HOLDINGS LLC		
Tenant	BLACK WOLF SERVICES, LLC	CHRISTOPHER BERRY	7034904000

	Results	Comments
Miscellaneous issues as noted must be corrected.	Failed	12/7/21 - Reinspection, all issues resolved. Will hold off on approval and issuing the certificate of occupancy until a determination is made from leadership regarding the storage over the office.
Emergency exit lights & sign issues must be corrected.	Passed	Ensure that all emergency exit lights work throughout the space.
Doors and exit issues must be corrected.	Passed	Remove the current door hardware and install appropriate hardware or add a sign to the inside of the door that reads "Door Is To Remain Unlocked During Business Hours" at the door from the smaller office. Remove the current door hardware and install appropriate hardware or add a sign to the inside of the door that reads "Door Is To Remain Unlocked During Business Hours" at the door from the garage. Emergency exit door from the garage needs to be adjusted, currently it does not close correctly.
Ceiling tiles missing/not installed properly.	Passed	Replace all broken ceiling tiles or ceiling tiles with holes in them throughout the office area.
Electrical issues must be corrected.	Passed	Add a cover plate on the open junction box in the office area behind the trophies. Completely remove the unused electrical wire above the smaller electrical panel or terminate into a junction box with a cover plate.
Follow-Up is required by Building Code Enforcement. A re-inspection is to be scheduled no later than noted. To reschedule the inspection, call 703-792-6931.	Passed	Once all of the issues are resolved please call 703-792-6931 to reschedule the JOE inspection.

All doors leading to the space requires that the space/building address be posted so that it is visible.

Passed

Add the address to the outside of the front door to the office area "1316".
Add the address to the outside of the door from the garage "1308".

Building issues must be corrected.

Passed

Add appropriate restroom signage to the outside of each restroom door x2.
Add a sign to the inside of the door in the garage between the next door space that reads "Not An Exit".

Electrical panel issues must be corrected.

Passed

Correct panel schedule is required at the smaller electrical panel, current panel schedule does not appear to be correct.
Properly label which circuit breaker in the electrical panel controls the emergency exit signs and lights.

From: [Steiner Jr., Stephen F.](#)
To: [Chris Berry](#)
Cc: [Ghimire, Sarmin](#)
Subject: RE: Site Visit
Date: Thursday, December 2, 2021 2:27:15 PM

I have added you to the calendar for next Tuesday between 12:00-12:30.

Stephen Steiner, Jr
Senior Building Code Enforcement Inspector
Building Development Division
5 County Complex Court #120
Woodbridge VA, 22192
703-792-7337
ssteiner@pwcgov.org

Find Important Development Services COVID-19 Update Information Online at:
<https://www.pwcva.gov/department/development-services/covid-19-update>

From: Chris Berry <chris@blackwolfauto.com>
Sent: Thursday, December 2, 2021 10:40 AM
To: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>
Cc: Ghimire, Sarmin <SGhimire@pwcgov.org>
Subject: RE: Site Visit

This email is from an EXTERNAL source. Use caution when replying or clicking embedded links.

As I am anxious to put this behind me, let's plan on Tuesday.
Thank you

From: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>
Sent: Thursday, December 2, 2021 8:09 AM
To: Chris Berry <chris@blackwolfauto.com>
Cc: Alexander, Kristin O. <KAlexander@pwcgov.org>
Subject: Site Visit

Mr. Berry,

I was just speaking with my supervisor and she would like to arrange a day and time when we can stop by and perform another site visit. We will be checking the items from my list and discuss the additional items brought up by the fire marshal. What day would work for you? I have Tuesday, Wednesday, or Thursday next week. Time TBD once I have confirmed with you and spoken with the fire marshal.

Let me know, thanks!

Stephen Steiner, Jr
Senior Building Code Enforcement Inspector
Building Development Division
5 County Complex Court #120
Woodbridge VA, 22192
703-792-7337
ssteiner@pwcgov.org

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From: [Ghimire, Sarmin](#)
To: [Chris Berry](#)
Subject: RE: Site Visit
Date: Thursday, December 2, 2021 11:31:31 AM

Thanks Chris, please keep me on the loop.

Sarmin Ghimire
Development Project Manager
Department of Development Services
5 County Complex Court, Suite 120
Prince William, VA 22192
Phone: 703.792.5631
SGhimire@pwcgov.org

From: Chris Berry <chris@blackwolfauto.com>
Sent: Thursday, December 2, 2021 10:40 AM
To: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>
Cc: Ghimire, Sarmin <SGhimire@pwcgov.org>
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Thank you

From: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>
Sent: Thursday, December 2, 2021 8:09 AM
To: Chris Berry <chris@blackwolfauto.com>
Cc: Alexander, Kristin O. <KAlexander@pwcgov.org>
Subject: Site Visit

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ssteiner@pwcgov.org

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From: [Steiner Jr., Stephen F.](#)
To: [Chris Berry](#)
Cc: [Alexander, Kristin O.](#)
Subject: Site Visit
Date: Thursday, December 2, 2021 8:08:34 AM

Mr. Berry,

I was just speaking with my supervisor and she would like to arrange a day and time when we can stop by and perform another site visit. We will be checking the items from my list and discuss the additional items brought up by the fire marshal. What day would work for you? I have Tuesday, Wednesday, or Thursday next week. Time TBD once I have confirmed with you and spoken with the fire marshal.

Let me know, thanks!

Stephen Steiner, Jr
Senior Building Code Enforcement Inspector
Building Development Division
5 County Complex Court #120
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703-792-7337
ssteiner@pwcgov.org

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From: [Ghimire, Sarmin](#)
To: [Chris Berry](#)
Cc: [Alexander, Kristin O.](#)
Subject: RE: Case Number OCC2022-00446
Date: Tuesday, November 30, 2021 4:08:31 PM

Chris,
Here is her information.

Kristin Alexander CBO, CBMO, CZA
Building Code Compliance Supervisor
703-792-5702
KAlexander@pwcgov.org

Sarmin Ghimire
Development Project Manager
Department of Development Services
5 County Complex Court, Suite 120
Prince William, VA 22192
Phone: 703.792.5631
SGhimire@pwcgov.org

From: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>
Sent: Tuesday, November 30, 2021 3:51 PM
To: Ghimire, Sarmin <SGhimire@pwcgov.org>
Subject: FW: Case Number OCC2022-00446

See below

Stephen Steiner, Jr
Senior Building Code Enforcement Inspector
Building Development Division
5 County Complex Court #120
Woodbridge VA, 22192
703-792-7337
ssteiner@pwcgov.org

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From: Steiner Jr., Stephen F.
Sent: Monday, November 8, 2021 9:12 AM
To: Chris Berry <chris@blackwolfauto.com>
Subject: RE: Case Number OCC2022-00446

I have forwarded this email to the fire marshal, as he is the one that raised the issue. I don't think

this is going to work though as it doesn't really address either option I was given in terms of abatement for the storage issues.

The below yellow highlight is my previous email that I sent:

Mr. Berry,

Mr. Harrell met with my supervisor regarding the storage on top of the office area. It has been determined that you have a couple of options in order to take care of this issue.

1. Remove all storage from on top of the office area, including the racks
2. Provide a letter from either an architect or engineer that says that the ceiling can hold the additional load

But even if you are able to get this letter, a guard is required. But your architect or engineer would determine what type of guard and how it is to be installed.

If you have any questions feel free to ask, thanks!

Stephen Steiner, Jr
Senior Building Code Enforcement Inspector
Building Development Division
5 County Complex Court #120
Woodbridge VA, 22192
703-792-7337
ssteiner@pwcgov.org

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From: Chris Berry <chris@blackwolfauto.com>
Sent: Monday, November 8, 2021 9:05 AM
To: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>
Subject: RE: Case Number OCC2022-00446

This email is from an EXTERNAL source. Use caution when replying or clicking embedded links.

Mr. Steiner,

This email is in response to your email concerning storage we have on a platform above the ceiling of our office space. As shown in Prince William County records, the base building, that our space is now a portion of, was completed and approved in 1989 under the applicable Virginia Uniformed Statewide Building Code. This is a one story structure that has an overall height of 22'. It is our understanding that the platform, in question, was constructed and approved during the building

construction. Tenant improvement construction, included the addition of the office space and associated ceilings below the platform, were added at a later date. The office ceilings in no way contribute to the floor load capacity or performance of the platform.

The platform is constructed of steel beams, steel web joists, metal pan and poured concrete. (See attached photographs). There were no combustible materials used in the construction of the platform. The floor of the platform currently has long term, ordinary hazard materials stored on it. The storage material, loaded on the platform, is lightweight in comparison to the load capacity of the platform and is uniformly distributed. All long term storage items are stored below a height of 8' off of the floor of the platform and no storage is placed within 18" of the sprinkler heads. This is a fully sprinklered building. At no time are any flammable or combustible liquids stored on this platform. The platform is accessed by portable ladder for the occasional placement or removal of long term stored items. Only designated personnel are allowed to use the portable ladders and access the stored items. This platform is unoccupied. Designated personnel may utilize appropriate fall protection when accessing items on this unoccupied platform.

We hope this email answers any questions you have about the appropriate use of the platform and it's construction.

Sincerely,
Chris Berry

From: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>

Sent: Monday, November 8, 2021 8:26 AM

To: Chris Berry <chris@blackwolfauto.com>

Subject: RE: Case Number OCC2022-00446

I have reached the current compliance date for the violation at 1308, 1312, & 1312 Profit Ct. I know have submitted the JOE application and are working on things so I went ahead and granted an additional 30 day extension to December 8, 2021. Hopefully this gives you enough time to work on the below issue from the fire marshal. Once the issue has been resolved you will need to reschedule the JOE inspection and once that is approved the certificate of occupancy will be issued.

If you have any questions feel free to ask, thanks!

Stephen Steiner, Jr
Senior Building Code Enforcement Inspector
Building Development Division
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703-792-7337
ssteiner@pwcgov.org

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From: Steiner Jr., Stephen F.
Sent: Thursday, October 28, 2021 8:10 AM
To: Chris Berry <chris@blackwolfauto.com>
Cc: Harrell, Robert W. <rharrell@pwcgov.org>; Alexander, Kristin O. <KAlexander@pwcgov.org>
Subject: RE: Case Number OCC2022-00446

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<https://www.pwcva.gov/department/development-services/covid-19-update>

From: Harrell, Robert W. <rharrell@pwcgov.org>
Sent: Wednesday, October 27, 2021 8:43 AM
To: Chris Berry <chris@blackwolfauto.com>
Cc: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>
Subject: RE: Case Number OCC2022-00446

Hello Mr. Berry,

Mr. Steiner, the building inspector from Building Code Enforcement will be contacting you. Concerning your storage and racks over the officer area.

Be Safe

Assistant Fire Marshal
Robert Harrell

From: Chris Berry <chris@blackwolfauto.com>
Sent: Tuesday, October 26, 2021 4:47 PM
To: Harrell, Robert W. <rharrell@pwcgov.org>
Subject: Case Number OCC2022-00446

This email is from an EXTERNAL source. Use caution when replying or clicking embedded links.

Fire Marshall Harrell,

On April 29, you emailed me a violation list (ISIP2019-066171) following your thorough inspection of our premises. As you are aware, we immediately rectified the concerns you raised, as your subsequent reinspection verified such.

Based on a follow-up by Prince William Senior Building Code Enforcement Inspector Steiner, it was revealed that I (inadvertently) failed to procure an occupancy permit when I expanded my business into units 1308,1312, and 1316 Profit Ct.

This mistake I made set off the requirement for an inspection by Building Code Enforcement, and a reinspection by the Fire Marshall.

On October 12, 2021, both you and Senior Building Code Enforcement Inspector Steiner performed a JOE inspection.

Later that same day, BCE Inspector Steiner emailed a list of about a dozen items that needed rectification. I then worked my tail off over the remainder of the week attending to his concerns.

I then requested a reinspection from BCE Inspector Steiner, and he has informed me that before he can perform the reinspection, your sign off is required.

Although I was certain you signed off on the JOE form while at my premises at the end of the October 12 inspection, BCE Inspector Steiner has informed me that you still have some reservations about the final sign off.

My questions for you today are;

When do you anticipate identifying the next steps?

What can I do help expedite this process?

As this has cost both me and my wife a great deal of lost sleep. I cannot express how anxious I am to clear up the mistake I made eight years ago when I expanded into units 1308, 1312, and 1316 Profit Court and did not procure the necessary occupancy permit.

I am looking forward to alleviating this worry and getting back to focusing on running my business.

Thank you for your assistance with this matter.

Sincerely,
Chris Berry
Black Wolf Automotive Specialties
703-490-4000 w
703-819-0203 c

From: [Ghimire, Sarmin](#)
To: [Chris Berry](#)
Subject: FW: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]
Date: Tuesday, November 9, 2021 3:01:20 PM
Attachments: [Inspection Results Report 12-10-2021 15-33-40.pdf](#)

Good afternoon,

I wanted to see if you are planning to reschedule your inspections anytime soon? If so, please reach out to Kris Jesse, same as the first time. And please let me know when you plan on scheduling it.

Sarmin Ghimire
Development Project Manager
Department of Development Services
5 County Complex Court, Suite 120
Prince William, VA 22192
Phone: 703.792.5631
SGhimire@pwcgov.org

From: no-reply-EnerGov@pwcgov.org <no-reply-EnerGov@pwcgov.org>
Sent: Tuesday, October 12, 2021 3:34 PM
To: chris@blackwolfauto.com; Ghimire, Sarmin <SGhimire@pwcgov.org>
Subject: Inspection Results - Rejected - Permit/Project OCC2022-00446 - 1308 PROFIT CT [none]

Attached are the Inspection Results for 144C Occupancy Evaluation. The inspection was completed on 10/12/2021.

If you need to contact the Inspector to review the results, their contact information is on the Inspection Report.

If you need to contact the Building Construction Inspections Office, please call 703-792-7006. If you need to contact the Fire Marshal's Office, please call 703-792-6360.

Thank You, Department of Development Services DDS@pwcgov.org 703-792-6930

Please let us know how we are doing by completing the Development Services Customer Satisfaction Survey at www.pwcgov.org/DDSSurvey

Please do not reply to this auto-generated email.

From: [Steiner Jr., Stephen F.](#)
To: [Chris Berry](#)
Subject: RE: Case Number OCC2022-00446
Date: Monday, November 8, 2021 9:11:44 AM

I have forwarded this email to the fire marshal, as he is the one that raised the issue. I don't think this is going to work though as it doesn't really address either option I was given in terms of abatement for the storage issues.

The below yellow highlight is my previous email that I sent:

Mr. Berry,

Mr. Harrell met with my supervisor regarding the storage on top of the office area. It has been determined that you have a couple of options in order to take care of this issue.

1. Remove all storage from on top of the office area, including the racks
2. Provide a letter from either an architect or engineer that says that the ceiling can hold the additional load

But even if you are able to get this letter, a guard is required. But your architect or engineer would determine what type of guard and how it is to be installed.

If you have any questions feel free to ask, thanks!

Stephen Steiner, Jr
Senior Building Code Enforcement Inspector
Building Development Division
5 County Complex Court #120
Woodbridge VA, 22192
703-792-7337
ssteiner@pwcgov.org

Find Important Development Services COVID-19 Update Information Online at:

<https://www.pwcva.gov/department/development-services/covid-19-update>

From: Chris Berry <chris@blackwolfauto.com>
Sent: Monday, November 8, 2021 9:05 AM
To: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>
Subject: RE: Case Number OCC2022-00446

This email is from an EXTERNAL source. Use caution when replying or clicking embedded links.

Mr. Steiner,

This email is in response to your email concerning storage we have on a platform above the ceiling of our office space. As shown in Prince William County records, the base building, that our space is now a portion of, was completed and approved in 1989 under the applicable Virginia Uniformed Statewide Building Code. This is a one story structure that has an overall height of 22'. It is our understanding that the platform, in question, was constructed and approved during the building construction. Tenant improvement construction, included the addition of the office space and associated ceilings below the platform, were added at a later date. The office ceilings in no way contribute to the floor load capacity or performance of the platform.

The platform is constructed of steel beams, steel web joists, metal pan and poured concrete. (See attached photographs). There were no combustible materials used in the construction of the platform. The floor of the platform currently has long term, ordinary hazard materials stored on it. The storage material, loaded on the platform, is lightweight in comparison to the load capacity of the platform and is uniformly distributed. All long term storage items are stored below a height of 8' off of the floor of the platform and no storage is placed within 18" of the sprinkler heads. This is a fully sprinklered building. At no time are any flammable or combustible liquids stored on this platform. The platform is accessed by portable ladder for the occasional placement or removal of long term stored items. Only designated personnel are allowed to use the portable ladders and access the stored items. This platform is unoccupied. Designated personnel may utilize appropriate fall protection when accessing items on this unoccupied platform.

We hope this email answers any questions you have about the appropriate use of the platform and it's construction.

Sincerely,
Chris Berry

From: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>
Sent: Monday, November 8, 2021 8:26 AM
To: Chris Berry <chris@blackwolfauto.com>
Subject: RE: Case Number OCC2022-00446

I have reached the current compliance date for the violation at 1308, 1312, & 1312 Profit Ct. I know have submitted the JOE application and are working on things so I went ahead and granted an additional 30 day extension to December 8, 2021. Hopefully this gives you enough time to work on the below issue from the fire marshal. Once the issue has been resolved you will need to reschedule the JOE inspection and once that is approved the certificate of occupancy will be issued.

If you have any questions feel free to ask, thanks!

Stephen Steiner, Jr
Senior Building Code Enforcement Inspector
Building Development Division
5 County Complex Court #120
Woodbridge VA, 22192

703-792-7337

ssteiner@pwcgov.org

Find Important Development Services COVID-19 Update Information Online at:

<https://www.pwcva.gov/department/development-services/covid-19-update>

From: Steiner Jr., Stephen F.

Sent: Thursday, October 28, 2021 8:10 AM

To: Chris Berry <chris@blackwolfauto.com>

Cc: Harrell, Robert W. <rharrell@pwcgov.org>; Alexander, Kristin O. <KAlexander@pwcgov.org>

Subject: RE: Case Number OCC2022-00446

Mr. Berry,

Mr. Harrell met with my supervisor regarding the storage on top of the office area. It has been determined that you have a couple of options in order to take care of this issue.

1. Remove all storage from on top of the office area, including the racks
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But even if you are able to get this letter, a guard is required. But your architect or engineer would determine what type of guard and how it is to be installed.

If you have any questions feel free to ask, thanks!

Stephen Steiner, Jr
Senior Building Code Enforcement Inspector
Building Development Division
5 County Complex Court #120
Woodbridge VA, 22192
703-792-7337
ssteiner@pwcgov.org

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From: Harrell, Robert W. <rharrell@pwcgov.org>

Sent: Wednesday, October 27, 2021 8:43 AM

To: Chris Berry <chris@blackwolfauto.com>

Cc: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>

Subject: RE: Case Number OCC2022-00446

Hello Mr. Berry,

Mr. Steiner, the building inspector from Building Code Enforcement will be contacting you. Concerning your storage and racks over the officer area.

Be Safe
Assistant Fire Marshal
Robert Harrell

From: Chris Berry <chris@blackwolfauto.com>
Sent: Tuesday, October 26, 2021 4:47 PM
To: Harrell, Robert W. <rharrell@pwcgov.org>
Subject: Case Number OCC2022-00446

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- When do you anticipate identifying the next steps?
- What can I do help expedite this process?

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clear up the mistake I made eight years ago when I expanded into units 1308, 1312, and 1316 Profit Court and did not procure the necessary occupancy permit.

I am looking forward to alleviating this worry and getting back to focusing on running my business.

Thank you for your assistance with this matter.

Sincerely,
Chris Berry
Black Wolf Automotive Specialties
703-490-4000 w
703-819-0203 c

From: [Steiner Jr., Stephen F.](#)
To: [Chris Berry](#)
Subject: RE: Case Number OCC2022-00446
Date: Monday, November 8, 2021 8:26:26 AM

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Stephen Steiner, Jr
Senior Building Code Enforcement Inspector
Building Development Division
5 County Complex Court #120
Woodbridge VA, 22192
703-792-7337
ssteiner@pwcgov.org

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From: Steiner Jr., Stephen F.
Sent: Thursday, October 28, 2021 8:10 AM
To: Chris Berry <chris@blackwolfauto.com>
Cc: Harrell, Robert W. <rharrell@pwcgov.org>; Alexander, Kristin O. <KAlexander@pwcgov.org>
Subject: RE: Case Number OCC2022-00446

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Stephen Steiner, Jr
Senior Building Code Enforcement Inspector

Building Development Division
5 County Complex Court #120
Woodbridge VA, 22192
703-792-7337
ssteiner@pwcgov.org

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Sent: Wednesday, October 27, 2021 8:43 AM
To: Chris Berry <chris@blackwolfauto.com>
Cc: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>
Subject: RE: Case Number OCC2022-00446

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Assistant Fire Marshal
Robert Harrell

From: Chris Berry <chris@blackwolfauto.com>
Sent: Tuesday, October 26, 2021 4:47 PM
To: Harrell, Robert W. <rharrell@pwcgov.org>
Subject: Case Number OCC2022-00446

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Sincerely,
Chris Berry
Black Wolf Automotive Specialties
703-490-4000 w
703-819-0203 c

From: [Steiner Jr., Stephen F.](#)
To: [Chris Berry](#)
Cc: [Harrell, Robert W.](#); [Alexander, Kristin O.](#)
Subject: RE: Case Number OCC2022-00446
Date: Thursday, October 28, 2021 8:10:06 AM

Mr. Berry,

Mr. Harrell met with my supervisor regarding the storage on top of the office area. It has been determined that you have a couple of options in order to take care of this issue.

1. Remove all storage from on top of the office area, including the racks
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Stephen Steiner, Jr
Senior Building Code Enforcement Inspector
Building Development Division
5 County Complex Court #120
Woodbridge VA, 22192
703-792-7337
ssteiner@pwcgov.org

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From: Harrell, Robert W. <rharrell@pwcgov.org>
Sent: Wednesday, October 27, 2021 8:43 AM
To: Chris Berry <chris@blackwolfauto.com>
Cc: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>
Subject: RE: Case Number OCC2022-00446

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Assistant Fire Marshal
Robert Harrell

From: Chris Berry <chris@blackwolfauto.com>
Sent: Tuesday, October 26, 2021 4:47 PM
To: Harrell, Robert W. <rharrell@pwcgov.org>
Subject: Case Number OCC2022-00446

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Thank you for your assistance with this matter.

Sincerely,
Chris Berry
Black Wolf Automotive Specialties
703-490-4000 w
703-819-0203 c

From: [Harrell, Robert W.](#)
To: [Chris Berry](#)
Cc: [Steiner Jr., Stephen F.](#)
Subject: RE: Case Number OCC2022-00446
Date: Wednesday, October 27, 2021 8:42:58 AM

Hello Mr. Berry,

Mr. Steiner, the building inspector from Building Code Enforcement will be contacting you. Concerning your storage and racks over the officer area.

Be Safe
Assistant Fire Marshal
Robert Harrell

From: Chris Berry <chris@blackwolfauto.com>
Sent: Tuesday, October 26, 2021 4:47 PM
To: Harrell, Robert W. <rharrell@pwcgov.org>
Subject: Case Number OCC2022-00446

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Thank you for your assistance with this matter.

Sincerely,

Chris Berry

Black Wolf Automotive Specialties

703-490-4000 w

703-819-0203 c

From: [Steiner Jr., Stephen F.](#)
To: [Chris Berry](#)
Subject: RE: BCE2022-00117 Profit Ct
Date: Wednesday, October 20, 2021 3:31:02 PM

I did not hear anything from Mr. Harrell. I actually performed an inspection yesterday with him and he did mention that he was not signing off but did not say much else. I would try and reach out to him directly and see what his issues are and how you can resolve them. His contact information is 703-792-6155 or rharrell@pwcgov.org

Unfortunately we perform these inspections jointly so either he would need to already sign off and I can perform the reinspection by myself or we conduct the reinspection jointly with all of the issues on both sides resolved.

I am going to forward him your email in an attempt to get him to reach out to you.

Stephen Steiner, Jr
Senior Building Code Enforcement Inspector
Building Development Division
5 County Complex Court #120
Woodbridge VA, 22192
703-792-7337
ssteiner@pwcgov.org

Find Important Development Services COVID-19 Update Information Online at:

<https://www.pwcva.gov/department/development-services/covid-19-update>

From: Chris Berry <chris@blackwolfauto.com>
Sent: Wednesday, October 20, 2021 3:02 PM
To: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>
Subject: RE: BCE2022-00117 Profit Ct

This email is from an EXTERNAL source. Use caution when replying or clicking embedded links.

Mr. Steiner,

Just following up... I am assuming you have not heard back from Mr. Harrell?

If Tuesday October 26 is still available on your calendar, can we still schedule that date for you to come complete your reinspection? Otherwise, at your next available opportunity. At least that part will then be taken care of.

As you know, we have diligently done our best to rectify all of the items you noted, and I am looking forward to having this mistake I made 8 years ago behind me. I am anxious to clear this worry, and get back to focusing on my business.

If there is anything I can do to help with Mr. Harrell, please do let me know what that might be, so I can get right on it.

For what it's worth, as the storage over the office was obviously never mentioned during the

inspection, what I can say is that there is a concrete pad over the office, that is fully sprinklered, and the shelving up there does not exceed 6 feet, and any storage has remained a minimum of 24 inches below the sprinkler heads. I hope this helps.

Thanks for your help.

Chris

From: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>

Sent: Monday, October 18, 2021 8:42 AM

To: Chris Berry <chris@blackwolfauto.com>

Subject: RE: BCE2022-00117 Profit Ct

He was going to sign off but when I met him last week on another inspection he mentioned to me about yours. He said that he was speaking with one of his supervisors regarding a couple items so he was holding off on signing off.

But I did send him an email so if I hear back from him I will let you know.

Stephen Steiner, Jr
Senior Building Code Enforcement Inspector
Building Development Division
5 County Complex Court #120
Woodbridge VA, 22192
703-792-7337
ssteiner@pwcgov.org

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From: Chris Berry <chris@blackwolfauto.com>

Sent: Monday, October 18, 2021 8:37 AM

To: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>

Subject: RE: BCE2022-00117 Profit Ct

This email is from an EXTERNAL source. Use caution when replying or clicking embedded links.

As I understood it, Mr. Harrell signed off while we were all meeting at my facility. I believe if you check the JOE form you had that day, it already has his signature. Please do let me know if I am mistaken.

From: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>

Sent: Monday, October 18, 2021 7:45 AM

To: Chris Berry <chris@blackwolfauto.com>

Subject: RE: BCE2022-00117 Profit Ct

I am completely full this week with JOEs so my next available would be next Tuesday October 26. However I do not see where the fire marshal has completed his inspection, it still shows as pending. Have you spoken with him at all? When I last spoke with him he had some concerns about the storage over the office area and bolting of the racks. I am not sure what, if any, issues he still has. You may want to reach out to him. His contact information is Robert Harrell 703-792-6155 or rharrell@pwcgov.org

I am also going to forward him your email and attempt to reach out.

Stephen Steiner, Jr
Senior Building Code Enforcement Inspector
Building Development Division
5 County Complex Court #120
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703-792-7337
ssteiner@pwcgov.org

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From: Chris Berry <chris@blackwolfauto.com>
Sent: Friday, October 15, 2021 4:53 PM
To: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>
Subject: RE: BCE2022-00117 Profit Ct

This email is from an EXTERNAL source. Use caution when replying or clicking embedded links.

Mr. Steiner,
I have rectified all of the items identified during the last inspection.
When is your next opening to schedule the follow up inspection?
Thank you,
Chris Berry

From: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>
Sent: Monday, October 4, 2021 7:49 AM
To: Chris Berry <chris@blackwolfauto.com>
Subject: RE: BCE2022-00117 Profit Ct

I have added the inspection to my schedule. The only suggestion I can give you at this time is to look over the "commonly found safety violation document", attached, and make sure there are no issues. This document is not all inclusive but it gives you a good idea of some of the things I will be looking at.

Stephen Steiner, Jr
Senior Building Code Enforcement Inspector
Building Development Division
5 County Complex Court #120
Woodbridge VA, 22192
703-792-7337
ssteiner@pwcgov.org

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<https://www.pwcva.gov/department/development-services/covid-19-update>

From: Chris Berry <chris@blackwolfauto.com>
Sent: Sunday, October 3, 2021 5:40 PM
To: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>
Subject: RE: BCE2022-00117 Profit Ct

This email is from an EXTERNAL source. Use caution when replying or clicking embedded links.

October 12, at 10:00 AM. See you then.
Thanks

From: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>
Sent: Friday, October 1, 2021 8:50 AM
To: Chris Berry <chris@blackwolfauto.com>
Subject: RE: BCE2022-00117 Profit Ct

I did see that you applied for the occupancy permit so that is a good start. It also looks like the walls have been removed and there is no longer sprinkler coverage issues, so the work without a permit portion of the violation is now abated.

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Stephen Steiner, Jr
Senior Building Code Enforcement Inspector
Building Development Division
5 County Complex Court #120
Woodbridge VA, 22192
703-792-7337
ssteiner@pwcgov.org

Find Important Development Services COVID-19 Update Information Online at:
<https://www.pwcva.gov/department/development-services/covid-19-update>

From: Chris Berry <chris@blackwolfauto.com>
Sent: Friday, October 1, 2021 8:18 AM
To: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>
Subject: RE: BCE2022-00117 Profit Ct

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Mr.Steiner,

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At this point, understanding the inspections have been completed by both your office and the Fire Marshal, and all the violations have been cured, could you please advise me if there is anything

remaining for me to do to be able to come pick up the formal occupancy permit?

If you have any additional questions, comments or concerns, please feel free to reach out to me directly on my personal cell phone, at 703-819-0203.

Thank you again for your assistance with this matter.

Sincerely,

Sincerely,
Chris Berry
Black Wolf Automotive Specialties
1320 Profit Ct.
Woodbridge, Va. 22191
703-490-4000

From: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>
Sent: Thursday, September 30, 2021 7:58 AM
To: Chris Berry <chris@blackwolfauto.com>
Subject: BCE2022-00117 Profit Ct

Mr. Berry,

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From: [Steiner Jr., Stephen F.](#)
To: [Chris Berry](#)
Subject: RE: BCE2022-00117 Profit Ct
Date: Monday, October 18, 2021 8:41:44 AM

He was going to sign off but when I met him last week on another inspection he mentioned to me about yours. He said that he was speaking with one of his supervisors regarding a couple items so he was holding off on signing off.

But I did send him an email so if I hear back from him I will let you know.

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From: Chris Berry <chris@blackwolfauto.com>
Sent: Monday, October 18, 2021 8:37 AM
To: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>
Subject: RE: BCE2022-00117 Profit Ct

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As I understood it, Mr. Harrell signed off while we were all meeting at my facility. I believe if you check the JOE form you had that day, it already has his signature. Please do let me know if I am mistaken.

From: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>
Sent: Monday, October 18, 2021 7:45 AM
To: Chris Berry <chris@blackwolfauto.com>
Subject: RE: BCE2022-00117 Profit Ct

I am completely full this week with JOEs so my next available would be next Tuesday October 26. However I do not see where the fire marshal has completed his inspection, it still shows as pending. Have you spoken with him at all? When I last spoke with him he had some concerns about the storage over the office area and bolting of the racks. I am not sure what, if any, issues he still has. You may want to reach out to him. His contact information is Robert Harrell 703-792-6155 or rharrell@pwcgov.org

I am also going to forward him your email and attempt to reach out.

Stephen Steiner, Jr
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From: Chris Berry <chris@blackwolfauto.com>
Sent: Friday, October 15, 2021 4:53 PM
To: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>
Subject: RE: BCE2022-00117 Profit Ct

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Mr. Steiner,
I have rectified all of the items identified during the last inspection.
When is your next opening to schedule the follow up inspection?
Thank you,
Chris Berry

From: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>
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To: Chris Berry <chris@blackwolfauto.com>
Subject: RE: BCE2022-00117 Profit Ct

I have added the inspection to my schedule. The only suggestion I can give you at this time is to look over the “commonly found safety violation document”, attached, and make sure there are no issues. This document is not all inclusive but it gives you a good idea of some of the things I will be looking at.

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To: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>
Subject: RE: BCE2022-00117 Profit Ct

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October 12, at 10:00 AM. See you then.
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From: [Steiner Jr., Stephen F.](#)
To: [Chris Berry](#)
Subject: RE: BCE2022-00117 Profit Ct
Date: Monday, October 18, 2021 7:44:39 AM

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703-490-4000

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County of Prince William

5 County Complex Court, Prince William, Virginia 22192-5308

INSPECTION REPORT

Case Number:	OCC2022-00446	Inspection Status:	Rejected
Inspection Scheduled:	10/12/2021	Inspection Date:	10/12/2021 3:33 pm
Inspector:	Stephen Steiner - Main Inspector	Inspection Type:	144C Occupancy Evaluation
Job Address:	1308 Profit Ct Woodbridge, VA 22191	Parcel Number:	8391-84-9243

Contact Type	Company Name	Name	Phone
County Project Manager	PWC DDS BUILDING DEVELOPMENT	SARMIN GHIMIRE	7037925631
Owner	BRIGHTLEAF INDUSTRIAL HOLDINGS LLC		
Tenant	BLACK WOLF SERVICES, LLC	CHRISTOPHER BERRY	7034904000

	Results	Comments
Ceiling tiles missing/not installed properly.	Failed	Replace all broken ceiling tiles or ceiling tiles with holes in them throughout the office area.
Electrical issues must be corrected.	Failed	Add a cover plate on the open junction box in the office area behind the trophies. Completely remove the unused electrical wire above the smaller electrical panel or terminate into a junction box with a cover plate.
Follow-Up is required by Building Code Enforcement. A re-inspection is to be scheduled no later than noted. To reschedule the inspection, call 703-792-6931.	Failed	Once all of the issues are resolved please call 703-792-6931 to reschedule the JOE inspection.
All doors leading to the space requires that the space/building address be posted so that it is visible.	Failed	Add the address to the outside of the front door to the office area "1316". Add the address to the outside of the door from the garage "1308".
Building issues must be corrected.	Failed	Add appropriate restroom signage to the outside of each restroom door x2. Add a sign to the inside of the door in the garage between the next door space that reads "Not An Exit".
Electrical panel issues must be corrected.	Failed	Correct panel schedule is required at the smaller electrical panel, current panel schedule does not appear to be correct. Properly label which circuit breaker in the electrical panel controls the emergency exit signs and lights.
Emergency exit lights & sign issues must be corrected.	Failed	Ensure that all emergency exit lights work throughout the space.

Doors and exit issues must be corrected.

Failed

Remove the current door hardware and install appropriate hardware or add a sign to the inside of the door that reads "Door Is To Remain Unlocked During Business Hours" at the door from the smaller office.

Remove the current door hardware and install appropriate hardware or add a sign to the inside of the door that reads "Door Is To Remain Unlocked During Business Hours" at the door from the garage.

Emergency exit door from the garage needs to be adjusted, currently it does not close correctly.

From: [Rebecca Addison](#)
To: [Chris Berry](#)
Cc: [Bridget Gummere](#); [Richard Zantzing](#); [Jake Wilson](#)
Subject: Notice from Prince William County
Date: Friday, October 8, 2021 5:45:48 PM

Hi Chris,

I hope all is well with you. I wanted to let you know that we received a notice in the mail from Prince William County, attached. The notice cites 2 violations. The first pertaining to your certificate of occupancy, and the second for illegal construction.

I know that you're on top of the certificate of occupancy process. Could you please send us a copy of your renewed certificate, or let me know when you expect to receive it?

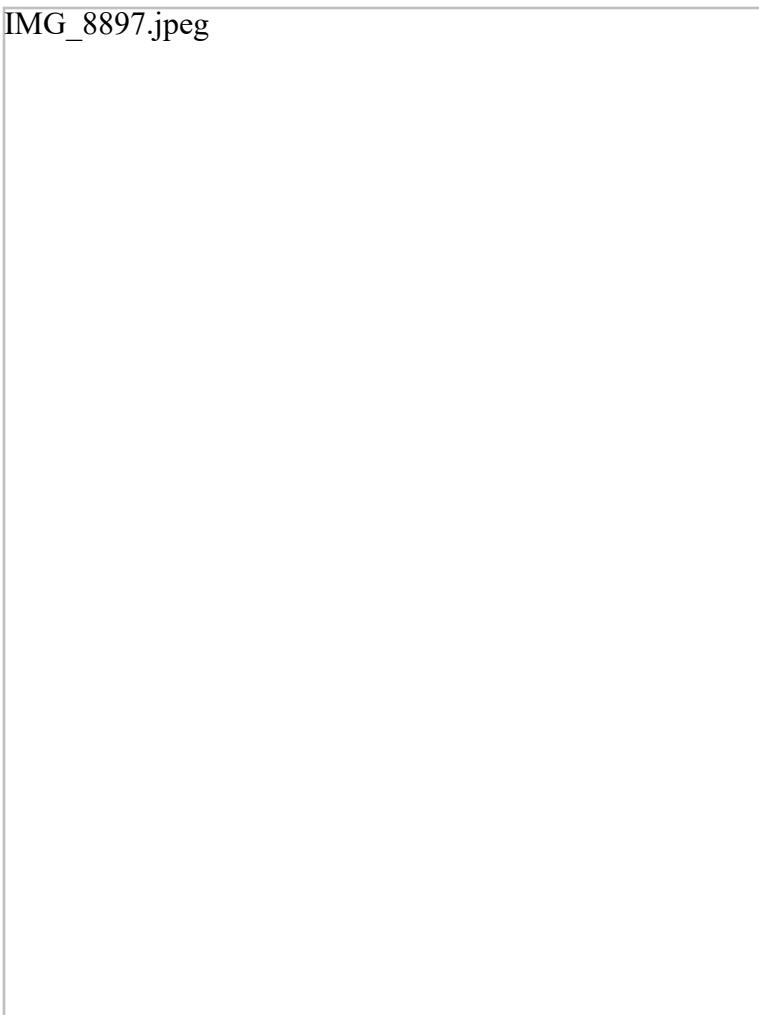
Also, do you know what construction they're referring to? I didn't notice anything under construction when I was on-site earlier this week. Please let me know what I can do to help you remedy these violations.

Thank you,

Rebecca Addison
Brightleaf Management
Mobile: 301-642-0241
Office: 301-459-0004

Mailing Address:
P.O. Box 5354
Annapolis, MD 21403

IMG_8897.jpeg



From: [Steiner Jr., Stephen F.](#)
To: [Chris Berry](#)
Subject: RE: BCE2022-00117 Profit Ct
Date: Monday, October 4, 2021 7:49:07 AM
Attachments: [commonly found.pdf](#)

I have added the inspection to my schedule. The only suggestion I can give you at this time is to look over the “commonly found safety violation document”, attached, and make sure there are no issues. This document is not all inclusive but it gives you a good idea of some of the things I will be looking at.

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Sent: Thursday, September 30, 2021 7:58 AM
To: Chris Berry <chris@blackwolfauto.com>
Subject: BCE2022-00117 Profit Ct

Mr. Berry,

I see that you received zoning approval to occupy 1308, 1312, and 1316 Profit Ct. That is a good start to abating the violation for occupying without a certificate of occupancy. Your next step will be to meet with one of our project managers to discuss the path towards getting the certificate of occupancy. The current compliance date is October 8, 2021 so hopefully you can get the remaining part of the process started before this date.

If you have any questions feel free to ask, thanks!

Stephen Steiner, Jr
Senior Building Code Enforcement Inspector
Building Development Division
5 County Complex Court #120

Woodbridge VA, 22192
703-792-7337
ssteiner@pwcgov.org

Find Important Development Services COVID-19 Update Information Online at:
<https://www.pwcva.gov/department/development-services/covid-19-update>

From: [Steiner Jr., Stephen F.](#)
To: [Chris Berry](#)
Subject: RE: BCE2022-00117 Profit Ct
Date: Friday, October 1, 2021 8:49:59 AM

I did see that you applied for the occupancy permit so that is a good start. It also looks like the walls have been removed and there is no longer sprinkler coverage issues, so the work without a permit portion of the violation is now abated.

The next step will be to schedule the JOE inspection so that I can perform a full inspection of the spaces. I did not perform a full inspection while I was there the last time, only a quick walk-thru. This will be a general safety inspection where I will check outlets to make sure they are working correctly, emergency lighting, clearances at any utilities, and other various items. Similar to what the fire marshal does, but on a bit bigger of a scale because we look at more things than they do. If I find anything during my complete inspection those items will need to be fixed and once fixed the reinspection scheduled and the certificate of occupancy will be issued. But if I do not find anything the first time around then I can sign off and the certificate of occupancy will be issued.

If you let me know what day you would like to schedule the inspection for I will add it to my calendar. Unfortunately next week all the time slots for these types of inspections have already been taken so the soonest I would be able to schedule is October 12 at 10:00 or 11:00. Let me know what works for you and I will add it to my calendar.

Stephen Steiner, Jr
Senior Building Code Enforcement Inspector
Building Development Division
5 County Complex Court #120
Woodbridge VA, 22192
703-792-7337
ssteiner@pwcgov.org

Find Important Development Services COVID-19 Update Information Online at:

<https://www.pwcva.gov/department/development-services/covid-19-update>

From: Chris Berry <chris@blackwolfauto.com>
Sent: Friday, October 1, 2021 8:18 AM
To: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>
Subject: RE: BCE2022-00117 Profit Ct

This email is from an EXTERNAL source. Use caution when replying or clicking embedded links.

Mr.Steiner,

Thank you for following up. Having visited your office yesterday morning when it opened, in an effort to complete the next steps, Ms. Ghimire (assigned as our BDD Project Manager) was very helpful in

furthering my mission to clear up this violation and gain our legitimate occupancy permit. Around 9:30am, she indicated that she had just spoken directly with you, and that you were extremely helpful in contending with the potential complication of the three units actually being only one.

Thank you very much for that help.

As I understand, the next/ final step to obtain our occupancy permit, is the sign off from both you, and the Fire Marshal.

I am aware that all of this started with the very thorough recent inspection performed by Assistant Fire Marshal Robert Harrell, where he issued three violations (re: case ECI2011-00053). He has since returned to inspect our location, and verified that all of the deficiencies have been rectified.

As you are already aware, based on your recent inspection that brought to light the sprinkler head issue in the hall way and the missing occupancy permit, we have been in diligent pursual of the paperwork necessary to obtain the occupancy permit, and filed the required paperwork with your office. We have also addressed the sprinkler head issue, by removing the section of glass wall that you indicated would be required, short of relocating the sprinkler head(s). Please see the attached pictures.

At this point, understanding the inspections have been completed by both your office and the Fire Marshal, and all the violations have been cured, could you please advise me if there is anything remaining for me to do to be able to come pick up the formal occupancy permit?

If you have any additional questions, comments or concerns, please feel free to reach out to me directly on my personal cell phone, at 703-819-0203.

Thank you again for your assistance with this matter.

Sincerely,

Sincerely,
Chris Berry
Black Wolf Automotive Specialties
1320 Profit Ct.
Woodbridge, Va. 22191
703-490-4000

From: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>

Sent: Thursday, September 30, 2021 7:58 AM

To: Chris Berry <chris@blackwolfauto.com>

Subject: BCE2022-00117 Profit Ct

Mr. Berry,

I see that you received zoning approval to occupy 1308, 1312, and 1316 Profit Ct. That is a good start to abating the violation for occupying without a certificate of occupancy. Your next step will be to meet with one of our project managers to discuss the path towards getting the certificate of occupancy. The current compliance date is October 8, 2021 so hopefully you can get the remaining part of the process started before this date.

If you have any questions feel free to ask, thanks!

Stephen Steiner, Jr
Senior Building Code Enforcement Inspector
Building Development Division
5 County Complex Court #120
Woodbridge VA, 22192
703-792-7337
ssteiner@pwcgov.org

Find Important Development Services COVID-19 Update Information Online at:

<https://www.pwcva.gov/department/development-services/covid-19-update>

From: [Steiner Jr., Stephen F.](#)
To: [Chris Berry](#)
Subject: BCE2022-00117 Profit Ct
Date: Thursday, September 30, 2021 7:58:12 AM

Mr. Berry,

I see that you received zoning approval to occupy 1308, 1312, and 1316 Profit Ct. That is a good start to abating the violation for occupying without a certificate of occupancy. Your next step will be to meet with one of our project managers to discuss the path towards getting the certificate of occupancy. The current compliance date is October 8, 2021 so hopefully you can get the remaining part of the process started before this date.

If you have any questions feel free to ask, thanks!

Stephen Steiner, Jr
Senior Building Code Enforcement Inspector
Building Development Division
5 County Complex Court #120
Woodbridge VA, 22192
703-792-7337
ssteiner@pwcgov.org

Find Important Development Services COVID-19 Update Information Online at:

<https://www.pwcva.gov/department/development-services/covid-19-update>

From: [Rebecca Addison](#)
To: [Chris Berry](#)
Subject: Re: New County Concerns
Date: Wednesday, September 29, 2021 11:00:33 AM

I handed the document to your wife in the office. Please let me know if there's anything else you need.

Thank you

Rebecca Addison
Brightleaf Management
Office 301-459-0004
Cell 301-642-0241

On Sep 29, 2021, at 10:40 AM, Rebecca Addison
<rebecca@brightleafmanagement.com> wrote:

Hi Chris,

Apologies. I called last night at 8 to let you know that I would stop by today instead. I'm sorry but it was too late and too dark to drive into the lot.

I'm on site now and will deliver in person.

Thanks!

Rebecca Addison
Brightleaf Management
Office 301-459-0004
Cell 301-642-0241

On Sep 29, 2021, at 7:35 AM, Chris Berry
<chris@blackwolfauto.com> wrote:

We spoke at 5:44pm yesterday. You told me you were 40 minutes away, and asked if there was somewhere you could leave the document. I replied that the key drop under the 1320 address would work. You also then told me you would send an email confirming drop off. I checked at 8:30pm last night, and was surprised that there was no document. This morning as I arrive, again there is no document, and no email. You are also not taking calls...Last evening, or this morning. As I explained two weeks ago, time is of the essence.

Would you please update me as to your current plans to provide me with the document the county is requiring?

From: Rebecca Addison <rebecca@brightleafmanagement.com>
Sent: Tuesday, September 28, 2021 3:08 PM
To: Chris Berry <chris@blackwolfauto.com>
Subject: Re: New County Concerns

Hi Chris,

Richard was able to sign and notarize this form this morning.
Please see attached.

I'm going to pick it up from his office in DC now, then head down to Profit Court to leave it with your office. I'll try to make it to you by 5pm. In case I arrive after 5, will anyone still be on site, or is there a good location where I can drop it?

Thank you,

Rebecca Addison
Brightleaf Management
Mobile: 301-642-0241
Office: 301-459-0004

Mailing Address:
P.O. Box 5354
Annapolis, MD 21403

On Thu, Sep 23, 2021 at 4:57 PM Chris Berry <chris@blackwolfauto.com> wrote:

What do I need to do to help expedite this?

From: Rebecca Addison <rebecca@brightleafmanagement.com>
Sent: Thursday, September 16, 2021 6:38 PM
To: Chris Berry <chris@blackwolfauto.com>
Cc: [brightleaf.rebecca@gmail.com](mailto:rebecca@brightleafmanagement.com)
Subject: Re: New County Concerns

Thank you Chris. I'll review and get this to you early next week if that's ok?

Rebecca Addison
Brightleaf Management

Office 301-459-0004

Cell 301-642-0241

On Sep 14, 2021, at 3:33 PM, Chris Berry
<chris@blackwolfauto.com> wrote:

We have received notice from Prince William County that our Occupancy Permit requires updating.

Among the requirements are a "Power of attorney for obtaining zoning approvals" from the building owner, notarized.

I have attached a copy of the form the county requires.

As time is of the essence, I request that this document be completed and returned to me within 5 days.

If you require any information regarding the process and county requirements, please refer to the following weblink the county provided me:

- <https://www.pwcva.gov/department/zoning-administration/occupancy-new-business>

Thank you for your assistance with this matter.

Chris Berry

Black Wolf Automotive Specialties

703-490-4000

From: [Rebecca Addison](#)
To: [Chris Berry](#)
Subject: Re: New County Concerns
Date: Wednesday, September 29, 2021 10:40:20 AM

Hi Chris,

Apologies. I called last night at 8 to let you know that I would stop by today instead. I'm sorry but it was too late and too dark to drive into the lot.

I'm on site now and will deliver in person.

Thanks!

Rebecca Addison
Brightleaf Management
Office 301-459-0004
Cell 301-642-0241

On Sep 29, 2021, at 7:35 AM, Chris Berry <chris@blackwolfauto.com> wrote:

We spoke at 5:44pm yesterday. You told me you were 40 minutes away, and asked if there was somewhere you could leave the document. I replied that the key drop under the 1320 address would work. You also then told me you would send an email confirming drop off. I checked at 8:30pm last night, and was surprised that there was no document. This morning as I arrive, again there is no document, and no email. You are also not taking calls...Last evening, or this morning. As I explained two weeks ago, time is of the essence. Would you please update me as to your current plans to provide me with the document the county is requiring?

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Sent: Tuesday, September 28, 2021 3:08 PM
To: Chris Berry <chris@blackwolfauto.com>
Subject: Re: New County Concerns

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Richard was able to sign and notarize this form this morning. Please see attached.

I'm going to pick it up from his office in DC now, then head down to Profit Court to leave it with your office. I'll try to make it to you by 5pm. In case I arrive after 5, will anyone still be on site, or is there a good location where I can drop it?

Thank you,

Rebecca Addison
Brightleaf Management
Mobile: 301-642-0241
Office: 301-459-0004

Mailing Address:
P.O. Box 5354
Annapolis, MD 21403

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What do I need to do to help expedite this?

From: Rebecca Addison <rebecca@brightleafmanagement.com>
Sent: Thursday, September 16, 2021 6:38 PM
To: Chris Berry <chris@blackwolfauto.com>
Cc: brightleaf.rebecca@gmail.com
Subject: Re: New County Concerns

Thank you Chris. I'll review and get this to you early next week if that's ok?

Rebecca Addison
Brightleaf Management
Office 301-459-0004
Cell 301-642-0241

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and returned to me within 5 days.

If you require any information regarding the process and county

requirements, please refer to the following weblink the county provided me:

- <https://www.pwcva.gov/department/zoning-administration/occupancy-new-business>

Thank you for your assistance with this matter.

Chris Berry

Black Wolf Automotive Specialties

703-490-4000

From: [Rebecca Addison](#)
To: [Chris Berry](#)
Subject: Re: New County Concerns
Date: Tuesday, September 28, 2021 3:08:40 PM
Attachments: [Zoning Admin. POA Black Wolf .pdf](#)

Hi Chris,

Richard was able to sign and notarize this form this morning. Please see attached.

I'm going to pick it up from his office in DC now, then head down to Profit Court to leave it with your office. I'll try to make it to you by 5pm. In case I arrive after 5, will anyone still be on site, or is there a good location where I can drop it?

Thank you,

Rebecca Addison
Brightleaf Management

Mobile: 301-642-0241

Office: 301-459-0004

Mailing Address:

P.O. Box 5354

Annapolis, MD 21403

On Thu, Sep 23, 2021 at 4:57 PM Chris Berry <chris@blackwolfauto.com> wrote:

What do I need to do to help expedite this?

From: Rebecca Addison <rebecca@brightleafmanagement.com>
Sent: Thursday, September 16, 2021 6:38 PM
To: Chris Berry <chris@blackwolfauto.com>
Cc: brightleaf.rebecca@gmail.com
Subject: Re: New County Concerns

Thank you Chris. I'll review and get this to you early next week if that's ok?

Rebecca Addison

Brightleaf Management

Office 301-459-0004

Cell 301-642-0241

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If you require any information regarding the process and county requirements, please refer to the following weblink the county provided me:

- <https://www.pwcva.gov/departments/zoning-administration/occupancy-new-business>

Thank you for your assistance with this matter.

Chris Berry

Black Wolf Automotive Specialties

703-490-4000



Power of Attorney for Obtaining Zoning Approvals

This 28th day of September, 2021,
(Day) (Month) (Year)

I, Richard Zantzing, the property owner,
(Print Name of Property Owner & Telephone Number)

of the property located at 1320 Profit Court Woodbridge, VA 22191

make, constitute, and appoint _____, my true
(Print name of applicant)

and lawful attorney-in-fact, and in my name, place and stead giving unto said attorney-in-fact full power and authority to do and perform all acts and make all representation necessary, without any limitation whatsoever, to make application for

Certificate of Occupancy
(Describe application)

The right, powers, and authority of said attorney-in-fact herein granted shall commence and be in full force and effect from _____, 20____, to _____, 20____, unless notice by certified mail return receipt requested is received by the Zoning Administration of Prince William County stating that the terms of this power have been revoked or modified.

Signature: _____
(Signature of Owner)

State of DC County of DC
Subscribed and sworn to before me this 28th day of September,
20 21 in my County and State aforesaid, by
Richard Zantzing III the aforementioned document.
(Name of person signing above)

Wendy Salgado
NOTARY PUBLIC (VA Notary Provide I.D. No.)

My commission expires: September 30, 2025



NOTE: THIS FORM IS FOR THE PRINCE WILLIAM COUNTY ZONING OFFICE ONLY AND WILL NOT BE ACCEPTED BY ANY OTHER PRINCE WILLIAM COUNTY AGENCY. YOU WILL HAVE TO OBTAIN AFFIDAVITS FROM OTHER AGENCIES SHOULD THEY BE REQUIRED.

From: [Rebecca Addison](#)
To: [Chris Berry](#)
Cc: brightleaf.rebecca@gmail.com
Subject: Re: New County Concerns
Date: Thursday, September 16, 2021 6:38:27 PM
Attachments: [Zoning Administrator Power of Attorney.pdf](#)

Thank you Chris. I'll review and get this to you early next week if that's ok?

Rebecca Addison
Brightleaf Management
Office 301-459-0004
Cell 301-642-0241

On Sep 14, 2021, at 3:33 PM, Chris Berry <chris@blackwolfauto.com> wrote:

We have received notice from Prince William County that our Occupancy Permit requires updating.

Among the requirements are a "Power of attorney for obtaining zoning approvals" from the building owner, notarized.

I have attached a copy of the form the county requires.

As time is of the essence, I request that this document be completed and returned to me within 5 days.

If you require any information regarding the process and county requirements, please refer to the following weblink the county provided me:

- <https://www.pwcva.gov/department/zoning-administration/occupancy-new-business>

Thank you for your assistance with this matter.

Chris Berry
Black Wolf Automotive Specialties
703-490-4000

From: [Steiner Jr., Stephen F.](#)
To: [Chris Berry](#)
Subject: Black Wolf Automotive
Date: Thursday, September 9, 2021 9:09:40 AM
Attachments: [violation notice.pdf](#)
Importance: High

Mr. Berry,

I met with you earlier this week regarding your spaces at Profit Ct. After conducting additional research it has been confirmed that there are sprinkler coverage issues in the office area that need to be resolved.

This can be resolved either by getting a permit to add a new sprinkler in that area or removing part of the wall to allow for sprinkler coverage from the head in the existing office.

I also discovered that you do not have a certificate of occupancy to occupy the spaces at 1316, 1312, and 1308. I found your occupancy for 1320 and 1324 but nothing for the other spaces. In order to obtain the occupancy you will need the following:

- Address validation from GIS <https://www.pwcva.gov/department/gis/address-validation-permits>
- Zoning approval from Zoning <https://www.pwcva.gov/department/zoning-administration/occupancy-new-business>
- Certificate of occupancy (will need to meet with one of our project managers to discuss the path to get an occupancy permit)

<https://www.pwcva.gov/department/building-development-division/existing-buildingtenant-space>

I recommend visiting the county to start the process to obtain the certificate of occupancy. I would also discuss with the owner of the building how they want to move forward with the sprinkler coverage issue. I know that they have already fixed some stuff associated with the sprinkler system so they might already have someone in mind.

I have issued a notice of violation and the current compliance date is October 8, 2021, see attached.

If you have any questions feel free to ask, thanks!

Stephen Steiner, Jr
Senior Building Code Enforcement Inspector
Building Development Division
5 County Complex Court #120
Woodbridge VA, 22192
703-792-7337
ssteiner@pwcgov.org

Find Important Development Services COVID-19 Update Information Online at:

<https://www.pwcva.gov/department/development-services/covid-19-update>

From: [Rebecca Addison](#)
To: [Chris Berry](#)
Subject: Notice of Fire Safety Repairs Scheduled Tuesday August 3, 2021
Date: Wednesday, July 28, 2021 3:36:55 PM

Good Afternoon Mr. Berry,

On Tuesday, August 3, 2021, VSC Fire & Security technicians will be onsite to complete additional sprinkler repairs in your unit.

A uniformed technician will present themselves between the hours of 8:00 am and 4:00 pm. They may need to enter with their lift to make their repairs. Please allow full access as these repairs affect the safety of the building. Be sure to inform your employees as well.

If you would prefer your bay to be accessed at another time please contact me, and I'll work with VSC to accommodate.

Thank you for your patience and cooperation during these repairs. Feel free to reach out should you have any questions or concerns.

Rebecca Addison
Brightleaf Management
Mobile: 301-642-0241
Office: 301-459-0004

Mailing Address:
P.O. Box 1754
Upper Marlboro, MD 20773

From: [Rebecca Addison](#)
To: [Chriss Berry](#); [Chris Berry](#); chris@repair-cars.com
Subject: Notice- Fire Safety Repairs Scheduled Tuesday, August 3, 2021 8AM
Date: Wednesday, July 28, 2021 3:28:52 PM

Good Afternoon Mr. Berry,

On Tuesday, August 3, 2021, VSC Fire & Security technicians will be onsite to complete additional sprinkler repairs.

A uniformed technician will present themselves between the hours of 8:00 am and 4:00 pm. They may need to enter with their lift to make their repairs. Please allow full access as these repairs affect the safety of the building. Be sure to inform your employees as well.

If you would prefer your bay to be accessed at another time please contact me, and I'll work with VSC to accommodate.

Thank you for your patience and cooperation during these repairs. Feel free to reach out should you have any questions or concerns.

Rebecca Addison
rebecca@brightleafmanagement.com
301-642-0241

From: [Rebecca Addison](#)
To: [Chris Berry](#)
Subject: Re: Black Wolf
Date: Friday, May 21, 2021 3:28:14 PM

Hi Chris,

I just called VSC for an update on what they were able to accomplish today but no one was in the office. I'll call back Monday and let you know.

I mentioned today's inspection date in my 5/14 email, but I'm sorry there wasn't additional prior notice. Thank you for accommodating them, I really appreciate it.

Vertex hasn't sent me a proposal for repair since their visit 2 weeks ago. I just left a message with their office and will also follow up with them on Monday.

Thank you!

Rebecca Addison
Brightleaf Management
Mobile: 301-642-0241
Office: 301-459-0004

Mailing Address:
P.O. Box 1754
Upper Marlboro, MD 20773

On Fri, May 21, 2021 at 1:30 PM Chris Berry <chris@blackwolfauto.com> wrote:

VSC just did a walk through. Next time, I would appreciate advance notice.

Fortunately, we were able to accommodate them.

Next time (or anytime), I would appreciate advance notice.

Thank you.

Also, a couple weeks ago, Vertex did a walk through. It appears no further action has been taken.

From: [Rebecca Addison](#)
To: [Chris Berry](#)
Subject: Re: FW: 1320 Profit Court Black Wolf Auto - Inspection Deficiencies
Date: Friday, May 14, 2021 10:27:43 AM
Attachments: [brightleafmanagement.com Mail - Profit Court - Brightleaf Industrial Holdings.pdf](#)

Hi Mr. Berry,

I'm sorry for not following up sooner. I called earlier this week, and also just left you a voicemail.

Inspector Harrell has not issued any violations at this time and we are cooperating to have all deficiencies resolved.

Fortunately, Inspector Harrell is agreeable to giving us more time to wait for our fire safety company to complete all deficiency repairs before completing his reinspection.

Your contact Bill Akers was very helpful. Thank you again for sharing. He actually said VSC was the best fire safety company around, which convinced me to stay with them.

I got in touch with Carl the owner of VSC. He let me know they will be on-site to complete all deficiency repairs on May 21st, his soonest available. Again, fortunately, Inspector Harrell is agreeable to that timeline.

I sent Carl a list of the deficiencies noted by Inspector Harrell. I also requested that they please visit your bay first.

I'm sorry that we couldn't have this completed for you sooner. I feel comfortable moving forward with VSC and have a nice cooperation with Mr. Harrell. I anticipate all deficiencies will be resolved on the 21st and will let you know as soon as we have a reinspection date from Inspector Harrell.

Please let me know if you have any questions. I'll give you a call at 12 noon today to try and catch you. Apologies again for not getting back sooner.

Thanks-

Rebecca Addison
Brightleaf Management
Mobile: 301-642-0241
Office: 301-459-0004

Mailing Address:
P.O. Box 1754
Upper Marlboro, MD 20773

On Fri, May 14, 2021 at 7:30 AM Chris Berry <chris@blackwolfauto.com> wrote:

Again, to be clear...

I have left voice messages, requesting follow up.

I have sent emails, requesting follow up.

It has now been over a week, and you have not replied.

Are you sick, or on vacation?

Or as I have come to expect from you, have we returned to the status quo?

From: Chris Berry

Sent: Monday, May 10, 2021 5:40 PM

To: 'Rebecca Addison' <rebecca@brightleafmanagement.com>; 'Rebecca Addison' <brightleaf.rebecca@gmail.com>

Subject: FW: 1320 Profit Court Black Wolf Auto - Inspection Deficiencies

To be clear, you have not replied to my email from Friday.

You have not taken any calls from me since Thursday.

You have not returned the call regarding the message I left this morning.

Since then, like all day Friday, your voice mail has been full, and not taking additional messages.

You have provided no updates at all.

And things are happening...

From: Chris Berry

Sent: Friday, May 7, 2021 4:25 PM

To: 'Rebecca Addison' <rebecca@brightleafmanagement.com>

Subject: RE: 1320 Profit Court Black Wolf Auto - Inspection Deficiencies

As you have not been taking my calls today (multiple attempts throughout the day) and your voicemail is full, and you have not provided any updates as to the expectation regarding the sprinkler system repairs, I would really like to know what is going on.

Do I need to address this independently to not be shut down by the fire marshal, or as you have promised, are you going to tackle this as a whole for the building?

From: Rebecca Addison <rebecca@brightleafmanagement.com>
Sent: Wednesday, May 5, 2021 12:36 PM
To: rharrell@pwcgov.org
Cc: Chris Berry <chris@blackwolfauto.com>
Subject: 1320 Profit Court Black Wolf Auto - Inspection Deficiencies

Good Afternoon Inspector Harrell,

I hope you're doing well. I wanted to let you know that we are in the process of addressing the 3 deficiencies noted in the safety inspection report for 1320 Profit Court / Black Wolf Auto in Woodbridge, VA.

After receiving the inspection report on 4/30/21 Mr. Berry reached out to me immediately to discuss the best process to correct these deficiencies. We aim to have these issues cleared this week by 4/7/21. Please see below and let me know if I can provide any additional information.

- Sprinkler Head Replacement
 - VSC Fire is scheduled to arrive today by 4 pm to replace multiple sprinkler heads throughout the property. They have instructions to begin at Black Wolf Auto upon arrival.
- Front Fire Department Access
 - Mr. Berry let me know that you plan to meet today to review the specifications for fire department access- thank you! Once those boundaries are established we will require compliance and can install any necessary signage if you would suggest.
- Expired Extinguisher
 - Replace

Thank you,

Rebecca Addison

Brightleaf Management

Mobile: 301-642-0241

Office: 301-459-0004

Mailing Address:

P.O. Box 1754

Upper Marlboro, MD 20773



Profit Court - Brightleaf Industrial Holdings

2 messages

Rebecca Addison <rebecca@brightleafmanagement.com>
To: "rharrell@pwcgov.org" <rharrell@pwcgov.org>

Tue, May 11, 2021 at 1:49 PM

Good Afternoon Inspector Harrell,

I hope your week is off to a great start. I'm working with the tenants at Profit court to resolve the deficiencies within their units. Are you available for a call anytime today or tomorrow so I can provide you with an update?

Also, could you please confirm if a violation notice was issued for Mat Auto Repair at 1292 Profit Court? He mentioned that he spoke with the inspectors as you were touring the building but neither he nor I have received any notice of violation.

Thank you!

Rebecca Addison
Brightleaf Management
Mobile: 301-642-0241
Office: 301-459-0004

Mailing Address:
P.O. Box 1754
Upper Marlboro, MD 20773

Harrell, Robert W. <rharrell@pwcgov.org>
To: Rebecca Addison <rebecca@brightleafmanagement.com>

Tue, May 11, 2021 at 1:54 PM

Am available now to talk. No violation has been written for any tenant at this time. Rebecca please provide the fire alarm and Sprinkler system reports at when they come available.

Get [Outlook for iOS](#)

From: Rebecca Addison <rebecca@brightleafmanagement.com>
Sent: Tuesday, May 11, 2021 1:49:24 PM
To: Harrell, Robert W. <rharrell@pwcgov.org>
Subject: Profit Court - Brightleaf Industrial Holdings

This email is from an EXTERNAL source. Use caution when replying or clicking embedded links.

[Quoted text hidden]

From: [Harrell, Robert W.](#)
To: [Rebecca Addison](#)
Cc: [Chris Berry](#)
Subject: Re: 1320 Profit Court Black Wolf Auto - Inspection Deficiencies
Date: Tuesday, May 11, 2021 8:47:59 AM

Get [Outlook for iOS](#)

From: Harrell, Robert W. <rharrell@pwcgov.org>
Sent: Wednesday, May 5, 2021 2:14:21 PM
To: Rebecca Addison <rebecca@brightleafmanagement.com>
Cc: chris@blackwolfauto.com <chris@blackwolfauto.com>
Subject: Re: 1320 Profit Court Black Wolf Auto - Inspection Deficiencies

Hello Rebecca,

I spoken to the owner of Black Wolf today. I informed him that he must provide 20ft from the building for fire department access. He will be working on that.

1288 & 1292, Profit Court, restroom has no sprinkler protection and cause a sprinkler obstruction. Two options for correction. Remove the ceiling or install a sprinkler heads.

Thanks
Robert Harrell

Get [Outlook for iOS](#)

From: Rebecca Addison <rebecca@brightleafmanagement.com>
Sent: Wednesday, May 5, 2021 12:35:47 PM
To: Harrell, Robert W. <rharrell@pwcgov.org>
Cc: chris@blackwolfauto.com <chris@blackwolfauto.com>
Subject: 1320 Profit Court Black Wolf Auto - Inspection Deficiencies

This email is from an EXTERNAL source. Use caution when replying or clicking embedded links.

Good Afternoon Inspector Harrell,

I hope you're doing well. I wanted to let you know that we are in the process of addressing the 3 deficiencies noted in the safety inspection report for 1320 Profit Court / Black Wolf Auto in Woodbridge, VA.

After receiving the inspection report on 4/30/21 Mr. Berry reached out to me immediately to discuss the best process to correct these deficiencies. We aim to have these issues cleared this week by 4/7/21. Please see below and let me know if I can provide any additional

information.

- Sprinkler Head Replacement
 - VSC Fire is scheduled to arrive today by 4 pm to replace multiple sprinkler heads throughout the property. They have instructions to begin at Black Wolf Auto upon arrival.

- Front Fire Department Access
 - Mr. Berry let me know that you plan to meet today to review the specifications for fire department access- thank you! Once those boundaries are established we will require compliance and can install any necessary signage if you would suggest.

- Expired Extinguisher
 - Replace

Thank you,

Rebecca Addison
Brightleaf Management
Mobile: 301-642-0241
Office: 301-459-0004

Mailing Address:
P.O. Box 1754
Upper Marlboro, MD 20773

From: [Harrell, Robert W.](#)
To: [Rebecca Addison](#)
Cc: [Chris Berry](#)
Subject: Re: 1320 Profit Court Black Wolf Auto - Inspection Deficiencies
Date: Wednesday, May 5, 2021 2:14:24 PM

Hello Rebecca,

I spoken to the owner of Black Wolf today. I informed him that he must provide 20ft from the building for fire department access. He will be working on that.

1288 & 1292, Profit Court, restroom has no sprinkler protection and cause a sprinkler obstruction. Two options for correction. Remove the ceiling or install a sprinkler heads.

Thanks
Robert Harrell

Get [Outlook for iOS](#)

From: Rebecca Addison <rebecca@brightleafmanagement.com>
Sent: Wednesday, May 5, 2021 12:35:47 PM
To: Harrell, Robert W. <rharrell@pwcgov.org>
Cc: chris@blackwolfauto.com <chris@blackwolfauto.com>
Subject: 1320 Profit Court Black Wolf Auto - Inspection Deficiencies

This email is from an EXTERNAL source. Use caution when replying or clicking embedded links.

Good Afternoon Inspector Harrell,

I hope you're doing well. I wanted to let you know that we are in the process of addressing the 3 deficiencies noted in the safety inspection report for 1320 Profit Court / Black Wolf Auto in Woodbridge, VA.

After receiving the inspection report on 4/30/21 Mr. Berry reached out to me immediately to discuss the best process to correct these deficiencies. We aim to have these issues cleared this week by 4/7/21. Please see below and let me know if I can provide any additional information.

- Sprinkler Head Replacement
 - VSC Fire is scheduled to arrive today by 4 pm to replace multiple sprinkler heads throughout the property. They have instructions to begin at Black Wolf Auto upon arrival.
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 - Mr. Berry let me know that you plan to meet today to review the specifications for fire department access- thank you! Once those

boundaries are established we will require compliance and can install any necessary signage if you would suggest.

- Expired Extinguisher
 - Replace

Thank you,

Rebecca Addison
Brightleaf Management

Mobile: 301-642-0241

Office: 301-459-0004

Mailing Address:

P.O. Box 1754

Upper Marlboro, MD 20773

From: [Rebecca Addison](#)
To: [Harrell, Robert W.](#)
Cc: [Chris Berry](#)
Subject: 1320 Profit Court Black Wolf Auto - Inspection Deficiencies
Date: Wednesday, May 5, 2021 12:36:33 PM

Good Afternoon Inspector Harrell,

I hope you're doing well. I wanted to let you know that we are in the process of addressing the 3 deficiencies noted in the safety inspection report for 1320 Profit Court / Black Wolf Auto in Woodbridge, VA.

After receiving the inspection report on 4/30/21 Mr. Berry reached out to me immediately to discuss the best process to correct these deficiencies. We aim to have these issues cleared this week by 4/7/21. Please see below and let me know if I can provide any additional information.

- Sprinkler Head Replacement
 - VSC Fire is scheduled to arrive today by 4 pm to replace multiple sprinkler heads throughout the property. They have instructions to begin at Black Wolf Auto upon arrival.

- Front Fire Department Access
 - Mr. Berry let me know that you plan to meet today to review the specifications for fire department access- thank you! Once those boundaries are established we will require compliance and can install any necessary signage if you would suggest.

- Expired Extinguisher
 - Replace

Thank you,

Rebecca Addison
Brightleaf Management
Mobile: 301-642-0241
Office: 301-459-0004

Mailing Address:
P.O. Box 1754
Upper Marlboro, MD 20773

From: [Rebecca Addison](#)
To: [Chris Berry](#)
Subject: rfarrell@pwcgov.org
Date: Wednesday, May 5, 2021 11:31:13 AM

Hi Mr. Berry,

VSC Fire Safety is still planning to visit your unit today before **4 pm** to replace the sprinkler head in your paint booth. They were scheduled to arrive between 8-10 am this morning but unfortunately, are running behind. If I receive any additional updates from them I will let you know.

I'm glad to know that you set up a meeting with inspector Harrell- thank you. Once he's able to provide clarity on the specific fire department access required, we will require that tenants comply with those regulations. If more signage would be useful we'd be happy to have it installed as Inspector Harrell suggests.

Thank you,

Rebecca Addison
Brightleaf Management
Mobile: 301-642-0241
Office: 301-459-0004

Mailing Address:
P.O. Box 1754
Upper Marlboro, MD 20773



**Prince William County
Department of Fire and Rescue**

5 County Complex Court, Prince William, Virginia 22192-5308
Office: (703) 792-6360 FAX: (703) 792-6492
fmoeci@pwcgov.org



Timothy L. Keen
Fire Chief

SAFETY INSPECTION REPORT

ISIP2019-066171

Case Number:	ECI2011-00053	Inspection Status:	Deficiencies Noted
Inspection Scheduled:	04/06/2021	Inspection Type:	Station Inspection
Inspection Date:	04/06/2021		
Inspector:	Robert Harrell		
Tenant:	BLACK WOLF AUTO	Email Address:	CHRIS@BLACKWOLFAUTO.COM
Site Address:	1320 PROFIT CT		

Contact Type	Name	Phone
Business Primary Contact:	BUSINESS	703-490-4000
Emergency Contact:	CHRISS BERRY	703-819-0203

Deficiency	Result	Comments
Extinguisher Deficiencies 1yr	Failed	Fire extinguisher shall be inspected once a year.
Other Issues Not Otherwise Noted - See Comments	Failed	No fire department access to front of the 1320 and 1324. You have 5 days to provide fire department access to 1320 and 1324 Profit Court. Reinspection May 11, 2021. If the fire department access has not been provided May 11, 2021 a Notice of Violation will be written. After 5 days May 18, 2021 of the Notice of Violation fire department access has not been provided a summons will be written by the duty Fire Marshal on May 25, 2021.
Sprinkler Deficiencies, Valve Not Opened, Leaking	Failed	Painted sprinkler head in paint booth shall be replace in 5 days, May 11, 2021. If the sprinkler head violation has not been corrected in the spray booth. A Notice of Violation will be written and the spray booth will be shut down by the order of the Fire Marshal. Replace all missing sprinkler head escutcheons rings.













From: [Chris Berry](#)
To: [Chris Berry](#)
Subject: FW: Case Number OCC2022-00446
Date: Sunday, February 20, 2022 5:16:51 PM

From: Chris Berry
Sent: Monday, February 7, 2022 9:08 AM
To: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>
Cc: Ghimire, Sarmin <SGhimire@pwcgov.org>
Subject: RE: Case Number OCC2022-00446

Mr. Steiner,

An application for appeal has been submitted.

Sincerely,
Chris Berry
Black Wolf Automotive Specialties
1320 Profit Ct.
Woodbridge, Va. 22191
703-490-4000

From: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>
Sent: Monday, February 7, 2022 8:30 AM
To: Chris Berry <chris@blackwolfauto.com>
Subject: RE: Case Number OCC2022-00446

FYI

I am about to reach the extended compliance date of February 8, 2022 for the violation. So I wanted to check in with you and see where you were at with things. I also did not know if you received the final determination letter from Chad Roop yet. Just in case I have attached a copy of the letter to this email for you.

Any update you can provide would be appreciated, thanks!

Stephen Steiner, Jr
Senior Building Code Enforcement Inspector
Building Development Division
5 County Complex Court #120
Woodbridge VA, 22192

703-792-7337

ssteiner@pwcgov.org

Find Important Development Services COVID-19 Update Information Online at:

<https://www.pwcva.gov/department/development-services/covid-19-update>

From: Chris Berry <chris@blackwolfauto.com>
Sent: Wednesday, January 12, 2022 5:04 PM
To: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>
Subject: RE: Case Number OCC2022-00446

This email is from an EXTERNAL source. Use caution when replying or clicking embedded links.

Mr. Steiner,

Thank you for the update. That is good news regarding the plans having been found by the Fire Marshal.

I am anxiously awaiting the findings from Ms. Goodman's research to determine if the mezzanine can remain in its current configuration.

Sincerely,
Chris Berry
Black Wolf Automotive Specialties
1320 Profit Ct
Woodbridge, Va 22191
703-490-4000

From: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>
Sent: Wednesday, January 12, 2022 8:19 AM
To: Chris Berry <chris@blackwolfauto.com>
Cc: Alexander, Kristin O. <KAlexander@pwcgov.org>; Ghimire, Sarmin <SGhimire@pwcgov.org>
Subject: FW: Case Number OCC2022-00446

FYI

After the meeting yesterday I wanted to forward one of my previous emails to you from November 8, 2021 which was also sent previously on October 28, 2021. I believe that option 2 has been addressed because the fire marshal found those plans. The big thing now appears to be the lack of a guard.

I also wanted to let you know that your compliance date has been extended to February 8, 2022. Hopefully the issues with the storage/guard can get resolved by this date so that I can get you your certificate of occupancy issued and close out the case.

If you have any questions let me know, thanks!

Stephen Steiner, Jr
Senior Building Code Enforcement Inspector
Building Development Division
5 County Complex Court #120
Woodbridge VA, 22192
703-792-7337
ssteiner@pwcgov.org

Find Important Development Services COVID-19 Update Information Online at:

<https://www.pwcva.gov/department/development-services/covid-19-update>

From: Steiner Jr., Stephen F.
Sent: Monday, November 8, 2021 9:12 AM
To: Chris Berry <chris@blackwolfauto.com>
Subject: RE: Case Number OCC2022-00446

I have forwarded this email to the fire marshal, as he is the one that raised the issue. I don't think this is going to work though as it doesn't really address either option I was given in terms of abatement for the storage issues.

The below yellow highlight is my previous email that I sent:

Mr. Berry,

Mr. Harrell met with my supervisor regarding the storage on top of the office area. It has been determined that you have a couple of options in order to take care of this issue.

1. Remove all storage from on top of the office area, including the racks
2. Provide a letter from either an architect or engineer that says that the ceiling can hold the additional load

But even if you are able to get this letter, a guard is required. But your architect or engineer would determine what type of guard and how it is to be installed.

If you have any questions feel free to ask, thanks!

Stephen Steiner, Jr
Senior Building Code Enforcement Inspector
Building Development Division
5 County Complex Court #120
Woodbridge VA, 22192
703-792-7337

ssteiner@pwcgov.org

Find Important Development Services COVID-19 Update Information Online at:

<https://www.pwcva.gov/department/development-services/covid-19-update>

From: Chris Berry <chris@blackwolfauto.com>
Sent: Monday, November 8, 2021 9:05 AM
To: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>
Subject: RE: Case Number OCC2022-00446

This email is from an EXTERNAL source. Use caution when replying or clicking embedded links.

Mr. Steiner,

This email is in response to your email concerning storage we have on a platform above the ceiling of our office space. As shown in Prince William County records, the base building, that our space is now a portion of, was completed and approved in 1989 under the applicable Virginia Uniformed Statewide Building Code. This is a one story structure that has an overall height of 22'. It is our understanding that the platform, in question, was constructed and approved during the building construction. Tenant improvement construction, included the addition of the office space and associated ceilings below the platform, were added at a later date. The office ceilings in no way contribute to the floor load capacity or performance of the platform.

The platform is constructed of steel beams, steel web joists, metal pan and poured concrete. (See attached photographs). There were no combustible materials used in the construction of the platform. The floor of the platform currently has long term, ordinary hazard materials stored on it. The storage material, loaded on the platform, is lightweight in comparison to the load capacity of the platform and is uniformly distributed. All long term storage items are stored below a height of 8' off of the floor of the platform and no storage is placed within 18" of the sprinkler heads. This is a fully sprinklered building. At no time are any flammable or combustible liquids stored on this platform. The platform is accessed by portable ladder for the occasional placement or removal of long term stored items. Only designated personnel are allowed to use the portable ladders and access the stored items. This platform is unoccupied. Designated personnel may utilize appropriate fall protection when accessing items on this unoccupied platform.

We hope this email answers any questions you have about the appropriate use of the platform and it's construction.

Sincerely,
Chris Berry

From: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>
Sent: Monday, November 8, 2021 8:26 AM
To: Chris Berry <chris@blackwolfauto.com>

305
423

Subject: RE: Case Number OCC2022-00446

I have reached the current compliance date for the violation at 1308, 1312, & 1312 Profit Ct. I know I have submitted the JOE application and are working on things so I went ahead and granted an additional 30 day extension to December 8, 2021. Hopefully this gives you enough time to work on the below issue from the fire marshal. Once the issue has been resolved you will need to reschedule the JOE inspection and once that is approved the certificate of occupancy will be issued.

If you have any questions feel free to ask, thanks!

Stephen Steiner, Jr
Senior Building Code Enforcement Inspector
Building Development Division
5 County Complex Court #120
Woodbridge VA, 22192
703-792-7337
ssteiner@pwcgov.org

Find Important Development Services COVID-19 Update Information Online at:

<https://www.pwcva.gov/department/development-services/covid-19-update>

From: Steiner Jr., Stephen F.

Sent: Thursday, October 28, 2021 8:10 AM

To: Chris Berry <chris@blackwolfauto.com>

Cc: Harrell, Robert W. <rharrell@pwcgov.org>; Alexander, Kristin O. <KAlexander@pwcgov.org>

Subject: RE: Case Number OCC2022-00446

Mr. Berry,

Mr. Harrell met with my supervisor regarding the storage on top of the office area. It has been determined that you have a couple of options in order to take care of this issue.

1. Remove all storage from on top of the office area, including the racks
2. Provide a letter from either an architect or engineer that says that the ceiling can hold the additional load

But even if you are able to get this letter, a guard is required. But your architect or engineer would determine what type of guard and how it is to be installed.

If you have any questions feel free to ask, thanks!

Stephen Steiner, Jr
Senior Building Code Enforcement Inspector
Building Development Division
5 County Complex Court #120

Woodbridge VA, 22192
703-792-7337
ssteiner@pwcgov.org

Find Important Development Services COVID-19 Update Information Online at:
<https://www.pwcva.gov/department/development-services/covid-19-update>

From: Harrell, Robert W. <rharrell@pwcgov.org>
Sent: Wednesday, October 27, 2021 8:43 AM
To: Chris Berry <chris@blackwolfauto.com>
Cc: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>
Subject: RE: Case Number OCC2022-00446

Hello Mr. Berry,

Mr. Steiner, the building inspector from Building Code Enforcement will be contacting you.
Concerning your storage and racks over the officer area.

Be Safe
Assistant Fire Marshal
Robert Harrell

From: Chris Berry <chris@blackwolfauto.com>
Sent: Tuesday, October 26, 2021 4:47 PM
To: Harrell, Robert W. <rharrell@pwcgov.org>
Subject: Case Number OCC2022-00446

This email is from an EXTERNAL source. Use caution when replying or clicking embedded links.

Fire Marshall Harrell,

On April 29, you emailed me a violation list (ISIP2019-066171) following your thorough inspection of our premises. As you are aware, we immediately rectified the concerns you raised, as your subsequent reinspection verified such.

Based on a follow-up by Prince William Senior Building Code Enforcement Inspector Steiner, it was revealed that I (inadvertently) failed to procure an occupancy permit when I expanded my business into units 1308,1312, and 1316 Profit Ct.

This mistake I made set off the requirement for an inspection by Building Code Enforcement, and a reinspection by the Fire Marshall.

On October 12, 2021, both you and Senior Building Code Enforcement Inspector Steiner performed a JOE inspection.

Later that same day, BCE Inspector Steiner emailed a list of about a dozen items that needed rectification. I then worked my tail off over the remainder of the week attending to his concerns.

I then requested a reinspection from BCE Inspector Steiner, and he has informed me that before he can perform the reinspection, your sign off is required.

Although I was certain you signed off on the JOE form while at my premises at the end of the October 12 inspection, BCE Inspector Steiner has informed me that you still have some reservations about the final sign off.

My questions for you today are;

When do you anticipate identifying the next steps?

What can I do help expedite this process?

As this has cost both me and my wife a great deal of lost sleep. I cannot express how anxious I am to clear up the mistake I made eight years ago when I expanded into units 1308, 1312, and 1316 Profit Court and did not procure the necessary occupancy permit.

I am looking forward to alleviating this worry and getting back to focusing on running my business.

Thank you for your assistance with this matter.

Sincerely,
Chris Berry
Black Wolf Automotive Specialties
703-490-4000 w
703-819-0203 c



1346 Profits Ct.
89-36

COUNTY OF PRINCE WILLIAM

9250 Lee Avenue, Manassas, Virginia 22110
(703) 792-6360 Metro 631-1703 Fax (703) 792-6492

DEPARTMENT OF FIRE and RESCUE

Selby C. Jacobs
Chief

February 25, 1993.

TO: Planning Office, Division of Land Permitting Services
FROM: Lt. Mark S. Dinsmore, LIEUTENANT, FMO TSD, Fire
Marshal'S Office
RE: Plan No: 93-00457 Revision: 0 Submission: 1
Plan Name: AUTO COLLISION PAINT

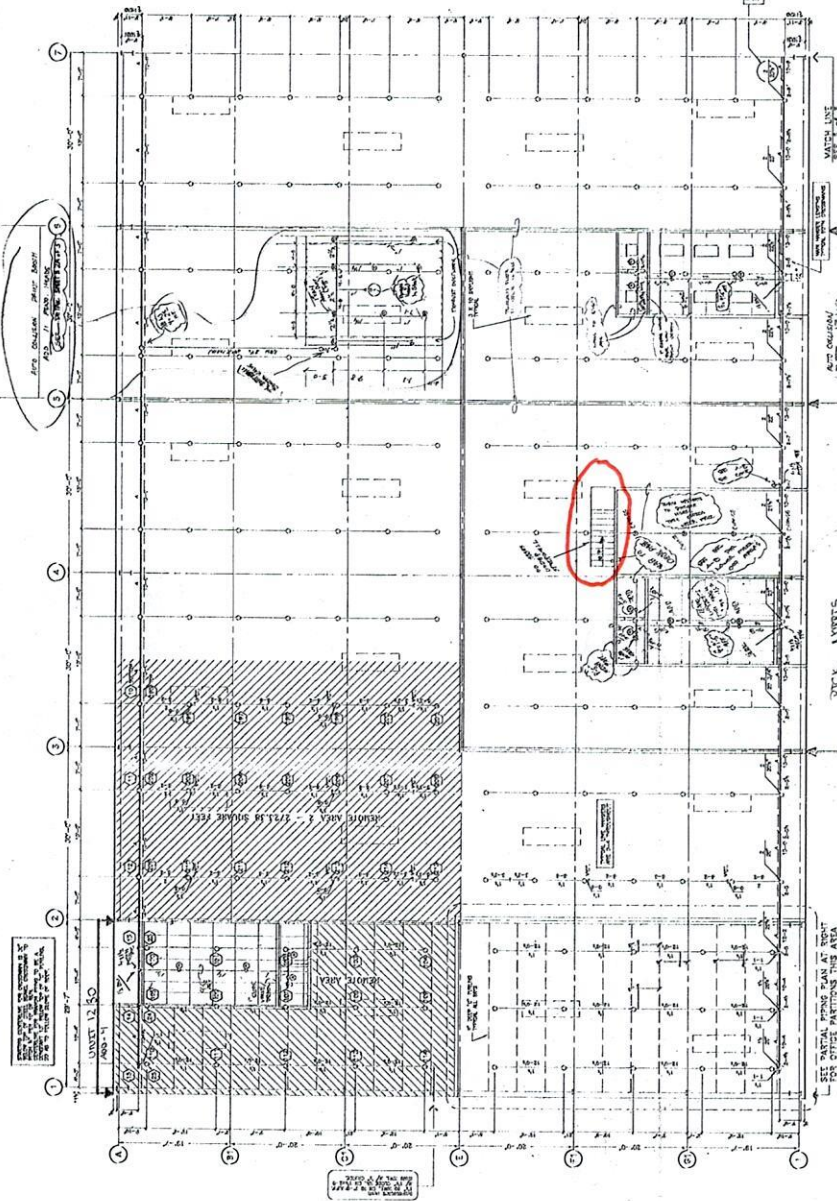
The above referenced plan has been reviewed by the Plan Review staff. The following comments are offered:

The above referenced plan has been reviewed with the following comments:

1. Control valve must be an indicating type valve, and supervised as per the Building Code.
2. Ventilation system shall be in accordance with NFPA 91, "Standard for the installation of blower and exhaust systems for dust, stock and vapor removal or conveying".
3. Notify Fire Marshal's Office at least 24 hours prior to requested test date.
4. Tag all valves to indicate use.
5. Provide spare heads and wrench.
6. All work subject to field inspection.
7. Provide at least an audible or visual alarm device within the building per requirements of the building code.

These comments may be addressed at next submission. If you have any questions, please feel free to call.

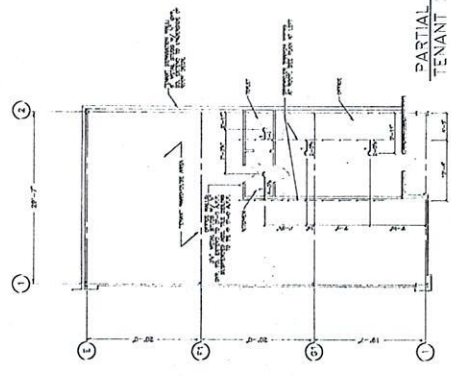
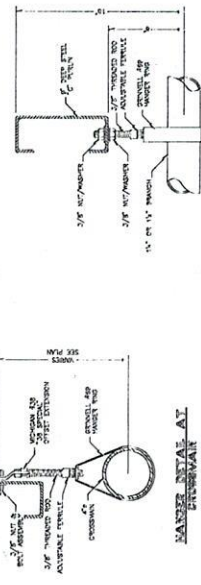
Thank you.



WAREHOUSE PIPING PLAN - PART ONE

SHOW TO BE NEW UNLESS OTHERWISE NOTED
 FINISHED FLOOR ELEVATION 5'-0"
 ALL UNITS TO BE 1/2" W/1/2" DIA.
 UNLESS OTHERWISE SPECIFIED.

SEE PARTIAL PIPING PLAN AT RIGHT FOR OFFICE PARTITIONS THIS AREA



NO SPRINKLER SHALL BE MORE THAN 10 FEET FROM THE APPROVED PLAN WITHIN THE APPROVAL FROM THE OFFICE OF CONSTRUCTION INSPECTION.

NO INSPECTION WILL BE MADE UNLESS AN APPROVED SET OF PLANS IS ON JOB SITE

ALL UNITS SHALL BE 1/2" W/1/2" DIA. UNLESS OTHERWISE SPECIFIED.

DATE	DESCRIPTION	BY	REVISION
11-15-88	ISSUE FOR PERMITS	J.P.	1
11-15-88	ISSUE FOR PERMITS	J.P.	2
11-15-88	ISSUE FOR PERMITS	J.P.	3
11-15-88	ISSUE FOR PERMITS	J.P.	4
11-15-88	ISSUE FOR PERMITS	J.P.	5
11-15-88	ISSUE FOR PERMITS	J.P.	6
11-15-88	ISSUE FOR PERMITS	J.P.	7
11-15-88	ISSUE FOR PERMITS	J.P.	8
11-15-88	ISSUE FOR PERMITS	J.P.	9
11-15-88	ISSUE FOR PERMITS	J.P.	10
11-15-88	ISSUE FOR PERMITS	J.P.	11
11-15-88	ISSUE FOR PERMITS	J.P.	12
11-15-88	ISSUE FOR PERMITS	J.P.	13
11-15-88	ISSUE FOR PERMITS	J.P.	14
11-15-88	ISSUE FOR PERMITS	J.P.	15
11-15-88	ISSUE FOR PERMITS	J.P.	16
11-15-88	ISSUE FOR PERMITS	J.P.	17
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11-15-88	ISSUE FOR PERMITS	J.P.	50

SPRINKLERS DESIGN CRITERIA

CRITERIA	DESIGN	CRITERIA	DESIGN
1. TYPE	WET	1. TYPE	WET
2. RATED	150	2. RATED	150
3. K	5.6	3. K	5.6
4. TEMP.	150	4. TEMP.	150
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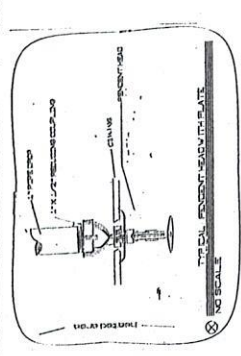
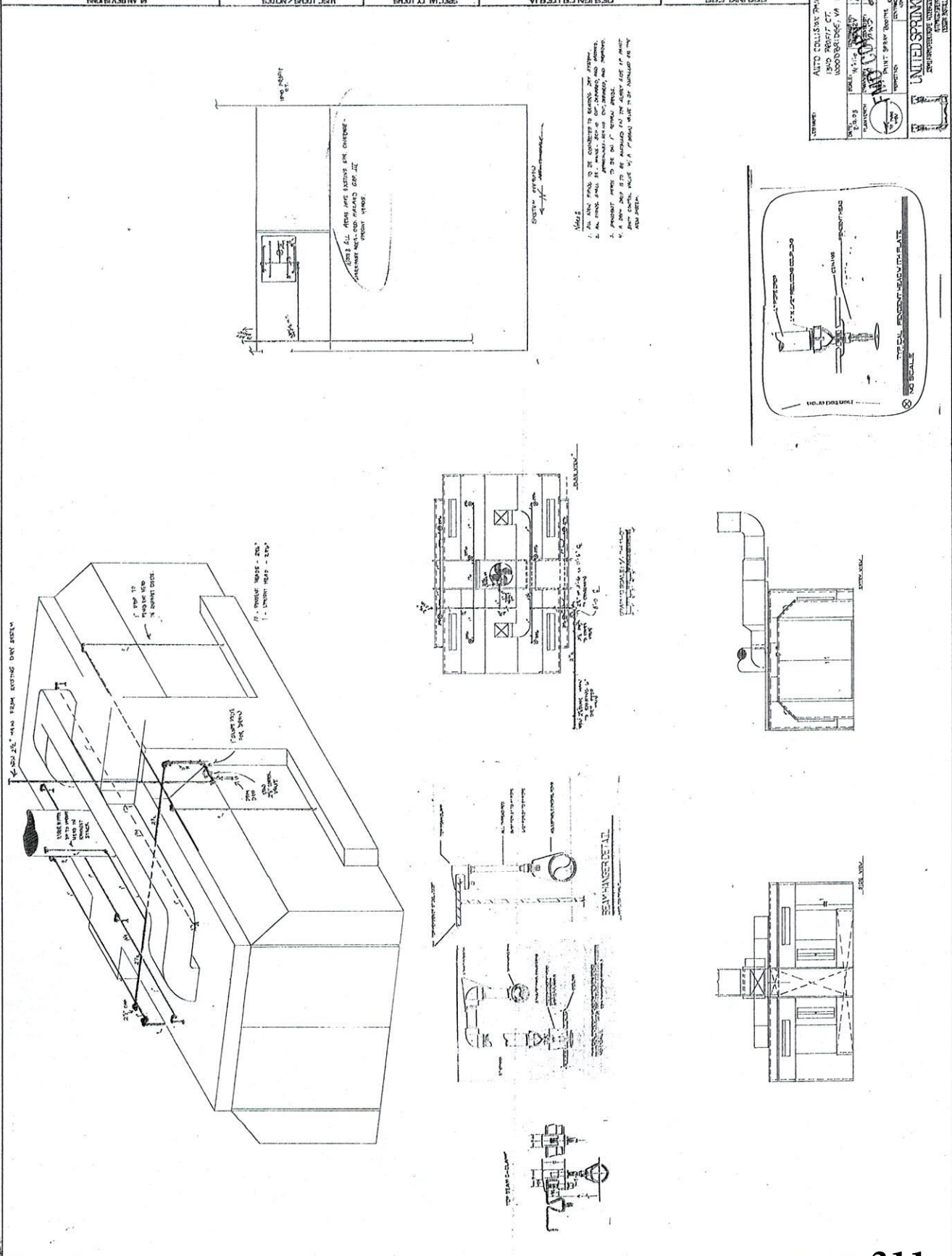
UNITED SPRINKLER CO., INC.
 1000 W. 10TH AVENUE, SUITE 100
 DENVER, COLORADO 80202

UNITED SPRINKLER CO., INC.
 1000 W. 10TH AVENUE, SUITE 100
 DENVER, COLORADO 80202

UNITED SPRINKLER CO., INC.
 1000 W. 10TH AVENUE, SUITE 100
 DENVER, COLORADO 80202

DESIGN CENTER		SPECIALTY SHOP		MISC. ITEMS / NOTES		PLAN REVIEW	
NO.	DESCRIPTION	NO.	DESCRIPTION	NO.	DESCRIPTION	NO.	DESCRIPTION
1	...	1	...	1	...	1	...
2	...	2	...	2	...	2	...
3	...	3	...	3	...	3	...
4	...	4	...	4	...	4	...
5	...	5	...	5	...	5	...
6	...	6	...	6	...	6	...
7	...	7	...	7	...	7	...
8	...	8	...	8	...	8	...
9	...	9	...	9	...	9	...
10	...	10	...	10	...	10	...

AUTO COLLAR 70" W
 END 28077 CT
 WOODBRIDGE, VA ZIP: 22191
 DATE: 10/23/83
 DRAWN BY: [Signature]
 CHECKED BY: [Signature]
 APPROVED BY: [Signature]
UNITED SPRINKLER CO., INC.
 1000 SPRINGFIELD AVE.
 WOODBRIDGE, VA 22191
 (703) 595-1100





Selby C. Jacobs
Director

1316 Profit Ct

COUNTY OF PRINCE WILLIAM

1 County Complex Court, Prince William, Virginia 22192-9201
(703) 335-6800 Metro 631-1703

FIRE and RESCUE SERVICE

February 23, 1990

Delta Building Design & Construction
12656-B Lake Ridge Drive
Woodbridge, Virginia 22192

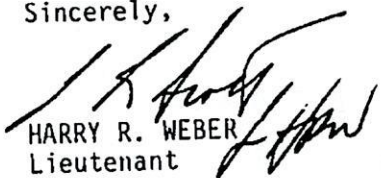
Gentlemen:

RE: BUILDING PLAN 90-8594 (SM087-003) TOUCH OF GLASS 1312 Profit Ct.

The above referenced plan has been reviewed with the following comments:

1. Post street address visible from street.
2. Install fire extinguisher with a minimum rating of 2A:10B:C per NFPA 10.
3. Exterior exit doors without vision panel shall read "Fire Exit Do Not Block" in six inch letters on a contrasting background.
4. If tenant layout interferes with sprinkler coverage corrections shall be made.

Sincerely,


HARRY R. WEBER
Lieutenant

APPROVED BY:

[] Insp. Svcs.

4

Prince William County
DEPARTMENT OF DEVELOPMENT ADMINISTRATION
1 County Complex Court
Prince William, Virginia 22192-9201
Inspection Request - 335-6970
Building Inspector's Office - 335-6942

● Permit #	_____
● Dt. Iss.	_____
● Zon. #	_____
● App. Dt.	_____
● Issued By:	_____

APPLICATION FOR BUILDING PERMIT

90-8594

PRINT WITH BALL POINT PEN OR TYPE - ALL COPIES MUST BE LEGIBLE.
PROVIDE ALL DATA AS REQUIRED BELOW. INCOMPLETE APPLICATIONS WILL NOT BE PROCESSED.

(Check Box to Identify Permit Holder:)

- Owner/Leasee TOUCH OF GLASS Address 1312 PROFIT CT. WDBG. VA.
- Contractor DELTA BLDG DESIGN & CONST. Address 12650 B LAKEBRIDGE DR WDBG. VA.
- Architect/PE _____ Applicant's Phone # 491-1228
- State Registration # _____ Class _____ Prince William Co. License # _____

- Subdivision _____ Sect. _____ Phase _____ Landbay _____ Block _____ Lot # _____
- Property Address 1312 PROFIT CT. WDBG. VA. Mag. Dist. _____
- Name of Property Owner J.D. LEE Grid # G-6
- Alexandria Drafting Co. Map Reference: Page # 22 FEATHERSTONE INDEX PK.
- Directions to Property SEE RESISTANCE DR.
- Type of Occupancy of Structure: _____

- Type of Use:
 - Residential
 - Commercial/Office
 - Industrial
 - Public/Institutional
- Type of Improvement:
 - New Structure
 - Addition
 - Alteration/Repair
 - Tenant Layout
 - Other _____

- Water Supply: Public Private
- Sewage Disposal: Public Private
- Full Baths _____ Half Baths _____
- Type of Primary Heating: _____

Number of Stories _____ Contract Cost \$ 30,000

(For Residential New Construction Only:)

- Unit Type:
 - Single Family
 - Duplex
 - Townhouse
 - Multi-Family (Apartment Hotel, Motel, Dormitory)
 - Other _____
- Ownership:
 - Fee Simple
 - Condominium
- Total # of Units _____

- Construction Method:
 - Modular
 - Panelized
 - Conventional
- # of Bedrooms _____
- Model Name: _____

- Garage _____ YES NO
- Carport _____ YES NO
- Fireplace _____ YES NO
- Masonry Chimney _____ YES NO
- # of Decks _____
- Basement _____ YES NO
- % Finished Basement _____

Right of Inspection - Article 6.1 Code of Virginia, Erosion and Sediment Control Law 21-89, 8.A

- ★Swimming Pool YES NO
- ★Requires separate permit

I hereby certify that I have the authority to make the foregoing application, that the information given is correct, and that all construction will comply with the Virginia Uniform Statewide Building code and applicable ordinances. Permit holder is the responsible part for compliance with the VUSBC and applicable ordinances. I request that a Certificate of use and Occupancy be issued upon completion of the work authorized by the permit, provided the other requirements have been satisfied.

Print Name THOMAS A. WILLIAMS
Signature [Signature]
OWNER, APPLICANT OR AUTHORIZED AGENT

Contractor
 Owner/Leasee Other _____
DATE 2/20/90 TELEPHONE 703/491-1228

THIS PERMIT DOES NOT INCLUDE ELECTRICAL, PLUMBING, OR MECHANICAL INSTALLATIONS

● Use Type: _____	● Gross Sq. Ft. _____	● SD/SP # _____
● Use Group: _____	● Rate of Fee _____	● R.E. Acct. # _____
● Type Constr. _____	● Total Fee <u>30.00</u>	● Data Entry _____
● Sanitarian _____	● Filing Fee <u>2.00</u>	● Lot in Flood Plain: <input type="checkbox"/> YES <input type="checkbox"/> NO
	● Date Paid <u>2-20-90/074612</u>	● EROSION CONTROLS REQUIRED: _____

FMO
CAPT. Scott
270 - M

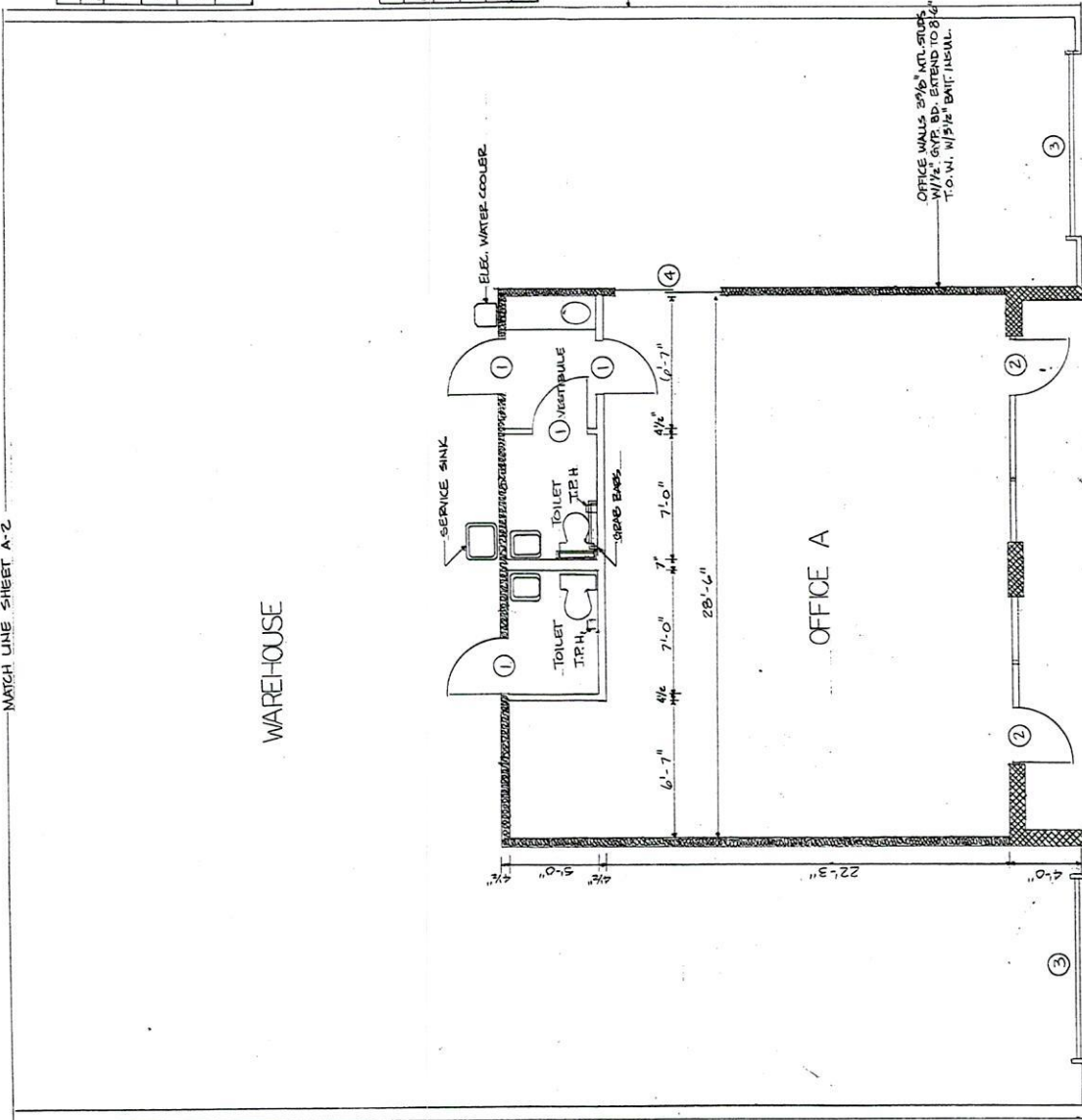
REC'D
FEB 21 '90
PWG-RS

MATCH LINE SHEET A-2

ROOM FINISH SCHEDULE				
NO.	DESIGNATION	FLOOR	BASE	CEILING
1	OFFICE A	VINYL	VINYL	G.B. PAINT
2	VESTIBULE			AC. TILE
3	TOILET			
4	WAREHOUSE	CONC.	NONE	EXPOSED GYP. BRD.
				EXPOSED INSUL.

DOOR SCHEDULE						
NO.	SIZE	TYPE	MATERIAL	FINISH	FRAME	HOWE
①	3'0" x 6'8"		WOOD	TRT	WOOD	SCWAGE
②	3'0" x 7'0"		ALUM. GLS.	DEK BEZE	ALUM.	SCWAGE
③	10'0" x 12'0"		SECTIONAL METAL	WHITE METL.	MTL.	N.A.
④	6'0" x 6'8"		ALUM. GLS.	DEK BEZE	ALUM.	SCWAGE

TENANT SEPARATION WALL
 1/2" METAL STUD W/ 1/2" GYP. BRD.
 TO EXTEND TO BOTTOM OF ROOF DECK.



OFFICE WALLS 2 3/8" MTL. STUDS
 W/ 1/2" GYP. BRD. EXTEND TO 3/4"
 TO O.V. W/ 1/2" BMF. INSUL.

TOUCH OF GLASS
 SOUTHLIEE BUSINESS CTR.,

1312 PROFIT CT.
 WOODBRIDGE, VA
 FEATHERSTONE INDUS. PK.

DATE	ISSUED	BY	NO.	REVISIONS

A-10F3

1316 Profit et



COUNTY OF PRINCE WILLIAM

1 County Complex Court, Prince William, Virginia 22192-9201
(703) 335-6800 Metro 631-1703

FIRE and RESCUE SERVICE

Selby C. Jacobs
Director

February 23, 1990

TO: Mechanical Plans Reviewer
FROM: Harry R. Weber, Lieutenant, Fire Marshal's Office
SUBJECT: SPRINKLER SYSTEM LOCATED AT TOUCH OF GLASS - SOUTH LEE BUSINESS CENTER - (FM067-U03).

The above plan has been reviewed with the following comments:

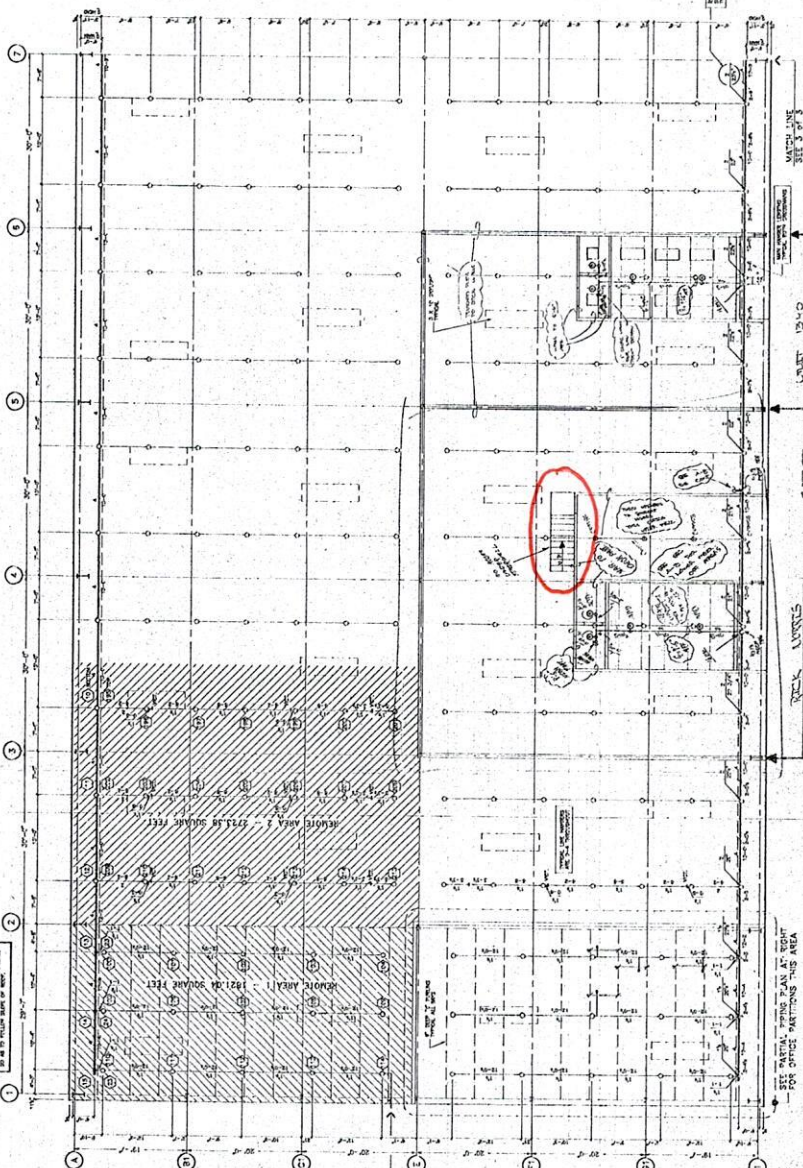
- 1. Notify Fire Marshal's Office at least twenty-four hours prior to requested test date.

FEE: \$105.00 based on the minimum fee.

[Handwritten Signature]
HARRY R. WEBER

6485

NOTES:
1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
2. ALL WORK IS TO BE ACCORDING TO THE LATEST EDITIONS OF THE BUILDING CODES AND SPECIFICATIONS.
3. ALL MATERIALS TO BE APPROVED BY THE ARCHITECT AND THE LOCAL BUILDING DEPARTMENT.
4. ALL WORK TO BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.



WAREHOUSE FLOOR PLAN - PART ONE

THIS PLAN IS TO BE CONSIDERED AS A PRELIMINARY DESIGN ONLY. ALL DIMENSIONS TO BE VERIFIED IN THE FIELD. ALL WORK TO BE ACCORDING TO THE LATEST EDITIONS OF THE BUILDING CODES AND SPECIFICATIONS.

WAREHOUSE FLOOR PLAN - PART TWO

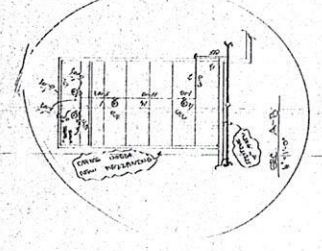
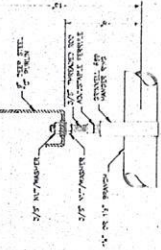
THIS PLAN IS TO BE CONSIDERED AS A PRELIMINARY DESIGN ONLY. ALL DIMENSIONS TO BE VERIFIED IN THE FIELD. ALL WORK TO BE ACCORDING TO THE LATEST EDITIONS OF THE BUILDING CODES AND SPECIFICATIONS.

WAREHOUSE FLOOR PLAN - PART THREE

THIS PLAN IS TO BE CONSIDERED AS A PRELIMINARY DESIGN ONLY. ALL DIMENSIONS TO BE VERIFIED IN THE FIELD. ALL WORK TO BE ACCORDING TO THE LATEST EDITIONS OF THE BUILDING CODES AND SPECIFICATIONS.

PARTIAL PLAN TENANT SPACE

THIS PLAN IS TO BE CONSIDERED AS A PRELIMINARY DESIGN ONLY. ALL DIMENSIONS TO BE VERIFIED IN THE FIELD. ALL WORK TO BE ACCORDING TO THE LATEST EDITIONS OF THE BUILDING CODES AND SPECIFICATIONS.



FMO COPY

ALL WORK SHALL BE ACCORDING TO THE LATEST EDITIONS OF THE BUILDING CODES AND SPECIFICATIONS.

UNIT: SEE DRAWINGS SHEET
TEMPERATURE: INDUSTRIAL CENTER PARCEL - 1-A
MOOREVILLE, VIRGINIA

FMO COPY

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NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR PERMITS	10/15/10	J. H. HARRIS
2	ISSUED FOR PERMITS	10/15/10	J. H. HARRIS
3	ISSUED FOR PERMITS	10/15/10	J. H. HARRIS
4	ISSUED FOR PERMITS	10/15/10	J. H. HARRIS
5	ISSUED FOR PERMITS	10/15/10	J. H. HARRIS
6	ISSUED FOR PERMITS	10/15/10	J. H. HARRIS
7	ISSUED FOR PERMITS	10/15/10	J. H. HARRIS
8	ISSUED FOR PERMITS	10/15/10	J. H. HARRIS
9	ISSUED FOR PERMITS	10/15/10	J. H. HARRIS
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9	ISSUED FOR PERMITS	10/15/10	J. H. HARRIS
10	ISSUED FOR PERMITS	10/15/10	J. H. HARRIS

Wall removed





Documents Submitted
By Prince William
County

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May 16, 2022

State Building Code Technical Review Board
c/o Mr. W. Travis Luter, Sr.
Secretary to the State Building Code Technical Review Board
Code and Regulation Specialist
Virginia Department of Housing and Community Development (DHCD)

RE: Appeal to the Review Board for Black Wolf Services LLC Appeal No. 22-05

Dear Mr. Luter,

This letter and attached documents respond to Appeal No. 22-05 by Black Wolf Services LLC, Mr. Berry.

Overview

Throughout the history of the Virginia Uniform Statewide Building Code, mezzanines have been required to have at least one means of egress. Additionally, mezzanines have been required to have walls or guards to prevent occupants from accidentally falling.

It is common in operating warehouses and commercial flex spaces with high ceilings (i.e., 20-foot high) to construct offices and other rooms with a maximum height of 10 feet. Occupants often use the area above the office's ceiling assembly for illegal storage, thereby illegally converting an unoccupied space into an occupied area. When identified during Code investigations or inspections, occupants are directed by the Fire Official to remove the illegal storage. The occupant can also submit a Building Permit Application to the Building Official to convert the unoccupied space into a mezzanine.

Facts of the Appeal

1. Touch of Glass was issued a Certificate of Occupancy for 1312 Profit Court, Woodbridge, Virginia, on March 23, 1990 (Attachment 1). The Certificate also incorporated 1316 Profit Court and most likely included 1308 Profit Court.
2. In September 2021, the County received a complaint about unpermitted work at 1308 Profit Court, which Black Wolf Services occupied. Upon investigation, a Notice of Violation was issued for failure to obtain a Certificate of Occupancy for a change in the level of use and unpermitted work.
3. During multiple conversations with County staff and the Prince William Building Code Appeals Board, Mr. Berry admitted that his business, Black Wolf Services, expanded into 1308, 1312, and 1316 Profit Court approximately eight years ago without obtaining a Zoning Approval or

Certificate of Occupancy. Except for the illegal storage use above the offices, Mr. Berry has worked very hard to voluntarily abate all the other violations identified by the Fire Official, Building Maintenance Official, and Building Official.

4. During the Prince William Building Code Appeals Board meeting, Mr. Berry asserted the following:

A. *The County referenced the Virginia Uniform Statewide Building Code/1990 (VUSBC) that referenced the Building Officials & Code Administrators (BOCA) National Building Code/1990 (BOCA) in the County's Final Determination. However, the VUSBC/1990 was not in effect when the office was constructed.*

The County agrees that the County erred in the Final Determination. The Certificate of Occupancy for Touch of Glass (the previous tenant) was issued on March 23, 1990 (Attachment 1). The VUSBC/1990 effective date was March 1, 1991. The VUSBC/1987, effective March 1, 1988, is the applicable Code (Attachment 3).

B. *The previous tenant constructed the offices in the warehouse, and Mr. Berry did not perform any demolition of stairs serving as access to the "mezzanine." Therefore, he is not the responsible party.*

The County accepts that the previous tenant constructed the office space. Although the office's ceiling assembly may have been structurally built as a floor/ceiling assembly, the VUSBC/1987 required a means of egress and guard for occupancy and use of that area as a mezzanine (Attachment 3). Additionally, Mr. Berry is the responsible party because he is the current tenant and has converted the unoccupied area above the office into a Storage Use without approval.

C. *The County Approved Fire Protection Plans for the building's fire suppression system indicate that the area above the office is a "mezzanine." United Sprinkler Company prepared the plans on June 26, 1989.*

The County agrees that the Fire Protection Plans for 1312 Profit Court (Attachment 2) states: "LINE OF NEW MEZZANINE @ 10'-0" AFF." However, there is no means of egress indicated as required by the VUSBC/1987. Therefore, the sprinkler contractor erred when labeling the area as a "mezzanine." Based on the County's experience with current projects, this is a common error by sprinkler contractors.

Code Analysis

Based on the documents provided by the Secretary, it appears that Mr. Berry's Appeal is being submitted under the Virginia Construction Code (VCC). However, the County believes the Appeal should have been submitted under the Virginia Existing Building Code (VEBC).

If the Appeal is intended to be under the VCC/2018, the tenant space located at 1308, 1312, and 1316 Profit Court must comply with all current Code requirements, including:

- VCC/Section 505.2.2 **Means of Egress** states: “The means of egress for mezzanines shall comply with the applicable provisions of Chapter 10.”
- VCC/Section 1006.2 **Egress from Spaces** states: “Rooms, areas or spaces, including mezzanines, within a story or basement shall be provided with the number of exits or access to exits in accordance with this section.”
- VCC/Section 1015.2 **Where Required** states: “Guards shall be located along open-sided walking surfaces, including mezzanines, equipment platforms, aisles, stairs, ramps and landings that are located more than 30 inches (762 mm) measured vertically to the floor or grade below...”

If the Appeal is intended to be under the VEBC/2018, converting an unoccupied space (e.g., No-Risk) to an occupied and usable area (e.g., Higher Risk – Relative Hazard Category 4) requires compliance with the VCC:

- VEBC/Section **705.2 Means of Egress, Hazards** states: “Hazard categories in regard to life safety and means of egress shall be in accordance with Table 705.2.

**TABLE 705.2
 MEANS OF EGRESS HAZARD CATEGORIES**

RELATIVE HAZARD	OCCUPANCY CLASSIFICATIONS
1 (Highest Hazard)	H
2	I-2, I-3, I-4
3	A, E, I-1, M, R-1, R-2, R-4
4	B, F-1, R-3, S-1, R-5
5 (Lowest Hazard)	F-2, S-2, U”

- VEBC/Section **705.3 Means of Egress for Change to Higher Hazard Category** states: “When a *change of occupancy* classification is made to a higher hazard category (lower number) as shown in Table 705.2, the means of egress serving the area of the *change of occupancy* shall comply with the requirements of Chapter 10 of the *VCC*, except as modified in Sections 705.3.1 through 705.3.7.”

May 16, 2022

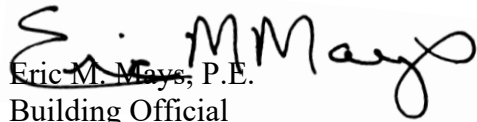
4 of 4

Summary

The area above the office space has been converted into a mezzanine without approval and compliance with the VUSBC, VCC, and VEBC/2018. The omission of the required means of egress and required guards represent a life safety hazard that must be abated.

Therefore, I respectfully request that the Board uphold the Prince William Building Code Appeals Board's decision regarding Black Wolf Services LLC Appeal No. 22-05.

Sincerely,

A handwritten signature in black ink that reads "Eric M. Mays". The signature is written in a cursive style with a large, looping "y" at the end.

Eric M. Mays, P.E.

Building Official

Prince William County

Attachments

Appeal to the Review Board for Black Wolf Services LLC Appeal No. 22-05
May 16, 2022
ATTACHMENT 1 Certificate of Occupancy – Touch of Glass

COUNTY OF PRINCE-WILLIAM, VIRGINIA

CERTIFICATE OF USE AND OCCUPANCY

OCCUPANCY PERMIT NO. 028967

BASE TRADE PERMIT NO. 90103846

OWNER TOUCH OF GLASS

PREMISE ADDRESS 1312 PROFIT CT

SUBDIVISION SOUTH LEE BUS CTR SECTION

LANDBAY PHASE BLOCK LOT

USE GROUP S11B DATE BLDG. PERMIT ISSUED 90/03/23 # BEDROOMS - 00

OTHER INSPECTIONS FIRE MARSHALL, PWCSA AND SITE APPROVED

SPECIAL STIPULATIONS AND CONDITIONS OF BUILDING PERMIT: _____

FINAL INSPECTIONS ON THE ABOVE PERMITS HAVE BEEN SATISFACTORILY COMPLETED
AND OCCUPANCY IS PERMITTED FOR THE ABOVE USE OF THIS STRUCTURE.

[Signature]
ISSUING AGENT

DATE ISSUED: 90/05/24

[Signature]
BUILDING OFFICIAL

REMARKS: _____

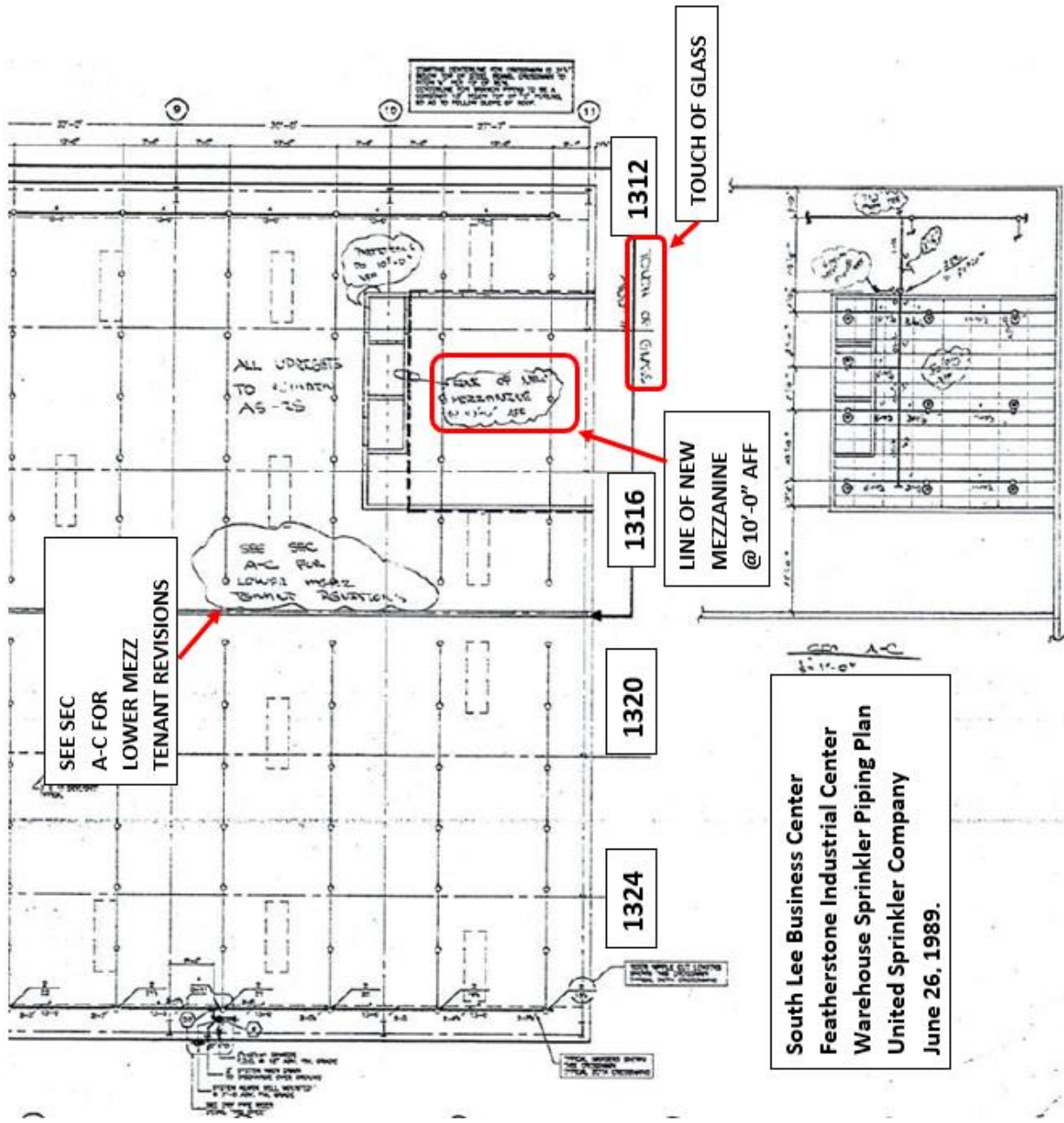
Appeal to the Review Board for Black Wolf Services LLC Appeal No. 22-05
May 16, 2022
ATTACHMENT 2 Fire Protection Plan – United Sprinkler Company, June 26, 1989

Profit Court (1308, 1312, 1316, 1320, 1324)
Woodbridge, Virginia



Appeal to the Review Board for Black Wolf Services LLC Appeal No. 22-05
 May 16, 2022
 ATTACHMENT 2 Fire Protection Plan – United Sprinkler Company, June 26, 1989

Profit Court (1312, 1316, 1320, 1324)
 Woodbridge, Virginia



VIRGINIA
UNIFORM STATEWIDE BUILDING CODE
VOLUME I
NEW CONSTRUCTION CODE
1987 EDITION

VR 394-01-21

Adopted by the State

BOARD OF HOUSING AND COMMUNITY DEVELOPMENT

Effective March 1, 1988

600.3 Means of egress: The means of egress for buildings of special uses and occupancies shall conform to the requirements of Article 8, except as is modified by more restrictive provisions of this article for specific uses.

SECTION 605.0 MEZZANINES

605.1 General: A mezzanine or mezzanines in compliance with this section shall be considered a portion of the floor below. Such mezzanines shall not contribute to the building area as regulated by Section 501.2. Such mezzanines shall not contribute to the number of stories or height as regulated by Section 501.3.

605.2 Area limit: The aggregate area of a mezzanine or mezzanines within a story shall not exceed one-third of the area of that story.

Exception: The aggregate area of mezzanines in buildings and structures of Type 1 or 2 construction for special industrial uses according to Section 501.1.1 shall not exceed two-thirds of the area of that story.

605.3 Egress: Each occupant of a mezzanine with an occupant load of more than 50 or in which the travel distance to an exit exceeds 75 feet (22860 mm) shall have access to at least two independent means of egress.

SECTION 809.0 NUMBER OF EXITS

809.1 General: The following general requirements apply to buildings of all use groups. Where more restrictive requirements are provided in this code, such requirements shall take precedence over the general provisions of this section.

809.2 Minimum number: Every floor area shall be provided the minimum number of approved independent exits as required by Table 809.2 based on the occupant load, except as modified in Section 809.3.

**Table 809.2
MINIMUM NUMBER OF EXITS FOR OCCUPANT LOAD**

Occupant load	Minimum number of exits
500 or less	2
501 - 1,000	3
over 1,000	4

SECTION 825.0 HAZARDS TO MEANS OF EGRESS

825.1 Floor openings: Manholes or floor access panels shall not be located in the line of egress which reduce the clearance to less than 32 inches (813 mm).

825.2 Protrusions: There shall not be low-hanging door closers that remain within the opening of a doorway when the door is open, or that protrude hazardously into the corridor or line of egress when the door is closed. There shall not be low-hanging signs, ceiling lights or similar fixtures which protrude into corridors or lines of egress.

825.3 Identification of hazardous exits: Doors leading to dangerous areas such as fire escapes, loading platforms, switch rooms and mechanical rooms shall be equipped with knobs, handles or push bars that have been knurled.

825.4 Floor surface: All floors of corridors and lines of egress shall have a slip-resistant surface.

825.5 Open-sided floor areas: Guards shall be located along open-sided walking surfaces, mezzanines and landings. The guards shall be constructed in accordance with Section 827.0.

SECTION 827.0 GUARDS

827.1 General: Where required by the provisions of Sections 609.2.3, 607.6, 815.5, 816.5, 825.5 and 1223.5, guards shall be designed and constructed in accordance with the requirements of this section and Section 1109.7. A guardrail system is a system of building components located near the open sides of elevated walking surfaces for the purpose of minimizing the possibility of an accidental fall from the walking surface to the lower level.

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Emails submitted
from Black Wolf
Services which
occurred after
the local appeals
board
application
submittal

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From: Chris Berry <chris@blackwolfauto.com>
Sent: Wednesday, April 20, 2022 11:30 AM
To: Chris Berry
Subject: FW: 1308 PROFIT CT WOODBRIDGE, VA 22191

From: Chris Berry
Sent: Wednesday, April 20, 2022 10:01 AM
To: Ghimire, Sarmin <SGhimire@pwcgov.org>
Subject: RE: 1308 PROFIT CT WOODBRIDGE, VA 22191

Ms. Ghimire,

We are appealing to the state. Your office will be receiving the associated documentation shortly.

Sincerely,
Chris Berry
Black Wolf Automotive Specialties
1320 Profit Ct.
Woodbridge, Va. 22191
703-490-4000

From: Ghimire, Sarmin <SGhimire@pwcgov.org>
Sent: Tuesday, April 19, 2022 9:59 AM
To: Chris Berry <chris@blackwolfauto.com>
Subject: RE: 1308 PROFIT CT WOODBRIDGE, VA 22191

Mr. Berry,

You must have received a mail from Mandy by now, I am reaching out again to get an update on your plan moving forward. You can give me a call or send me a note.

Thanks,

Sarmin Ghimire
Development Project Manager
Department of Development Services
5 County Complex Court, Suite 120
Prince William, VA 22192
Phone: 703.792.5631
SGhimire@pwcgov.org

From: Ghimire, Sarmin
Sent: Thursday, March 31, 2022 10:00 AM

To: Chris Berry <chris@blackwolfauto.com>
Subject: RE: 1308 PROFIT CT WOODBRIDGE, VA 22191

Mr. Berry,

We provide the resolution via email, but we are going to send you a certified mail today.

Sarmin Ghimire

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From: Chris Berry
Sent: Friday, March 11, 2022 8:01 AM
To: Spina, Mandi <MSpina@pwcgov.org>; Bates, Amanda <abates@pwcgov.org>
Subject: RE: Request for Appeal

Good morning Ms. Spina and/ or Ms. Bates,

As per my previous request, I would like to be certain the current/ actual/ original 'Wet Signature' version, containing my original signature, and Ms Ghimire's original signature, be available at the hearing. The document referenced on page 5 of the board package you sent me late yesterday afternoon is the document I would like to have available.

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Importance: High

Mr. Berry,

My name is Mandi Spina and I will be acting as the Secretary to the Building Code Appeals Board for tomorrow's meeting.

I've attached the final board package. I plan on having a printed copy for you in the morning when you arrive.

I do recall Amanda mentioning a potential video to show tomorrow for the Board – can you send that over to me by chance?

If you need anything, please feel free to call me on the work cell number listed below tomorrow morning.

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Prince William County Government
Department of Development Services
5 County Complex Court – Suite 120
Prince William, VA 22192
Work Cell Phone: 571-436-1253
Desk Phone: 703-792-7455
Email: mspina@pwcgov.org

From: Chris Berry <chris@blackwolfauto.com>
Sent: Wednesday, February 2, 2022 2:54 PM
To: Bates, Amanda <ABates@pwcgov.org>
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The owner of the building/ Structure is;
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To: Ghimire, Sarmin
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- Building official Eric Mays;
 - o Mailing address
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From: Spina, Mandi <MSpina@pwcgov.org>
Sent: Tuesday, May 3, 2022 8:43 AM
To: Chris Berry
Cc: Bates, Amanda
Subject: FW: 1308 PROFIT CT WOODBRIDGE, VA 22191
Attachments: Prince William Board Code Appeals Board Meeting Minutes (2022_0311).pdf

Mr. Berry,

Please see the attached minutes. There was no recording of the meeting.

Mr. Mays' information:

Eric Mays
5 County Complex Court, Suite 120
Woodbridge, VA 22192

Phone: 703-792-6873
Email: emays@pwcgov.org

Thank you,

Mandi Spina

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Cc: Bates, Amanda <ABates@pwcgov.org>; O'Connor, Richard <roconnor@pwcgov.org>
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Mandi,

Please see Mr. Berry's email below.

Please let me know if there is anything I can do.

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Development Project Manager
Department of Development Services

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Email: mspina@pwcgov.org

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Person Appealing;
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Woodbridge, Va. 22191
703-490-4000

This document is also being mailed.

From: Mays, Eric M. <emays@pwcgov.org>
Sent: Thursday, May 5, 2022 7:17 AM
To: Luter, William
Cc: Chris Berry; Potts, Richard; Paul Messplay IV; Florin Moldovan; Roop, Chad A.
Subject: RE: Appeal to the Review Board for Black Wolf Services LLC Appeal No. 22-05

Dear Mr. Luter,

Thank you for your notification of the appeal by Black Wolf Services LLC.

Based on the testimony during the Prince William Building Code Appeals Board Meeting, I am preparing additional correspondence to Mr. Berry related to his appeal. Therefore, I am requesting an extension to May 26, 2022, to submit the additional documents and photographs you have requested.

The County hereby acknowledges and stipulates that there are no jurisdictional questions related to Mr. Berry's appeal. Mr. Berry is the aggrieved party, and his appeal has been submitted in a timely manner.

Sincerely,
Eric M. Mays, P.E.
Building Official
Prince William County
703-792-6873
emays@pwcgov.org

From: Luter, William <travis.luter@dhcd.virginia.gov>
Sent: Monday, May 2, 2022 4:58 PM
To: Chris Berry <chris@blackwolfauto.com>; Mays, Eric M. <emays@pwcgov.org>
Cc: Potts, Richard <richard.potts@dhcd.virginia.gov>; Paul Messplay IV <paul.messplayiv@dhcd.virginia.gov>; Florin Moldovan <florin.moldovan@dhcd.virginia.gov>
Subject: Appeal to the Review Board for Black Wolf Services LLC Appeal No. 22-05

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Parties,

On May 2, 2022, Black Wolf Services LLC (Chris Berry) filed an appeal to the Review Board. Review Board staff has prepared a package of the documents for the appeal submitted thus far by Mr. Berry. Please find the documents attached

Please submit any additional documents and/or photographs you have relative to the appeal, by the end of business Friday, May 13, 2022 so Review Board staff may begin the processing of the appeal. If you submit any photographs, please correlate them to the applicable cited code violations in your submittal. The photographs must also include a date stamp and list the individual that took the photograph.

Once we receive all the documents, Review Board staff will determine how best to process the appeal. It would generally be either by drafting a summary of the appeal for the parties to review, or by conducting an informal fact-finding conference to meet with the parties to clarify the facts and issues in the appeal. Should a jurisdictional issue be present needing consideration by the Review Board, then a preliminary hearing may be scheduled.

Should either of the parties wish to use legal counsel for this hearing, a written letter of representation must be sent to Review Board staff; otherwise, all correspondence will continue to be sent to Messrs. Berry and Mays. Please note that legal counsel is not required for this hearing and an email from legal counsel to Review Board staff is sufficient for a written letter of representation.

In an effort to assist all parties in this appeal, Review Board staff has attached a copy of the Appeals Participant Guide, which outlines the appeals process.

Lastly, should minutes or a transcript for the local appeals board hearing exist, please provide a copy by the above referenced deadline. If not please notify Review Board staff as such.

Should you have any questions or concerns, please do not hesitate to contact me.

W. Travis Luter, Sr.

Secretary to the State Building Code Technical Review Board

Code and Regulation Specialist

Virginia Department of Housing and Community Development (DHCD)

804-371-7163

travis.luter@dhcd.virginia.gov

From: Bates, Amanda <ABates@pwcgov.org>
Sent: Thursday, March 10, 2022 2:48 PM
To: Chris Berry
Subject: Board Package
Attachments: APL2022-00010_Board Package_Final.pdf

Good afternoon,

Attached is the board package for tomorrow's hearing. I will have a projector set up if there were particular pieces of the video you would like referenced as well as the Board Package due to the length of pages. If you have any questions or concerns, please let me know.

Thanks,

Amanda Bates

Administrative Coordinator I Department of Development Services
5 County Complex Ct. | Suite 120 | Prince William, VA 22192
703-792-5267 (direct) | Abates@pwcgov.org

Find Important Development Services COVID-19 Update Information Online at:
[Development Services – COVID-19 UPDATE Operational Guidance](#)

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I've attached the final board package. I plan on having a printed copy for you in the morning when you arrive.

I do recall Amanda mentioning a potential video to show tomorrow for the Board – can you send that over to me by chance?

If you need anything, please feel free to call me on the work cell number listed below tomorrow morning.

Thank you,

Mandi Spina

Senior HR & Administration Analyst
Prince William County Government
Department of Development Services
5 County Complex Court – Suite 120
Prince William, VA 22192
Work Cell Phone: 571-436-1253
Desk Phone: 703-792-7455
Email: mspina@pwcgov.org

From: Chris Berry <chris@blackwolfauto.com>
Sent: Wednesday, February 2, 2022 2:54 PM
To: Bates, Amanda <ABates@pwcgov.org>
Cc: Chris Berry <chris@blackwolfauto.com>
Subject: Request for Appeal

This email is from an EXTERNAL source. Use caution when replying or clicking embedded links.

Ms. Bates,

I hereby submit a request for appeal, regarding the matter described in the enclosed Final Determination from Deputy Building Official Chad Roop.

The owner of the building/ Structure is;
Brightleaf Industrial Holdings, LLC
C/O Edge Commercial Real Estate
2273 Research Blvd, Suite 150
Rockville, MD 20850

Person Appealing;
Chris Berry
1320 Profit Ct.
Woodbridge, VA 22191

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Thank you for your assistance with this matter.

Sincerely,
Chris Berry

Black Wolf Automotive Specialties
1320 Profit Ct.
Woodbridge, Va. 22191
703-490-4000

This document is also being mailed.

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From: Ghimire, Sarmin <SGhimire@pwcgov.org>
Sent: Friday, March 11, 2022 8:47 AM
To: Chris Berry
Subject: RE: Request for Appeal

Mr. Berry,

Mandi has it. You can ask when you see her today.

Sarmin Ghimire

Development Project Manager
Department of Development Services
5 County Complex Court, Suite 120
Prince William, VA 22192
Phone: 703.792.5631
SGhimire@pwcgov.org

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Subject: FW: Request for Appeal

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This document is also being mailed.

From: Spina, Mandi <MSpina@pwcgov.org>
Sent: Thursday, March 17, 2022 9:12 AM
To: Chris Berry
Subject: Signed Resolution
Attachments: APL2022-00010 Final Resolution (2022_0311).pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Mr. Berry

Attached is the signed resolution from last week's Appeals Board Meeting.

The bottom of the resolution notes how you can appeal to the State level.

Thank you,

Mandi Spina

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Email: mspina@pwcgov.org

From: Ghimire, Sarmin <SGhimire@pwcgov.org>
Sent: Wednesday, March 30, 2022 12:44 PM
To: Chris Berry
Subject: 1308 PROFIT CT WOODBRIDGE, VA 22191

Mr. Berry,

I tried to call you, your office is closed for lunch, I am reaching out to get an update on your plan moving forward.

You can give me a call or send me a note.

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From: Ghimire, Sarmin <SGhimire@pwcgov.org>
Sent: Thursday, March 31, 2022 10:00 AM
To: Chris Berry
Subject: RE: 1308 PROFIT CT WOODBRIDGE, VA 22191

Mr. Berry,

We provide the resolution via email, but we are going to send you a certified mail today.

Sarmin Ghimire

Development Project Manager
Department of Development Services
5 County Complex Court, Suite 120
Prince William, VA 22192
Phone: 703.792.5631
SGhimire@pwcgov.org

From: Chris Berry <chris@blackwolfauto.com>
Sent: Thursday, March 31, 2022 9:45 AM
To: Ghimire, Sarmin <SGhimire@pwcgov.org>
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Sent: Tuesday, April 19, 2022 9:59 AM
To: Chris Berry
Subject: RE: 1308 PROFIT CT WOODBRIDGE, VA 22191

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This document is also being mailed.

Subject: FW: Board of Appeals Hearing
Location: 107 A&B

Start: Fri 3/11/2022 10:00 AM
End: Fri 3/11/2022 11:30 AM
Show Time As: Tentative

Recurrence: (none)

Meeting Status: Not yet responded

Organizer: Bates, Amanda

Importance: High

-----Original Appointment-----

From: Bates, Amanda <ABates@pwcgov.org>

Sent: Tuesday, February 15, 2022 3:05 PM

To: Bates, Amanda; Alger J. Mockaitis; Steve Daves; Mike Kitchen; Mays, Eric M.; Roop, Chad A.; Jessie, Kristin; Chris Berry; Jarman, Thomas W.; John F. Heltzel

Cc: Goodman, Jenna; Alexander, Kristin O.

Subject: Board of Appeals Hearing

When: Friday, March 11, 2022 10:00 AM-11:30 AM (UTC-05:00) Eastern Time (US & Canada).

Where: 107 A&B

Importance: High

This is the invite for the APL2022-00010 hearing for Chris Berry/Wolf Automotive.

The Board Package will be sent out 1 week prior to the hearing

This meeting will be held in-person at:

5 County Complex Ct.
Woodbridge, VA 22192
Conference Rooms 107 A&B

From: Chris Berry <chris@blackwolfauto.com>
Sent: Thursday, May 5, 2022 6:31 PM
To: Chris Berry
Subject: Attachment 1 2-28-22 Bates email appeal invite promising docs 1 week ahead
Attachments: FW: Board of Appeals Hearing (10.1 KB)

Importance: High

From: Chris Berry <chris@blackwolfauto.com>
Sent: Thursday, May 5, 2022 6:29 PM
To: Chris Berry <chris@blackwolfauto.com>
Subject: 2-28-22 Bates appeal invite promising docs 1 week ahead
Importance: High

From: Chris Berry <chris@blackwolfauto.com>
Sent: Thursday, May 5, 2022 6:48 PM
To: Chris Berry
Subject: Attachment 2 My request for documentation

From: Chris Berry <chris@blackwolfauto.com>
Sent: Monday, February 28, 2022 9:36 AM
To: Chris Berry <chris@blackwolfauto.com>
Subject: FW: Request for Appeal

From: Chris Berry
Sent: Monday, February 28, 2022 9:36 AM
To: Bates, Amanda <ABates@pwcgov.org>
Subject: RE: Request for Appeal

Good morning Ms. Bates,

As I have provided the information you requested, I am curious to know if I am to expect any information regarding the county officials' position.

There is one particular document the county has that I would like to be certain is available at the hearing. It is the current/ actual/ original 'JOE- Joint occupancy evaluation permit application' form- the same one that was brought to the December 7 inspection .

I would also like to request a copy of all pertinent documents, including the county officials' notes that have been taken regarding the multiple recent inspections that have taken place.

If I could be provided a copy of these documents at least a few days prior to the hearing, it would be appreciated.

Thank you for your continued assistance with this matter.

Sincerely,
Chris Berry
Black Wolf Automotive Specialties
1320 Profit Ct.
Woodbridge, Va. 22191
703-490-4000

From: Bates, Amanda <ABates@pwcgov.org>
Sent: Tuesday, February 15, 2022 2:51 PM
To: Chris Berry <chris@blackwolfauto.com>
Subject: RE: Request for Appeal
Importance: High

Good afternoon Mr. Berry,

I have confirmed the Appeals Hearing date for Friday, March 11th from 10:00 a.m. to 11:30a.m. located in person at our offices:

5 County Complex Ct.
Woodbridge, VA 22192

Upon arrival you can go to our Early assistance desk and let them know you are here for an appeal hearing. I will come out and take you to one of our conference rooms.

At this time, I will need some information from you in order to put together our Board Package for the Board, yourself, and the Building Official. Your appeal case number for reference is, APL2022-00010 This can include but is not limited to:

- Statement of Facts (your reason for the appeal and facts of the case as you see it)
- Any pictures, violation notices, emails, anything you believe is relevant for the Board to see that supports your case.
- Witnesses, anyone you feel would help your case by bringing them to the hearing to testify. (Please let me know ahead of time you have witnesses so I can inform the Chair to the Board)

Please provide all documents to me by **COB Tuesday, March 1st**. The Board Package will be sent out on Monday March 7th.

If you have any questions or need additional assistance, please do not hesitate to reach out to me.

Thanks,

Amanda Bates

Administrative Coordinator I Department of Development Services
5 County Complex Ct. | Suite 120 | Prince William, VA 22192
703-792-5267 (direct) | Abates@pwcgov.org

Find Important Development Services COVID-19 Update Information Online at:
[Development Services – COVID-19 UPDATE Operational Guidance](#)

From: Chris Berry <chris@blackwolfauto.com>
Sent: Sunday, February 13, 2022 7:45 PM
To: Bates, Amanda <ABates@pwcgov.org>
Cc: Chris Berry <chris@blackwolfauto.com>
Subject: RE: Request for Appeal

This email is from an EXTERNAL source. Use caution when replying or clicking embedded links.

Ms. Bates,

Sorry I missed your call on Friday afternoon.

If I understand your question, I am appealing the final determination letter. I am assuming that after (ideally) prevailing at the appeals hearing my occupancy permit will be issued, without any new hoops to jump through.

Sincerely,
Chris Berry
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703-490-4000

From: Bates, Amanda <ABates@pwcgov.org>
Sent: Wednesday, February 9, 2022 2:34 PM
To: Chris Berry <chris@blackwolfauto.com>
Subject: RE: Request for Appeal

Good afternoon Mr. Berry,

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You do, however, have the option to introduce evidence the day of the hearing to the Chair of the Board. He has to approve it and you would need to bring extra copies for everyone to present at that time.

I must know what you are appealing so our Building Official can put his statement of facts together and provide to me his documentation and I can compile your documents as well. The Board package is sent out to everyone a few days before the hearing.

Are you appealing the Building Code Enforcement Violation, or are you appealing all items listed in the final determination letter sent to you by Deputy Building Official Chad Roop?

If it is easier to chat by phone I would be happy to give you a call.

Thank you,

Amanda Bates
Administrative Coordinator I Department of Development Services
5 County Complex Ct. | Suite 120 | Prince William, VA 22192
703-792-5267 (direct) | Abates@pwcgov.org

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From: Chris Berry <chris@blackwolfauto.com>
Sent: Tuesday, February 8, 2022 7:53 AM
To: Bates, Amanda <ABates@pwcgov.org>
Subject: RE: Request for Appeal

This email is from an EXTERNAL source. Use caution when replying or clicking embedded links.

Good morning Ms. Bates,

Thank you very much for working with our schedule request. If possible, Monday or Tuesday of the week 7-11 March would be our preferred meeting dates.

Regarding your request for specifics, I am certain I can present a clear and compelling case that the county code enforcement officials have harassed us egregiously. Their multiple arbitrary allegations of code violations have been a progressively evolving series of throwing things at the wall to see what might stick, including backpedaling and buck-passing when deemed advantageous. I am genuinely concerned that if I divulge the details of my case, and if these details were to be made available to the involved officials, they will *again* amend their determination(s). Understanding that I am not familiar with the rules of these proceedings to follow, can you assure me that if I divulge the facts of my case to you, that these facts not be made available to the involved code officials until the actual appeals hearing?

Thank you for your assistance with this matter.

Sincerely,
Chris Berry
Black Wolf Automotive Specialties
1320 Profit Ct.
Woodbridge, Va. 22191
703-490-4000

From: Bates, Amanda <ABates@pwcgov.org>
Sent: Monday, February 7, 2022 3:22 PM
To: Chris Berry <chris@blackwolfauto.com>
Subject: RE: Request for Appeal

Good afternoon Mr. Berry,

I am in receipt of your appeal request. Usually, appeals are held within 30 days of receipt unless both parties agree on an extension. Both parties meaning the appellant and the Building Official.

I have been given approval to extend this hearing to your requested week of March 7-11. I will email the Board of Appeals to confirm a date. Once the date is confirmed, I will email you additional instructions for the appeals hearing, including what information I need from you for the Board Package that will be presented the day of the hearing.

For clarification, and the Appeals Board Records, can you be specific on what in the Deputy Building Officials determination you are appealing.

Thanks,

Amanda Bates
Administrative Coordinator I Department of Development Services
5 County Complex Ct. | Suite 120 | Prince William, VA 22192
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From: Chris Berry <chris@blackwolfauto.com>
Sent: Wednesday, February 2, 2022 2:54 PM
To: Bates, Amanda <ABates@pwcgov.org>
Cc: Chris Berry <chris@blackwolfauto.com>
Subject: Request for Appeal

This email is from an EXTERNAL source. Use caution when replying or clicking embedded links.

Ms. Bates,

I hereby submit a request for appeal, regarding the matter described in the enclosed Final Determination from Deputy Building Official Chad Roop.

The owner of the building/ Structure is;
Brightleaf Industrial Holdings, LLC
C/O Edge Commercial Real Estate
2273 Research Blvd, Suite 150
Rockville, MD 20850

Person Appealing;
Chris Berry
1320 Profit Ct.
Woodbridge, VA 22191

If it is possible, I would like to request that the date to be scheduled for my appearance before the Appeals Board be any day during the week of March 7-11, with Monday or Tuesday of that week being my preferred days to appear.
Thank you for your assistance with this matter.

Sincerely,
Chris Berry
Black Wolf Automotive Specialties
1320 Profit Ct.
Woodbridge, Va. 22191
703-490-4000

This document is also being mailed.

From: Chris Berry <chris@blackwolfauto.com>
Sent: Thursday, May 5, 2022 6:48 PM
To: Chris Berry
Subject: Attachment 3 Bates sends Board Package
Attachments: APL2022-00010_Board Package_Final.pdf

From: Bates, Amanda <ABates@pwcgov.org>
Sent: Thursday, March 10, 2022 2:48 PM
To: Chris Berry <chris@blackwolfauto.com>
Subject: Board Package

Good afternoon,

Attached is the board package for tomorrow's hearing. I will have a projector set up if there were particular pieces of the video you would like referenced as well as the Board Package due to the length of pages. If you have any questions or concerns, please let me know.

Thanks,

Amanda Bates

Administrative Coordinator I Department of Development Services
5 County Complex Ct. | Suite 120 | Prince William, VA 22192
703-792-5267 (direct) | Abates@pwcgov.org

Find Important Development Services COVID-19 Update Information Online at:
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From: Chris Berry <chris@blackwolfauto.com>
Sent: Thursday, May 5, 2022 6:46 PM
To: Chris Berry
Subject: Attachment 4 Manipulated inspection form
Attachments: Inspection report_JOE2.pdf; JOE 2 Application.pdf

From: Bates, Amanda <ABates@pwcgov.org>
Sent: Thursday, March 10, 2022 11:39 AM
To: Chris Berry <chris@blackwolfauto.com>
Subject: RE: Request for Appeal

Good afternoon Mr. Berry,

The appeals board will hear your case.

Attached is the complete JOE package, as well as the inspection report history for the JOE inspections you requested. I apologize for the delay in getting this to you. The JOE package is over 300 pages and took longer than I had anticipated to put together. I am sending it out following this email.

With regards to your video, due to the timeframe allotted for the hearing is only an hour and a half we will not be able to play the entire 40-minute video. I am sending it to all attendees of the appeals hearing to watch beforehand. If there are specific sections, you want to reference during the appeal hearing I will have it set up on a projector to play if you would like.

Thanks,

Amanda Bates
Administrative Coordinator I Department of Development Services
5 County Complex Ct. | Suite 120 | Prince William, VA 22192
703-792-5267 (direct) | Abates@pwcgov.org

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From: Chris Berry <chris@blackwolfauto.com>
Sent: Monday, March 7, 2022 3:23 PM
To: Bates, Amanda <ABates@pwcgov.org>
Cc: Chris Berry <chris@blackwolfauto.com>
Subject: FW: Request for Appeal
Importance: High

This email is from an EXTERNAL source. Use caution when replying or clicking embedded links.

Good afternoon Ms. Bates,

Understanding The Board Package is being sent out today, while knowing the facts of my case are so cut and dry, is there any chance the board will decide not to hear the case? And my occupancy permit can then be issued posthaste? If that possibility does exist, that would certainly reduce my associated expenses significantly, and clearly, it would also free up the time for the many involved.

Should the hearing proceed;

Having not received any reply to my recent documentation request, am I to gather the requested documents will not be made available to me prior to the hearing? Will they be available at the hearing?

Sincerely,
Chris Berry
Black Wolf Automotive Specialties
1320 Profit Ct.
Woodbridge, Va. 22191
703-490-4000

From: Bates, Amanda <ABates@pwcgov.org>
Sent: Tuesday, February 15, 2022 2:51 PM
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Subject: RE: Request for Appeal
Importance: High

Good afternoon Mr. Berry,

I have confirmed the Appeals Hearing date for Friday, March 11th from 10:00 a.m. to 11:30a.m. located in person at our offices:

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Woodbridge, VA 22192

Upon arrival you can go to our Early assistance desk and let them know you are here for an appeal hearing. I will come out and take you to one of our conference rooms.

At this time, I will need some information from you in order to put together our Board Package for the Board, yourself, and the Building Official. Your appeal case number for reference is, APL2022-00010 This can include but is not limited to:

- Statement of Facts (your reason for the appeal and facts of the case as you see it)
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- Witnesses, anyone you feel would help your case by bringing them to the hearing to testify. (Please let me know ahead of time you have witnesses so I can inform the Chair to the Board)

Please provide all documents to me by **COB Tuesday, March 1st**. The Board Package will be sent out on Monday March 7th.

If you have any questions or need additional assistance, please do not hesitate to reach out to me.

Thanks,

Amanda Bates

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Sent: Sunday, February 13, 2022 7:45 PM
To: Bates, Amanda <ABates@pwcgov.org>
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Ms. Bates,

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Sincerely,

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If it is easier to chat by phone I would be happy to give you a call.

Thank you,

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703-792-5267 (direct) | ABates@pwcgov.org

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The owner of the building/ Structure is;
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C/O Edge Commercial Real Estate
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Person Appealing;
Chris Berry

1320 Profit Ct.
Woodbridge, VA 22191

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Black Wolf Automotive Specialties
1320 Profit Ct.
Woodbridge, Va. 22191
703-490-4000

This document is also being mailed.

From: Chris Berry <chris@blackwolfauto.com>
Sent: Thursday, May 5, 2022 6:53 PM
To: Chris Berry
Subject: Attachment 5 Promising board package by March 7
Importance: High

From: Bates, Amanda <ABates@pwcgov.org>
Sent: Tuesday, February 15, 2022 2:51 PM
To: Chris Berry <chris@blackwolfauto.com>
Subject: RE: Request for Appeal
Importance: High

Good afternoon Mr. Berry,

I have confirmed the Appeals Hearing date for Friday, March 11th from 10:00 a.m. to 11:30a.m. located in person at our offices:

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Woodbridge, VA 22192

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If you have any questions or need additional assistance, please do not hesitate to reach out to me.

Thanks,

Amanda Bates
Administrative Coordinator I Department of Development Services
5 County Complex Ct. | Suite 120 | Prince William, VA 22192

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To: Bates, Amanda <ABates@pwcgov.org>
Cc: Chris Berry <chris@blackwolfauto.com>
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Thank you,

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Administrative Coordinator I Department of Development Services
5 County Complex Ct. | Suite 120 | Prince William, VA 22192
703-792-5267 (direct) | Abates@pwcgov.org

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703-792-5267 (direct) | Abates@pwcgov.org

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Cc: Chris Berry <chris@blackwolfauto.com>
Subject: Request for Appeal

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Ms. Bates,

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The owner of the building/ Structure is;
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C/O Edge Commercial Real Estate
2273 Research Blvd, Suite 150
Rockville, MD 20850

Person Appealing;
Chris Berry
1320 Profit Ct.
Woodbridge, VA 22191

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Thank you for your assistance with this matter.

Sincerely,
Chris Berry
Black Wolf Automotive Specialties
1320 Profit Ct.
Woodbridge, Va. 22191
703-490-4000

This document is also being mailed.

Subject: Attachment 6- Bates promises board package 1 week before hearing
Location: 107 A&B

Start: Fri 3/11/2022 10:00 AM
End: Fri 3/11/2022 11:30 AM
Show Time As: Tentative

Recurrence: (none)

Meeting Status: Not yet responded

Organizer: Bates, Amanda

Importance: High

-----Original Appointment-----

From: Bates, Amanda <ABates@pwcgov.org>

Sent: Tuesday, February 15, 2022 3:05 PM

To: Bates, Amanda; Alger J. Mockaitis; Steve Daves; Mike Kitchen; Mays, Eric M.; Roop, Chad A.; Jessie, Kristin; Chris Berry; Jarman, Thomas W.; John F. Heltzel

Cc: Goodman, Jenna; Alexander, Kristin O.; Spina, Mandi

Subject: Board of Appeals Hearing

When: Friday, March 11, 2022 10:00 AM-11:30 AM (UTC-05:00) Eastern Time (US & Canada).

Where: 107 A&B

Importance: High

This is the invite for the APL2022-00010 hearing for Chris Berry/Wolf Automotive.

The Board Package will be sent out 1 week prior to the hearing

This meeting will be held in-person at:

5 County Complex Ct.
Woodbridge, VA 22192
Conference Rooms 107 A&B

From: Chris Berry <chris@blackwolfauto.com>
Sent: Friday, May 6, 2022 3:38 PM
To: Chris Berry
Subject: Attachment 7 Signed JOE Form
Attachments: IMG_4587.JPG; IMG_4586.JPG

From: Chris Berry <chris@blackwolfauto.com>
Sent: Friday, May 6, 2022 3:31 PM
To: Chris Berry <chris@blackwolfauto.com>
Subject: County occupancy

Get [Outlook for iOS](#)

From: Chris Berry <chris@blackwolfauto.com>
Sent: Thursday, May 5, 2022 7:11 PM
To: Chris Berry
Subject: Attachment 8 My re-requesting docs from Bates

Importance: High

From: Chris Berry <chris@blackwolfauto.com>
Sent: Monday, March 7, 2022 3:23 PM
To: Bates, Amanda <abates@pwcgov.org>
Cc: Chris Berry <chris@blackwolfauto.com>
Subject: FW: Request for Appeal
Importance: High

Good afternoon Ms. Bates,

Understanding The Board Package is being sent out today, while knowing the facts of my case are so cut and dry, is there any chance the board will decide not to hear the case? And my occupancy permit can then be issued posthaste? If that possibility does exist, that would certainly reduce my associated expenses significantly, and clearly, it would also free up the time for the many involved.

Should the hearing proceed;
Having not received any reply to my recent documentation request, am I to gather the requested documents will not be made available to me prior to the hearing? Will they be available at the hearing?

Sincerely,
Chris Berry
Black Wolf Automotive Specialties
1320 Profit Ct.
Woodbridge, Va. 22191
703-490-4000

From: Bates, Amanda <ABates@pwcgov.org>
Sent: Tuesday, February 15, 2022 2:51 PM
To: Chris Berry <chris@blackwolfauto.com>
Subject: RE: Request for Appeal
Importance: High

Good afternoon Mr. Berry,

I have confirmed the Appeals Hearing date for Friday, March 11th from 10:00 a.m. to 11:30a.m. located in person at our offices:

5 County Complex Ct.
Woodbridge, VA 22192

Upon arrival you can go to our Early assistance desk and let them know you are here for an appeal hearing. I will come out and take you to one of our conference rooms.

At this time, I will need some information from you in order to put together our Board Package for the Board, yourself, and the Building Official. Your appeal case number for reference is, APL2022-00010 This can include but is not limited to:

- Statement of Facts (your reason for the appeal and facts of the case as you see it)
- Any pictures, violation notices, emails, anything you believe is relevant for the Board to see that supports your case.
- Witnesses, anyone you feel would help your case by bringing them to the hearing to testify. (Please let me know ahead of time you have witnesses so I can inform the Chair to the Board)

Please provide all documents to me by **COB Tuesday, March 1st**. The Board Package will be sent out on Monday March 7th.

If you have any questions or need additional assistance, please do not hesitate to reach out to me.

Thanks,

Amanda Bates

Administrative Coordinator I Department of Development Services
5 County Complex Ct. | Suite 120 | Prince William, VA 22192
703-792-5267 (direct) | Abates@pwcgov.org

**Find Important Development Services COVID-19 Update Information Online at:
[Development Services – COVID-19 UPDATE Operational Guidance](#)**

From: Chris Berry <chris@blackwolfauto.com>
Sent: Sunday, February 13, 2022 7:45 PM
To: Bates, Amanda <ABates@pwcgov.org>
Cc: Chris Berry <chris@blackwolfauto.com>
Subject: RE: Request for Appeal

This email is from an EXTERNAL source. Use caution when replying or clicking embedded links.

Ms. Bates,

Sorry I missed your call on Friday afternoon.

If I understand your question, I am appealing the final determination letter. I am assuming that after (ideally) prevailing at the appeals hearing my occupancy permit will be issued, without any new hoops to jump through.

Sincerely,
Chris Berry
Black Wolf Automotive Specialties

1320 Profit Ct.
Woodbridge, Va. 22191
703-490-4000

From: Bates, Amanda <ABates@pwcgov.org>
Sent: Wednesday, February 9, 2022 2:34 PM
To: Chris Berry <chris@blackwolfauto.com>
Subject: RE: Request for Appeal

Good afternoon Mr. Berry,

A few clarifying things I want to go over before I respond to your question, as the Secretary for the Appeals Board. One is the Prince William County Appeals Board hearings are considered public hearings, subject to FOIA. It is up to you as the appellant to defend yourself by providing your case facts to me so I can compile a Board Package for the board members, you as the appellant, and the building official.

You do, however, have the option to introduce evidence the day of the hearing to the Chair of the Board. He has to approve it and you would need to bring extra copies for everyone to present at that time.

I must know what you are appealing so our Building Official can put his statement of facts together and provide to me his documentation and I can compile your documents as well. The Board package is sent out to everyone a few days before the hearing.

Are you appealing the Building Code Enforcement Violation, or are you appealing all items listed in the final determination letter sent to you by Deputy Building Official Chad Roop?

If it is easier to chat by phone I would be happy to give you a call.

Thank you,

Amanda Bates

Administrative Coordinator I Department of Development Services
5 County Complex Ct. | Suite 120 | Prince William, VA 22192
703-792-5267 (direct) | ABates@pwcgov.org

Find Important Development Services COVID-19 Update Information Online at:
[Development Services – COVID-19 UPDATE Operational Guidance](#)

From: Chris Berry <chris@blackwolfauto.com>
Sent: Tuesday, February 8, 2022 7:53 AM
To: Bates, Amanda <ABates@pwcgov.org>
Subject: RE: Request for Appeal

This email is from an EXTERNAL source. Use caution when replying or clicking embedded links.

Good morning Ms. Bates,

Thank you very much for working with our schedule request. If possible, Monday or Tuesday of the week 7-11 March would be our preferred meeting dates.

Regarding your request for specifics, I am certain I can present a clear and compelling case that the county code enforcement officials have harassed us egregiously. Their multiple arbitrary allegations of code violations have been a progressively evolving series of throwing things at the wall to see what might stick, including backpedaling and buck-passing when deemed advantageous. I am genuinely concerned that if I divulge the details of my case, and if these details were to be made available to the involved officials, they will **again** amend their determination(s). Understanding that I am not familiar with the rules of these proceedings to follow, can you assure me that if I divulge the facts of my case to you, that these facts not be made available to the involved code officials until the actual appeals hearing?

Thank you for your assistance with this matter.

Sincerely,
Chris Berry
Black Wolf Automotive Specialties
1320 Profit Ct.
Woodbridge, Va. 22191
703-490-4000

From: Bates, Amanda <ABates@pwcgov.org>
Sent: Monday, February 7, 2022 3:22 PM
To: Chris Berry <chris@blackwolfauto.com>
Subject: RE: Request for Appeal

Good afternoon Mr. Berry,

I am in receipt of your appeal request. Usually, appeals are held within 30 days of receipt unless both parties agree on an extension. Both parties meaning the appellant and the Building Official.

I have been given approval to extend this hearing to your requested week of March 7-11. I will email the Board of Appeals to confirm a date. Once the date is confirmed, I will email you additional instructions for the appeals hearing, including what information I need from you for the Board Package that will be presented the day of the hearing.

For clarification, and the Appeals Board Records, can you be specific on what in the Deputy Building Officials determination you are appealing.

Thanks,

Amanda Bates
Administrative Coordinator I Department of Development Services
5 County Complex Ct. | Suite 120 | Prince William, VA 22192
703-792-5267 (direct) | Abates@pwcgov.org

Find Important Development Services COVID-19 Update Information Online at:
[Development Services – COVID-19 UPDATE Operational Guidance](#)

From: Chris Berry <chris@blackwolfauto.com>
Sent: Wednesday, February 2, 2022 2:54 PM

To: Bates, Amanda <ABates@pwcgov.org>

Cc: Chris Berry <chris@blackwolfauto.com>

Subject: Request for Appeal

This email is from an EXTERNAL source. Use caution when replying or clicking embedded links.

Ms. Bates,

I hereby submit a request for appeal, regarding the matter described in the enclosed Final Determination from Deputy Building Official Chad Roop.

The owner of the building/ Structure is;
Brightleaf Industrial Holdings, LLC
C/O Edge Commercial Real Estate
2273 Research Blvd, Suite 150
Rockville, MD 20850

Person Appealing;
Chris Berry
1320 Profit Ct.
Woodbridge, VA 22191

If it is possible, I would like to request that the date to be scheduled for my appearance before the Appeals Board be any day during the week of March 7-11, with Monday or Tuesday of that week being my preferred days to appear.
Thank you for your assistance with this matter.

Sincerely,
Chris Berry
Black Wolf Automotive Specialties
1320 Profit Ct.
Woodbridge, Va. 22191
703-490-4000

This document is also being mailed.

From: Chris Berry <chris@blackwolfauto.com>
Sent: Thursday, May 5, 2022 7:14 PM
To: Chris Berry
Subject: Attachment 9 4-29-21 Fire Inspection report
Attachments: EG_IM Safety Inspection Report_29-04-2021_14-40-51.pdf

-----Original Message-----

From: no-reply-EnerGov@pwcgov.org <no-reply-EnerGov@pwcgov.org>
Sent: Thursday, April 29, 2021 2:53 PM
To: Chris Berry <chris@blackwolfauto.com>
Cc: brightleaf.rebecca@gmail.com
Subject: Fire Inspection

Hello Mr Berry,

I have attach a fire Inspection. If you have any questions or concerns please contact me.

Be Safe
Assistant Fire Marshal
Robert Harrell

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Attachments From the Emails

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Prince William County
Building Code Board of Appeals
Resolution

WHEREAS, the Prince William County Building Code Board of Appeals is duly appointed to resolve disputes arising out of enforcement of the Virginia Uniform Statewide Building Code; and

WHEREAS, an appeal has been filed and brought to the attention of the Board of Appeals; and

WHEREAS, a hearing was held on March 11, 2022, to consider the aforementioned appeal; and

WHEREAS, the Board of Appeals has fully deliberated this matter;

NOW, THEREFORE, BE IT RESOLVED that in the matter of:

Appeal No: APL2022-00010

IN RE: Mr. Berry v. Prince William County Building Official

The decision of the Building Official is hereby upheld, for the reasons set out below:

The Building Official was correct in the determination.

Date: March 11, 2022

Signature: _____


Chairman of Local Board of Appeals

Note: Any person who was a party to the appeal may appeal to the State Building Code Technical Review Board by submitting an application to such board within 21 calendar days upon receipt by certified mail of this resolution. Application forms are available from the Office of the State Review Board, 600 East Main Street, Richmond, VA 23219, (804) 371-7150.

PERMIT INSPECTION HISTORY

Permit Number: OCC2022-00446
Permit Name: BLACK WOLF SERVICES, LLC - JOE LEVEL 2
Permit Status: Pending
Permit Issue Date:
Address: 1308 PROFIT CT
 WOODBRIDGE, VA 22191

Inspection Number	Inspection Type	Requested Date	Scheduled Date	Completed Date	Status	Inspector Assigned
IBU2022-035528	144C Occupancy Evaluation	12/07/2021		12/07/2021	Rejected	Steiner, Stephen

Checklist Items:

Item Name	Item Description	Item Passed	Comments
Ceiling Tiles Missing/Not Installed Properly	Ceiling tiles missing/not installed properly.	YES	Replace all broken ceiling tiles or ceiling tiles with holes in them throughout the office area.
Electrical Issues	Electrical issues must be corrected.	YES	Add a cover plate on the open junction box in the office area behind the trophies. Completely remove the unused electrical wire above the smaller electrical panel or terminate into a junction box with a cover plate.
BCE Follow-Up Required	Follow-Up is required by Building Code Enforcement. A re-inspection is to be scheduled no later than noted. To reschedule the inspection, call 703-792-6931.	YES	Once all of the issues are resolved please call 703-792-6931 to reschedule the JOE inspection.
Post Space/Building Address	All doors leading to the space requires that the space/building address be posted so that it is visible.	YES	Add the address to the outside of the front door to the office area "1316". Add the address to the outside of the door from the garage "1308".
Building Issues	Building issues must be corrected.	YES	Add appropriate restroom signage to the outside of each restroom door x2. Add a sign to the inside of the door in the garage between the next door space that reads "Not An Exit".
Electrical Panel Issues	Electrical panel issues must be corrected.	YES	Correct panel schedule is required at the smaller electrical panel, current panel schedule does not appear to be correct. Properly label which circuit breaker in the electrical panel controls the emergency exit signs and lights.
Miscellaneous Issues	Miscellaneous issues as noted must be corrected.	NO	12/7/21 - Reinspection, all issues resolved. Will hold off on approval and issuing the certificate of occupancy until a determination is made from leadership regarding the storage over the office.
Emergency Exit Lights and Sign issues	Emergency exit lights & sign issues must be corrected.	YES	Ensure that all emergency exit lights work throughout the space.
Doors and Exit Issues	Doors and exit issues must be corrected.	YES	Remove the current door hardware and install appropriate hardware or add a sign to the inside of the door that reads "Door Is To Remain Unlocked During Business Hours" at the door from the smaller office. Remove the current door hardware and install appropriate hardware or add a sign to the inside of the door that reads "Door Is To Remain Unlocked During Business Hours" at the door from the garage. Emergency exit door from the garage needs to be adjusted, currently it does not close correctly.

IBU2022-021097	144C Occupancy Evaluation	10/04/2021	10/12/2021	10/12/2021	Rejected	Steiner, Stephen
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PERMIT INSPECTION HISTORY

Permit Number: OCC2022-00446
Permit Name: BLACK WOLF SERVICES, LLC - JOE LEVEL 2
Permit Status: Pending
Permit Issue Date:
Address: 1308 PROFIT CT
 WOODBRIDGE, VA 22191

Inspection Number	Inspection Type	Requested Date	Scheduled Date	Completed Date	Status	Inspector Assigned
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Checklist Items:

Item Name	Item Description	Item Passed	Comments
Ceiling Tiles Missing/Not Installed Properly	Ceiling tiles missing/not installed properly.	NO	Replace all broken ceiling tiles or ceiling tiles with holes in them throughout the office area.
Electrical Issues	Electrical issues must be corrected.	NO	Add a cover plate on the open junction box in the office area behind the trophies. Completely remove the unused electrical wire above the smaller electrical panel or terminate into a junction box with a cover plate.
BCE Follow-Up Required	Follow-Up is required by Building Code Enforcement. A re-inspection is to be scheduled no later than noted. To reschedule the inspection, call 703-792-6931.	NO	Once all of the issues are resolved please call 703-792-6931 to reschedule the JOE inspection.
Post Space/Building Address	All doors leading to the space requires that the space/building address be posted so that it is visible.	NO	Add the address to the outside of the front door to the office area "1316". Add the address to the outside of the door from the garage "1308".
Building Issues	Building issues must be corrected.	NO	Add appropriate restroom signage to the outside of each restroom door x2. Add a sign to the inside of the door in the garage between the next door space that reads "Not An Exit".
Electrical Panel Issues	Electrical panel issues must be corrected.	NO	Correct panel schedule is required at the smaller electrical panel, current panel schedule does not appear to be correct. Properly label which circuit breaker in the electrical panel controls the emergency exit signs and lights.
Emergency Exit Lights and Sign issues	Emergency exit lights & sign issues must be corrected.	NO	Ensure that all emergency exit lights work throughout the space.
Doors and Exit Issues	Doors and exit issues must be corrected.	NO	Remove the current door hardware and install appropriate hardware or add a sign to the inside of the door that reads "Door Is To Remain Unlocked During Business Hours" at the door from the smaller office. Remove the current door hardware and install appropriate hardware or add a sign to the inside of the door that reads "Door Is To Remain Unlocked During Business Hours" at the door from the garage. Emergency exit door from the garage needs to be adjusted, currently it does not close correctly.

IBU2022-021118	145 FMO Final Insp - OP Eval	10/04/2021	10/12/2021	Scheduled	Harrell, Robert
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END OF REPORT



PRINCE WILLIAM COUNTY
Department of Development Services – Building Development Division

JOINT OCCUPANCY EVALUATION (JOE)
PERMIT APPLICATION (Commercial)

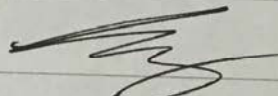
Version 2020_0619

Staff Use Only
 OCC20 22-00446
 Fee \$ 527.75
 Rcpt. # 20 210931183948

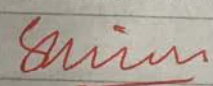
NEW OCCUPANT INFORMATION

APPLICANT INFORMATION IS REQUIRED PRIOR TO SUBMITTING APPLICATION
 (You will be notified if your application is approved or denied for inspection within 5 business days)

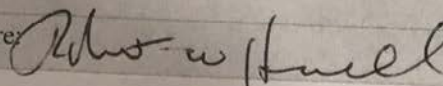
(PLEASE TYPE OR PRINT CLEARLY IN INK AND FILL IN ALL BLANK SPACES)

Previous Business Name:	Proposed Business Name: Black Wolf Automotive Specialties
Previous type of Business:	Proposed type of Business: Auto Repair
Premise Address: 1308,1312,1316 Profit Court, Woodbridge, Virginia 22191	
Proposed Use Classification: OS	Square Footage: 5400
Number of Floors: 1	Number of Restrooms: 2
Applicant Name: Chris Berry	Applicant Email: Chris@BlackWolfAuto.com
Contact Name: Chris Berry	Contact Phone: 703-490-4000
Applicant Signature - I have read Policy 2.4 (JOE) Program: <input checked="" type="checkbox"/> By checking this box, I agree to electronically signing this form. 	
Date: 9.30-21	

BDD Staff Use Only

Date Received: 9/30/21	Received by: SDG	Link to Occupancy Case: 90103846
ADR#: ADR20 22-00593	ZNA#: ZNA2022-01927	SB DPM#: SBPM2022-00134
Street Files Found: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (Partial)	Certificate of Occupancy Copy Attached: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Outstanding Permit / Inspection Issues: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	If Yes, issues are: <input type="checkbox"/> Minor <input type="checkbox"/> Major <input checked="" type="checkbox"/> Attached	
Project eligible for Level 1 per Policy: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	QC Approved for Level 2: <input type="checkbox"/> N/A <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
BDD Staff Signature: 		

BCE and FMO Staff Use Only

Project Eligible for Level 2 per Policy: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Inspection Date(s): 10/20/21
Meeting Required: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Change of Use is Approved per Policy: From ___ To ___
Mixed Use: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Use Groups: P, SL, ___	Const Type: TP Code Year: 2018 Calc. Occ Load: 16
Is Alteration/Repair Required: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	JOE Denial and TLO Required: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Applicant Present for Inspection: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Name of Agent:	
BCE Inspector Signature:	Date:
FMO Inspector Signature: 	Date: 10/11/2021



PRINCE WILLIAM COUNTY
Department of Development Services – Building Development Division


JOINT OCCUPANCY EVALUATION (JOE)
PERMIT APPLICATION (Commercial)

Version 2020_0619

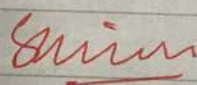
<i>Staff Use Only</i>	
OCC20	22-00446
Fee \$	527.75
Rcpt. #	20210931183948

NEW OCCUPANT INFORMATION

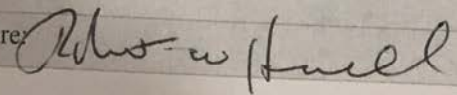
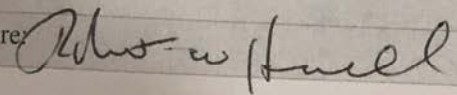
APPLICANT INFORMATION IS REQUIRED PRIOR TO SUBMITTING APPLICATION
 (You will be notified if your application is approved or denied for inspection within 5 business days)
 (PLEASE TYPE OR PRINT CLEARLY IN INK AND FILL IN ALL BLANK SPACES)

Previous Business Name:	Proposed Business Name: Black Wolf Automotive Specialties
Previous type of Business:	Proposed type of Business: Auto Repair
Premise Address: 1308,1312,1316 Profit Court, Woodbridge, Virginia 22191	
Proposed Use Classification: OS	Square Footage: 5400
Number of Floors: 1	Number of Restrooms: 2
Applicant Name: Chris Berry	Applicant Email: Chris@BlackWolfAuto.com
Contact Name: Chris Berry	Contact Phone: 703-490-4000
Applicant Signature - I have read Policy 2.4 (JOE) Program: <input checked="" type="checkbox"/> By checking this box, I agree to electronically signing this form. 	
Date: 9.30-21	

BDD Staff Use Only

Date Received: 9/30/21	Received by: SDG	Link to Occupancy Case: 90103846
ADR#: ADR20 22-00593	ZNA#: ZNA20 22-01927	SB DPM#: SBPM20 22-00134
Street Files Found: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (Partial)	Certificate of Occupancy Copy Attached: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Outstanding Permit / Inspection Issues: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	If Yes, issues are: <input type="checkbox"/> Minor <input type="checkbox"/> Major <input checked="" type="checkbox"/> Attached	
Project eligible for Level 1 per Policy: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	QC Approved for Level 2: <input type="checkbox"/> N/A <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
BDD Staff Signature: 		

BCE and FMO Staff Use Only

Project Eligible for Level 2 per Policy: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Inspection Date(s): 10/20/21
Meeting Required: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Change of Use is Approved per Policy: From ___ To ___
Mixed Use: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Use Groups: P, SL, ___	Const Type: TB Code Year: 208 Calc. Occ Load: 16
Is Alteration/Repair Required: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	JOE Denial and TLO Required: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Applicant Present for Inspection: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Name of Agent:	
BCE Inspector Signature: 	Date: 10/11/2021
FMO Inspector Signature: 	Date: 10/11/2021

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Email from Eric May, BO for Prince William County during submittals on May 16, 2022 requested to be included in the agenda by Black Wolf

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Luter, William <travis.luter@dhcd.virginia.gov>

RE: Appeal 22-05 ---Link to video of 1-11-22 Meeting with County Officials

Mays, Eric M. <emays@pwcgov.org>

Mon, May 16, 2022 at 11:00 AM

To: Chris Berry <chris@blackwolfauto.com>

Cc: "Luter, William" <travis.luter@dhcd.virginia.gov>, Florin Moldovan <florin.moldovan@dhcd.virginia.gov>, Paul Messplay IV <paul.messplayiv@dhcd.virginia.gov>, "Potts, Richard" <richard.potts@dhcd.virginia.gov>

Dear Mr. Berry,

If the video's purpose is to establish that you did not indicate during the meeting that you demolished the stairs to the mezzanine, I agree with you.

After the PWC Building Appeals Board Meeting, I determined that two of the staff that attended the virtual meeting interpreted your consultant's statements during the meeting about replacing the stairs as an admission. I believe your consultant addressed this during the Appeal Hearing and clarified the intent of his statements.

I apologize for the County's allegation that you demolished the mezzanine stairs.

Sincerely,

Eric M. Mays, P.E.

Building Official

Prince William County

703-792-6873

emays@pwcgov.org

From: Luter, William <travis.luter@dhcd.virginia.gov>**Sent:** Monday, May 16, 2022 10:34 AM**To:** Chris Berry <chris@blackwolfauto.com>**Cc:** Mays, Eric M. <emays@pwcgov.org>; Florin Moldovan <florin.moldovan@dhcd.virginia.gov>; Paul Messplay IV <paul.messplayiv@dhcd.virginia.gov>; Potts, Richard <richard.potts@dhcd.virginia.gov>**Subject:** Re: Appeal 22-05 ---Link to video of 1-11-22 Meeting with County Officials

This email is from an EXTERNAL source. Use caution when replying or clicking embedded links.

Chris,

I have copied all parties on my response to ensure ex parte communication does not occur.

537

Review Board staff received your email. Review Board staff is unable to download the meeting video file. If you wish to have the meeting video provided to the Review Board for review as a part of your submittal, you will need to provide a copy to Review Board staff on a flash drive that can be copied for the members. Please note at this time the meeting video file is not considered to be submitted. I suggest providing the meeting minutes in lieu of the meeting video as the minutes can be included in the agenda package.

W. Travis Luter, Sr.

Secretary to the State Building Code Technical Review Board

Code and Regulation Specialist

Virginia Department of Housing and Community Development (DHCD)

804-371-7163

travis.luter@dhcd.virginia.gov

On Thu, May 12, 2022 at 4:54 PM Chris Berry <chris@blackwolfauto.com> wrote:

https://share.icloud.com/photos/071KCII7ZWjOm_XAh8YZm_0Lg

Prince William County
Local Appeals Board
Meeting Minutes
March 11, 2022

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Prince William Building Code Appeals Board
March 11, 2022
Meeting Minutes

1. Chair called the meeting to order
2. Secretary took roll call – quorum established
 - a. Alger Mockaitis - present
 - b. Steve Daves - present
 - c. Mike Kitchen - present
3. Board of Appeals conducts hearing
4. Board's Motion
 - a. Motion by Steve Daves to uphold the Building Official
 - b. Alger Mockaitis seconded the motion to uphold the Building Official
5. Board Votes
 - a. Alger Mockaitis – Aye
 - b. Steve Daves – Aye
 - c. Mike Kitchen – Aye
6. Resolution created

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VIRGINIA:

BEFORE THE
STATE BUILDING CODE TECHNICAL REVIEW BOARD

IN RE: Appeal of Warren County
Appeal No. 22-07

CONTENTS

<u>Section</u>	<u>Page No.</u>
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Basic Documents	551
Documents Submitted by Warren County	567
Supplemental Information Provided by Staff 1996 BOCA Building Code Section 202	587

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VIRGINIA:

BEFORE THE
STATE BUILDING CODE TECHNICAL REVIEW BOARD

IN RE: Appeal of Warren County
Appeal No. 22-07

REVIEW BOARD STAFF DOCUMENT

Suggested Statement of Case History and Pertinent Facts

1. On March 5, 2001, the Warren County Department of Building Inspections (County), the agency responsible for the enforcement of Part 1 of the 1996 Virginia Uniform Statewide Building Code (VUSBC), approved a certificate of exemption for a storage building, to be used for farm equipment, on the property located at 50 Rolling Valley Lane (Tax Map # 18E; Section 2; Blk 2; Lot/Parcel 7), in Warren County, owned at the time by Patrick Shepherd (Shepard). The certificate of exemption was approved in accordance with the 1996 BOCA National Building Code Section 202.0 General Definitions which states:

***Agricultural building:** A structure utilized to store farm implements, hay, feed, grain or other agricultural or horticultural products or to house poultry, livestock or other farm animals. Such structure shall not include habitable or occupiable spaces, spaces in which agricultural products are processed, treated or packaged, nor shall an agricultural building be a place of occupancy by the general public.*

2. On December 30, 2021, Erin Hupman (Hupman), current owner of the property located at 50 Rolling Valley Lane (Tax Map # 18E; Section 2; Blk 2; Lot/Parcel 7), in Warren County, applied for a residential building permit, under the 2015 VUSBC, to convert the exempted storage building into a single family dwelling.

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3. On January 26, 2022, the County provided plan review comments requiring a foundation evaluation on the existing storage building.

4. In a letter dated February 25, 2022, Dan J. Hotek of Engineering Techniques, indicated that a site visit occurred on February 10, 2022 and it was determined that the floor slab insulation did not meet the requirements of the 2015 VUSBC.

5. On February 25, 2022, Hupman filed a written building code modification request seeking an exception from the 2015 VUSBC for the insulation required under the concrete slab floor. In the written request Hupman further stated that the requirement for the insulation was not enforced at the time of construction of the storage building and that over there was over eight inches of stone in place providing room for moisture expansion. It is unclear whether the written request for modification was approved or denied as the determination is not marked on the written request and it was not signed by the County; however, according to the County, during a discussion in March of 2022, Hupman requested an exception to the code that required insulation under the concrete slab floor in accordance with the 2015 VUSBC, which the County denied.

6. Hupman filed a timely appeal to the Warren County Building Code Appeal Board (local appeals board) for the requirement to install perimeter slab insulation on the existing structure. The relief sought requested an exception from the 2015 VUSBC for the insulation required under the concrete slab floor. The local appeals board approved the appeal.

7. On May 20, 2022, the County further appealed to the Review Board.

8. This staff document, along with a copy of all documents submitted, will be sent to the parties and opportunity given for the submittal of additions, corrections, or objections to the staff document, and the submittal of additional documents or written arguments to be included in

(Page left blank intentionally)

the information distributed to the Review Board members for the appeal hearing before the Review Board.

Suggested Issues for Resolution by the Review Board

1. Whether to uphold the decision of the County to deny the request for modification when an exception to the code is sought and overturn the local appeals board decision to approve a request for modification when an exception to the code is sought.

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Basic Documents

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County of Warren
Department of Building Inspections
220 N. Commerce Ave.
Front Royal, Va. 22630

1482-05
Part 7 lower
Valley Sub
5.12 ac

Certificate of Exemption

Application for Approval

This is to certify that the proposed construction activity, described below is entitled to exemption from the requirements of State and/or County Regulations for obtaining a permit(s) from the County.

Construction Activity Proposed: Storage Building for
Farm Equipment

Site Location: Tax Map: 18E Section: 2 Blk: 2 Lot/Parcel: 7

(If land disturbing activity, acreage of disturbance): _____

Owner's Name: Patrick H. Shepherd Tele. Work: ⁷⁰³⁻475-4306 Home: 636-3460

Address: P.O. Box 217 City: Front Royal State: Va. Zip: 22630

Contractor's Name: Self Tele. Business: _____ Other: _____

Address: _____ City: _____ State: _____ Zip: _____

I do hereby certify that I have the authority to make the foregoing application, that the information given is true and correct. I understand the conditions under which the work proposed is exempt from the requirements for obtaining a permit under the Code Regulations checked below. I understand that if must notify the Department of Building Inspections of any changes in the proposed work, described above and obtain additional approval for exemption, before initiating such changes.

Owner, Contractor, Authorized Agent: Patrick S. Shepherd Date: 3/5/01

Exempted from Regulation by the:

- Virginia Uniform Statewide Building Code
- Virginia Uniform Statewide Building Maintenance Code
- Virginia Erosion and Sediment Control Regulations
- Warren County Erosion and Sediment Control Ordinance
- Front Royal Zoning Ordinance
- Warren County Zoning Ordinance

Referenced Standard; Code Edition: NBC-1996, Sec 202, Section: Section 202 - definition

Approved, Date: 3-5-01
 Disapproved, Date: _____

Approved, Date: 3/5/2001
 Disapproved Date: _____

[Signature] Date: 3-5-01
Building Official / Erosion Control Administrator

[Signature] Date: _____
Zoning Administrator: Town of Front Royal County Of Warren

RESIDENTIAL BUILDING PERMIT APPLICATION

Warren County Department of Building Inspections
 220 North Commerce Ave., Suite 400
 Front Royal, VA 22630 (540)-636-9973
 www.warrencountyva.net

CODE COMPLIANCE

- 2012 USBC
 2015 USBC
 RESIDENTIAL
 NON RESIDENTIAL

PERMIT #: _____
 RECEIVED BY: _____
 DATE: _____
 TIME: _____

Item #1

OWNER/APPLICANT NAME: Erin Hupman	CONTRACTOR NAME: ERIN HUPMAN (OWNER)
ADDRESS: 50 Rolling Valley Lane	ADDRESS:
CITY, ST. ZIP: Front Royal VA 22630	CITY, ST. ZIP:
PHONE: 540-671-6152	PHONE:
ADDITIONAL PHONE: 540-631-5125 EMAIL: hupstdesign@yahoo.com	ADDITIONAL PHONE: EMAIL:
MECHANIC'S LIEN AGENT:	STATE CONTRACTOR LICENSE #:
	EXPIRATION DATE:

JOB SITE LOCATION: 50 Rolling Valley Ln.

TAX MAP #: 18E & 27	FRONT SETBACK:	SIDE STREET SETBACK:	BUILDING HEIGHT _____ ft. (GRADE TO AVG. ROOF HEIGHT)
SECTION:	REAR SETBACK:	# OF EXISTING BUILDINGS:	<input type="checkbox"/> MANUFACTURED DWELLING UNIT*
BLOCK:	RIGHT SIDE SETBACK:	# OF EXISTING DWELLINGS:	<input type="checkbox"/> INDUSTRIALIZED DWELLING UNIT**
LOT/PARCEL:	LEFT SIDE SETBACK:	ACRES:	SUBDIVISION NAME:

*Manufactured Dwelling is constructed to Federal "HUD" Standards, transportable in one or more sections, built on a permanent chassis and designed for occupancy with or without a permanent foundation, (formerly classified as mobile home; single or double wide).
 **Industrialized Dwelling is a combination of one or more sections, not constructed to "HUD" Standards, subject to State regulation, (Modular).

I do hereby certify that on December 30, 2021, the property described above was listed in the name of Erin Hupman.

WORK HAS NOT STARTED **WORK HAS STARTED** _____ **WORK IS COMPLETED** _____

BUILDING INFORMATION:				FOR ALTERATIONS, ADDITIONS AND DEMOLITION-WAS YOUR STRUCTURE BUILT <input type="checkbox"/> BEFORE 1985 OR <input type="checkbox"/> AFTER 1985?			
<input type="checkbox"/> NEW	<input checked="" type="checkbox"/> SINGLE FAMILY DWELLING	<input checked="" type="checkbox"/> 1ST FLOOR SF: 1,200	<input checked="" type="checkbox"/> PORCH SF: 100	<input type="checkbox"/> SHED SF:			
<input type="checkbox"/> ADDITION	<input type="checkbox"/> DUPLEX/TOWNHOUSE	<input type="checkbox"/> 2ND FLOOR SF: N/A	<input type="checkbox"/> DECK SF: N/A	<input type="checkbox"/> OTHER SF:			
<input checked="" type="checkbox"/> ALTERATION	<input type="checkbox"/> MULTI-FAMILY DWELLING	<input type="checkbox"/> 3RD FLOOR SF: N/A	<input type="checkbox"/> CARPORT SF: N/A				
<input type="checkbox"/> RENOVATION/REPAIR	<input type="checkbox"/> OTHER	<input type="checkbox"/> BASEMENT FIN SF: N/A	GARAGE:	<input type="checkbox"/> CHIMNEY(S) #:			
<input type="checkbox"/> DEMOLITION		<input type="checkbox"/> UNF SF: _____	<input type="checkbox"/> ATTACHED SF: _____	<input type="checkbox"/> MASONRY _____			
	# OF BATHROOMS: 2 FULL	# OF BEDROOMS: 3	<input type="checkbox"/> BASEMENT SF: _____	<input type="checkbox"/> PREFAB _____			
	HALF		<input type="checkbox"/> DETACHED SF: _____	<input type="checkbox"/> FIREPLACE(S) #:			
			SWIMMING POOL:	<input type="checkbox"/> MASONRY _____			
			<input type="checkbox"/> ABOVE GROUND	<input type="checkbox"/> PREFAB _____			
			<input type="checkbox"/> INGROUND SF _____				

FOUNDATION TYPE:	CONSTRUCTION TYPE:	UTILITIES:
<input type="checkbox"/> CRAWLSPACE	<input type="checkbox"/> MASONRY	WATER: <input type="checkbox"/> PUBLIC <input checked="" type="checkbox"/> PRIVATE
<input type="checkbox"/> BASEMENT	<input checked="" type="checkbox"/> WOOD FRAME	<input type="checkbox"/> COMMUNITY
<input checked="" type="checkbox"/> SLAB ON GRADE	<input type="checkbox"/> STEEL	SEWER: <input type="checkbox"/> PUBLIC <input checked="" type="checkbox"/> PRIVATE
<input type="checkbox"/> PIERS	<input type="checkbox"/> MANUFACTURED DWELLING UNIT	<input type="checkbox"/> COMMUNITY
<input type="checkbox"/> OTHER	<input type="checkbox"/> INDUSTRIALIZED DWELLING UNIT	

ESTIMATED VALUE OF CONSTRUCTION INCLUDING VALUE OF MATERIALS AND LABOR: \$ 100,000

TOTAL SQUARE FOOT OF ALL FLOORS: _____

NOTICE: By signing this Building Permit Application, the undersigned Applicant expressly acknowledges that by commencing construction before drilling a well yielding an adequate supply of potable water, the undersigned Applicant assumes the risk of constructing a dwelling house which may not be usable or saleable due to an inability to find a water supply for Applicant's dwelling house after construction.

I hereby certify that I have the authority to make the foregoing application, that the information given is true and correct and that the construction will conform with the regulations in the Building Code and Zoning Ordinance.

Information completed for me, by _____, Permit Technician is true and correct.

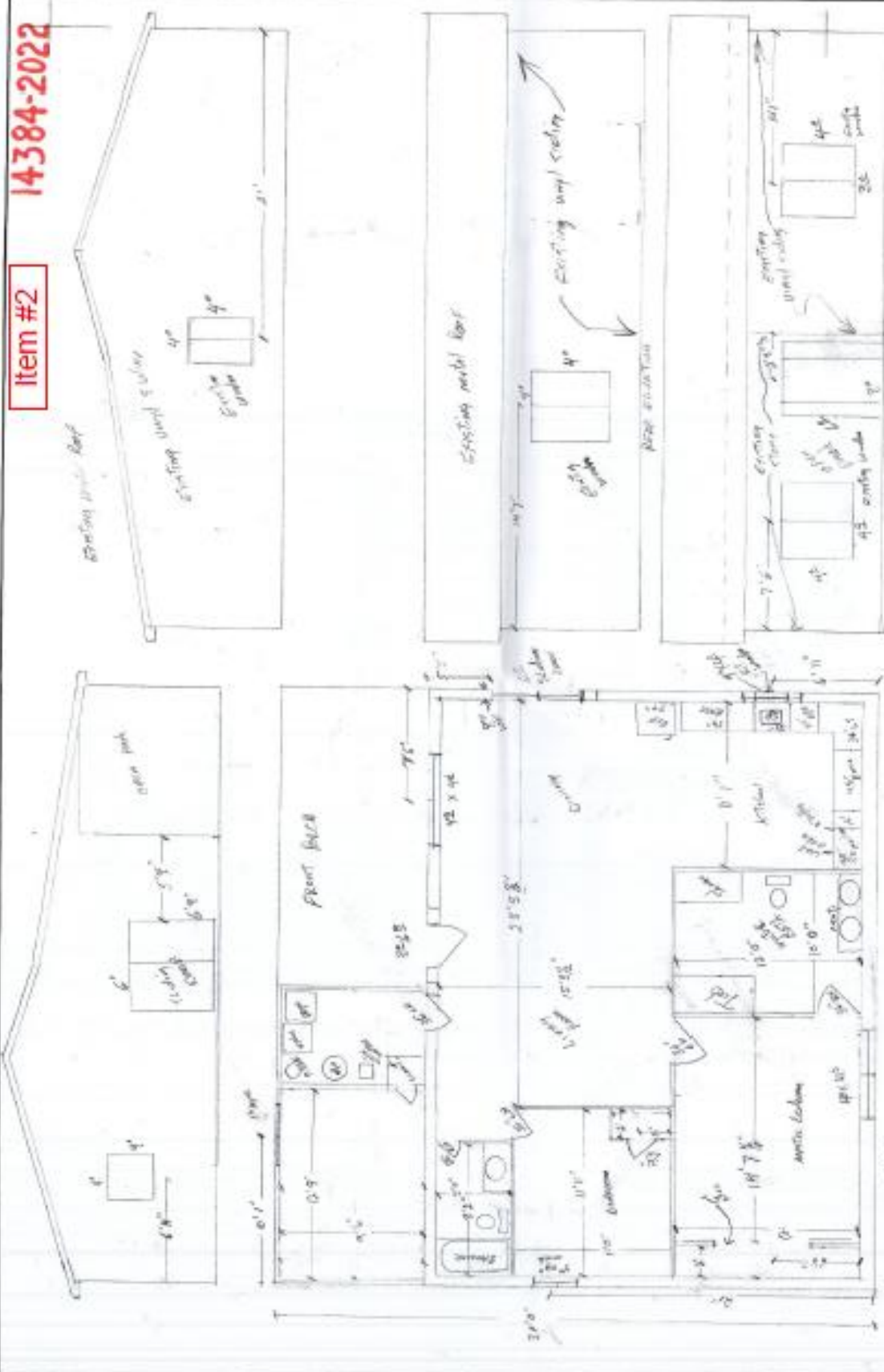
Erin Hupman
 APPLICANT'S SIGNATURE DATE: 12/30/2021
Erin Hupman
 PRINT PHONE: 540-671-6152

FEEES:
 BUILDING PERMIT FEE: _____
 STATE LEVY: _____
 ZONING PERMIT FEE: _____
 LAND DISTURBING PERMIT FEE: _____
 CREDIT CARD USE FEE: _____
 TOTAL FEES: _____

CHECK # _____
 CREDIT CARD _____
 CASH _____

Item #2

14384-2022



EXISTING STRUCTURE, NO INTERIOR ONLY REMOVING
 2nd FLOOR TRUSS SYSTEM EXISTING
 *SLAB ON GRADE, FOUND CONCRETE FOUNDATION EXISTING
 * ALL EXISTING WINDOWS EXISTING
 * FOUNDATION & DIRTWORK IN PLACE

ERIN HOPMAN	
DATE: 8-17	PROJECT NO:
Paul Bonhart 580-681-5190	
PROJECT NUMBER	

CRJ, PA
 10/20

COUNTY OF WARREN
DEPARTMENT OF BUILDING INPSECTIONS
WARREN COUNTY GOVERNMENT CENTER
220 NORTH COMMERCE AVE., SUITE 400
FRONT ROYAL, VA 22630
PHONE: (540) 636-9973
FAX: (540) 636-4698

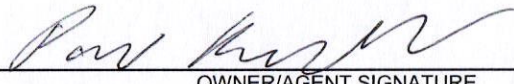
BUILDING CODE MODIFICATION REQUEST

OWNER: Erin Hupman 540-671-6152
Mailing address: 526 Mountain Rd, Front Royal VA 22630
ADDRESS: 50 Rolling Valley Lane, Front Royal, VA 22630

BUILDING PERMIT #: _____

PROPERTY LOCATION: 50 Rolling Valley Lane, Front Royal VA 22630

TAX MAP #: 18E SECTION: 2 BLOCK: 2 PARCEL: 7

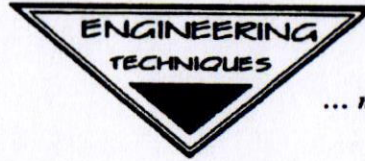
MODIFICATION REQUESTED BY:  2/25/2022
OWNER/AGENT SIGNATURE DATE
Paul Barnheart Jr. 540-631-5130
PRINT

NATURE OF REQUEST:
I am requesting an exception from 2015 VUSBC on the floor
slab insulation. This code was not in effect/enforced at the time
this structure was built. There is 8+ inches of #57 stone
in place. This leaves plenty of area for moisture expansion in
the sub-grade. I feel this is a reasonable request. The current
condition of the existing grade and slab will not contribute to
structural damage.

MODIFICATION REQUEST: APPROVED REJECTED

BUILDING OFFICIAL _____ DATE _____

In the beginning God created the heavens and the earth. Genesis 1:1



... making the most of His creation!

February 25, 2022

Paul Barnhart
506 Mountain Road
Front Royal, VA 22630

Project: 50 Rolling Valley Lane, Front Royal, VA ET22-045
Subject: Existing Structure Review

Dear Paul:

As requested, I made a site visit to the subject property on February 10, 2022.

Observations:

1. Based upon the viewing port provided on the footing (Ref: Photo 2) the existing footings are at a depth in excess of 2' below finished grade.
2. A 6 mil vapor barrier is visible beneath the slab at the plumbing cutouts in the existing slab (Ref: Photo 3).
3. The surface of the subject floor slab is not greater than 12" below finished grade and, therefore, is subject to VUSBC R506 requirements for a 2' width of R10 insulation at the slab edge, either vertically or horizontally on the interior of the foundation wall or vertically on the outside of the foundation (See Photo 4 and the diagram at Photo 5).

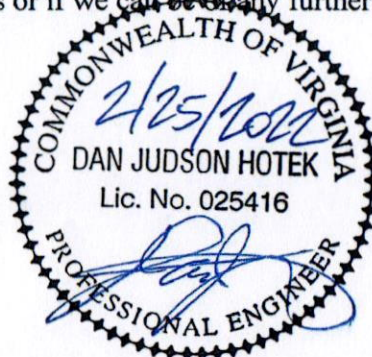
Comments:

1. The footing depth meets the requirements of the 2015 VUSBC.
2. The vapor barrier, when repaired at the plumbing cutouts, will comply with the 2015 VUSBC.
3. The floor slab insulation does not meet the 2015 VUSBC. The most viable recourse is to seek an exception from the requirement, given that it is a pre-existing condition, or to apply an exterior R10 insulation layer that is protected from hazards and pests.

Please advise if you have any questions or if we can be of any further assistance at this time.

Sincerely,
Engineering Techniques, Inc.

Dan J. Hotek, P.E.
President/Structural Engineer
Attachments: 5 Photos



Structure indicated on property being evaluated. Red arrow appears to be indicating only the location of Photo 2 - Footing depth sample location in the original document.

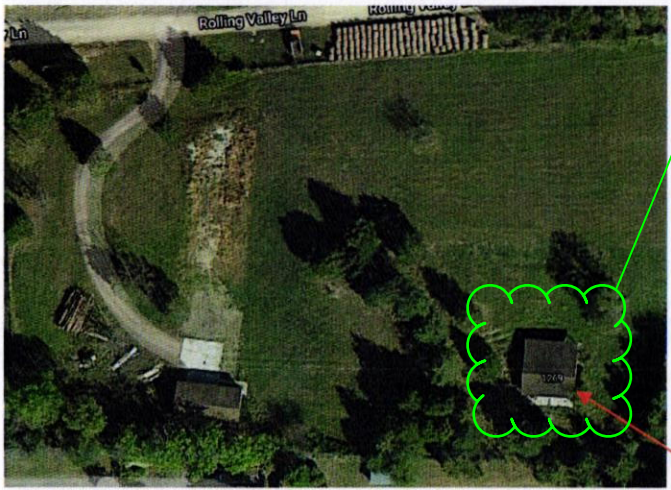


Photo 1 – Location Plan



Photo 2 – Footing depth sample

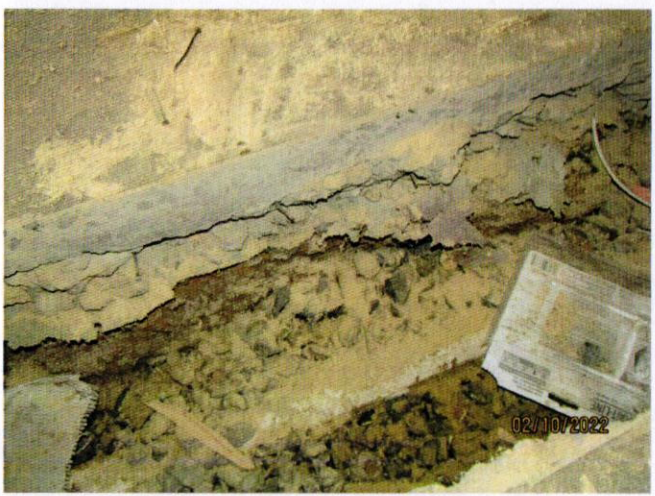


Photo 3 – Vapor barrier at plumbing openings

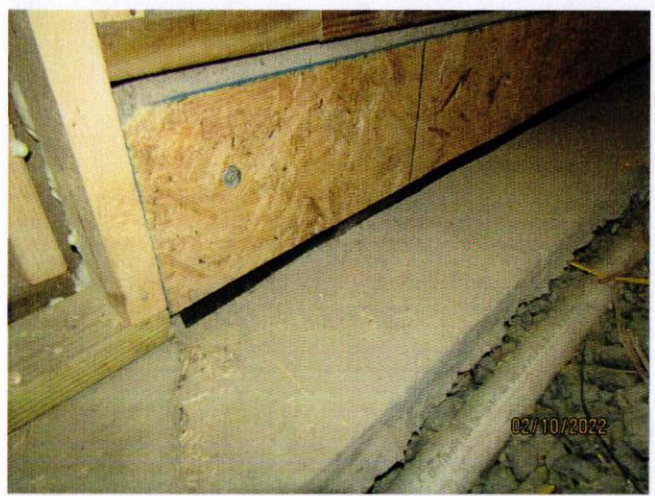


Photo 4 – Existing slab edge at foundation wall

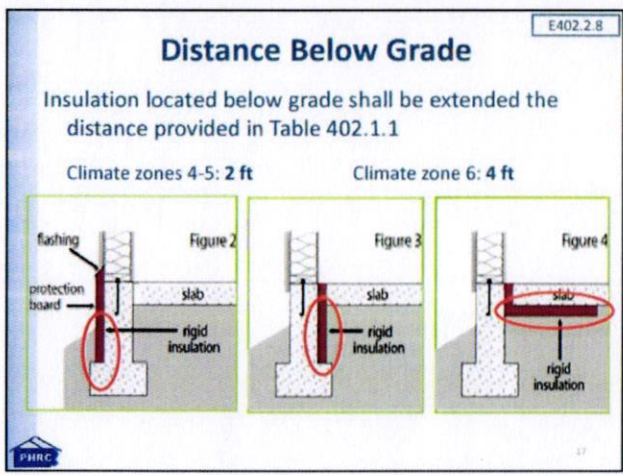


Photo 5 – Prescribed methods of insulation at slab edge

APPLICATION FOR APPEAL
COUNTY OF WARREN
WARREN COUNTY BUILDING CODE APPEAL BOARD

APPEAL# 1-2022

PROPERTY OWNER

NAME: Erin Hupman

PERSON REQUESTING

APPEAL: Erin Hupman / Paul Barnhart (representing)

MAILING ADDRESS: 506 Mountain Rd, Front Royal, VA 22630

LOCATION OF PROPERTY

BEING APPEALED: 50 Rolling Valley Ln, Front Royal, VA 22630

DESCRIPTION OF DECISION BEING APPEALED:

We would like to appeal the requirement to install
perimeter slab insulation on a 20+ year old slab
on an existing grade structure.

RELIEF SOUGHT:

We would like to request that an exception is made
to this requirement.

PLEASE ATTACH THE DECISION OF THE CODE OFFICIAL AND ANY PERTINENT DOCUMENTS.

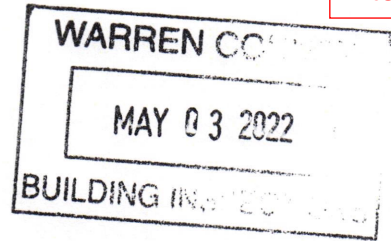
THE WARREN COUNTY BUILDING CODE APPEAL BOARD MAY MAKE A SITE VISIT TO THE PROPERTY. PLEASE INDICATE TWO DATES AND TIMES THAT THE PROPERTY WILL BE AVAILABLE FOR THIS VISIT.

1st CHOICE: 4/5/2022 AT anytime

2ND CHOICE: 4/8/2022 AT anytime

Erin Hupman
SIGNATURE OF APPLICANT

FILED AT Warren Co., VIRGINIA, THIS 24th DAY OF March,
2022 Aristoe



RESOLUTION

WHEREAS, the Warren County Building Code Appeals Board is duly appointed to resolve disputes arising out of enforcement of the Virginia Uniform Statewide Building Code; and

WHEREAS, an appeal has been filed and brought to the attention of the appeals board; and

WHEREAS, a hearing has been held to consider the aforementioned appeal; and

WHEREAS, the board has fully deliberated this matter; now, therefore be it

RESOLVED; That in the matter of

Appeal No. 1-2022 Regarding enforcement of the 2015 Virginia USBC for property located at 50 Rolling Valley Ln., Front Royal, VA 22630

IN RE: Hupman v. Warren County

The appeal is hereby approved.

DATE: April 27th 2022

SIGNATURE:
George E. Cline, Jr., Chairman, Warren County Building Code Appeals Board

NOTE: Any person who was a party to the appeal may appeal to the State Review Board by submitting an application to such Board within 21 calendar days upon receipt by certified mail of this resolution. Application forms are available from the Office of the State Review Board, 501 North Second Street, Richmond, VA 23219, (804)-371-7150.

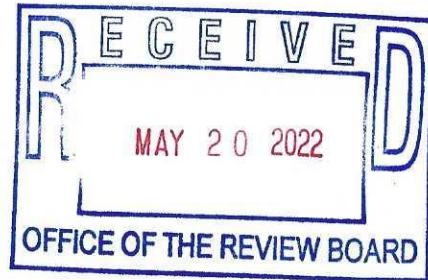
Certified Mail #: 7017 0190 0001 1433 2401
Sent to: David Beahm 220 N. Commerce Ave. Suite 400
Front Royal VA 22630
Date: 4-27-22

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
State Building Codes Office and Office of the State Technical Review Board
Main Street Centre, 600 E. Main Street, Suite 300, Richmond, Virginia 23219
Tel: (804) 371-7150, Fax: (804) 371-7092, Email: sbco@dhcd.virginia.gov

APPLICATION FOR ADMINISTRATIVE APPEAL

Regulation Serving as Basis of Appeal (check one):

- Uniform Statewide Building Code
 - Virginia Construction Code
 - Virginia Existing Building Code
 - Virginia Maintenance Code
- Statewide Fire Prevention Code
- Industrialized Building Safety Regulations
- Amusement Device Regulations



Appealing Party Information (name, address, telephone number and email address):

David C. Beahm
220, N Commerce Ave.
Front Royal, VA 22630 540-636-9973 dbeahm@warrencountyva.net (in process of changing to ".gov")

Opposing Party Information (name, address, telephone number and email address of all other parties):

Erin Hupman
506 Mountain Rd.
Front Royal, VA 22630 540-671-6152 hupsdesign@yahoo.com

Additional Information (to be submitted with this application)

- Copy of enforcement decision being appealed
- Copy of the decision of local government appeals board (if applicable)
- Statement of specific relief sought

CERTIFICATE OF SERVICE

I hereby certify that on the 20th day of May, 2022, a completed copy of this application, including the additional information required above, was either mailed, hand delivered, emailed or sent by facsimile to the Office of the State Technical Review Board and to all opposing parties listed.

Note: This application must be received by the Office of the State Technical Review Board within five (5) working days of the date on the above certificate of service for that date to be considered as the filing date of the appeal. If not received within five (5) working days, the date this application is actually received by the Office of the Review Board will be considered to be the filing date.

Signature of Applicant: _____

Name of Applicant: David C. Beahm, Building Official - Warren County
(please print or type)

Timeline

1. January 6, 2022
 - Permit applied for Interior Alterations
2. January 26, 2022 (on or about)
 - Initial plan review comments were provided that included the need for a foundation evaluation on the stated “existing building.”
3. February 25, 2022 (letter/evaluation dated)
 - An evaluation was provided that verified a number of key elements.
 - The element that was pointed out under “Comments” item 3 was that the prescriptive requirement method for the slab on grade was not present. The evaluation went on to state that an “exception” to the requirement may be the best option, but applying an exterior option was also a possibility.
4. March 2022
 - During discussions the applicant (or individual representing the applicant) indicated that they desired “exception” to not provide the slab insulation.
 - This option was denied and they were informed that they could appeal the decision if they so chose to.
5. March 24, 2022
 - An application for appeal was submitted to our office, i.e., the local board’s secretary.
6. April 21, 2022
 - Local board of building code appeals (LBBCA) hearing was held.

History of Existing Structure/Property

Per the evaluation letter dated February 25, 2022 it shows on page 2 the location of the structure that was being evaluated. The picture also shows several other structures that were not identified or indicated that they were on the property or owned by the applicant. The building inspections records for tax map 18E-2-2-7 indicate that only one structure had been brought to our attention in 2001 and was approved/exempted as a “Storage Building for farm Equipment” and required no permit to be issued or inspections to be performed as currently prescribed under Section 102.3 item 9 as Farm buildings and structures.

Given that the picture provided in the evaluation showed other structures, additional information was researched to find if this was in fact this structure. To accomplish this, we pulled the property view from the county GIS system and found that there were multiple structures on this specific parcel. To ensure that this may have been an existing structure that had served as a primary residence (single-family dwelling – R-5) and not required to comply with current code, it was researched further.

The Commissioner of Revenue (COR) records were reviewed to see what existed and when it existed. It was found that in the general re-assessment indicated in 2002 history there were in fact no permanent structures on the property. The re-assessment indicated in 2006 history then indicated that there were three (3) structures on the property, none being listed as a primary residence (single-family dwelling – R-5). What this indicates is that while one structure was known to be on the property as a farm building there were now additional structures that were not permitted or inspected. As shown from the request for exemption, these would have also been authorized and would not have needed to have anything addressed with the building inspections department, but they are not a single-family dwelling R-5 which would have correctly been an alteration to the structure, but it would in fact be a Change of Use and Occupancy.

Additionally provided is the most current information on the structures that exist on the property from the COR that shows there are now four (4) structures, but again none that are a single-family dwelling R-5. Which again indicates that this would be a Change of Use and Occupancy.

In dealing with this as such, the proper code section that would be used to indicate that this requirement needs to be met is Section 1107 (R501) Existing Buildings – General and then N1107.1 (R501.1) Scope:

N1107.1 (R501.1) Scope. The provisions of Sections N1107 through N1111 shall control the *alteration*, repair, addition and change of occupancy of existing buildings and structures.

This is where a split would take place due to the fact that while it may be considered an existing building as indicated in Section N1107.2 (R501.2) Existing buildings:

N1107.2 (R501.2) Existing buildings. Except as specified in this chapter, this code shall not be used to require the removal, *alteration* or abandonment of, nor prevent the continued use and maintenance of, an existing building or building system lawfully in existence at the time of adoption of this code.

This is what the applicant's representative suggested as the premise that it was not required to be completed because the structure was existing. As well as directive found in the Virginia Existing Building Code, Section 102.1 (abbreviated with only the residential applicable portion):

102.1 Purpose. In accordance with § 36-99.01 of the Code of Virginia, the General Assembly of Virginia has declared that (i) there is an urgent need to improve the housing conditions of low and moderate income individuals and families, many of whom live in substandard housing, particularly in the older cities of the Commonwealth; (ii) there are large numbers of older residential *buildings* in the Commonwealth, both occupied and vacant, which are in urgent need of rehabilitation and must be rehabilitated if the state's citizens are to be housed in decent, sound, and sanitary conditions; and (iii) the application of those building code requirements currently in force to housing rehabilitation has sometimes led to the imposition of costly and time-consuming requirements that result in a significant reduction in the amount of rehabilitation activity taking place.

The assumption of using N1107.2 (R501.2) is that it only relates to alteration, repair and addition, it does not apply to a Change of Occupancy which found in Section N1111 (R505) Change of Occupancy or Use to which this applies to the structure and it's permit application. For this item the entire section needs to be considered:

N1111.1 (R505.1) General. Spaces undergoing a change in occupancy that would result in an increase in demand for either fossil fuel or electrical energy shall comply with this code.

N1111.2 (R505.2) General. Any space that is converted to a dwelling unit or portion thereof from another use or occupancy shall comply with this code.

Exception: Where the simulated performance option in Section N1105 is used to comply with this section, the annual energy cost of the proposed design is permitted to be 110 percent of the annual energy cost otherwise allowed by Section N1105.3.

As you can see, this section deals with existing buildings given that it addresses "change" which implies that something exists. It is impossible to make a "change" to something that doesn't exist.

Additionally, if you look at the Virginia Existing Building Code for the definition of Change of Occupancy (the only definition within the Virginia Codes) it indicates that this would be consistent with this permit request:

CHANGE OF OCCUPANCY. Either of the following shall be considered a *change of occupancy* where the current VCC requires a greater degree of accessibility, structural strength, fire protection, means of egress, ventilation or sanitation than is existing in the current *building* or *structure*:

1. Any change in the occupancy classification of a *building* or *structure*.

2. Any change in the purpose of, or a change in the level of activity within, a *building* or *structure*.

Note: The use and occupancy classification of a *building* or *structure*, shall be determined in accordance with Chapter 3 of the VCC.

Following the definition that states the occupancy classification is determined by Chapter 3 of the VCC, all of the current non-permitted structures would be a Utility and Miscellaneous Group (U) classification. Given that it meets the definition for a Change of Occupancy you would then revert back to the VRC dealing with this item which is addressed in N1111.1 (R505.1). The use of fossil fuel will be increased from a structure that does not require heat, to one that would now require heat, which would then require the structure to comply with the code (VRC). It is additionally reinforced with N1111.2 (R505.2) indicating that any space converted to a dwelling unit from another use or occupancy shall comply with this code. However, there is one exception to use the simulated performance option.

The applicant has not chosen to use the exception for the use of the simulated performance option, but to request that this code not apply to the project, i.e., “exception is made to this requirement.”

The code section that is being applied to the project is Section N1102.2.10 (R402.2.10):

N1102.2.10 (R402.2.10) Slab-on-grade floors. Slab-on-grade floors with a floor surface less than 12 inches (305 mm) below grade shall be insulated in accordance with Table N1102.1.2. The insulation shall extend downward from the top of the slab on the outside or inside of the foundation wall. Insulation located below grade shall be extended the distance provided in Table N1102.1.2 by any combination of vertical insulation, insulation extending under the slab or insulation extending out from the building. Insulation extending away from the building shall be protected by pavement or by not less than 10 inches (254 mm) of soil. The top edge of the insulation installed between the *exterior wall* and the edge of the interior slab shall be permitted to be cut at a 45-degree (0.79 rad) angle away from the *exterior wall*. Slab-edge insulation is not required in jurisdictions designated by the *building official* as having a very heavy termite infestation.

As indicated in the evaluation report the ability to achieve this requirement can be achieved on the exterior of the structure without having to remove a substantial portion of the interior slab. This would be the least invasive option and would be compliant with the code. This would not have required anything additional than the prescriptive method, but a modification for another is possible as directed in Section 106.3:

106.3 Issuance of modifications. Upon written application by an *owner* or an *owner’s* agent, the building official may approve a modification of any provision of the USBC provided the spirit and functional intent of the code are observed and public health, welfare and safety are assured. The decision of the building official concerning a modification shall be made in writing and the application for a modification and the decision of the building official concerning such modification shall be retained in the permanent records of the *local building department*.

Again, the request was to not have this requirement met, which would not be allowed, and therefore the appeal was applied for. If a modification had been requested, it would have been reviewed, but no request for modification was submitted. As it stands the request does not meet the first condition of the issuance of a modification, which is “provided the spirit and functional intent of the code are observed.”

Appealing LBBCA Decision

The decision of the LBBCA was “The appeal is hereby approved.”

The reason for the appeal is that if the LBBCA’s decision stands, it would indicate that this code section can be singled out to not be enforced. If the decision had been to modify the appeal to indicate that the local appellant should try and utilize Section N1111.2 or submit another option to achieve Section 106.3, this action would not be necessary, but that

was not the case. While this probably would not set a precedence at the state level, it would in fact set one at the local level. Applicants would be more willing to appeal the code so that they would not feel burdened with following it.

Statement of Specific Relief Sought

Reverse the decision of the LBBCA and deny the request of an exemption asked for by the applicant at the local level.

Attached Documentation

- Item #1: Permit Application
- Item #2: Submitted Plans
- Item #3: Local appeal application submitted
- Item #4: Local appeal documentation submitted
- Item #5: 2001 Exemption Form
- Item #6: Plat survey submitted with application
- Item #7: Commissioner of Revenue documented 2002
- Item #8: Commissioner of Revenue documented 2006
- Item #9: Commissioner of Revenue currently documented
- Item #10: Current Warren County GIS information on property
- Item #11: Evaluation Letter
- Item #12: LBBCA Resolution

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Documents Submitted by Warren County

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Item #6

LINE	BEARING	DISTANCE	CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
L1	S 87°23'20" W	219.69	C1	60.00'	351.97'	9°46'03"	N 24°58'28" E	59.93'
L2	N 29°51'29" E	43.81'						
L3	S 86°33'06" E	132.61'						
L4	S 86°31'19" W	98.02'						
L5	N 01°56'40" W	202.05'						

T.M. 18E1-1 LOT 2
N/F DALY AND DALY-BARRETT
PER INST. # 040012475

T.M. 18E1-1 LOT 1
N/F ADDISON, III ET UX
PER INST. # 9502547

MOUNTAIN RD. - RT. 619
50' WIDE R/W

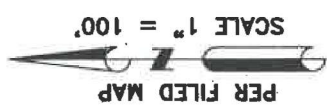
ROLLING VALLEY LN.
50' WIDE R/W

T.M. 18E2-2
LOT 7
5.1239 AC.

T.M. 18 PARCEL 46E
N/F JENKINS, JR.
PER INST. # 180005133

T.M. 18 PARCEL 46D
N/F SHURTZ
PER INST. # 080001895

T.M. 18E-2 LOT 8
N/F PRON, M
PER INST. # 180003796



PREPARED BY:
BROGAN LAND SURVEYING, PLC
P.O. BOX 1578,
FRONT ROYAL, VA, 22630-0034
TEL. & FAX (540) 635-5657
OCTOBER 8, 2021

ADDITIONAL IMPROVEMENTS TO PROPERTY NOT SHOWN
NO TITLE REPORT WAS FURNISHED TO THIS OFFICE.
SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.
DERIVATION OF TITLE TO: ERIN HUPMAN
PER INSTRUMENT # 210007323.
PLAT REF: DEED BOOK 264 PAGE 89.
SUBJECT PARCEL SITUATED OUTSIDE
THE LIMITS OF THE FEMA FLOOD ZONE.

- DENOTES EXISTING PIN OR PIPE.
- DENOTES PIN SET.

PLAT SHOWING PROPOSED DRAIN FIELDS
LOT 7 ROLLING VALLEY SUBDIVISION SECTION 2
FORK MAGISTERIAL DISTRICT
WARREN COUNTY, VA.

Home Inspections of Va and WV LLC

506 Mountain Rd.
Front Royal, Va, 22630
(540) 631-5130
<http://homeinspectionsofvawv.com/>
homeinspvwv@gmail.com
Inspected By: Paul Barnhart



Home Inspection Report

Prepared For:

Erin Hupman

Property Address:

50 Rolling Valley Lane

Front Royal, VA 22630

Inspected on Sun, Mar 20 2022 at 10:01 AM

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Report Summary	3
General	5
Roofing	5
Exterior	6
Structure	6

Report Summary

This summary page is not the entire report. The complete report may include additional information of interest or concern to you. It is strongly recommended that you promptly read the complete report. For information regarding the negotiability of any item in this report under the real estate purchase contract, contact your real estate agent or an attorney.

Structure

- 1) These pictures taken of the left end of the structure show the conditions in this area. There is a walkway/slab in this area. To install exterior perimeter insulation, the concrete would have to be cut, jackhammered, and removed. Then, a backhoe or excavator will be needed to excavate and dig down 24 inches (give or take) to the top of the footer in this area.
- 2) Pictures along the rear of the structure show an existing concrete slab. Again this would mean cutting, jackhammering, and removing the concrete slab to access the area to install the exterior perimeter insulation. Then, there is the cost of removing the material and disposing of the material. Again, the depth would need to be excavated to about 24 inches.
- 3) The right end of the structure shows the underground electric service and the AC unit. This area will also need to be excavated down to install the perimeter insulation. This means that special care and time will need to be taken around the electrical grounding rods and wires. The underground electrical service will also need special attention to make sure it is not damaged.
- 4) Conditions along the front of the house show there is a concrete slab at the front door entrance. The slab will need to be cut, excavated, and removed to be able to install the perimeter insulation in these areas.
- 5) Interior photos taken at the left front wall at the porch area and of the left end at the slab and sidewalk area show there has been no heaving or cracking in the past because of the current conditions.
- 6) Conditions in the slab along the left rear corner show there has been no heaving or cracking because of the existing conditions.

(Report Summary continued)

7) Conditions along the right rear wall, and right end corner show there has been no cracking, heaving, or adverse effects because of the existing conditions.

8) Conditions along the right end wall show there has been no cracking, heaving, or adverse effects because of the existing conditions.

9) Conditions along the right front corner interior wall and front wall show there have been no adverse affects, heaving, or cracking because of existing conditions.

10) Our request is to make an exception to the code that currently requires insulation around the perimeter walls just under the slab. As we can clearly see the installing of the correction will present an extreme cost to the current owner. According to the research and investigation for the cost to install perimeter insulation on the exterior, it appears that these costs could easily exceed \$5,000. There would also be an additional cost of about \$2,000 to repair the concrete after the installation was complete. The actual installation of this insulation means 3 to 5 working days of excavation with a backhoe or excavator. There would be additional costs for manual labor to clean the loose debris, to install the insulation, the material cost of the insulation, and confirmation that the work has been done. This means that the equipment and manpower will have to be on standby or hold for a day or two. Then the actual backfill will need to take place. The actual work to be done could cause more damage to the structure because of the close working conditions than it will prevent by not installing the insulation. This equipment can hit and damage the structural footers and the exterior walls. The interior slab is 4+ inches. There is a moisture barrier installed with 10+ inches of number 57 stone. This allows plenty of room for expansion of condensation and any moisture that may collect in this area. This is indicated by the area not moving, cracking, or heaving over the past 20+ years. As builders, we know the requirement of the insulation was either not in place or it was not enforced 20+ years ago when the existing part of this structure was built. I have not done the research to know when this code change came into effect. We do agree there is a need for this code change and enforcement, but the financial costs for installation and the likelihood of causing structural damage outweighs the benefit of installing the insulation by far.

General

A home inspection is primarily visible and done in a limited time. Not every defect will be discovered. For further clarification of the components, procedures and limitations of the home inspection consult the Standard of Practice the inspection was performed under.

Occupied:	No
Furnished:	No
Weather:	Sunny
Temperature:	50s
Soil Condition:	Damp
People Present:	Not Present



Comment 1:

These are the attached pictures and descriptions of the slab insulation conditions at 50 Rolling Valley Lane, Front Royal, Virginia.

Roofing

The visible condition of the roof covering, flashings, skylights, chimneys and roof penetrations are inspected. The purpose of the inspection is to determine general condition, NOT to determine life expectancy.

Inspection Method:	From Ground With Binoculars
Roofing Material:	Metal
	Condition: Satisfactory
Ventilation Present:	Soffit, Ridge Vent
	Condition: Satisfactory
Gutter Material:	Metal
	Condition: Satisfactory

Exterior

The visible condition of exterior coverings, trim, entrances and drainage are inspected with respect to their effect on the condition of the building.

Exterior Covering:	Stone, Vinyl Condition: Satisfactory
Exterior Trim Material:	Wood, Vinyl, Aluminum Condition: Satisfactory
Walking Surface Types:	Slab Condition: Satisfactory
Walking Surface Materials:	Concrete Condition: Satisfactory
Chimney Type:	Not Present



Comment 2:

Structure



Comment 3:

These pictures taken of the left end of the structure show the conditions in this area. There is a walkway/slab in this area. To install exterior perimeter insulation, the concrete would have to be cut, jackhammered, and removed. Then, a backhoe or excavator will be needed to excavate and dig down 24 inches (give or take) to the top of the footer in this area.

(Structure continued)



Figure 3-1



Figure 3-2



Figure 3-3



Comment 4:

Pictures along the rear of the structure show an existing concrete slab. Again this would mean cutting, jackhammering, and removing the concrete slab to access the area to install the exterior perimeter insulation. Then, there is the cost of removing the material and disposing of the material. Again, the depth would need to be excavated to about 24 inches.

(Structure continued)



Figure 4-1



Comment 5:

The right end of the structure shows the underground electric service and the AC unit. This area will also need to be excavated down to install the perimeter insulation. This means that special care and time will need to be taken around the electrical grounding rods and wires. The underground electrical service will also need special attention to make sure it is not damaged.



Figure 5-1

(Structure continued)



Comment 6:

Conditions along the front of the house show there is a concrete slab at the front door entrance. The slab will need to be cut, excavated, and removed to be able to install the perimeter insulation in these areas.



Figure 6-1



Comment 7:

Interior photos taken at the left front wall at the porch area and of the left end at the slab and sidewalk area show there has been no heaving or cracking in the past because of the current conditions.



Figure 7-1

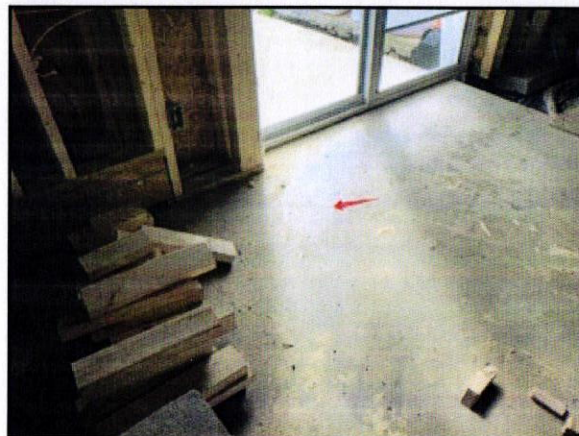


Figure 7-2

(Structure continued)



Comment 8:

Conditions in the slab along the left rear corner show there has been no heaving or cracking because of the existing conditions.

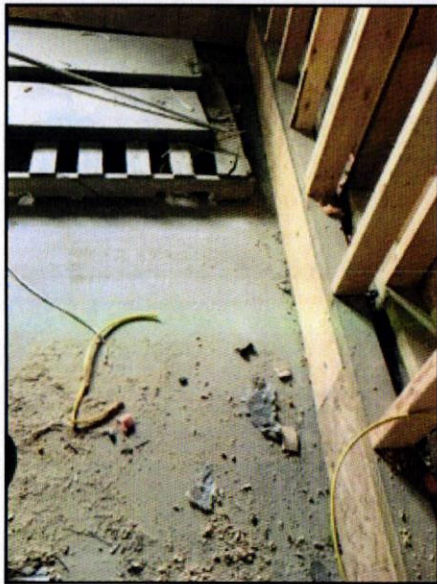


Figure 8-1



Comment 9:

Conditions along the right rear wall, and right end corner show there has been no cracking, heaving, or adverse effects because of the existing conditions.



Figure 9-1

(Structure continued)



Comment 10:

Conditions along the right end wall show there has been no cracking, heaving, or adverse effects because of the existing conditions.



Figure 10-1



Comment 11:

Conditions along the right front corner interior wall and front wall show there have been no adverse affects, heaving, or cracking because of existing conditions.



Figure 11-1

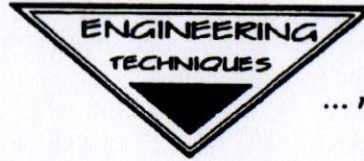
(Structure continued)



Comment 12:

Our request is to make an exception to the code that currently requires insulation around the perimeter walls just under the slab. As we can clearly see the installing of the correction will present an extreme cost to the current owner. According to the research and investigation for the cost to install perimeter insulation on the exterior, it appears that these costs could easily exceed \$5,000. There would also be an additional cost of about \$2,000 to repair the concrete after the installation was complete. The actual installation of this insulation means 3 to 5 working days of excavation with a backhoe or excavator. There would be additional costs for manual labor to clean the loose debris, to install the insulation, the material cost of the insulation, and confirmation that the work has been done. This means that the equipment and manpower will have to be on standby or hold for a day or two. Then the actual backfill will need to take place. The actual work to be done could cause more damage to the structure because of the close working conditions than it will prevent by not installing the insulation. This equipment can hit and damage the structural footers and the exterior walls. The interior slab is 4+ inches. There is a moisture barrier installed with 10+ inches of number 57 stone. This allows plenty of room for expansion of condensation and any moisture that may collect in this area. This is indicated by the area not moving, cracking, or heaving over the past 20+ years. As builders, we know the requirement of the insulation was either not in place or it was not enforced 20+ years ago when the existing part of this structure was built. I have not done the research to know when this code change came into effect. We do agree there is a need for this code change and enforcement, but the financial costs for installation and the likelihood of causing structural damage outweighs the benefit of installing the insulation by far.

In the beginning God created the heavens and the earth. Genesis 1:1



... making the most of His creation!

February 25, 2022

Paul Barnhart
506 Mountain Road
Front Royal, VA 22630

Project: 50 Rolling Valley Lane, Front Royal, VA ET22-045
Subject: Existing Structure Review

Dear Paul:

As requested, I made a site visit to the subject property on February 10, 2022.

Observations:

1. Based upon the viewing port provided on the footing (Ref: Photo 2) the existing footings are at a depth in excess of 2' below finished grade.
2. A 6 mil vapor barrier is visible beneath the slab at the plumbing cutouts in the existing slab (Ref: Photo 3).
3. The surface of the subject floor slab is not greater than 12" below finished grade and, therefore, is subject to VUSBC R506 requirements for a 2' width of R10 insulation at the slab edge, either vertically or horizontally on the interior of the foundation wall or vertically on the outside of the foundation (See Photo 4 and the diagram at Photo 5).

Comments:

1. The footing depth meets the requirements of the 2015 VUSBC.
2. The vapor barrier, when repaired at the plumbing cutouts, will comply with the 2015 VUSBC.
3. The floor slab insulation does not meet the 2015 VUSBC. The most viable recourse is to seek an exception from the requirement, given that it is a pre-existing condition, or to apply an exterior R10 insulation layer that is protected from hazards and pests.

Please advise if you have any questions or if we can be of any further assistance at this time.

Sincerely,
Engineering Techniques, Inc.

Dan J. Hotek, P.E.
President/Structural Engineer
Attachments: 5 Photos

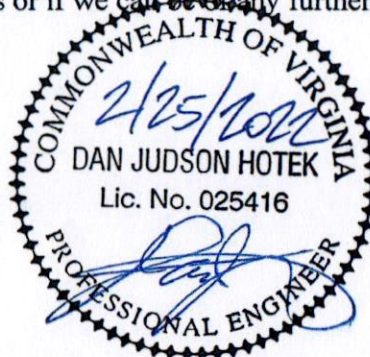




Photo 1 – Location Plan



Photo 2 – Footing depth sample

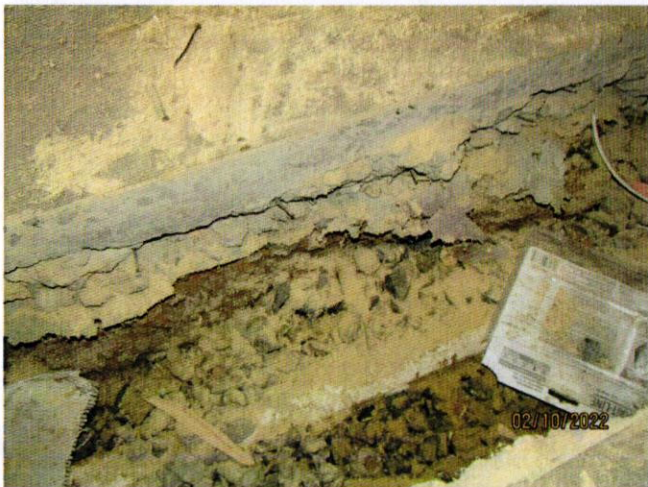


Photo 3 – Vapor barrier at plumbing openings

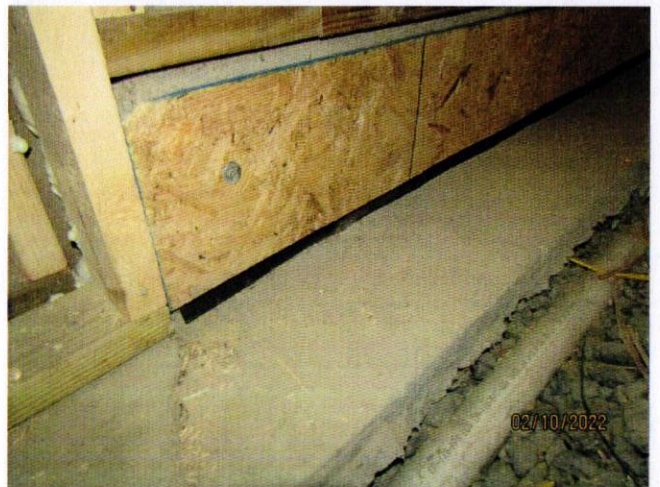


Photo 4 – Existing slab edge at foundation wall

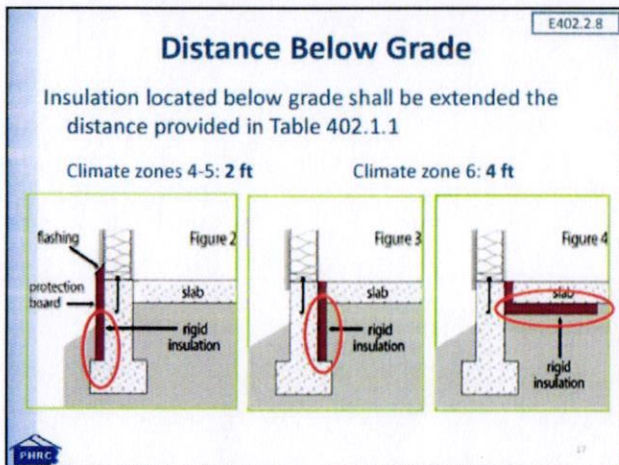


Photo 5 – Prescribed methods of insulation at slab edge

John H Smedley Sr, Comm of Rev FIELD DATA SHEET 2002 HISTORY 051722
 Map No 18E 2 2 7 SHEPHERD PATRICK L

Acct.No. 7005 138 W 12TH ST
 R# 6898 FRONT ROYAL VA
 Acreage 5.12 Class 2 22630

TRACT 7 ROLLING VALLEY PRICE 30000- 1DT 7/07/2000
 SUB SEC 2 FROM TM 18-46 DB- WB-
 INSTRUMENT-LR 2000 0003958 00

Exterior **Interior**
 Found. No.Rms. Walls Floors
 Walls Bd.Rms. Heat Basm't %Fin. %
 Roof Type No.Baths Fireplace Garage No.Cars Car Port No.Cars
 Roofing No.1/2 Bths Gas FPs Flue BLT.In Garage No.Cars

Dwl.No.
 Occupancy **VACANT LAND**
 No.Story
 Age
 Cond
 Class
 Zoning
 No.Units APPR
 Date Insp 8/29/1995 LSIB
 At Home Not Home
 Neighborhood 1 S/D

MIN ON SITE 12X52 CATALINA VERY BOONIC PERK

OTHER IMPROVEMENTS						OTDES-					
Description	Size	Cnd	Rate	Dpr%	Total Value	P/W	PRIVATE	Water	NONE	Gas	N
						Edge	GRAVEL	Sewer	NONE	Elect.	N
						Perf.	ON	UTILITY	VALUE-		
						Char.	ROLLING/SLOPING				
LAND USE & VALUE											
TYPE	No. acres	Price	Adj	Value							
OTHER ACRES	5.12	4000		20480							

MIN UND DEV-				MIN NOT UND DEV-				Front	Depth	Area	Unit	Rate	Value
								Depth Fac 1 Adj.1					
								Depth Fac 2 Adj.2					
Structural Element								Value					
Bldg													
Basm't													
Fin.Basm't													
Plumb.													
Heat													
A/C													
F.P.													
Flue													
Blt.In													
Additions S/W/L													

Sec	Type	Str	Description	Area							
					Subtotal						
					Factor						
					Phy%						
					Depr. Fnc%						
					Ecn%						
					Total Dwl.						
					Other Imp.						
					Total Impr						
					Land 20500						
					Total Value\$ 20500						

GRANTOR:DURHAM SHIRLEY W

Supplemental Information
Provided by Staff

1996 BOCA Building Code
Section 202

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CHAPTER 2

DEFINITIONS

SECTION 201.0 GENERAL

201.1 Scope: Unless otherwise expressly stated, the following words and terms shall, for the purposes of this code, have the meanings shown in this chapter.

201.2 Interchangeability: Words used in the present tense include the future; words used in the masculine gender include the feminine and neuter; the singular number includes the plural and the plural the singular.

201.3 Terms defined in other codes: Where terms are not defined in this code and are defined in the plumbing, fire prevention or mechanical codes listed in Chapter 35, such terms shall have the meanings ascribed to them as in those codes.

201.4 Terms not defined: Where terms are not defined through the methods authorized by this section, such terms shall have ordinarily accepted meanings such as the context implies.

SECTION 202.0 GENERAL DEFINITIONS

Acceleration

Effective peak acceleration: See Section 1610.2.

Effective peak velocity-related acceleration: See Section 1610.2.

Accepted engineering practice: That which conforms to accepted principles, tests or standards of nationally recognized technical or scientific authorities.

Accessible: See Section 1102.0.

Accessible route: See Section 1102.0.

Accessory structure: A building, the occupancy of which is incidental to that of the main building, that is located on the same lot as the main building.

* **Addition:** An increase in building area, aggregate floor area, height or number of stories of a structure (see Section 3403.0).

Admixture: See Section 1902.0.

Aerosol: See Section 307.2.

Aerosol container: See Section 307.2.

Agricultural building: A structure utilized to store farm implements, hay, feed, grain or other agricultural or horticultural products or to house poultry, livestock or other farm animals. Such structure shall not include *habitable* or *occupiable spaces*, spaces in which agricultural products are processed, treated or packaged, nor shall an agricultural building be a place of occupancy by the general public (see Section 312.0).

Aisle accessway: See Section 1002.0.

Alarm verification: See Section 902.0.

Alteration: Any construction or renovation to an existing structure other than repair or addition.

Alternating tread stairway: See Section 1002.0.

Anchor: See Section 2102.0.

Anchor store: See Section 402.2.

Annular space: See Section 702.0.

Approved: Approved by the code official or other authority having jurisdiction.

Approved agency: See Section 1702.0.

Approved material, equipment and methods: Material, equipment and methods evaluated and approved (see Section 106.0).

Approved rules: The legally adopted rules of the code official (see Section 105.0).

Appurtenant structure: A device or structure attached to the exterior or erected on the roof of a building designed to support service equipment or used in connection therewith, or for advertising or display purposes, or other similar occupancies.

Architectural terra cotta: See Section 2102.0.

Area, building: See Section 502.0.

Area, gross cross-sectional: See Section 2102.0.

Areaway (form of construction): See Section 3203.2.

Atrium: See Section 404.1.

Attic: See Section 1202.0.

Automatic: See Section 902.0.

Automatic fire suppression system: See Section 902.0.

Automotive service station: See Section 309.1.

Awning: See Section 3105.2.

Balcony (exterior): See Section 1602.0.

Barricade: See Section 307.2.

Base: See Section 1610.2.

Base shear: See Section 1610.2.

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REQUEST FOR INTERPRETATION

TO: OFFICE OF THE STATE BUILDING CODE TECHNICAL REVIEW BOARD
VIRGINIA DEPT. OF HOUSING AND COMMUNITY DEVELOPMENT
Main Street Centre
600 E. Main Street, Suite 300
Richmond, Virginia 23219-1321
Tel: (804) 371-7150 Fax: (804) 371-7092
Email: sbco@dhcd.virginia.gov

From: John Saunders (Montgomery County)

Phone Number: 540-382-5750

Email Address: saundersjd@montgomerycountyva.gov

Applicable Code: 2018 edition of the USBC

Code Section(s): USBC 102.3 (9) and "Farm Building" Definition

Submitted by (signature):  Date: 8-22-2022

QUESTION(S):

A quick question that I think I already know the answer too but I need a second opinion. I have a "Farm" that grows Hemp, they ship it to a facility out of state for the initial extraction of oil from the Hemp, then it comes back to the farm, were they purifies the oils to a higher form. this is done in a laboratory environment, the complaint is for the "Lab" use.

This particular "Hemp Farm" grows a product that contains no THC, Hemp is a crop, crops are grown on a farm. The USBC section 102.3 Exemption 9 exempts farm buildings and structures except for a structure utilized as a restaurant and regulated by the VDH, unless the structure is located in a flood hazard area which this building is not. Chapter 2 definitions on the USBC for farm buildings is specific "A building not used for residential purposes" is not applicable to the language in section 106.1. Plus the definition of Farm Building or Structure (1) Storage, handling, production, display, sampling, or sale of agricultural, horticultural, floricultural, or silvicultural products in the farm. My interpretation of this language in the USBC tells me that crop processing structures are not regulated in the USBC. Only structures utilized for residential use, or restaurant use are regulated by the USBC unless a structure is located inside of a flood hazard area.

Sincerely,

John Saunders,
Senior Building Inspector
Montgomery County, VA

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CHAPTER 1 ADMINISTRATION

102.3 Exemptions

The following are exempt from this code:

1. Equipment and wiring used for providing utility, communications, information, cable television, broadcast or radio service in accordance with all of the following conditions:
 - 1.1. The equipment and wiring are located on either rights-of-way or property for which the service provider has rights of occupancy and entry.
 - 1.2. Buildings housing exempt equipment and wiring shall be subject to the USBC.
 - 1.3. The equipment and wiring exempted by this section shall not create an unsafe condition prohibited by the USBC.
2. Support structures owned or controlled by a provider of publicly regulated utility service or its affiliates for the transmission and distribution of electric service in accordance with all of the following conditions:
 - 2.1. The support structures are located on either rights-of-way or property for which the service provider has rights of occupancy and entry.
 - 2.2. The support structures exempted by this section shall not create an unsafe condition prohibited by the USBC.
3. Direct burial poles used to support equipment or wiring providing communications, information or cable television services. The poles exempted by this section shall not create an unsafe condition prohibited by the USBC.
4. Electrical equipment, transmission equipment, and related wiring used for wireless transmission of radio, broadcast, telecommunications, or information service in accordance with all of the following conditions:
 - 4.1. Buildings housing exempt equipment and wiring and structures supporting exempt equipment and wiring shall be subject to the USBC.
 - 4.2. The equipment and wiring exempted by this section shall not create an unsafe condition prohibited by the USBC.
5. Manufacturing, processing, and product handling machines and equipment that do not produce or process hazardous materials regulated by this code, including those portions of conveyor systems used exclusively for the transport of associated materials or products, and all of the following service equipment:
 - 5.1. Electrical equipment connected after the last disconnecting means.
 - 5.2. Plumbing piping and equipment connected after the last shutoff valve or backflow device and before the equipment drain trap.
 - 5.3. Gas piping and equipment connected after the outlet shutoff valve.

Manufacturing and processing machines that produce or process hazardous materials regulated by this code are only required to comply with the code provisions regulating the hazardous materials.
6. Parking lots and sidewalks that are not part of an accessible route.
7. Nonmechanized playground or recreational equipment such as swing sets, sliding boards, climbing bars, jungle gyms, skateboard ramps, and similar equipment where no admission fee is charged for its use or for admittance to areas where the equipment is located.
8. Industrialized buildings subject to the Virginia Industrialized Building Safety Regulations (13VAC5-91) and manufactured homes subject to the Virginia Manufactured Home Safety Regulations (13VAC5-95); except as provided for in Section 429 and in the case of demolition of such industrialized buildings or manufactured homes.
9. Farm buildings and structures, except for a building or a portion of a building located on a farm that is operated as a restaurant as defined in § 35.1-1 of the Code of Virginia and licensed as such by the Virginia Board of Health pursuant to Chapter 2 (§ 35.1-11 et seq.) of Title 35.1 of the Code of Virginia. However, farm buildings and structures lying within a flood plain or in a mudslide-prone area shall be subject to flood-proofing regulations or mudslide regulations, as applicable.
10. Federally owned buildings and structures unless federal law specifically requires a permit from the locality. Underground storage tank installations, modifications and removals shall comply with this code in accordance with federal law.
11. Off-site manufactured intermodal freight containers, moving containers, and storage containers placed on site temporarily or permanently for use as a storage container.
12. Automotive lifts.

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