

AGENDA

STATE BUILDING CODE TECHNICAL REVIEW BOARD

Friday, March 17, 2023 - 10:00am

Virginia Housing Center
4224 Cox Road Glen Allen, Virginia

- I. Roll Call **(TAB 1)**
- II. Approval of February 17, 2023 Minutes **(TAB 2)**
- III. Approval of Final Order **(TAB 3)**
 - In Re: Fei Zhang
Appeal No. 22-15
- IV. Approval of Final Order **(TAB 4)**
 - In Re: Park Crescent Owners LLC
Appeal No. 22-14
- V. Public Comment
- VI. Preliminary Hearing **(TAB 5)**
 - In Re: Monica and Michael Davis
Appeal Nos. 22-18 and 22-19
- VII. Appeal Hearing **(TAB 6)**
 - In Re: Black Wolf Services
Appeal No. 22-05
- VIII. Interpretation Request No. 01-23 **(TAB 7)**
 - In Re: Greg Revels (Henrico County)

The requirements for grounding of interconnected electric power production sources.

Question 1: Is an electric power production source disconnect connected to the supply side of the service disconnecting means required to have a grounded conductor connected to the enclosure?

Question 2: Is an electric power production source disconnect connected to the supply side of the service disconnecting means required to have a grounded electrode connection to the enclosure?

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IX. Secretary's Report

- a. Update from Board Counsel related to exactly what "with specificity" means in the proposed new Board policy #30.
- b. Policy #30 **(TAB 8)**
- c. Policy #31 **(TAB 9)**
- d. Updates on the Board Retreat April 21, 2023 - location VHC
- e. May 12, 2023 meeting update - location VHC
- f. Legal updates from Board Counsel

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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)

James S. Moss

(Virginia Building and Code Officials Association)

Elizabeth C. White

(Commonwealth at large)

Aaron Zdinak, PE

(Virginia Society of Professional Engineers)

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1 **STATE BUILDING CODE TECHNICAL REVIEW BOARD**
2 **MEETING MINUTES**
3 **February 17, 2023**
4 **Chesterfield County Government Center**
5 **Community Development Building**
6 **Multipurpose Room**
7 **9800 Government Center Parkway Chesterfield, Virginia 23832**
8

Members Present

Members Absent

Mr. James R. Dawson, Chairman
Mr. W. Shaun Pharr, Esq., Vice-Chairman
Mr. Vince Butler
Mr. Alan D. Givens
Mr. David V. Hutchins
Ms. Christina Jackson
Mr. Joseph Kessler
Mr. R. Jonah Margarella
Mr. Eric Mays, PE (arrived during the hearing for
Appeal 22-15)
Mr. James S. Moss
Mr. Aaron Zdinak, PE

Mr. Daniel Crigler
Ms. Joanne Monday
Ms. Elizabeth White

- 9
- 10 Call to Order The meeting of the State Building Code Technical Review Board
11 ("Review Board") was called to order at approximately 10:00 a.m. by
12 Chair Dawson.
13
- 14 Roll Call The roll was called by Mr. Luter and a quorum was present. Mr. Justin
15 I. Bell, legal counsel for the Review Board from the Attorney General's
16 Office, arrived during the hearing for Park Crescent Owners LLC.
17
- 18 Approval of Minutes The draft minutes of the November 18, 2022 meeting in the Review
19 Board members' agenda package were considered. Mr. Butler moved
20 to approve the minutes as presented. The motion was seconded by Ms.
21 Jackson and passed with Mr. Givens abstaining.
22
- 23 Final Order Jonathan and Lauren Borchers: Appeal No. 22-08:
24
25 After review and consideration of the final order presented in the
26 Review Board members' agenda package, Ms. Jackson moved to
27 approve the final order with the editorial change of date entered to be
28 February 17, 2023. The motion was seconded by Mr. Zdinak and
29 passed with Mr. Givens abstaining.
30
31 Clifford and Khristina Hammill: Appeal No. 22-13:
32

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33 After review and consideration of the final order presented in the
34 Review Board members' agenda package, Ms. Jackson moved to
35 approve the final order with the editorial change of date entered to be
36 February 17, 2023. The motion was seconded by Mr. Butler and passed
37 with Mr. Givens abstaining.

38
39 Vallerie Holdings of Virginia LLC: Appeal No. 22-04:

40
41 After review and consideration of the final order presented in the
42 Review Board members' agenda package, Mr. Zdinak moved to
43 approve the final order with the editorial change of date entered to be
44 February 17, 2023. The motion was seconded by Mr. Moss and passed
45 with Mr. Givens abstaining.

46
47 Public Comment Chair Dawson opened the meeting for public comment. Mr. Luter
48 advised that no one had signed up to speak. With no one coming
49 forward, Chair Dawson closed the public comment period.

50
51 New Business Fei Zhang: Appeal No. 22-15:

52
53 *Note: Mr. Butler recused himself from participation as a Board*
54 *member in this hearing due to his membership in the Northern Virginia*
55 *Home Builders Association where one of the principals of the home*
56 *builder for this appeal is also a member.*

57
58 A preliminary hearing convened with Chair Dawson serving as the
59 presiding officer. The hearing was related to the property located at
60 1976 Kirby Road, in Fairfax County.

61
62 The following persons were sworn in and given an opportunity to
63 present testimony:

64
65 Patrick Foltz, legal counsel for Fairfax County

66
67 *Note: Fei Zhang was properly notified of the hearing. Eighteen*
68 *minutes before the start of the meeting Fei Zhang emailed the*
69 *Review Board Secretary requesting to continue the hearing.*
70 *The Chair denied the request and the case was heard by the*
71 *Review Board as scheduled.*

72
73 After testimony concluded, Chair Dawson closed the hearing and stated
74 a decision from the Review Board members would be forthcoming and
75 the deliberations would be conducted in open session. It was further
76 noted that a final order reflecting the decision would be considered at a
77 subsequent meeting and, when approved, would be distributed to the
78 parties, and would contain a statement of further right of appeal.

79

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80 Decision: Fei Zhang: Appeal No. 22-15:
81
82 After deliberations, Ms. Jackson moved to dismiss the appeal as not
83 properly before the Board due to lack of standing. The motion was
84 seconded by Mr. Margarella and passed unanimously.

85
86 Park Crescent Owners LLC: Appeal No. 22-14:
87
88 A hearing convened with Chair Dawson serving as the presiding
89 officer. The hearing was related to the property located at 6400-6491
90 Crescent Way, in the City of Norfolk.

91
92 The following persons were sworn in and given an opportunity to
93 present testimony:

- 94
95 Jamie Skinner, property owner
96 Raquan Hall, engineer/witness for the property owner
97 Phillip Williams, City of Norfolk Building Commissioner
98 Phillip Winslow, City of Norfolk Deputy Building
99 Commissioner
100 John Culpepper, City of Norfolk Fire Inspector

101
102 Also present was:
103
104 Vincent Mastracco, legal counsel for Park Crescent Owners
105 LLC

106
107 After testimony concluded, Chair Dawson closed the hearing and stated
108 a decision from the Review Board members would be forthcoming and
109 the deliberations would be conducted in open session. It was further
110 noted that a final order reflecting the decision would be considered at a
111 subsequent meeting and, when approved, would be distributed to the
112 parties, and would contain a statement of further right of appeal.

113
114 Decision: Park Crescent Owners LLC: Appeal No. 22-14:
115
116 After deliberations, Mr. Pharr moved to remand the matter back to the
117 building official to consider the additional information proposed by the
118 engineer for the property owner at the meeting, which was not allowed
119 for submittal and distribution by the Chair, and issue a new decision.
120 The motion was seconded by Mr. Moss and passed with Mr. Mays
121 abstaining.

122
123 Request for Interpretation of John Russell (City of Falls Church):
124 Interpretation Request No. 08-22:
125

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**State Building Code Technical Review Board
February 17, 2023 Minutes - Page 4**

126 An interpretation request from John Russell of the City of Falls Church
127 was considered concerning when a certificate of occupancy could be
128 issued for an existing structure and whether the code prevented the code
129 official from requiring a certificate of occupancy for an existing
130 structure. Mr. Mays moved to set aside the request based on Board
131 policy due to the potential for an appeal. The motion was seconded by
132 Ms. Jackson and passed unanimously.

133
134 Secretary's Report Mr. Luter pointed the Review Board members to the revised copy of
135 Review Board Policies #30 presented in the Review Board members'
136 agenda package. After a brief discussion, Mr. Mays moved to approve
137 Policy #30 with the following changes:

138
139 Policy Section: Mandatory Requirements
140 Item b add as a last sentence:

141
142 *“When the remotely participating member cannot hear all*
143 *persons at the primary or central meeting location, the remotely*
144 *participating member will abstain from all discussions and*
145 *votes.”*

146
147 Policy Section: Process to request remote participation.
148 Item a delete the following portion of the first sentence:

149
150 *“On or before the day of the meeting, and at any point”*

151
152 Add the following:

153
154 *“A minimum of 10 business days”*

155
156 The motion was seconded by Mr. Butler and passed unanimously. The
157 Review Board further directed the Secretary to bring Policy #30 back
158 to the Board at the March 17, 2023 meeting for final consideration and
159 approval of the written policy with the approved changes.

160
161 *Note: Based on discussions related to Policy #30, Attorney Bell offered*
162 *to submit a question to the COIA Counsel for an interpretation/opinion*
163 *on what exactly “with specificity” means and bring it back to the Board*
164 *at the March 17, 2023 meeting.*

165
166 Mr. Luter pointed the Review Board members to the revised copy of
167 Review Board Policies #31 presented in the Review Board members'
168 agenda package. After a brief discussion, Mr. Pharr moved to approve
169 Policy #31 with the following changes:

170
171 Policy Section: When an all-virtual public meeting may be authorized,
172 Item b add:

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**State Building Code Technical Review Board
February 17, 2023 Minutes - Page 5**

173
174 *“as determined by the Chair or the Vice-Chair in the absence of the*
175 *Chair”*

176
177 Add Item e:

178
179 *“Virtual meetings may only be utilized for administrative matters.”*

180
181
182 The motion was seconded by Ms. Jackson and passed unanimously.
183 The Review Board further directed the Secretary to bring Policy #31
184 back to the Board at the March 17, 2023 meeting for final consideration
185 and approval of the written policy with the approved changes.

186
187 Mr. Luter informed the Review Board of the current caseload for the
188 upcoming meeting scheduled for March 17, 2023.

189
190 Attorney Bell offered no legal updates to the Board.

191
192 Adjournment There being no further business, the meeting was adjourned by proper
193 motion at approximately 2:00 p.m.

194
195
196 Approved: March 17, 2023

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198
199 _____
Chair, State Building Code Technical Review Board

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203 _____
204 Secretary, State Building Code Technical Review Board

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

7 IN RE: Appeal of Fei Zhang
8 Appeal No. 22-15
9

10 DECISION OF THE REVIEW BOARD
11

12 I. Procedural Background
13

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

19 II. Case History

20 On June 15, 2022 the Fairfax County Department of Land Development Services (County),
21 the agency responsible for the enforcement of the 2018 Virginia Uniform Statewide Building Code
22 (Virginia Construction Code or VCC), performed and conditionally approved a framing inspection
23 for the residential structure, located at 1976 Kirby Road, in the Fairfax County which was under
24 contract for purchase by Fei Zhang (Zhang) at the time of the inspection.

25 Zhang requested and subsequently was released from the purchase contract on July 1, 2022.
26 Zhang filed an appeal to the Fairfax County Board of Building Code Appeals (local appeals board)
27 for the conditionally approved framing inspection which was denied on September 14, 2022.
28 Zhang appealed to the Review Board on October 4, 2022.

29 Appearing at the Review Board meeting was Patrick Foltz, legal counsel for Fairfax
30 County. Fei Zhang was properly noticed of the hearing; however, did not attend.

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III. Findings of the Review Board

A. Whether to dismiss the appeal as not properly before the Board since Zhang has requested and been released from the purchase contract ending whatever aggrievement there was against Zhang.

The County, through legal counsel, argued that Zhang filed the appeal after releasing from the contract to purchase. The county further argued that at the time Zhang filed the appeal Zhang was not in a position to be aggrieved by the decision of the building official; therefore, had no standing to file the appeal.

The Review Board finds that Zhang no longer had any connection to the property; therefore, could not be aggrieved and lacked standing to file the appeal.

IV. Final Order

The appeal having been given due regard, and for the reasons set out herein, the Review Board orders as follows:

B. Whether to dismiss the appeal as not properly before the Board since Zhang has requested and been released from the purchase contract ending whatever aggrievement there was against Zhang.

The appeal is dismissed as it is not properly before the board due to lack of standing.

Chair, State Building Code Technical Review Board

Date entered March 17, 2023

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58 As provided by Rule 2A:2 of the Supreme Court of Virginia, you have thirty (30) days
59 from the date of service (the date you actually received this decision or the date it was mailed to
60 you, whichever occurred first) within which to appeal this decision by filing a Notice of Appeal
61 with W. Travis Luter, Sr., Secretary of the Review Board. In the event that this decision is served
62 on you by mail, three (3) days are added to that period.

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1 VIRGINIA:
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3 BEFORE THE
4 STATE BUILDING CODE TECHNICAL REVIEW BOARD
5

6 IN RE: Appeal of Park Crescent Owners LLC and Croatan Investments, LLC
7 Appeal No. 22-14
8

9 DECISION OF THE REVIEW BOARD
10

11 I. Procedural Background
12

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

19 II. Case History

20 In a letter dated March 25, 2022 the City of Norfolk Department of Planning: Division of
21 Building Safety (City), the agency responsible for the enforcement of the 2015 and 2018 Virginia
22 Uniform Statewide Building Code (Virginia Construction Code or VCC), denied a plan review
23 submittal for the permanent removal of the existing elevators in each of the 14 three story
24 apartment buildings, located at 6400-6491 Crescent Way in the City of Norfolk, owned by Park
25 Crescent Owners LLC and Croatan Investments, LLC (Park Crescent) citing the following
violations of the 2015 and 2018 Virginia Existing Building Code (VEBC):

- 26 a. VEBC Section 404.1 – Alterations shall not reduce or have the effect of
27 reducing accessibility of a facility or portion of a facility.
28 b. VEBC 102 – Your submitted building code path had not sufficiently been
29 documents or prove that the VEBC will allow the elevators to be removed.
30 c. VEBC Sections 103.1, 103.4, and 103.4.1 – these sections do not apply to
31 this code application
32

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33 Vincent Mastracco, legal counsel for Park Crescent, filed an appeal to the City of Norfolk
34 Local Board of Appeals (local appeals board) which was denied on May 11, 2022. Park Crescent
35 further appealed to the Review Board on October 16, 2022.

36 Appearing at the Review Board meeting for Park Crescent were Jamie Skinner, Raquan
37 Hall, and Vincent Mastracco, legal counsel. Appearing at the Review Board meeting for the City
38 were Phillip Williams, Phillip Winslow, and John Culpepper.

39 III. Findings of the Review Board

40 A. Whether to uphold the building official and local appeals board that the existing
41 inoperable elevators could not be decommissioned and/or removed.

42
43 Park Crescent, through its agent and legal counsel, argued that the removal of the existing
44 inoperable elevators in each of the 14 three story buildings in the Park Crescent Apartments
45 would not decrease accessibility or accessible means of egress. Park Crescent further argued that
46 the existing elevators did not meet the requirement in the building code to be considered
47 accessible elevators; therefore, were not a part of the accessible means of egress for the
48 buildings. Park Crescent also argued that in their proposed plan the existing accessible features
49 and accessible means of egress of the buildings would not decrease; rather, would increase by
50 adding one more accessible means of egress to each of the buildings allowing the buildings to
51 exceed the current buildings code requirements for means of egress. Park Crescent also argued
52 that requiring the existing elevators to be accessible elevators would impose stricter requirements
53 on the existing buildings than would be required if newly constructed under the current VCC
54 which is prohibited in the Virginia Existing Building Code (VEBC). Lastly, Park Crescent
55 argued that the existing buildings would have been code compliant without elevators when
56 originally constructed and that the buildings would be code compliant if they were constructed
57 without elevators under the 2018 VCC.

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58 The City argued that the removal of the existing inoperable elevators would reduce the
59 level of accessibility of the 14 three story buildings in the Park Crescent Apartments; thus, were
60 required to be repaired or replaced. The City further argued that the removal of the existing
61 elevators would eliminate the availability of the Type B units on the upper floors. The City in its
62 arguments stated it was not disputing the fact that the existing buildings could have been
63 originally constructed without elevators and would have been code compliant; furthermore, the
64 City stated it was also not disputing the fact that if the buildings were constructed under the
65 current VCC without elevators that the buildings would be code compliant.

66 The Review Board finds that the City needs to consider the additional information
67 proposed by the engineer for the property owner at the meeting, which was not allowed for
68 submittal and distribution by the Chair, and issue a new decision.

69 **IV. Final Order**

70 The appeal having been given due regard, and for the reasons set out herein, the Review
71 Board orders as follows:

72 A. Whether to uphold the building official and local appeals board that the existing
73 inoperable elevators could not be decommissioned and/or removed.
74

75 The decision of the City and local appeals board is overturned; furthermore, the appeal is
76 remanded back to the local appeals board for consideration of the additional information proposed
77 by the engineer for the property owner at the meeting and issuance of a new decision.
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Chair, State Building Code Technical Review Board

Date entered _____ March 17, 2023 _____

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87 As provided by Rule 2A:2 of the Supreme Court of Virginia, you have thirty (30) days
88 from the date of service (the date you actually received this decision or the date it was mailed to
89 you, whichever occurred first) within which to appeal this decision by filing a Notice of Appeal
90 with W. Travis Luter, Sr., Secretary of the Review Board. In the event that this decision is served
91 on you by mail, three (3) days are added to that period.

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VIRGINIA:

BEFORE THE
STATE BUILDING CODE TECHNICAL REVIEW BOARD

IN RE: Appeal of Monica and Michael Davis
Appeal No. 22-18 and 22-19

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VIRGINIA:

BEFORE THE
STATE BUILDING CODE TECHNICAL REVIEW BOARD

IN RE: Appeal of Monica and Michael Davis
Appeal No. 22-18 & 22-19

REVIEW BOARD STAFF DOCUMENT

Suggested Statement of Case History and Pertinent Facts

1. In March of 2020, the County of Augusta Department of Community Development (County Building Official), the agency responsible for the enforcement of Part 1 of the 2012 Virginia Uniform Statewide Building Code (Virginia Construction Code or VCC), issued a final inspection and a subsequent Certificate of Occupancy to Monica and Michael Davis (Davis), for a single-family dwelling located at 1002 Round Hill School Road, in Augusta County.

2. Shortly after moving into their new home, Davis contacted the County Building Official requesting he come to their home to inspect a variety of issues they had found with the home with attached garage and detached garage.

3. In June and July of 2020, the County Building Official visited the property several times investigating the issues brought forth by Davis. During one or more of these inspections, the County Building Official found several violations. On July 16, 2020, the County Building Official issued a letter to Hendricks and Son General Contractor, LLC citing seventeen (17) code violations.

4. Davis filed a timely appeal to the Augusta County Board of Building Code Appeals (local appeals board) for items numbered one (1) and three (3) under the other sections portion of the June 10, 2020 letter from the County Building Official. Davis also asked the local

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board to consider the potential code violation related to the bathroom door in the half bath in the garage, which was not sealed to prevent garage odors, such as exhaust fumes, from entering the HVAC system for the home. The local appeals board upheld the decisions of the County Building Official.

5. On October 15, 2020, Davis further appealed to the Review Board. These issues were presented to the Review Board for consideration at the January 22, 2021 Review Board meeting in Appeal No. 20-03. The Review Board considered and approved the final order for Appeal No. 20-03 on March 19, 2021.

6. On September 29, 2020, Schnitzhofer Structural Engineers visited the Davis home to evaluate the residence with detached garage and detached garage related to the cited violations in the July 16, 2020 letter from the County Building Official. Schnitzhofer Structural Engineers drafted a letter dated November 3, 2020, which was received by Augusta County on November 9, 2020. The Schnitzhofer Structural Engineers letter was reviewed and accepted by the County Building Official.

7. Davis filed a timely appeal to the Augusta County Board of Building Code Appeals (local appeals board) for the acceptance and approval of the Schnitzhofer Structural Engineers letter. Davis further appealed to the local appeals board to consider the proposal report from Engineer Solutions and require the builder to approach the cited violations with the suggested analysis process set forth in that report. The local appeals board upheld the decisions of the County Building Official finding that the Schnitzhofer Structural Engineers report was a valid engineering report for the Davis' structure.

8. On February 1, 2021, Davis further appealed to the Review Board. These issues were presented to the Review Board for consideration at the May 21, 2021 Review Board

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meeting in Appeal No. 21-02. The Review Board considered and approved the final order for Appeal No. 21-02 on September 17, 2021.

9. Pursuant to the local appeals board decision, as a result of a conversation by the legal counsels for the Davis', builder, and County a letter by the Davis' attorney, dated August 5, 2021, was sent to the parties requesting a way forward to correct the issues with the project. Item #2 of the letter proposed the County visit the site and make a determination for compliance for 14 potential code violations. The inspection was performed on September 2, 2021. The County provided the findings to all legal counsels via a report on September 7, 2021.

10. Davis filed an appeal to the Augusta County Board of Building Code Appeals (local appeals board) for following nine (9) potential violations:

- a) *Air barrier behind the tub/shower; owner sited potential code sections VCC N1102.4.1.1 (R402.4.1.1) Installation (Mandatory) and VCC N1101.13 (R303.2) Installation*
- c) *Sill plate and floor joist cut for plumbing; owner sited potential code sections VCC R502.8 Cutting, drilling, notching and VCC R502.8.1 Sawn lumber*
- f) *Interior receptacles have locations that exceed code requirements for receptacle placement; owner sited potential code section VCC E3901.2 General purpose receptacle distribution*
- g) *HVAC return duct too small; owner sited potential code section VCC M1401.1 Installation*
- h) *HVAC air handler hung from the floor joist; load values not taken into account for additional weight on the joists; owner sited potential code section VCC R502.8 Cutting, drilling, notching and VCC M1401.1 Installation*
- i) *Refrigerant piping not sleeved; owner sited potential code section VCC N1103.3.1(R403.3.1) Protection of piping insulation*
- j) *Mini split drain leaking in the attic; owner sited potential code section VCC M1412.3 Insulation of piping*
- k) *Electrical HVAC disconnect not mounted above the average snow level; owner sited potential code section VCC M1401.1 Installation*
- m) *HVAC mini split does not meet heating and cooling requirements for the bonus room space; owner sited potential code section VCC N1101.11(R302.1) Interior design conditions*

The local appeals board denied the appeal on January 10, 2022.

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11. On January 24, 2022, Davis further appealed to the Review Board. These issues were presented to the Review Board for consideration at the May 20, 2022 Review Board meeting in Appeal No. 22-02. The Review Board considered and approved the final order for Appeal No. 22-02 on July 15, 2022. On September 12, 2022, the County filed a petition for appeal to Circuit Court for Review Board Appeal No. 22-02

12. On December 20, 2021, Augusta County Director of Community Development, John Wilkinson, emailed Davis with an attached document titled “List of Items for Corrections on Davis Structures” outlining 32 cited violations that had either been cited by the County or the Review Board in Final Order Nos. 20-03 and 21-02 as items needing to be corrected.

Note: Davis’ third appeal to the local appeals board was denied January 10, 2022 which was 21 days after the email from Augusta County Director of Community Development, John Wilkinson, resulting in the subsequent Review Board Final Order 22-02 related to that local appeal; therefore, the nine potential violations in Appeal No. 22-02, which is currently under appeal in Circuit Court, are not part of the “List of Items for Corrections on Davis Structures”.

13. On August 31, 2022, the County issued a Notice of Violation (NOV) and cited only the following four violations from the 32 cited violations listed in the “List of Items for Corrections on Davis Structures” from Augusta County Director of Community Development, John Wilkinson:

- a) *The land at the man door on the attached and detached side of the garage do not meet the minimum code standards set forth by section R311.3 as amended by the Uniform Statewide Building Code.*
- b) *The grade on the man door side of the attached garage needs to be brought into compliance with section R401.3 as amended by the Uniform Statewide Building Code to obtain proper drainage away from the foundation.*
- c) *Both of the outside heat pump units need to be elevated after completing Number 2 above so they have the required clearance of not less than 3 inches in accordance with section M1305.1.4.1.*
- d) *Need to construct a minimum of 30 inch by 30 inch platform under the indoor mini split unit to comply to section M1305.1 for service.*

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14. Davis filed a timely appeal to the local appeals board for the 28 cited violations that were not listed in the NOV. Davis' appeal was denied on October 11, 2022. In the written decision of the local appeals board, clarification was provided as to why the County did not include the other 28 cited violations in the NOV. The written decision read as follows:

“The Building Official acting upon advise from the County Attorney had not included those items as the Statute of Limitations has expired and a Notice of Violation could not be issued in accordance with section 115.2.1 of the Uniform Statewide Building Code.”

The findings of the local appeals board in the written decision read as follow:

“The Board upheld the Building Official’s decision that to include those items as the Statute of Limitations had expired and the County could not prosecute.”

15. Davis further appealed to the Review Board on November 21, 2022.

16. During the same local appeals board hearing and prior to Davis' appeal hearing, the local appeals board heard an appeal filed by Hendricks and Sons General Contracting, LLC (Hendricks), the contractor that built the Davis' home, related to the October 31, 2022 NOV.

The local appeals board found the following in the Hendricks appeal:

- a) *“Item was withdrawn by the Building Official as Statute of Limitations had expired.”*
- b) *“The Board overturns the Building Official’s decision on items 2 and 3 as the Davis’s did not maintain the grass which they felt caused the condition to develop.”*
- c) *“The Board overturns the Building Official’s decision on item 4 as a temporary platform can be set on top of the 2 stairway walls to service the unit if necessary and a permanent platform could even cause a safety hazard.”*

17. Davis further appealed this decision to the Review Board on November 30, 2022 as the decision eliminated all four cited violations in the NOV making all 32 cited violations from the “List of Items for Corrections on Davis Structures” no longer valid according to the two decisions of the local appeals board during the October 11, 2022 meeting.

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18. 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 the Review Board can rule on the jurisdictional issues or merits of a case that it has previously heard, ruled on, and issued a Final Order.

2. Whether to uphold the decision of the County Building Official and the local appeals board that the statute of limitation have expired on the 28 cited violations listed in the “List of Items for Corrections on Davis Structures” and not listed in the NOV as well as Item 1 of the NOV, all of which were previously cited violations by the County Building Official or by the Review Board in Final Order Nos. 20-03 and 21-02.

3. Whether to uphold the decision of the County Building Official and overturn the local appeals board that a violation of the VCC Section 401.3 Drainage exists.

4. Whether to uphold the decision of the County Building Official and overturn the local appeals board that a violation of the VCC Section M1305.1.4.1 Ground clearance exists.

5. Whether to uphold the decision of the County Building Official and overturn the local appeals board that a violation of the VCC Section M1305.1 Appliance access for inspection service, repair and replacement exists.

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Basic Documents

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Exhibit 7



COUNTY OF AUGUSTA
COMMONWEALTH OF VIRGINIA
DEPARTMENT OF COMMUNITY DEVELOPMENT
P.O. BOX 590
COUNTY GOVERNMENT CENTER
VERONA, VA 24482-0590



Notice of Violation

22-733

August 31, 2022

Via Overnight Mail and Email

Hendricks & Son General Contractor, LLC
50 Lee Street
Verona, VA 24482

Dear Mr. Hendricks,

On September 2, 2021, our office visited the Davis house located at 1002 Round Hill School Road to inspect issues they had with the house you constructed under permit #718-2019. The house was constructed under the 2012 edition of the International Code as amended by the Uniform Statewide Building Code.

After a review of the issues, we found the following items which were not in compliance with the building code:

1. The landing at the man door on the attached and detached side of the garage do not meet the minimum code standards set forth by section R311.3 as amended by the Uniform Statewide Building Code.
2. The grade on the man door side of the attached garage needs to be brought into compliance with section R401.3 as amended by the Uniform Statewide Building Code to obtain proper drainage away from the foundation.
3. Both of the outside heat pump units need to be elevated after completing Number 2 above so that they have the required clearance of not less than 3 inches in accordance with section M1305.1.4.1.
4. Need to construct a minimum of 30 inch by 30 inch platform under the indoor mini split unit to comply to section M1305.1 for service.

These items need to be completed within 120 days from receipt of this notice.

It is up to you and Mr. and Mrs. Davis to work out the scheduling for the work and not to do anything which can be construed as obstructing the completion of the work.

Staunton (540) 245-5700

TOLL FREE NUMBERS
From Deerfield (540) 939-4111
FAX (540) 245-5066

Waynesboro (540) 942-5113

After the work has been completed, it is up to you to call our office to inspect the work that has been performed for code compliance.

As always, you have the right to appeal in accordance with section 119 of the Uniform Statewide Building Code.

Sincerely,

A handwritten signature in cursive script, appearing to read "G.W. Wiseman".

G.W. Wiseman
Building Official

cc: Monica and Michael Davis
James Benkahla Esquire
Jacob Penrod Esquire

Exhibit 6



County of Augusta Building Inspections

List of Items for Corrections on Davis Structures

Building

1. The foundation on the detached garage does not comply with code sections R403.1.1 and R403.1.4.1. In addition, the house foundation will also need to be checked by an engineer for proper depth for frostline protection and if it is not not, design a repair to correct the condition.
2. Floor in detached garage and attached garage not sloping to the doors in accordance with section R309.1.
3. Sill plates in detached garage and house need anchor bolts within 12 inches or each sill plate splice in accordance with section R403.1.6. Need to correct to code or provide an engineered design and approval in accordance with section R301.3.
4. Fascia trim on detached garage does not extend up behind drip edge on the detached garage and the fascia is not protected per section R703.
5. Vinyl siding on house and detached garage not installed in accordance with the manufacturer's installation instructions.
6. An engineer will need to provide approval for any trusses not installed to manufacturer's specifications or provide any necessary repair designs to bring them into code compliance.
7. Back porch floor beams not properly anchored with appropriate hangers to band board of house. Second option is to provide post with proper connector to beam to an approved foundation. Third option is to provide engineered design and approval in accordance with section R301.1.3.
8. Floor joist are not installed in the joist hangers to manufacture's specifications. Need to correct to manufacture's requirements or provide engineered design and approval in accordance with section R301.1.3.
9. Need an engineer to evaluate, design and approve the walls of the attached and detached garage that they meet shear wall requirements and loading requirements of code. In addition, the engineer will need to verify that the walls in the attached garage are fireblocked in accordance with the building code.
10. Front stairs exceed allowed slope of 2 percent and need to be repaired or replaced.
11. Provide manufacturer's installation instructions that PVC trim boards are installed in accordance with manufacture's specifications.

12. Engineer will need to verify that drywall is secured to code or provide documentation that it complies to code in accordance with section R301.1.3.
13. Header at master bath toilet where floor joist was cut needs to be corrected in accordance with code or provide engineer's design and approval in accordance with section R301.1.3.
14. Door in half bath in garage needs to be replaced with 1 3/8" solid core wood door, steel door, or 20 minute fire door. The door also has to be weather stripped in accordance with energy code.
15. Grade to left of front stair needs to have proper grade to code so that water will not pond behind sidewalk.
16. Dryer vent is installed within 3 feet of a foundation vent in violation of code. It needs to be relocated and installed complying with all code requirements.
17. Need to correct attic access size to code of minimum 22" X 30".
18. Grade around the house has settled and no longer meets code for required fall away from structure. The grade needs to be corrected to code and kept at least 6 inches from sheathing in accordance with code.
19. The foundation walls need to be evaluated to determine if the foundation meets code and any repairs necessary need to be designed by an engineer.
20. The block walls at interconnections with the foyer and garage need to be evaluated by an engineer, with any required repairs designed by an engineer.
21. The front porch landing needs to drain towards the steps in accordance with section R301.3.1.
22. The landing at the bottom of the front steps needs to be as wide as the stairs in accordance with code.
23. The landings at the attached and detached garage doors do not meet minimum size. They need to be corrected to code.
24. Seal openings around drain piping at tubs.
25. Provide access platform for mini split unit inside to code.
26. When correcting grade around house, correct grade at mini split outside unit so that it meets required clearance by code.

All of the above items will need to be inspected and approved by a professional engineer.

Plumbing and Mechanical

1. Need to properly caulk outside refrigerant lines.
2. Flex duct and flex duct insulation not connected to take offs with proper tape or mastic in accordance with manufacturer's instructions.
3. Need to seal HVAC boots to subfloor or drywall in accordance with energy code.
4. Condensate pump discharge needs to be relocated to front of rear porch or outside of porch area for proper drainage away from structure.
5. Toilet in Master Bath does not meet minimum spacing requirements.

Electrical

1. Master bath light over vanity not installed to manufacturer's instructions.

EMAIL FROM JOHN WILKINSON

On Dec 20, 2021, at 3:56 PM, John Wilkinson <jwilkinson@co.augusta.va.us> wrote:

Mrs. Davis,

Augusta County is in agreement with you in that we would like to see all Building Code issues resolved.

It is our understanding that the DPOR complaints have recently been closed and all appeals have been finalized.

Homeowners are the party responsible for scheduling contractor repairs. Please contact your general contractor

Mr. Hendricks, as soon as possible, to arrange dates suitable to you for the work to be completed. If you are not

successful in reaching Mr. Hendricks, please contact his attorney Jacob Penrod at (540) 433-2444 to arrange

appointments for corrective action of the listed building code issues.

As a reminder, issues identified by Mr. Wiseman and the Building Board of Appeals as "workmanship issues"

must be resolved by you and your contractor.

Please notify us when all Building Code Issues listed on the attached master list have been completed so that

we can finalize our files.

Sincerely,

John Wilkinson

Director of Community Development, Augusta County

(540) 245-5700



COUNTY OF AUGUSTA
COMMONWEALTH OF VIRGINIA
DEPARTMENT OF COMMUNITY DEVELOPMENT
P.O. BOX 590
COUNTY GOVERNMENT CENTER
VERONA, VA 24482-0590



Before The Augusta County Appeals Board

IN RE: Appeal of Michael and Monica Davis
Appeal No. 22-02

Decision of The Appeals Board

I. Case History

As a result of a conversation between Bradley Moyers, representing Mr. and Mrs. Davis, Jacob Penrod, representing Mr. Hendricks, and James Benkahla, representing Augusta County, a letter was sent by Mr. Moyers dated August 5, 2021 to all parties, requesting a way forward on the project to correct the issues with the project.

Item #2 proposed that the Augusta County Building Official visit the site and make a determination for code compliance on 14 items, notated as A-N for code compliance.

The Building Official visited the property on September 2, 2021, inspected the items and sent a report to all attorneys on September 7, 2021 with his findings.

On August 31, 2022 The Building Official issued a Notice of Violation to Hendricks and Son General Contracting, LLC for the following:

1. Landings at the personnel doors at the attached and detached garages.
2. The grade on the personnel door side of the attached garage.
3. The sediment and settling of the dirt around the heat pump units.
4. A 30" x 30" platform for servicing the mini split unit above the stairway.

Mr. and Mrs. Davis filed an appeal that they wanted all items on the Master List that the Building Official had compiled to be included in that Notice of Violation.

The Building Official acting upon advice from the County Attorney had not included those items as the Statute of Limitations had expired and a Notice of Violation could not be issued in accordance with section 115.2.1 of the Uniform Statewide Building Code.

The local appeals board hearing was held on October 11, 2022.

Findings Of The Appeals Board

The appeal having been given due regard, the Appeals Board finds as follows:

The Board upheld the Building Official's decision that to include those items as the Statute of Limitations had expired and the County could not prosecute.



Bob Seaman

Chairman of the Augusta County Appeals Board

Date

11/9/02

Any person who was party to the appeal may appeal to the State Review Board by submitting an application to such Board with 21 calendar days upon receipt by certified mail of this decision. Application forms are available from the Office of the State Review Board, 600 East Main Street, Richmond, Virginia 23219, (804) 371-7150



COUNTY OF AUGUSTA
COMMONWEALTH OF VIRGINIA
DEPARTMENT OF COMMUNITY DEVELOPMENT
P.O. BOX 590
COUNTY GOVERNMENT CENTER
VERONA, VA 24482-0590



Before The Augusta County Appeals Board

IN RE: Appeal of Hendricks & Son General Contracting, LLC
Appeal No. 22-01

Decision of The Appeals Board

I. Case History

As a result of a conversation between Bradley Moyers, representing Mr. and Mrs. Davis, Jacob Penrod, representing Mr. Hendricks, and James Benkahla, representing Augusta County, a letter was sent by Mr. Moyers dated August 5, 2021 to all parties, requesting a way forward on the project to correct the issues with the project.

Item #2 proposed that the Augusta County Building Official visit the site and make a determination for code compliance on 14 items, notated as A-N for code compliance.

The Building Official visited the property on September 2, 2021, inspected the items and sent a report to all attorneys on September 7, 2021 with his findings.

On August 31, 2022 The Building Official issued a Notice of Violation for the:

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3. The sediment and settling of the dirt around the heat pump units.
4. A 30" x 30" platform for servicing the mini split unit above the stairway.

The local appeals board hearing was held on October 11, 2022.

Findings Of The Appeals Board

The appeal having been given due regard, the Appeals Board finds as follows.

1. Item was withdrawn by Building Official as Statute of Limitations had expired.
2. The Board overturns the Building Official's decision on items 2 and 3 as the Davis's did not maintain the grass which they felt caused the condition to develop.
3. The Board overturns the Building Official's decision on item 4 as a temporary platform can be set on top of the 2 stairway walls to service the unit if necessary and a permanent platform could even cause a safety hazard.



Bob Seaman
Chairman of the Augusta County Appeals Board

Date 11/9/22

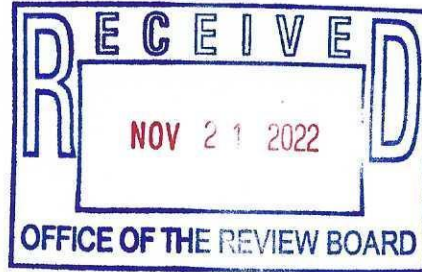
Any person who was party to the appeal may appeal to the State Review Board by submitting an application to such Board with 21 calendar days upon receipt by certified mail of this decision. Application forms are available from the Office of the State Review Board, 600 East Main Street, Richmond, Virginia 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



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

Michael and Monica Davis
1002 Round Hill School Road Crimora, Virginia 24431
(540)810-2532
monica.davis27@comcast.net

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

Augusta County Building Official
G.W. Wiseman
PO Box 590 Verona, Virginia 24482
(540)245-5717 or (540)245-5700
gwiseman@co.augusta.va.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

All items are attached in the email submitted

CERTIFICATE OF SERVICE

I hereby certify that on the 15th day of November, 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: Michael and Monica Davis

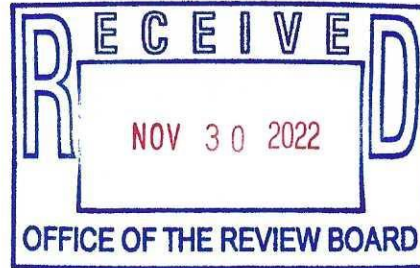
Name of Applicant: Michael and Monica Davis
(please print or type)

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
State Building Codes Office and Office of the State Technical Review Board
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Michael and Monica Davis
1002 Round Hill School Road Crimora, Virginia 24431
(540)810-2532
monica.davis27@comcast.net

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

Augusta County Building Official
G.W. Wiseman
PO Box 590 Verona, Virginia 24482
(540)245-5717 or (540)245-5700
gwiseman@co.augusta.va.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

CERTIFICATE OF SERVICE

I hereby certify that on the 30 day of November, 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: Michael and Monica Davis

Name of Applicant: Michael and Monica Davis
(please print or type)

Statement of Specific Relief Sought

This is the timeline that will lay the foundation for the relief sought:

Certification of Occupancy issued March 27, 2020

June 16, 2020 Exhibit 1: Certified Mail from Augusta County Building Official informs all contractors of 22 items found that are not in compliance with the building code and need to be corrected.

July 24, 2020 Exhibit 2: Davis appeal to Augusta County Appeals No 20-1 for 6 violations that were not cited by the official, then further appeals to the State technical Review Board. That Appeals 20-03 was heard and the Final Order came in with 2 violations being overturned, 2 violations being remanded back and 2 violations being upheld.

November 03, 2020: Contractor provides Engineer Report to Augusta County in hope of getting all the code violations dismissed. The county accepted that report as valid and said it resolved some code violations.

November 16, 2020 Exhibit 3: Davises appeal to Augusta County Appeals 20-2 on the grounds that the Engineer Report that was provided was an opinion based report only and did not resolve any issues, then further appeals to the State Technical Review board. That Appeals 21-02 was heard and the Final Order came in that the decision was overturned and that the Engineer Report did not resolve any issues and all violations still stood.

March 16, 2021 Exhibit 4: Augusta County Building Official informs all contractors that after another site visit and the State Technical Review Boards Final Order that they have added 9 more code violations to the list making the total now 31 and that due to the complexity of the issues that the builder will need to hire an engineer to inspect and approve all code violations and sign off that they have been repair to code requirements, the engineers design or manufacture specifications.

October 19, 2021 Exhibit 5: Davis appeal Augusta County Appeals 21-01 for 9 violations that were not cited by the official, then further appeals to the State Technical Review Board. That Appeals 22-02 was heard and the Final Order came in with 4 violations being overturned, 1 violation being remanded back and 4 violations being upheld.

December 20, 2021 Exhibit 6: Director of Augusta County Community Development sends an email with a Master List that had 32 cited code violations to Davises and informs them to get with the builder to get violations corrected.

August 31, 2022 Exhibit 7: Augusta County Issues a Notice of Violations that has only 4 code violation on it

September 29, 2022 Exhibit 8: Davis Appeal to Augusta County Appeals No 22-02 on the grounds that the Notice of Violation that was issued on August 31, 2022 only had 4 code violations on it and it is clear that the county had issued a Master List with 32 code violations on December 20, 2021. The Augusta County Board of Appeals heard the case and threw it out on the grounds of Statue of Limitations and calls out code section 115.2.1 that code section 115.2.1 states when violations are DISCOVERED more than two years after the certification of occupancy is issued a notice of violation shall only be issued upon advice from the legal counsel of the locality. As the documents will conclude all code violations were discovered well within the two year window that the code speaks of.

Our relief sought is to have the State Technical Review Board require the building official to issue a Notice of Violation on all 32 code violations that are cited on the Master List that was issues December 20, 2021. In addition please help the building official understand that there is no mention of Statue of Limitation in the code book and that since several of the violations have been before the state technical review board that they cannot be appealed again at the local level by the builder.

Additional Submittal December 22, 2022

We the Davises understand that the State Technical Review Board of Appeals has no authority outside of enforcing the USBC. Between the Augusta County Building Official and the State Technical Board of Appeals 30+ code violations have been discovered and cited through what the Building Official is calling Certified Mail not a Notice of Violation.

We feel as if the board can enforce the code in two ways. The first way would be to inform the building official that all the document that have been sent to the builder are considered Notice of Violations even if the building official did not label the document as such. Other than being titled NOV the documents that the builder has received have all the requirements of a NOV. If this is the avenue, we would be requesting the board enforce code section **115.3Further action when violation not corrected**.

The board could also require the Augusta County Building Official to enforce code section 115.2 that code states:

115.2Notice of violation.

The building official shall issue a written notice of violation to the responsible party if any violations of this code or any directives or orders of the building official have not been corrected or complied with in a reasonable time. The notice shall reference the code section upon which the notice is based and direct the discontinuance and abatement of the violation or the compliance with such directive or order.

The board could request the building official issues a Notice of Violation on all code violations. If this would be the avenue, we the Davises would request that the board inform the official that the builder would not have the opportunity to appeal items that have already been before the State Technical Review Board of Appeals. Please help the building official also understand that the Statue of Limitations does not apply in reference to enforcing this code section or any other code section for that madder. After researching old appeals (example Appeal No.21-03) that have been before the State Technical Review Board on several occasion the board has required the building official to provide the NOV and supporting /documents not to the involved parties but to the State Technical Review Board of Appeals. On several occasion the building official has instructed the builder to provide an engineer report on all code violation yet has failed to enforce his instructions to the builder. Code states directives or orders of the building official have not been corrected or complied with in a reasonable time. Please take note the first violations were discovered and cited by certified mail in the early part of 2020. In my opinion the builder as well as the building official have both had the opportunity to not only enforce the building code but also have the repairs completed.

We were told at our local county appeals by the Building Official that he did not care about our violations or how they got fixed. There is no denning the fact that the building official and the builder are both aware of all the code violations on our project. The Building Official has not complied with the remand orders from the State Technical Review Board and violations that he and the board discovered and cited. In our opinion the best avenue to get this resolved and the code enforced is to consider all the documents that the builder has already received as NOV and request the building office to enforce code section **15.3Further action when violation not corrected**. Otherwise, this situation will continue down the road and have no end or repairs performed.

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Documents Submitted
By Monica and
Michael Davis

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Exhibit 1



COUNTY OF AUGUSTA
COMMONWEALTH OF VIRGINIA
DEPARTMENT OF COMMUNITY DEVELOPMENT
P.O. BOX 590
COUNTY GOVERNMENT CENTER
VERONA, VA 24482-0590



20-800

June 10, 2020

CERTIFIED MAIL

Michael and Monica Davis
1002 Round Hill School Rd.
Crimora, VA 24431

Dear Mr. and Mrs. Davis:

On 6/10/20, 6/25/20 and 7/8/20 our office visited your site to inspect concerns you have with your house constructed under permit #718-2019. This house was constructed under the 2012 edition of the International Residential Code as amended by the Uniform Statewide Building Code. This letter is a report on our findings based on those inspections.

After review of your concerns, inspections of those items, and inspections of the structures, I have concluded that the following items are not in compliance with the building code and need to be corrected:

1. The foundation on the detached garage does not comply with code sections R403.1.1 and R403.1.4.1.
2. Floor in detached garage is not sloping to the doors in accordance with section R309.1.
3. Sill plates in detached garage and house need anchor bolts within 12 inches of each sill plate splice in accordance with section R403.1.6. Need to correct to section R403.1.6 or provide an engineered design and approval in accordance with section R301.3.
4. Fascia trim on detached garage does not extend up behind the drip edge on the detached garage and the fascia is not protected per section R703.
5. Vinyl siding on detached garage and house not installed in accordance with the manufacturer's installation instructions.
6. Some of the roof trusses are not installed in accordance to the manufacturer's specifications. An engineer will need to evaluate and design the necessary repairs and approve those repairs once made.
7. Back porch floor beams not properly anchored with appropriate hangers to band board of house. Second option is to provide post with proper connector to beam to an approved foundation. Third option is to provide engineered design and approval in accordance with section R301.1.3.
8. Floor joist are not all installed in the joist hangers to manufacturer's specifications. Need to correct to manufacturer's requirements or provide engineers design and approval in accordance with section R301.1.3.

Staunton (540) 245-5700

TOLL FREE NUMBERS
From Deerfield (540) 939-4111
FAX (540) 245-5066

Waynesboro (540) 942-5113

9. Need an architect or engineer to evaluate, design and approve the walls of the attached and detached garage as shears walls per section R301.1.3 as these walls cannot meet the prescriptive requirements for wall bracing in the residential code.
10. Front stairs exceed allowed slope of 2 percent per section R311.7.7.
11. Provide manufacturer's installation instructions that PVC trim boards are installed in accordance with manufacturer's specifications. They show excessive uncontrolled expansion.
12. Per numerous photos of owner's taken after drywall finishing but before paint, the drywall was not secured in accordance with table R702.3.5. Need to correct to table R702.3.5 or provide an engineered design and approval in accordance with section R301.1.3.
13. Header at master bath toilet where floor joist was cut was not installed to code. Need to correct to R502.10 or provide engineered design and approval in accordance with section R301.1.3.
14. Door in half bath in garage does not meet fire resistant requirements of R302.5.1. Need to replace with 1 3/8" solid core wood door, steel door or 20 minute fire door in accordance with section R302.5.1.
15. Grade to left of front stair needs to have proper grade in accordance with section R401.3 so that water will not pond behind sidewalk. (grade currently lower than sidewalk)
16. Dryer vent is installed in violation to section M1502.3 as it is within 3 feet of foundation vent which is a building opening. It needs to be rerouted to an approved location. Screws holding the duct together cannot protrude more than 1/8" into the duct. Duct cannot exceed 35 feet in equivalent length taking into account reductions for fittings in accordance with section M1502.4.4.1.
17. Need to properly caulk outside refrigerant lines.
18. Flex ducts and flex duct insulation not connected to take offs and register boots with proper sealing with mastic or approved tape in accordance with the manufacturer's requirements.
19. Need to seal HVAC register boots to sub-floor or drywall in accordance with table N1102.4.1.1.
20. Condensate pump discharge line in crawlspace needs to be run to front of rear porch or relocated outside of porch area so that the water that discharges will run away from house.
21. Toilet in full bath does not meet minimum spacing requirements of R307.1.
22. Master bath light over vanity not installed to manufacturer's specifications.

Letters will be sent to the general, electrical, plumbing and mechanical contractors with the respective items they need to correct.

In addition to the above items, you also expressed concerns with the following items:

1. The landings on the front stairs.
2. The attached garage floor.
3. The garage door frame in the detached garage.

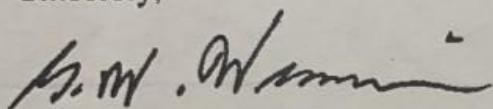
The code requires that the landings on the front stairs be sloped no more than two percent. I checked the landings with a 2' digital level in multiple locations and both planes of the landings and found them to be in compliance with the standard. The finish appeared to be typical of concrete construction.

I checked the floor in the attached garage and found that the floor is sloping towards the garage door. The code only states that the floor has to slope towards the door. It does not give any specific slope. The finish appeared to be typical of concrete construction.

You stated you were concerned that the garage door frame was in violation of section R317.1 #2 and was required to be treated lumber. R317.1 #2 states that "all wood framing members that rest on concrete or masonry exterior foundation walls and are less than 8" from exposed ground." This section of code is referring to the sill plate fastened to the top of the foundation wall. The garage door frame is not part of the wall framing and is not fastened to the foundation wall and therefore this section does not apply to the door frame. Section R317.1 #3 applies to sills and sleepers on a concrete or masonry slab. Again the door frame is not a sill or a sleeper and therefore this section also does not apply to the door frame.

In accordance with section 119 of the Uniform Statewide Building Code you have the right to appeal if you disagree with any of my applications of the code.

Sincerely,

A handwritten signature in black ink, appearing to read "G.W. Wiseman". The signature is fluid and cursive, with a prominent flourish at the end.

G.W. Wiseman
Building Official

Exhibit 4



COUNTY OF AUGUSTA
COMMONWEALTH OF VIRGINIA
DEPARTMENT OF COMMUNITY DEVELOPMENT
P.O. BOX 590
COUNTY GOVERNMENT CENTER
VERONA, VA 24482-0590



21-302

March 16, 2021

CERTIFIED MAIL

Hendricks & Son General Contractor, LLC
50 Lee Street
Verona, VA 24482

Dear Mr. Hendricks:

On February 23, 2021, our office visited the Davis house, located at 1002 Round Hill School Road, to inspect concerns they have with the house you constructed under permit #718-2019. This house was constructed under the 2012 edition of the International Residential Code as amended by the Uniform Statewide Building Code.

In addition, we were provided by the owners an engineer's report dated March 8, 2021, a copy of which is attached. This letter is a report of our findings based on the inspection, the engineer's report and the rulings of the State Technical Review Board on the Davis appeal which occurred on January 22, 2021.

After review of the owners' concerns, inspections of those items, inspections of the structures, the attached engineer's report and the Technical Review Board rulings, the following items are not in compliance with the building code and need to be corrected. These findings are in addition to the items in the July 16, 2020, letter you received.

1. The grade around the house and garage has settled and no longer meets code for the required fall away from the structure per section R401.3. The grade needs to be corrected so that the fall away from the structure is a minimum of 6 inches within the first 10 feet. You also need to make sure that the grade is kept at least 6 inches from the sheathing in accordance with section R317.1 number 5.
2. The engineer found framing in the bonus room area which is not in accordance with the truss manufacturer's plans. This will need to be evaluated and approved by a licensed Professional Engineer or the engineer will need to design a repair. He also found hangers supporting the trusses which are not installed in accordance with the manufacturer's specifications. This will also need to be evaluated by a Professional Engineer and approved or have a repair designed by the engineer.
3. In addition to the shear wall design required by number 9 of the letter dated July 16, 2020, the engineer will need to evaluate the walls in the attached garage in accordance with section

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Waynesboro (540) 942-5113

R602.3.1 and determine if they are adequate for the load imposed or have a repair designed by the engineer. In addition, the engineer needs to verify that the fire blocks required by section R302.11 are installed in the walls and if not, have the blocks installed.

4. There are cracks in the crawlspace walls. The engineer needs to evaluate and determine if the foundation will meet the requirements of section R606 and R607. If not, the engineer will need to design the appropriate repairs to make it compliant.
5. The block walls at the foyer entrance and the garage wall in the crawlspace need to be evaluated for interconnection compliance with section R606.9.1.2 and that they can withstand all loads applied. If not, the engineer will need to design a repair.
6. In addition to the detached garage which was noted on the July 16, 2020, report, the house foundation will need to be checked by the engineer for proper depth for frostline protection and if it is not, design a repair to correct the condition.
7. The attached garage floor needs to drain towards the garage doors in accordance with section R309.1.
8. The front porch landing needs to drain towards the steps in accordance with section R311.3.1.
9. The landing at the bottom of the front steps needs to be as wide as the stairs in accordance with section R311.7.6.

Items 7, 8 and 9 were rulings by the State Technical Review Board. Please note, I have not received the written report from the January decision so there could be some changes to those items. If so, I will notify you but those were the Board's decisions during the meeting. Also, items 8 and 12 from the July 16, 2020, letter that were resolved by the engineer's report from Schnnitzhofer are being appealed to the State Technical Review Board and that hearing is not until May 21, 2021.

Due to the complexity of many of the items in both this letter and the July 16, 2020, letter, all of the items will need to be inspected and approved by a licensed Professional Engineer. They need to provide documentation to our office that all items have been completed to the code requirements, the engineer's design or manufacture's specifications.

Sincerely,



G.W. Wiseman
Building Official

Attachment

(Page left blank intentionally)

Documents Submitted By Augusta County

(Page left blank intentionally)



COUNTY OF AUGUSTA
COMMONWEALTH OF VIRGINIA
DEPARTMENT OF COMMUNITY DEVELOPMENT
P.O. BOX 590
COUNTY GOVERNMENT CENTER
VERONA, VA 24482-0590



December 27, 2022

Office of the State Technical Review Board
600 East Main Street, Suite 300
Richmond VA, 23219

Members of the Board:

As requested, I am providing detailed explanations and images regarding the code items in appeal at the Michael & Monica Davis property. The appeal numbers are 22-18 and 22-19.

I will address the appeals in question individually.

Below is the Notice of Violation that was sent to the contractor, Jay Hendricks.



COUNTY OF AUGUSTA
COMMONWEALTH OF VIRGINIA
DEPARTMENT OF COMMUNITY DEVELOPMENT
P.O. BOX 590
COUNTY GOVERNMENT CENTER
VERONA, VA 24482-0590



Notice of Violation

22-733

August 31, 2022

Via Overnight Mail and Email

Hendricks & Son General Contractor, LLC
50 Lee Street
Verona, VA 24482

Dear Mr. Hendricks,

On September 2, 2021, our office visited the Davis house located at 1002 Round Hill School Road to inspect issues they had with the house you constructed under permit #718-2019. The house was constructed under the 2012 edition of the International Code as amended by the Uniform Statewide Building Code.

After a review of the issues, we found the following items which were not in compliance with the building code:

1. The landing at the man door on the attached and detached side of the garage do not meet the minimum code standards set forth by section R311.3 as amended by the Uniform Statewide Building Code.
2. The grade on the man door side of the attached garage needs to be brought into compliance with section R401.3 as amended by the Uniform Statewide Building Code to obtain proper drainage away from the foundation.
3. Both of the outside heat pump units need to be elevated after completing Number 2 above so that they have the required clearance of not less than 3 inches in accordance with section M1305.1.4.1.
4. Need to construct a minimum of 30 inch by 30 inch platform under the indoor mini split unit to comply to section M1305.1 for service.

These items need to be completed within 120 days from receipt of this notice.

It is up to you and Mr. and Mrs. Davis to work out the scheduling for the work and not to do anything which can be construed as obstructing the completion of the work.

Stamton (540) 245-5700

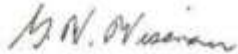
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FAX (540) 245-5066

Waynesboro (540) 942-5113

After the work has been completed, it is up to you to call our office to inspect the work that has been performed for code compliance.

As always, you have the right to appeal in accordance with section 119 of the Uniform Statewide Building Code.

Sincerely,



G.W. Wiseman
Building Official

cc: Monica and Michael Davis
James Benkahla Esquire
Jacob Penrod Esquire

Please note the date of the inspection which the violations were discovered. As none of these items were in the appeal to the board by the Davis's which the County is appealing, the county attorney advised me to go ahead and send the notice.

Mr. Hendricks appealed my decision which is his right to the LBBOA. A copy of that appeal and the minutes is below.



COUNTY OF AUGUSTA
 COMMONWEALTH OF VIRGINIA
 DEPARTMENT OF COMMUNITY DEVELOPMENT
 P.O. BOX 590
 COUNTY GOVERNMENT CENTER
 VERONA, VA 24482-0590



Appeal No. 22-01

Application for Appeal

Augusta County
 Locality

I (we) Jay Hendricks of HENDRICKS & SON GENERAL CONTRACTING, LLC
(name) (mailing address)
50 LEE STREET, VERONA, VA. 24482

respectfully request that the Local Board of Appeals review the decision made on

AUGUST 31, 2022, by the code official.

Description of Decision Being Appealed: ITEMS 1-4 of NOTICE of VIOLATION
LETTER ISSUED AUGUST 31, 2022 & REFERRED BY HENDRICKS & SON ON SEP. 2, 2022.

Location of Property Involved: 1002 Roundhill School Rd. CRIVORA, VA. 24431

What is the applicant's interest in the property?

- Owner
- Contractor
- Owner's agent
- Other (explain) _____

Relief Sought: ITEMS 1-4 have surpassed the statute of limitations for prosecution by
Augusta County in accordance to Section 36-106 of the VA-Code of Virginia.
ITEM 4 is compliant to the 2012 RBC as constructed. The suggested corrections
by Augusta County will violate Section R311.7.2 of the RBC if performed.

Attach the Decision of the Code Official and Any Other Pertinent Documents.

Signature of Applicant

Filed at Augusta County, Virginia, the 02 day of September, 2022

Sharon (540) 245-5700

TOLL FREE NUMBERS

Waynesboro (540) 942-5113

From Deerfield (540) 939-4111 From Bridgewater, Grottoes
 Harrisonburg, Mt. Solon & Weyers Cave (540) 828-6203
 FAX (540) 245-5066

Building Board of Appeals
Appeals Hearing: Jay Hendricks of Hendricks & Son General Contracting, LLC
Appeal 22-01
October 11, 2022, 8:30 a.m.
Meeting Minutes

Members Present:	Members Absent:	Appellant:	Attendees:
Bob Seaman, Chairman	David Kirby	Jay Hendricks	Eddie Lambert
Bill Dudley			Michael Davis
John Earhart			Monica Davis
Pat Katz			

Staff Present:
G.W. Wiseman, Secretary & Building Official
Renee Southers

I. Call to Order and Determination of Quorum
Meeting was called to order and quorum was determined by Bob Seaman, Chairman.

Note:
Mr. Wiseman stated that the County was withdrawing Item #1 due to more than a year passing since Mr. Hendricks was notified of the violation and the County cannot prosecute.

II. Testimony
Testimony was given by Mr. Hendricks, Mr. Lambert, and Mr. Wiseman.

III. Decision
Items #2 & 3
After deliberations, John Earhart moved to overturn the Building Official's decision to issue a Notice of Violation on Item Numbers 2 & 3 based on the testimony by Mr. Hendricks regarding previous corrections. The motion was seconded by Bill Dudley and passed unanimously.

Item #4
After deliberations, Bill Dudley moved to overturn the Building Official's decision to issue a Notice of Violation on Item 4 because a mechanical contractor is able to provide a temporary platform to service the unit therefore a violation does not exist. The motion was seconded by Pat Katz and passed unanimously.

IV. Adjournment
There being no further business, the meeting was adjourned.

The hearing was held on October 11, 2022. After the start of the hearing I informed the board that I was withdrawing item number 1 of the Notice of Violation because I had already notified Mr. Hendricks by email on May 28, 2021 and the Statute of Limitations in section 19.2-8 of the Code of Virginia had expired. Below is the email in which he was copied.

From: G.W. Wiseman
Sent: Friday, May 28, 2021 5:00 PM

To: Monica Davis <monica.davis27@comcast.net>
Cc: Jay Hendricks <hendricks.son@gmail.com>
Subject: RE: Code direction

The contractor will need to correct to code, the landings when he is there to do the rest of the repairs.

After hearing the parties, the appeals board made their decision which I have included below.



COUNTY OF AUGUSTA
COMMONWEALTH OF VIRGINIA
DEPARTMENT OF COMMUNITY DEVELOPMENT
P.O. BOX 590
COUNTY GOVERNMENT CENTER
VERONA, VA 24482-0590



Before The Augusta County Appeals Board

IN RE: Appeal of Hendricks & Son General Contracting, LLC
Appeal No. 22-01

Decision of The Appeals Board

I. Case History

As a result of a conversation between Bradley Moyers, representing Mr. and Mrs. Davis, Jacob Penrod, representing Mr. Hendricks, and James Benkahla, representing Augusta County, a letter was sent by Mr. Moyers dated August 5, 2021 to all parties, requesting a way forward on the project to correct the issues with the project.

Item #2 proposed that the Augusta County Building Official visit the site and make a determination for code compliance on 14 items, notated as A-N for code compliance.

The Building Official visited the property on September 2, 2021, inspected the items and sent a report to all attorneys on September 7, 2021 with his findings.

On August 31, 2022 The Building Official issued a Notice of Violation for the:

1. Landings at the personnel doors at the attached and detached garages.
2. The grade on the personnel door side of the attached garage.
3. The sediment and settling of the dirt around the heat pump units.
4. A 30" x 30" platform for servicing the mini split unit above the stairway.

The local appeals board hearing was held on October 11, 2022.

Findings Of The Appeals Board

The appeal having been given due regard, the Appeals Board finds as follows.

1. Item was withdrawn by Building Official as Statute of Limitations had expired.
2. The Board overturns the Building Official's decision on items 2 and 3 as the Davis's did not maintain the grass which they felt caused the condition to develop.
3. The Board overturns the Building Official's decision on item 4 as a temporary platform can be set on top of the 2 stairway walls to service the unit if necessary and a permanent platform could even cause a safety hazard.

Staunton (540) 245-5700

TOLL FREE NUMBERS
From Deerfield (540) 939-4111
FAX (540) 245-5066

Waynesboro (540) 942-5113



Bob Seaman
Chairman of the Augusta County Appeals Board

Date 11/9/22

Any person who was party to the appeal may appeal to the State Review Board by submitting an application to such Board with 21 calendar days upon receipt by certified mail of this decision. Application forms are available from the Office of the State Review Board, 600 East Main Street, Richmond, Virginia 23219, (804) 371-7150

Please note that the appeals board overturned my decisions but none of those were because of the Statute of Limitations. Items 2 and 3 were overturned because the board felt that the problems were caused by the Davis's not maintaining the grass which allowed the erosion. Below I submit 2 pictures that were taken on 4/7/2020 by the county assessor. They show the yard seeded and strawed with grass starting. This was right after the CO. When Mr. Wilkerson and I were there in June it was a very good stand of grass.



04.07.2020



Below is a picture taken by me on 9/2/21 which shows the wall unit of the mini split in over the garage and the 2 short walls on each side of the stairs. The unit was hung by the mechanical contractor off of a ladder which is typical of these types of units. The mechanical contractor stated in the hearing that he would be able to service the unit from the side and one of the board members ask him if he could do it from a temporary platform sitting on the walls if it was needed which he stated he could.



As you can see by the date on the photos, the Statute of Limitations expired on this violation on 9/2/22. Also, the Davis's were not either the Appellant or the Appellee so do they even have standing here?

Now I will respond to the second appeal by the Davis's.

Below you will find a copy of the appeal, the minutes and the decision.



COUNTY OF AUGUSTA
 COMMONWEALTH OF VIRGINIA
 DEPARTMENT OF COMMUNITY DEVELOPMENT
 P.O. BOX 590
 COUNTY GOVERNMENT CENTER
 VERONA, VA 24482-0590



Appeal No. 22-02

**Dropped Off @ the Government Center,
 Thursday September 29, 2022 @ 3:00 PM**

Application for Appeal

Augusta County
 Locality

I (we) Monica and Michael Davis of 1002 Round Hill School Road Crimora VA 24431
(name) (mailing address)

respectfully request that the Local Board of Appeals review the decision made on

August 31, 2022, by the code official. **DOCUMENT LABELED NOTICE OF VIOLATION**

Description of Decision Being Appealed: Notice of Violation

Location of Property Involved: 1002 Round Hill School Rad

What is the applicant's interest in the property?

Owner

Relief Sought: We request the board review the provided Notice of Violation that was issues on August 31, 2022 clearly stating from a visit from September 2, 2021, as well as the email sent from John Wilkerson along with the Master List that John Wilkerson emailed to us via email and is dated December 20, 2021. It is clear that the Master List was issued after the September 2, 2021 site visit that the NOV was issued off of. We request that a NOV be issued on all the violations from the Master List that was issued December 20, 2021

Attach the Decision of the Code Official and Any Other Pertinent Documents.

Filed at Augusta Co, Virginia, the 29-day of September, 2022

Staunton (540) 245-5700

TOLL FREE NUMBERS

Waynesboro (540) 942-5113

From Deerfield (540) 939-4111 From Bridgewater, Crofton
 Harrisonburg, Mt. Solon & Weyer's Cave (540) 828-6205
 FAX (540) 245-5066

Building Board of Appeals
Appeals Hearing: Michael & Monica Davis
Appeal 22-02
October 11, 2022, 9:00 a.m.
Meeting Minutes

Members Present:

Bob Seaman, Chairman
Bill Dudley
John Earhart
Pat Katz

Members Absent:

David Kirby

Appellant:

Michael Davis
Monica Davis

Attendees:

Jay Hendricks

Staff Present:

G.W. Wiseman, Secretary & Building Official
Renee Southers

I. Call to Order and Determination of Quorum

This being the second appeal of the day, quorum was already established and meeting was called to order.

II. Testimony

Testimony was given by Mr. Davis, Mrs. Davis & Mr. Wiseman.

III. Decision

After deliberations, Bill Dudley moved to uphold the Building Official's decision to not issue Notices of Violations because the statute of limitations expired and the County will not prosecute. The motion was seconded by John Earhart and passed unanimously.

IV. Adjournment

There being no further business, the meeting was adjourned.



COUNTY OF AUGUSTA
COMMONWEALTH OF VIRGINIA
DEPARTMENT OF COMMUNITY DEVELOPMENT
P.O. BOX 590
COUNTY GOVERNMENT CENTER
VERONA, VA 24482-0590



Before The Augusta County Appeals Board

IN RE: Appeal of Michael and Monica Davis
Appeal No. 22-02

Decision of The Appeals Board

I. Case History

As a result of a conversation between Bradley Moyers, representing Mr. and Mrs. Davis, Jacob Penrod, representing Mr. Hendricks, and James Benkahla, representing Augusta County, a letter was sent by Mr. Moyers dated August 5, 2021 to all parties, requesting a way forward on the project to correct the issues with the project.

Item #2 proposed that the Augusta County Building Official visit the site and make a determination for code compliance on 14 items, notated as A-N for code compliance.

The Building Official visited the property on September 2, 2021, inspected the items and sent a report to all attorneys on September 7, 2021 with his findings.

On August 31, 2022 The Building Official issued a Notice of Violation to Hendricks and Son General Contracting, LLC for the following:

1. Landings at the personnel doors at the attached and detached garages.
2. The grade on the personnel door side of the attached garage.
3. The sediment and settling of the dirt around the heat pump units.
4. A 30" x 30" platform for servicing the mini split unit above the stairway.

Mr. and Mrs. Davis filed an appeal that they wanted all items on the Master List that the Building Official had compiled to be included in that Notice of Violation.

The Building Official acting upon advice from the County Attorney had not included those items as the Statute of Limitations had expired and a Notice of Violation could not be issued in accordance with section 115.2.1 of the Uniform Statewide Building Code.

The local appeals board hearing was held on October 11, 2022.

Staunton (540) 245-5700

TOLL FREE NUMBERS
From Deerfield (540) 939-4111
FAX (540) 245-5066

Waynesboro (540) 942-5111

Findings Of The Appeals Board

The appeal having been given due regard, the Appeals Board finds as follows:

The Board upheld the Building Official's decision that to include those items as the Statute of Limitations had expired and the County could not prosecute.



Bob Seaman
Chairman of the Augusta County Appeals Board

Date 11/9/00

Any person who was party to the appeal may appeal to the State Review Board by submitting an application to such Board with 21 calendar days upon receipt by certified mail of this decision. Application forms are available from the Office of the State Review Board, 600 East Main Street, Richmond, Virginia 23219, (804) 371-7150

The Davis's seem to take great stock in the "Master List" of the code violations. This list was created by me at the start of my involvement to help me keep everything straight without having to go back and pull the letters to the contractors. There is nothing on that list that is not on the contractor letters.

Let's start with the first contractor letters. I have copied them below.



COUNTY OF AUGUSTA
COMMONWEALTH OF VIRGINIA
DEPARTMENT OF COMMUNITY DEVELOPMENT
P.O. BOX 590
COUNTY GOVERNMENT CENTER
VERONA, VA 24482-0590



20-735

July 16, 2020

CERTIFIED MAIL

Hendricks & Son General Contractor, LLC
604 Hilltop Drive
Staunton, VA 24401

Dear Mr. Hendricks:

On 6/10/20, 6/25/20 and 7/8/20 our office visited the Davis house, located at 1002 Round Hill School Road, to inspect concerns they have with the house you constructed under permit #718-2019. This house was constructed under the 2012 edition of the International Residential Code as amended by the Uniform Statewide Building Code. This letter is a report on our findings based on those inspections.

After review of the owner's concerns, inspections of those items, and inspections of the structures, I have concluded that the following items are not in compliance with the building code and need to be corrected:

1. The foundation on the detached garage does not comply with code sections R403.1.1 and R403.1.4.1.
2. Floor in detached garage is not sloping to the doors in accordance with section R309.1.
3. Sill plates in detached garage and house need anchor bolts within 12 inches of each sill plate splice in accordance with section R403.1.6. Need to correct to section R403.1.6 or provide an engineered design and approval in accordance with section R301.3.
4. Fascia trim on detached garage does not extend up behind the drip edge on the detached garage and the fascia is not protected per section R703.
5. Vinyl siding on detached garage and house not installed in accordance with the manufacturer's installation instructions.
6. Some of the roof trusses are not installed in accordance to the manufacturer's specifications. An engineer will need to evaluate and design the necessary repairs and approve those repairs once made.
7. Back porch floor beams not properly anchored with appropriate hangers to band board of house. Second option is to provide post with proper connector to beam to an approved foundation. Third option is to provide engineered design and approval in accordance with section R301.1.3.
8. Floor joist are not all installed in the joist hangers to manufacturer's specifications. Need to correct to manufacturer's requirements or provide engineers design and approval in accordance with section R301.1.3.

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9. Need an architect or engineer to evaluate, design and approve the walls of the attached and detached garage as shears walls per section R301.1.3 as these walls cannot meet the prescriptive requirements for wall bracing in the residential code.
10. Front stairs exceed allowed slope of 2 percent per section R311.7.7.
11. Provide manufacturer's installation instructions that PVC trim boards are installed in accordance with manufacturer's specifications. They show excessive uncontrolled expansion.
12. Per numerous photos of owner's taken after drywall finishing but before paint, the drywall was not secured in accordance with table R702.3.5. Need to correct to table R702.3.5 or provide an engineered design and approval in accordance with section R301.1.3.
13. Header at master bath toilet where floor joist was cut was not installed to code. Need to correct to R502.10 or provide engineered design and approval in accordance with section R301.1.3.
14. Door in half bath in garage does not meet fire resistant requirements of R302.5.1. Need to replace with 1 3/8" solid core wood door, steel door or 20 minute fire door in accordance with section R302.5.1.
15. Grade to left of front stair needs to have proper grade in accordance with section R401.3 so that water will not pond behind sidewalk. (grade currently lower than sidewalk)
16. Dryer vent is installed in violation to section M1502.3 as it is within 3 feet of foundation vent which is a building opening. It needs to be rerouted to an approved location. Screws holding the duct together cannot protrude more than 1/8" into the duct. Duct cannot exceed 35 feet in equivalent length taking into account reductions for fittings in accordance with section M1502.4.4.1.
17. In addition we have been contacted by the owner that the attic access door is 22" X 22" instead of the 22" X 30" as required by section R807.1. You will need to check and correct if necessary.

Please contact our office within 14 days of receipt of this letter with a timetable to correct these violations.

Sincerely,



G.W. Wiseman
Building Official



COUNTY OF AUGUSTA
COMMONWEALTH OF VIRGINIA
DEPARTMENT OF COMMUNITY DEVELOPMENT
P.O. BOX 590
COUNTY GOVERNMENT CENTER
VERONA, VA 24482-0590



20-738

July 16, 2020

CERTIFIED MAIL

Lambert Plumbing & Heating
P.O. Box 170
Verona, VA 24482

Dear Mr. Lambert:

On 6/10/20, 6/25/20 and 7/8/20 our office visited the Davis house, located at 1002 Round Hill School Road, to inspect concerns they have with the house that your company performed the plumbing and mechanical work on, permitted under #718-2019. This house was constructed under the 2012 edition of the International Residential Code as amended by the Uniform Statewide Building Code. This letter is a report on our findings based on those inspections.

After review of the owner's concerns, inspections of those items, and inspections of the structures, I have concluded that the following items are not in compliance with the building code and need to be corrected:

1. Need to properly caulk outside refrigerant lines.
2. Flex ducts and flex duct insulation not connected to take offs and register boots with proper sealing with mastic or approved tape in accordance with the manufacturer's requirements.
3. Need to seal HVAC register boots to sub-floor or drywall in accordance with table N1102.4.1.1.
4. Condensate pump discharge line in crawlspace needs to be run to front of rear porch or relocated outside of porch area so that the water that discharges will run away from house.
5. Toilet in full bath does not meet minimum spacing requirements of R307.1.

Please contact our office within 14 days of receipt of this letter with a timetable to correct these violations.

Sincerely,

G.W. Wiseman
Building Official

Staunton (540) 245-5700

TOLL FREE NUMBERS
From Deerfield (540) 939-4111
FAX (540) 245-5066

Waynesboro (540) 942-5113



COUNTY OF AUGUSTA
COMMONWEALTH OF VIRGINIA
DEPARTMENT OF COMMUNITY DEVELOPMENT
P.O. BOX 590
COUNTY GOVERNMENT CENTER
VERONA, VA 24482-0590



20-736

July 16, 2020

CERTIFIED MAIL

Quality Electric
156 Raintree Rd.
Verona, VA 24482

Dear Mr. Deavers:

On 6/10/20, 6/25/20 and 7/8/20 our office visited the Davis house, located at 1002 Round Hill School Road, to inspect concerns they have with the house your company performed the electrical work on, permitted under #718-2019. This house was constructed under the 2012 edition of the International Residential Code as amended by the Uniform Statewide Building Code. This letter is a report on our findings based on those inspections.

After review of the owner's concerns, inspections of those items, and inspections of the structures, I have concluded that the following items are not in compliance with the building code and need to be corrected:

1. Master bath light over vanity not installed to manufacturer's specifications.

Please contact our office within 14 days of receipt of this letter with a timetable to correct these violations.

Sincerely,

G.W. Wiseman
Building Official

Staunton (540) 245-5700

TOLL FREE NUMBERS
From Deerfield (540) 939-4111
FAX (540) 245-3066

Waynesboro (540) 942-5113

Please note the date on the letters. Within days Mr. Lambert had called me because he wanted to get his work done in July of 2020 but asked if I could inspect it the afternoon he did the work

because they did not want to be on site any longer than necessary. He informed me that they had been in communication with Mrs. Davis and would be doing the work on July 30, 2020. I have known Mr. Lambert for over 30 years and he has never lied to me to my knowledge. He has always been up front with me. He continued to check in with me every couple of days to be sure I was going to be able to do his inspection the same day he did the work. He then contacted me on the morning of July 30, 2020 and said that Mrs. Davis was not home and she was claiming she knew nothing about the work. This was the beginning of the problems. They would get worse.

Below is an email from Mr. Hendricks in which all of the contractors are trying to work out how to make their repairs without further obstructions from the Davis's.

G.W. Wiseman

From: Jay Hendricks <hendricks.son@gmail.com>
Sent: Friday, July 31, 2020 5:37 AM
To: G.W. Wiseman
Subject: [EXTERNAL]

Good morning G.W.

I spoke with Greg Lambert multiple times yesterday and I understand Mrs. Davis was not home to allow them access to perform the code corrections they are responsible for. Greg also told me that his office received an email from Mrs. Davis regarding her protocol for notification of intent for the repair procedure. I have not seen the email composed by Mrs. Davis, so I don't know the details of her wishes. However, I have spoken with Greg and Daniel Devers and they both now agree that they do not wish to be on the property independently and would rather perform their duties when all parties involved are present. I concur; however, it will take some time for this to happen. Jim or Jeff must visit the property first to determine if the items needing an engineering seal are sufficient so that I do not need to address them. I also must order a fire rated door and other materials which will take several weeks due to the COVID-19 pandemic. I have no intentions of making multiple trips to the property and would like to see all corrections made in one day, two at the most. We may be looking at one to two months, realistically, before any corrections can be made as now the dynamics of scheduling everyone at one time becomes intrinsically more difficult. Everyone wants this to be over, but Mrs. Davis is making it much more difficult than need be by pulling the puppet strings. I am speaking with my attorney to see if there is any legal precedence to make this the end of the matter on a permanent basis.

Regards
Jay

G.W. Wiseman

From: Eddie or Greg Lambert <lambertplbg@hotmail.com>
Sent: Wednesday, August 05, 2020 3:51 PM
To: Monica Davis; G.W. Wiseman; Jay Hendricks
Subject: [EXTERNAL] Re: Davis Issues

Mr. and Mrs. Davis,

In response to our company not addressing your issues. We made contact with you on July 22, 2020 and advised you that we were scheduling your repairs for July 30, 2020 and our crew would be there between 8:00 am and 8:30 am. This day was mutually decided based on the fact that you would be working from home that day and had concerns about problems that needed to be addressed in the attic. It was agreed that it would be better in the morning before it got too hot. You asked Amy if Jay Hendricks needed to be there. She stated she was unsure but, would let Jay and G.W. Wiseman know of our intentions to address the concerns on July 30, 2020. We informed all parties that we would be there July 30 between 8:00 am and 8:30 am. Upon our arrival the morning of July 30, 2020, we found no one home and no answer at the door. Amy called to see if we could get in. You stated that you had a conference call that was rescheduled from the previous Thursday July 23, 2020 to Thursday July 30, 2020. It would seem that you did not feel it necessary to touch base with us about your work schedule to see if we could reschedule. Our interpretation of your last email, will require Jay Hendricks, contractor, to be on location while repairs are made, as such all correspondence and scheduling would need to be handled through him.

Eddie Lambert
Greg Lambert
Lambert Plumbing, Heating & Cooling, Inc.
Sent from [Outlook](#)

G.W. Wiseman

From: Monica Davis <monica.davis27@comcast.net>
Sent: Wednesday, August 05, 2020 4:43 PM
To: Eddie or Greg Lambert
Cc: G.W. Wiseman; Jay Hendricks
Subject: [EXTERNAL] Re: Davis Issues

I am sorry but you were provided inaccurate information. My phone records clearly show I was in contact with Amy on Thursday the 23rd (not her with me) with the understanding that she would reach out to Jay to see if he was required to be onsite since he was our class A and pulled our building permit for our project and then would contact me back to confirm what she had found out. I also request she inform me who was coming and the scope of the repairs and if possible provide a time frame. That was the only communication I have had with her. You are correct in stating that it was a mutually discussed day but was also tentative as Amy was unclear of the requirements since Jay pulled our building permit. At that time I also informed her of new findings in the attic and informed her she may want to get with GW to see if the new concerns needed to be address as they are located in the attic and accessing that space would need to happen early AM as it gets to hot to work in that locality. She communicated to me at that time she would be back in contact to confirm her findings.

I was never informed that a site visit was confirmed only tentative as I never received a call back with confirmation. The only call I received was July 30 when I was at work in a conference call meeting. I was never informed of anyone coming from Lambert, Hendricks & Son, or any type of inspector. Again, you was provided with incorrect information again as my conference wasn't a rescheduled it was of normal business on the day it was originally scheduled for. Your point is not valid that I did not communicate my schedule to you because it was never a confirmed date only tentative upon Amy's findings. I am aware that your interpretation of the last email, will require Jay Hendricks, contractor, to be on location while repairs are made, as such all correspondence and scheduling would need to be handled through him. I will pass this communication along to all needed parties and make them aware of your unwillingness to at least come and address our original minimum request to seal the duct work and floor registers until they can determine what the next course of action should be. Thank you and have a great day.

G.W. Wiseman

From: Monica Davis <monica.davis27@comcast.net>
Sent: Wednesday, August 05, 2020 7:45 PM
To: Eddie or Greg Lambert
Cc: G.W. Wiseman; Jay Hendricks
Subject: [EXTERNAL] Re: Davis Issues

On the contrary, our home is NEW and should have NO items that should not have been in compliance with the USBC in the first place. Furthermore, I should not have to even be in this situation and having this conversation about working around your normal business hours and providing you with dates and times when you along with ever other contractor and subcontractor had 10 months to provide us with the appropriate service we paid for. Myself and my husband are currently juggling our full time careers, attempting to operate as normal as possible in our home that our kids won't even open the vents up in their rooms because they are scared of snakes potentially entering their rooms through the improper work your company performed, along with the bugs that are entering already, might I add my father is currently on his death bed and instead of focusing on him I'm having to do your company's job and research codes and direct GW as well as Lambert on how to repair my problems. So excuse me if we have no sympathy for your request of normal business hours. I am sure DPOR will also have a good time when they get to Lambert's work performed and negligence on our project. Once I receive direction from our insurance agent and DPOR I will be in touch. Until then all I can request is to standby.

Thank You
Monica and Michael Davis

As you can see, it has not even been a month and the Davis's are already filing complaints against all the contractors with DPOR and has told them to stop work until the Davis's tell them they can go ahead. I have never been copied with such an email.

The Davis's filed their first local appeal on July 31, 2020 and then appealed the local board's decision to the state board on October 2, 2020.

After that appeals process I then sent another letter to Mr. Hendricks with additional items to correct or have checked. A copy is below.



COUNTY OF AUGUSTA
COMMONWEALTH OF VIRGINIA
DEPARTMENT OF COMMUNITY DEVELOPMENT
P.O. BOX 590
COUNTY GOVERNMENT CENTER
VERONA, VA 24482-0590



21-302

March 16, 2021

CERTIFIED MAIL

Hendricks & Son General Contractor, LLC
50 Lee Street
Verona, VA 24482

Dear Mr. Hendricks:

On February 23, 2021, our office visited the Davis house, located at 1002 Round Hill School Road, to inspect concerns they have with the house you constructed under permit #718-2019. This house was constructed under the 2012 edition of the International Residential Code as amended by the Uniform Statewide Building Code.

In addition, we were provided by the owners an engineer's report dated March 8, 2021, a copy of which is attached. This letter is a report of our findings based on the inspection, the engineer's report and the rulings of the State Technical Review Board on the Davis appeal which occurred on January 22, 2021.

After review of the owners' concerns, inspections of those items, inspections of the structures, the attached engineer's report and the Technical Review Board rulings, the following items are not in compliance with the building code and need to be corrected. These findings are in addition to the items in the July 16, 2020, letter you received.

1. The grade around the house and garage has settled and no longer meets code for the required fall away from the structure per section R401.3. The grade needs to be corrected so that the fall away from the structure is a minimum of 6 inches within the first 10 feet. You also need to make sure that the grade is kept at least 6 inches from the sheathing in accordance with section R317.1 number 5.
2. The engineer found framing in the bonus room area which is not in accordance with the truss manufacturer's plans. This will need to be evaluated and approved by a licensed Professional Engineer or the engineer will need to design a repair. He also found hangers supporting the trusses which are not installed in accordance with the manufacturer's specifications. This will also need to be evaluated by a Professional Engineer and approved or have a repair designed by the engineer.
3. In addition to the shear wall design required by number 9 of the letter dated July 16, 2020, the engineer will need to evaluate the walls in the attached garage in accordance with section

Staunton (540) 245-5700

TOLL FREE NUMBERS
From Deerfield (540) 939-4111
FAX (540) 245-5066

Waynesboro (540) 942-5113

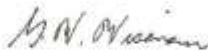
R602.3.1 and determine if they are adequate for the load imposed or have a repair designed by the engineer. In addition, the engineer needs to verify that the fire blocks required by section R302.11 are installed in the walls and if not, have the blocks installed.

4. There are cracks in the crawlspace walls. The engineer needs to evaluate and determine if the foundation will meet the requirements of section R606 and R607. If not, the engineer will need to design the appropriate repairs to make it compliant.
5. The block walls at the foyer entrance and the garage wall in the crawlspace need to be evaluated for interconnection compliance with section R606.9.1.2 and that they can withstand all loads applied. If not, the engineer will need to design a repair.
6. In addition to the detached garage which was noted on the July 16, 2020, report, the house foundation will need to be checked by the engineer for proper depth for frostline protection and if it is not, design a repair to correct the condition.
7. The attached garage floor needs to drain towards the garage doors in accordance with section R309.1.
8. The front porch landing needs to drain towards the steps in accordance with section R311.3.1.
9. The landing at the bottom of the front steps needs to be as wide as the stairs in accordance with section R311.7.6.

Items 7, 8 and 9 were rulings by the State Technical Review Board. Please note, I have not received the written report from the January decision so there could be some changes to those items. If so, I will notify you but those were the Board's decisions during the meeting. Also, items 8 and 12 from the July 16, 2020, letter that were resolved by the engineer's report from Schnitzhofer are being appealed to the State Technical Review Board and that hearing is not until May 21, 2021.

Due to the complexity of many of the items in both this letter and the July 16, 2020, letter, all of the items will need to be inspected and approved by a licensed Professional Engineer. They need to provide documentation to our office that all items have been completed to the code requirements, the engineer's design or manufacture's specifications.

Sincerely,



G.W. Wiseman
Building Official

Attachment

During this same time Mr. Hendricks had hired Schnitzhofer and Associates LLC to examine the structure from his first letter. By the time Mr. Hendricks received this letter the Davis's had already began questioning the Schnitzhofer report.

During the appeals process Mr. Schnitzhofer became aware of misinformation being spread about him and sent the following to the Davis's.



DECEMBER 15, 2020

Michael and Monica Davis
1002 Round Hill School Road
Crimora, VA 24431

RE: DEFAMATION

CERIFIED US MAIL

Hello Michael and Monica,

Please allow this letter to convey our serious concerns with regards to your statements regarding our firm.

It has been brought to the attention of Schnitzhofer & Associates, LLC, the following:

1. Michael and Monica have stated that "Schnitzhofer And Associates, LLC is not licensed".
2. Michael and Monica have stated that, "Schnitzhofer And Associates, LLC is not insured".

Be advised that your statements are untrue now, and were untrue at the time they were uttered.

In addition to potentially defaming Schnitzhofer & Associates, LLC, you unnecessarily and improperly communicated these statements to multiple third parties. Schnitzhofer & Associates, LLC has a good working relationship with these third parties and, as such, your statement could potentially damage the long-standing positive reputation within the community in which we operate. We have obtained the names of those third parties and plan to notify them of your false statements.

If you continue to make such statements, we will consider legal actions and remedies that are available to Schnitzhofer & Associates, LLC, due to your knowingly defaming comments.

Sincerely,


James Ray Schnitzhofer P.E.
President



While all of this was going on, Mr. Lambert had his attorney contact the Davis's to once again try to get his repairs done. A copy is below.

NELSON, McPHERSON, SUMMERS & SANTOS, L.C.

ATTORNEYS AT LAW
P.O. BOX 1287

STAUNTON, VIRGINIA 24402-1287

12 NORTH NEW STREET

THOMAS R. NELSON (1899-1980)
RICHARD F. MCPHERSON (1925-2002)
FRANK L. SUMMERS (1938-2018)
VICTOR M. SANTOS
THOMAS P. MCPHERSON
JOHN C. WIRTH
B. SPENCER CROSS

JESSICA L. ROBINSON
DANIEL E. MOWRY
COURTNEY A. DYMOND

TELEPHONE (540) 885-0346

FACSIMILE (540) 885-2039

WEB SITE:
www.nelsonmcperson.com

November 19, 2020

Mr. Bradley Moyers, Esq.
Clark & Bradshaw
92 N. Liberty Street
Harrisonburg, VA 22801

Re: Michael and Monica Davis Matter

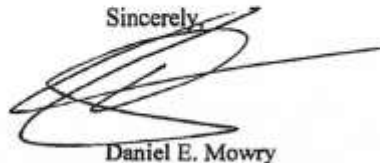
Dear Mr. Moyers:

I am writing this letter to you in hopes of moving this matter forward. My client has attempted to move forward toward remedying the compliance matters as indicated by the Augusta County Building Official and to date have been unsuccessful. At this time several attempts have been made to remedy the areas that have been identified and the Davis family continues to include additional demands that are simply not in accordance with requirements by the County Building Official.

My clients are eager to perform the necessary work to ensure compliance with all applicable building codes, but unfortunately cannot be held hostage by other individuals responsibilities and issues. It is further my understanding that my clients have attempted to go well beyond what is required and have continued to be met with additional demands, as seen in the attached emails.

At this time, I ask that you confer with your clients and we reach a solution to move this forward. Please feel free to contact me at my office at 540-885-0346 to discuss this matter.

Sincerely,



Daniel E. Mowry

Attachment

cc: Lambert Plumbing, Heating, Cooling, Inc.

The Davis's attorney did not respond back until January 12, 2021. A copy is below.

MARK B. CALLAHAN
TODD C. RHEA
MATTHEW C. SUNDERLIN
BRADLEY J. MOYERS
DAVID C. NAHM
QUINTON B. CALLAHAN
KAREN L. ROWELL

CLARK & BRADSHAW, P.C.
ATTORNEYS AT LAW
92 NORTH LIBERTY STREET
POST OFFICE BOX 71
HARRISONBURG, VIRGINIA 22803-0071
TELEPHONE (540) 433-2601
FACSIMILE (540) 433-5528
CLARK-BRADSHAW.COM

M. STEVEN WEAVER
OF COUNSEL
ELLEN H. BRODERSEN, C.P.A.
AMY L. RUSH, C.P.A.
(NOT ATTORNEYS)

January 12, 2021

Via Email and U.S. Mail

Daniel E. Mowry, Esq.
Nelson, McPherson, Summers & Santos, L.C.
12 North New Street
PO Box 1287
Staunton VA 24402-1287

Re: Lambert Plumbing, Heating, Cooling, Inc. – Davis residence

Dear Mr. Mowry:

I am writing to follow up on the previous communications we have exchanged. Since we last spoke, my client has received additional information regarding the system that was installed.

My client has now received two negative reports regarding your client's work at their residence. The first came from G.W. Wiseman, Building Official, by his letter dated June 10, 2020. Our clients have exchanged communications regarding the issues contained in that letter. Mr. Wiseman's report was limited to building code violations.

It became apparent to me after our last exchange of communications that your client and the Davises do not agree on the scope of repairs needed to correct the system. My clients decided to get a second opinion on the installation and functionality of the installed unit from an expert in HVAC installation and repair to see if there were any issues with the HVAC system beyond the building code violations that Mr. Wiseman identified.

They contacted Landes Heating and Air Conditioning, Inc. of Harrisonburg to inspect the system. Craig Landes inspected the system on November 25, 2020. He found major deficiencies and recommended that the system be replaced. I have attached his report.

My client is wholly unsatisfied with the system installed by Lambert. Based on the reports of Mr. Wiseman and Mr. Landes, they believe the best solution is for Lambert to remove the system in its entirety and refund to the Davises all of the money they expended on it, which is \$25,649.94.


If your client is agreeable to removing the system and refunding the Davises all amounts they expended on this unit, then the Davises will agree to release Lambert from any further liability for the defective installation and system installed. They will also drop any administrative complaints they submitted against your client.

January 12, 2021
Page 2

I ask that you provide your client's response to this letter within ten days. If you or your client have any questions about this letter, please address those questions to me and I will relay them to my client.

I look forward to your response.

Sincerely,



Bradley J. Moyers

cc: clients
Enclosures

Mr. Lambert's attorney response back is below.

NELSON, McPHERSON, SUMMERS & SANTOS, L.C.
ATTORNEYS AT LAW
P.O. BOX 1287

STAUNTON, VIRGINIA 24402-1287

12 NORTH NEW STREET

THOMAS R. NELSON (1899-1980)
RICHARD F. McPHERSON (1925-2002)
FRANK L. SUMMERS (1930-2018)
VICTOR M. SANTOS
THOMAS P. McPHERSON
JOHN C. WIRTH
B. SPENCER CROSS

TELEPHONE (540) 885-0546

FACSIMILE (540) 885-2039

WEB SITE:
www.nelsonmcperson.com

JESSICA L. ROBINSON
DANIEL E. MOWRY
COURTNEY A. DYMOND

February 3, 2021

VIA FACSIMILE (540-433-5528) AND U.S. Mail

Mr. Bradley J. Moyers, Esq.

Clark & Bradshaw, P.C.

P.O. Box 71

Harrisonburg, Virginia 22980

Re: Lambert Plumbing, Heating, Cooling, Inc. - Davis Residence
CONFIDENTIAL SETTLEMENT PROPOSAL


Dear Mr. Moyers,

I have reviewed your most recent letter with my client and respond as follows. In order to avoid further expense and delay in resolution in this matter my client has authorized the following proposal to settle the current dispute. As you are aware, this is a confidential settlement proposal and is not intended to admit any wrongdoing or deficiency.

Lambert Plumbing, Heating, Cooling, Inc. will refund the entire purchase price of the HVAC system purchase price of \$13,450, with my client removing all HVAC equipment and duct work in the crawl space, including the Mitsubishi unit and both outdoor units, within two (2) weeks of a signed agreement. My client will pay \$200.00 to cover any damages to drywall incurred incidental to removing the system. Repairs will be coordinated by the homeowner. It will be required that the equipment be in good working condition as a term of this agreement.

In exchange, your clients must agree to waive all causes of action against my client and to cooperate in the current DPOR investigation. As you are aware, the County Building Official would also have to agree to this proposal as there are currently uncorrected deficiencies due to your client not permitting entry to the residence to correct the identified deficiencies.

I expect an answer within ten (10) days of the date of receipt of this letter, after that time this proposal will terminate.

Very truly yours,

Daniel E. Mowry

At the state hearing for the Schnitzhofer report, Mrs. Davis stated that Mr. Schnitzhofer was welcome back any time to their property. Then the next week they filled a DPOR complaint against him also.

On April 16, 2021, the Davis's attorney sent the following proposal to Mr. Hendricks attorney.

MARK B. CALLAHAN
TODD C. RHEA
MATTHEW C. SUNDERLIN
BRADLEY J. MOYERS
DAVID C. NAHM
QUINTON B. CALLAHAN
KAREN L. ROWELL

CLARK & BRADSHAW, P.C.
ATTORNEYS AT LAW
92 NORTH LIBERTY STREET
POST OFFICE BOX 71
HARRISONBURG, VIRGINIA 22803-0071
TELEPHONE (540) 433-2601
FACSIMILE (540) 433-5528
CLARK-BRADSHAW.COM

M. STEVEN WEAVER
OF COUNSEL
—
ELLEN H. BRODERSEN, C.P.A.
AMY L. RUSH, C.P.A.
(NOT ATTORNEYS)

April 16, 2021

Via email and U.S. Mail
Jacob T. Penrod, Esquire
Hoover Penrod PLC
342 South Main Street
Harrisonburg, VA 22801

Re: Michael and Monica Davis/Hendricks & Son

**** FOR SETTLEMENT PURPOSES ONLY ****

Dear Jacob:

My clients have been hamstrung in working towards a resolution to this matter due to the enormous amount of violations and defects found by various experts in the work performed by Hendricks & Son. There are pending hearings in which my clients expect even more violations to be found. Without knowing the full extent of the violations, it has been hard to put a price on the repairs.

At this point, they do not believe – based on the information they have received from experts -- that repairs can be made to bring the home into compliance with the original plans or the building code. They have been informed by their homeowners insurance carrier that damage to the house or detached garage will not be covered due to the fact that they were not built to original design and due to the code violations cited by the Augusta County Building Inspector.

Therefore, they present the following three proposals for your client's consideration:

1. A current estimate for demolition and rebuild of the structures is \$415,200. (See enclosed estimate from Walnut Hill Builders for demolition and rebuild.) My clients are willing to have Mr. Hendricks do the work with the stipulations that he will be supervised by an individual chosen by my clients and he will be required to perform all work to that individual's standards. Also, he will not be permitted to use any of the subcontractors he used on the initial build due to the current issues with the structures. Mr. Hendricks will be allowed access to remove any items he wishes from the structures before demolition takes place, but will not be permitted to utilize that material in any way on the new build. My clients also demand an additional \$100,000 for the costs of their displacement. Therefore, Mr. Hendricks would be required to put \$515,200 into an escrow account for draws needed to complete the new build. The Davis' would be paid \$100,000 from the escrow. The Davises will draft the necessary contract.

April 16, 2021
Page 2

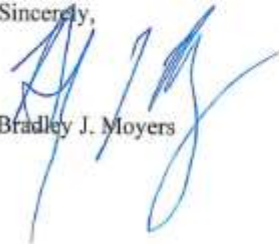
2. If your client is not interested in the above proposal or participating in the rebuild process, then your client can still pay the \$515,200 to my clients and they will then hire a contractor (or contractors) to perform the demolition and rebuild.

3. If neither of the above options is acceptable to your client, then your client may purchase the property consisting of 6 acres, the dwelling, detached garage and swimming pool, as is, for \$600,000.

These options will obviously need to be supplemented with addition details, but the descriptions provide a sufficient framework for each option. Please review these options with your client and get back to me if you or your client has any questions.

I ask that you reply to this letter on or before May 3 to let me know whether your client has interest pursuing any of these options.

Sincerely,


Bradley J. Moyers

BJM/mgb
cc: client
Enclosure



Davis Garage
MARCH, 2021

	Budget	Actual
Appliances		
Building Permit		
Cabinetry		
Front & Back Porch		
Driveway		
Drywall		
Electric Contractor	\$3500.00	
Electric Fixtures	\$2000.00	
Excavation	\$2500.00	
Exterior Siding & Trim	\$12000.00	
Fireplace		
Flooring		
Footers & Foundation Walls	\$4500.00	
Framing	\$15000.00	
Trusses	\$4500.00	
Gas		
Gutters	\$800.00	
HVAC		
Insulation		
Interior Trim		
Landscaping*		
Paint		
Plumbing Contractor		
Plumbing Fixtures		
Retaining Wall		
Roofing	\$3500.00	
Shelving, Bath acc., Knobs, etc.		
Slabs & Walks	\$6500.00	
Brick/Stone		
LP Tank		
Waste & Small Rentals		
Well & Septic		
Windows & Exterior Doors	\$7500.00	
Demo		
SUBTOTAL	\$62300.00	\$0.00
20% Mark up	\$12460.00	\$0.00



Davis Residence
MARCH, 2021

	Budget	Actual
Appliances	\$4500.00	
Building Permit	\$2000.00	
Cabinetry	\$15000.00	
Front & Back Porch	\$7500.00	
Driveway		
Drywall	\$14500.00	
Electric Contractor	\$12000.00	
Electric Fixtures	\$5000.00	
Excavation	\$4500.00	
Exterior Siding & Trim	\$23000.00	
Fireplace		
Flooring	\$13500.00	
Footers & Foundation Walls	\$18000.00	
Framing	\$45000.00	
Trusses	\$10000.00	
Gas		
Gutters	\$1200.00	
HVAC	\$14500.00	
Insulation	\$6500.00	
Interior Trim	\$8500.00	
Landscaping*		
Paint	\$15000.00	
Plumbing Contractor	\$7500.00	
Plumbing Fixtures	\$6500.00	
Retaining Wall		
Roofing	\$3500.00	
Shelving, Bath acc., Knobs, etc.	\$2500.00	
Slabs & Walks	\$5500.00	
Brick/Stone	\$4500.00	
LP Tank		
Waste & Small Rentals	\$3500.00	
Well & Septic		
Windows & Exterior Doors	\$15000.00	
Demo	\$15000.00	
SUBTOTAL	\$283700.00	\$0.00
20% Mark up	\$56740.00	\$0.00

I find many items on the price quote curious but find the listing for appliances very interesting. How did the appliances become defective and need replacement?

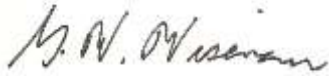
The Davis's filed another set of appeals for a document in which their attorney, Mr. Hendrick's attorney and the county attorney tried move this along. The state appeal number is 22-02. As the county is currently appealing this to the circuit court I will not address it in this matter.

I think you can see from what I have presented that the Davis's have been obstructing repairs as much as they can and not been letting the contractors back to do their work.

I would also like to let you know that DPOR only found one violation in the 4 complaints filed. Mr. Hendricks was sited for not doing a Change Order. The rest were cleared of any wrong doing.

Our office was on site to perform inspections for violations and sighting those violations on June 10, 2020, June 25, 2020, July 8, 2020, February 23, 2021 and September 2, 2021. Per section 19.2-8 of the code of Virginia the Statute of Limitations has run out.

Sincerely,

A handwritten signature in cursive script, appearing to read "G.W. Wiseman".

G.W. Wiseman
Building Official

Previous Review
Board Final Orders
Provided by
Monica and
Michael Davis

(Page left blank intentionally)

Exhibit 2

VIRGINIA:

BEFORE THE
STATE BUILDING CODE TECHNICAL REVIEW BOARD

IN RE: Appeal of Monica and Michael Davis
Appeal No. 20-03

DECISION OF THE REVIEW BOARD

I. Procedural Background

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

II. Case History

On March 27, 2020, the County of Augusta Department of Community Development (County Building Official), the agency responsible for the enforcement of Part 1 of the 2012 Virginia Uniform Statewide Building Code (Virginia Construction Code or VCC), issued the Certificate of Occupancy to Monica and Michael Davis (Davis), for a single-family dwelling located at 1002 Round Hill School Road, in Augusta County.

Shortly after moving into their new home, Davis contacted the County Building Official requesting he come inspect a variety of issues and concerns they had with their home, attached garage, and detached garage.

In June and July of 2020, the County Building Official visited the Davis property, investigated their issues and concerns, and identified twenty-two (22) code violations, which he cited in a letter (report) to Davis. In the report, the County Building Official also addressed three of the issues presented by Davis, explaining why those three issues were not code violations.

Davis filed a timely appeal to the Augusta County Board of Building Code Appeals (local appeals board). The local appeals board upheld the decisions of the County Building Official. On October 15, 2020, Davis further appealed to the Review Board.

A virtual Review Board hearing was held January 22, 2021. Appearing at the Review Board hearing for Augusta County was G. W. Wiseman. Monica and Michael Davis attended the hearing on their behalf.

III. Findings of the Review Board

- A. Whether to uphold the decision of the County Building Official and the local appeals board that violations of the VCC Sections 311.3 (Floors and landings at exterior doors) and R311.7.6 (Landings for stairways) do not exist.

Davis argued that the landing at the top of the stairway, at the front door, sloped towards the structure causing water to pond near the structure rather than being sloped away from the structure to facilitate the movement of water away from the structure and off the porch. Davis also argued that the landing at the bottom of the stairway was sloped towards the handrail rather than away from the stairway. Davis further argued that the landing, a concrete sidewalk, was not as wide as the stairway as required by the code. Lastly, Davis argued that adjusting the grade to make the bottom landing code compliant would create a new code violation related to the slope of the grade away from the foundation, which requires six inches (6") of fall in the first 10 feet (10').

The County argued that the slope of the landings at the top and bottom of the stairway, at the front door, were within the 2% allowance in the code requirements with typical high and low areas, which is typical with concrete. The County concurred that the landing at the bottom of the stairway, a concrete sidewalk, was not as wide as the stairway and that the County has instructed the contractor to bring the grade up on each side of the sidewalk to make the landing the same

width as the stairway and bring it into compliance. The County argued that the code did not require the landing to be constructed entirely of the same material and that the concrete sidewalk and corrected grade was code compliant.

The Review Board agrees with Davis that violations of VCC Sections 311.3 (Floors and landings at exterior doors) and R311.7.6 (Landings for stairways) exist on the top and bottom landings at the front door.

B. Whether to uphold the decision of the County Building Official and the local appeals board that a violation of the VCC Section R309.1 (Floor surfaces) does not exist.

Davis argued that the slope of the attached garage floor was not properly sloped to facilitate the movement of water to the main vehicle entry doorway. She further argued that the garage floor sloped inward. Davis also argued that the garage door seals were unable to properly seal, allowing water to enter the garage along the entire width of the garage door.

The County argued that the floor in the attached garage sloped towards the door. The Review Board agrees with Davis that a violation of VCC Section R309.1 (Floor surfaces) exists on the attached garage floor.

C. Whether to uphold the decision of the County Building Official and the local appeals board that a violation of the VCC Section R403.1.4.1 (Frost protection) does not exist.

Davis argued that the entire front of the structure and 25% of each side of the structure was not protected from frost. Davis clarified the method required to protect the foundation wall from frost, based on the construction of the structure, was for the foundation wall to extend below the frost depth identified for Augusta County. Davis further argued that in order for the foundation wall to extend below the required frost depth, the entire footing needed to be below the required frost depth, which was not the case for a large percentage of the building foundation wall.

The County argued that the frost line in Augusta County was 24” and was measured from the finished grade to the bottom of the footing. The County argued that concrete could not freeze and the ground could not freeze below the 24” frost line; therefore, the ground could not heave; thus, the foundation was protected. The County argued that, pursuant to contractor verification and testimony at the local appeals board hearing, the footing under the attached garage was a double footing. The County concurred with Davis that the footing under the detached garage was not code compliant due to lack of frost protection. The County stated that the footing for the detached garage was addressed in his report and the engineering report from Schnitzhofer Structural Engineers, which included how to correct the code violation.

The Review Board finds that, additional evaluation of the foundation is needed to determine whether a violation of VCC Section R403.1.4.1 (Frost protection) exists; therefore, remands the matter back to the County Building Official for further determination.

D. Whether to uphold the decision of the County Building Official and the local appeals board that a violation of the VCC Section R302.5 (Duct Penetration) does not exist.

Davis argued that the door to the half bathroom, located in the attached garage, should be sealed to prevent exhaust fumes from entering the half bathroom. Davis further argued that because the HVAC duct system in the half bathroom was connected to the HVAC duct system that supplied the entire structure exhaust fumes that enter the half bathroom, due to the unsealed door, could travel through the HVAC duct system and contaminate the entire structure with carbon monoxide.

The County concurred that the door to the half bathroom, located in the attached garage, must be replaced with a fire rated door, per item #14 of the County Building Official’s report, due to the presence of the duct in the half bathroom. The County argued that the code does not require the door to be smoke or vapor tight.

The Review Board agrees with the County Building Official that a violation of VCC R302.5.2 does not exist. However, the Board finds that, based on the evidence provided and the testimony of the parties, violations of VCC Section N1102.4 and M1601.6 may exist; therefore, remands the matter back to the County Building Official for further determination.

E. Whether to uphold the decision of the County Building Official and the local appeals board that a violation of the VCC Section R317.1 (Location required) does not exist.

Davis argued that, on the detached garage, the wood framing members around the garage door and along several walls of the structure, rest on masonry or concrete and are located less than eight (8”) inches from grade, and in some areas below grade; therefore, are required to be treated lumber.

The County argued that it had not been made aware of this issue. The County further argued that the framing for the garage door was not a part of the wall framing and not fastened to the foundation wall; therefore, VCC Section R317.1 did not apply to the garage door framing. The County also argued that a treated frame under the wood foundation wall, as required by VCC Section R317.1, was present in the evidence provided.

The Review Board agrees with the County Building Official that a violation of VCC Section R317.1 does not exist.

F. Whether to uphold the decision of the County Building Official and the local appeals board that a violation related to the shoe block or full cut header block installation does not exist.

Davis argued that the installation of full cut header blocks in the foundation wall should not have been used. Davis further argued that full cut header blocks should only be used where concrete is poured; thus, filling the open voids in the blocks. She also argued that the blocks in the foundation wall were filled with stone rather than concrete.

The County argued that the only evidence of the installation that he saw were the images in the agenda package and from those images he could not make a solid determination whether concrete went into the header blocks. The County further argued that the concrete slab was supported on a gravel base; therefore, was code compliant. The County also argued that the block was adequate for support as it was an 8” block and it provided the minimum bearing requirement for the floor joist; therefore, was code compliant.

The Review Board agrees with the County Building Official that a violation related to the shoe block or full cut header block installation does not exist.

IV. Final Order

The appeal having been given due regard, and for the reasons set out herein, the Review Board orders as follows:

- A. Whether to uphold the decision of the County Building Official and the local appeals board that violations of the VCC Sections 311.3 (Floors and landings at exterior doors) and R311.7.6 (Landings for stairways) do not exist.

The decision by the County Building Official and local appeals board that violations of VCC Sections 311.3 (Floors and landings at exterior doors) and R3117.6 (Landings for stairways) do not exist is overturned.

- B. Whether to uphold the decision of the County Building Official and the local appeals board that a violation of the VCC Section R309.1 (Floor surfaces) does not exist in the attached garage.

The decision by the County Building Official and local appeals board that a violation of the VCC Section R309.1 (Floor surfaces) does not exist in the attached garage is overturned.

- C. Whether to uphold the decision of the County Building Official and the local appeals board that a violation of the VCC Section R403.1.4.1 (Frost protection) does not exist.

The decision by the County Building Official and local appeals board that a violation of the VCC Section R403.1.4.1 (Frost protection) does not exist is remanded back to the County Building Official for further determination as to whether the violation exists.

- D. Whether to uphold the decision of the County Building Official and the local appeals board that a violation of the VCC Section R302.5 (Duct Penetration) does not exist.

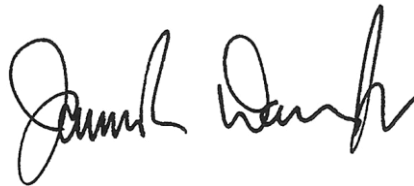
The decision by the County Building Official and local appeals board that a violation of the VCC Section R302.5 (Duct Penetration) does not exist is upheld but potential violations of VCC Sections N1102.4 and M1601.6 may exist; therefore, remanded the matter back to the County Building Official to determine whether violations of N1102.4 and M1601.6 exist.

- E. Whether to uphold the decision of the County Building Official and the local appeals board that a violation of the VCC Section R317.1 (Location required) does not exist.

The decision by the County Building Official and local appeals board that a violation of the VCC Section R317.1 (Location required) does not exist is upheld.

- F. Whether to uphold the decision of the County Building Official and the local appeals board that a violation related to the shoe block or full cut header block installation does not exist.

The decision by the County Building Official and local appeals board that a violation related to the shoe block or full cut header block installation does not exist is upheld.



Chair, State Building Code Technical Review Board

Date entered ____ March 19, 2021 ____

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have thirty (30) days from the date of service (the date you actually received this decision or the date it was mailed to you, whichever occurred first) within which to appeal this decision by filing a Notice of Appeal with W. Travis Luter, Sr., Secretary of the Review Board. In the event that this decision is served on you by mail, three (3) days are added to that period.

Exhibit 3

VIRGINIA:

BEFORE THE
STATE BUILDING CODE TECHNICAL REVIEW BOARD

IN RE: Appeal of Monica and Michael Davis
Appeal No. 21-02

DECISION OF THE REVIEW BOARD

I. Procedural Background

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

II. Case History

On March 27, 2020, the County of Augusta Department of Community Development (County Building Official), the agency responsible for the enforcement of Part 1 of the 2012 Virginia Uniform Statewide Building Code (Virginia Construction Code or VCC), issued the Certificate of Occupancy to Monica and Michael Davis (Davis), for a single-family dwelling located at 1002 Round Hill School Road, in Augusta County.

Shortly after moving into their new home, Davis contacted the County Building Official requesting he come inspect a variety of issues and concerns they had with their home, attached garage, and detached garage.

In June and July of 2020, the County Building Official visited the Davis property several times investigating the issues brought forth by Davis. During one or more of these inspections, the County Building Official found several violations. On July 16, 2020, the County Building

Official issued a letter to Hendricks and Son General Contractor, LLC citing seventeen (17) code violations.

In September of 2020, Schnitzhofer Structural Engineers visited the Davis home to evaluate the residence with attached garage and detached garage related to the cited violations in the July 16, 2020 letter from the County Building Official. Schnitzhofer Structural Engineers drafted a letter dated November 3, 2020, which was received by Augusta County on November 9, 2020. The Schnitzhofer Structural Engineers letter was reviewed and accepted by the County Building Official.

Davis filed a timely appeal to the Augusta County Board of Building Code Appeals (local appeals board) for the acceptance and approval of the Schnitzhofer Structural Engineers letter. Davis further appealed to the local appeals board to consider the proposal report from Engineer Solutions and require the builder to approach the cited violations with the suggested analysis process set forth in that report. The local appeals board upheld the decisions of the County Building Official finding that the Schnitzhofer Structural Engineers report was a valid engineering report for the Davis' structure. On February 1, 2021, Davis further appealed to the Review Board.

A virtual Review Board hearing was held May 21, 2021. Appearing at the Review Board hearing for Augusta County was G. W. Wiseman. Monica and Michael Davis attended the hearing on their behalf.

III. Findings of the Review Board

- A. Whether to uphold the decision of the County Building Official and the local appeals board that the Schnitzhofer Structural Engineers report is a valid report for the Davis structure.

Davis argued that Schnitzhofer Structural Engineers were unable to provide an accurate report as many of the violations cited in the letter from the County Building Official dated July

16, 2020. were in locations that were covered with drywall. Davis further argued that because the drywall was not removed, the cited violations had not been properly investigated; therefore, the report could not satisfy the issues as indicated in the County Building Official's letter dated March 31, 2021. Davis further argued that without proper investigation the report could not provide the required engineer evaluation and design necessary for the repairs pursuant to the letter from the building official dated July 16, 2020. Davis also argued that the Engineer Solutions report provided a "clear-cut flawless" report as it was performed in conjunction with the removal of drywall for proper investigation, and provided the design for repair as required in the letter from the County Building Official dated July 16, 2020. Davis argued each individual violation cited in the letter from the County Building Official dated July 16, 2020.

The County argued that the Schnitzhofer Structural Engineers report was a valid report for the letter from the County Building Official dated July 16, 2020. The County further argued that the Schnitzhofer Structural Engineers report fully resolved items #8 and #12 of the letter from the building official dated July 16, 2020. The County argued that the remaining items from the letter from the County Building Official dated July 16, 2020 could be resolved if the repairs were done in accordance with the instructions in the Schnitzhofer Structural Engineers report which the building official approved by approval of the report.

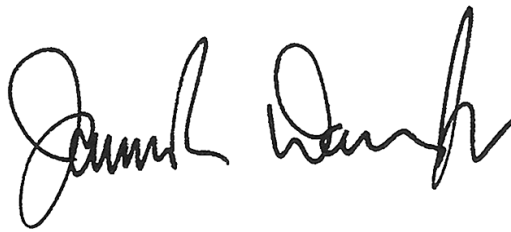
The Review Board agrees with the County and local appeals board that the Schnitzhofer Structural Engineers report is a valid report, but does not resolve any of the issues outlined in the July 16, 2020 letter from the County Building Official. The Review Board further finds that the Engineering Solutions report is also a valid report.

IV. Final Order

The appeal having been given due regard, and for the reasons set out herein, the Review Board orders as follows:

A. Whether to uphold the decision of the County Building Official and the local appeals board that the Schnitzhofer Structural Engineers report is a valid report for the Davis structure.

The decision by the County Building Official and local appeals board that the Schnitzhofer Structural Engineers report is a valid report is upheld noting that the Engineering Solutions report, provided by the Davis', is also a valid report.



Chair, State Building Code Technical Review Board

Date entered ____September 17, 2021____

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have thirty (30) days from the date of service (the date you actually received this decision or the date it was mailed to you, whichever occurred first) within which to appeal this decision by filing a Notice of Appeal with W. Travis Luter, Sr., Secretary of the Review Board. In the event that this decision is served on you by mail, three (3) days are added to that period.

Exhibit 5

VIRGINIA:

BEFORE THE
STATE BUILDING CODE TECHNICAL REVIEW BOARD

IN RE: Appeal of Monica and Michael Davis
Appeal No. 22-02

DECISION OF THE REVIEW BOARD

I. Procedural Background

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

II. Case History

On March 27, 2020, the County of Augusta Department of Community Development (County Building Official), the agency responsible for the enforcement of Part 1 of the 2012 Virginia Uniform Statewide Building Code (Virginia Construction Code or VCC), issued the Certificate of Occupancy to Monica and Michael Davis (Davis), for a single-family dwelling located at 1002 Round Hill School Road, in Augusta County.

Shortly after moving into their new home, Davis contacted the County Building Official requesting he come inspect a variety of issues and concerns they had with their home, attached garage, and detached garage.

In June and July of 2020, the County Building Official visited the Davis property several times investigating the issues brought forth by Davis. During one or more of these inspections, the County Building Official found several violations. On July 16, 2020, the County Building

Official issued a letter to Hendricks and Son General Contractor, LLC citing seventeen (17) code violations.

In September of 2020, Schnitzhofer Structural Engineers visited the Davis home to evaluate the residence with attached garage and detached garage related to the cited violations in the July 16, 2020 letter from the County Building Official. Schnitzhofer Structural Engineers drafted a letter dated November 3, 2020, which was received by Augusta County on November 9, 2020. The Schnitzhofer Structural Engineers letter was reviewed and accepted by the County Building Official.

Davis filed a timely appeal to the Augusta County Board of Building Code Appeals (local appeals board) for the acceptance and approval of the Schnitzhofer Structural Engineers letter. Davis further appealed to the local appeals board to consider the proposal report from Engineer Solutions and require the builder to approach the cited violations with the suggested analysis process set forth in that report. The local appeals board upheld the decisions of the County Building Official finding that the Schnitzhofer Structural Engineers report was a valid engineering report for the Davis' structure. On February 1, 2021, Davis further appealed to the Review Board. These issues were presented to the Review Board for consideration at the May 21, 2021 Review Board meeting in Appeal No. 21-02. The Review Board considered and approved the final order for Appeal No. 21-02 on September 17, 2021.

Pursuant to the local appeals board decision, as a result of a conversation by the legal counsels for the Davis', builder, and County Building Official a letter by the Davis' attorney, dated August 5, 2021, was sent to the parties requesting a way forward to correct the issues with the project. Item #2 of the letter proposed the County Building Official visit the site and make a determination for compliance of 14 potential code violations. The inspection was performed on

September 2, 2021. The County Building Official provided the findings to all legal counsels via a report dated September 7, 2021.

Davis filed a timely appeal to the local appeals board for the following nine (9) potential violations:

Note: The alphabetical identification of the cited violations listed below is not in sequential order, rather is given the same alphabetical identification listed in the County Building Official report dated September 7, 2021 (report). The report cited 14 potential violations lettered a-n; however six of the cited violations listed in the report were not appealed. The remaining nine cited violations in the report that were appealed create the non-sequential list found below.

- a) Air barrier behind the tub/shower; owner cited potential code sections VCC N1102.4.1.1 (R402.4.1.1) Installation (Mandatory) and VCC N1101.13 (R303.2) Installation
- c) Sill plate and floor joist cut for plumbing; owner cited potential code sections VCC R502.8 Cutting, drilling, notching and VCC R502.8.1 Sawn lumber
- f) Interior receptacles have locations that exceed code requirements for receptacle placement; owner cited potential code section VCC E3901.2 General purpose receptacle distribution
- g) HVAC return duct too small; owner cited potential code section VCC M1401.1 Installation
- h) HVAC air handler hung from the floor joist; load values not taken into account for additional weight on the joists; owner cited potential code section VCC R502.8 Cutting, drilling, notching and VCC M1401.1 Installation
- i) Refrigerant piping not sleeved; owner cited potential code section VCC N1103.3.1(R403.3.1) Protection of piping insulation
- j) Mini split drain leaking in the attic; owner cited potential code section VCC M1412.3 Insulation of piping
- k) Electrical HVAC disconnect not mounted above the average snow level; owner cited potential code section VCC M1401.1 Installation
- m) HVAC mini split does not meet heating and cooling requirements for the bonus room space; owner cited potential code section VCC N1101.11(R302.1) Interior design conditions

The local appeals board denied the appeal on January 10, 2022. Davis further appealed to the Review Board on January 24, 2022.

A Review Board hearing was held May 20, 2022. Appearing at the Review Board hearing for Augusta County was G. W. Wiseman. Monica and Michael Davis attended the hearing on their behalf.

III. Findings of the Review Board

Note: The correlation of the alphabetical identification assigned in the potential violations listed above, which are in accordance with the County Building Official’s letter dated September 7, 2021, and the alphabetical identification assigned in the Findings of the Review Board and Final Order sections of this written decision, which are in accordance with typical formatting procedures for Review Board Final Orders, are shown in the chart below:

Potential Violations in accordance with the County Building Official’s letter dated September 7, 2021 as listed above	Findings of the Review Board and Final Order sections in accordance with typical formatting procedures for Review Board Final Orders as listed below
a)	A
c)	B
f)	C
g)	D
h)	E
i)	F
j)	G
k)	H
m)	I

- A. Whether to uphold the decision of the County Building Official and the local appeals board that a violation of the VCC Sections N1102.4.1.1 (R402.4.1.1) Installation (Mandatory) and VCC N1101.13 (R303.2) Installation does not exist.

Davis argued that the kraft faced batt insulation installed behind the shower was not code compliant as the required air barrier.

The County argued that the 2012 VCC was silent on what constituted an air barrier. The County further argued that the determination of what constituted an air barrier was subject to the opinion of the building official and the County deemed the installation of kraft faced batt insulation, installed in accordance with the manufacturer’s installation instructions, to be an

adequate air barrier. The County also argued that based on the timeline of the Davis' inquiry and his response, he believed the appeal of this potential violation to be untimely.

The Review Board agrees with the County Building Official and local appeals board and finds that a violation of VCC Sections N1102.4.1.1 (R402.4.1.1) Installation (Mandatory) and VCC N1101.13 (R303.2) Installation does not exist.

B. Whether to uphold the decision of the County Building Official and the local appeals board that a violation of the VCC Sections R502.8 Cutting, drilling, notching and VCC R502.8.1 Sawn lumber does not exist.

Davis argued that structural floor joists were drilled within 2" of the edge of the joist for plumbing lines. Davis also argued that structural floor joist was gouged vertically in excess of ¾ of the way through the joist for plumbing drain line.

The County argued that the gouged joist for the plumbing drain line, described by Davis, was a fully supported band joist and not in violation. The County also argued that the drilling of the floor joist was not addressed during the inspection and was first presented at the local appeals board.

The Review Board agrees with the County Building Official and local appeals board and finds that a violation of the VCC Sections R502.8 Cutting, drilling, notching and VCC R502.8.1 Sawn lumber does not exist as the gouging, described by Davis, was on a fully supported band joist and the drilling within 2" of the edge of the joist for plumbing lines was not properly before the Board.

C. Whether to uphold the decision of the County Building Official and the local appeals board that a violation of the VCC Section E3901.2 General purpose receptacle distribution does not exist.

Davis argued that the code required a wall receptacle be installed within 6' of a doorway in the bonus room over the garage. Davis also argued that they had several walls that were over two feet in length in their bathrooms with no receptacles installed.

The County argued that the wall receptacle spacing requirement was not 6' as argued by Davis in the local appeals board hearing. The County argued that the required spacing in the code for wall receptacles was 12' and that all receptacles in the Davis home more than met the 12' spacing requirement. The County also argued that receptacles in bathrooms were not required to meet the 12' spacing requirement and that the receptacles installed in the bathrooms were compliant.

During testimony the County acknowledged that if the evidence provided by Davis in the agenda package on page 264 was accurate, a receptacle may be required in the bonus room over the garage to meet the 6' from the doorway requirement.

The Review Board disagrees with the County Building Official and local appeals board and finds that a violation of the VCC Section E3901.2 General purpose receptacle distribution does exist in the bonus room over the garage. The Review Board agrees with the County Building Official and local appeals board and finds that a violation of the VCC Section E3901.2 General purpose receptacle distribution does not exist in the bathrooms.

D. Whether to uphold the decision of the County Building Official and the local appeals board that a violation of the VCC Section M1401.1 Installation does not exist.

Davis argued that the Manual J calculations were provided to the County approximately 15 months after the issuance of the CO which clearly showed that the County did not have the needed documentation for the HVAC system when it was approved. Davis also argued that the Manual J calculations contained several errors and/or misrepresentations related to the construction and/or installation of the system. Davis further argued that the HVAC system failed

the static pressure test as well as the performance test for required air exchanges per hour. Finally, Davis argued that the size of the duct system was inadequate as the return grill was approximately 21" X 21" while the return duct was only 8" X 8".

The County argued that the HVAC Manual S and J indicated that the system was sized properly which included the duct system. The County further argued that return grills are always larger than the return duct due to the restrictions imposed by the louvers in the grill.

The Review Board disagrees with the County Building Official and local appeals board and finds that a violation of the VCC Section M1401.1 Installation does exist.

- E. Whether to uphold the decision of the County Building Official and the local appeals board that a violation of the VCC Sections R502.8 Cutting, drilling, notching and VCC M1401.1 Installation does not exist.

Davis argued that structural floor joists were drilled within 2" of the edge of the joist for support braces for the HVAC unit suspended from the joists in the crawlspace. Davis further argued that the drilling occurred in the center third of the joist which was also non-compliant. Davis also argued that the code required all HVAC systems must be installed pursuant to the code and the manufacturer's installation instructions. Davis further argued that in accordance with the manufacturer's installation instructions an HVAC unit suspended from joists in a crawlspace required three supports and their unit only contained two supports.

The County argued that the weight of the HVAC unit suspended in the crawlspace was included in the dead load design of the structure. The County also argued that the date provided for the photographic evidence related to this potential violation was inaccurate. The County also questioned how anyone could be certain the other photographic evidence was properly dated?

Davis acknowledged the error in the date on the photographic evidence related to this potential violation which indicated 2022 rather than 2021. Davis stated that the dates on all other photographic evidence was accurate.

The Review Board agrees with the County Building Official and local appeals board and finds that a violation of the VCC Sections R502.8 Cutting, drilling, notching does not exist. The Review Board also agrees with the County Building Official and local appeals board and finds that a violation of the VCC M1401.1 Installation does not exist because Figure 5 in the manufacturers installation guide showing three supports for the HVAC unit suspended by joists in the crawlspace is not a requirement rather a typical installation illustration.

F. Whether to uphold the decision of the County Building Official and the local appeals board that a violation of the VCC Section N1103.3.1 (R403.3.1) Protection of piping insulation does not exist.

Davis argued that the proper protection through the foundation wall (sleeving) for the mini split HVAC piping was not installed properly.

The County argued that the mechanical code does not require protection of piping because the insulation on a HVAC line set is larger than the 3/8" and 1/4" lines inside the insulation and that the insulation provides the space needed should the foundation settle. The County also argued that the sleeve was partially through the wall when originally inspected and appeared to have been pulled out of the foundation wall, under the crawlspace. The County also argued that the item was not part of the Davis appeal to the local appeals board, rather was brought up by Davis during the local appeals board hearing. The County further argued that the local appeals board made no decision on the item.

The Review Board disagrees with the County Building Official and local appeals board and finds that a violation of the VCC Section N1103.3.1 (R403.3.1) Protection of piping insulation does exist.

G. Whether to uphold the decision of the County Building Official and the local appeals board that a violation of the VCC Section M1412.3 Insulation of piping does not exist.

Davis argued that condensation piping for the mini split HVAC unit was leaking in the attic. Davis further argued that the County did not properly investigate the potential violation due to the lack of access to the attic because the County did not bring a ladder for the inspection. Davis also argued that the condensation line was not connected to the drain plug on the back of the unit.

The County argued that the HVAC line set insulation met the required R3 insulation value and was UV and tear resistant. The County further argued that he saw condensation on the line set both in the attic and in the crawlspace, noting it was a hot and humid day when the inspection was performed. The County also argued that they could not access the attic area and that the code does not require the County to provide a ladder to access spaces needing to be inspected. The County further clarified that the responsibility to provide access (ladder) is that of the contractor or property owner.

The Review Board finds that the potential violation of VCC Section M1412.3 Insulation of piping be remanded to the County Building Official for additional investigation and inspection contingent on the Davis' providing the necessary access to the space for inspection.

H. Whether to uphold the decision of the County Building Official and the local appeals board that a violation of the VCC Section M1401.1 Installation does not exist.

Davis argued that the HVAC disconnects were not installed above the average snow load for their area. Davis also argued that the code required all HVAC systems must be installed

pursuant to code and the manufacturer's installation instructions. Davis further argued that the manufacturer's installation instructions required disconnects to be installed at least 16" above grade.

The County argued that the code was silent on the installation height requirement for HVAC disconnects. The County also argued that the manufacturer's installation instructions do not specify a height requirement for the installation of the HVAC disconnect. The County also argued that based on the timeline of the Davis' inquiry and his response, he believed the appeal of this potential violation to be untimely.

The Review Board agrees with the County Building Official and local appeals board and finds that a violation of the VCC Section M1401.1 Installation does not exist because the figure in the manufacturers installation guide showing two courses of 8" block for the installation of the HVAC disconnect is not a requirement rather a typical installation illustration.

- I. Whether to uphold the decision of the County Building Official and the local appeals board that a violation of the VCC Section N1101.11 (R302.1) Interior design conditions does not exist.

Davis argued that the mini split HVAC system for the bonus room over the garage was not designed properly. Davis further argued that the Manual J calculations contained several errors and/or misrepresentations related to the construction and/or installation of the system. Davis also argued that the system was sized too small for the space to be served.

The County argued that the Manual S and J indicated that the units were sized properly. The County also argued that based on the timeline of the Davis' inquiry and his response, he believed the appeal of this potential violation to be untimely.

The Review Board disagrees with the County Building Official and local appeals board and finds that a violation of the VCC Section N1101.11 (R302.1) Interior design conditions does exist.

IV. Final Order

The appeal having been given due regard, and for the reasons set out herein, the Review Board orders as follows:

- A. Whether to uphold the decision of the County Building Official and the local appeals board that a violation of the VCC Sections N1102.4.1.1 (R402.4.1.1) Installation (Mandatory) and VCC N1101.13 (R303.2) Installation does not exist.

The decision by the County Building Official and local appeals board that a violation of the VCC Sections N1102.4.1.1 (R402.4.1.1) Installation (Mandatory) and VCC N1101.13 (R303.2) Installation does not exist is upheld.

- B. Whether to uphold the decision of the County Building Official and the local appeals board that a violation of the VCC Sections R502.8 Cutting, drilling, notching and VCC R502.8.1 Sawn lumber does not exist.

The decision by the County Building Official and local appeals board that a violation of the VCC Sections R502.8 Cutting, drilling, notching and VCC R502.8.1 Sawn lumber does not exist is upheld.

- C. Whether to uphold the decision of the County Building Official and the local appeals board that a violation of the VCC Section E3901.2 General purpose receptacle distribution does not exist.

The decision by the County Building Official and local appeals board that a violation of the VCC Section E3901.2 General purpose receptacle distribution does not exist is overturned related to the bonus room over the garage. The decision by the County Building Official and

local appeals board that a violation of the VCC Section E3901.2 General purpose receptacle distribution does not exist is upheld related to the bathrooms.

- D. Whether to uphold the decision of the County Building Official and the local appeals board that a violation of the VCC Section M1401.1 Installation does not exist.

The decision by the County Building Official and local appeals board that a violation of the VCC Section M1401.1 Installation does not exist is overturned.

- E. Whether to uphold the decision of the County Building Official and the local appeals board that a violation of the VCC Sections R502.8 Cutting, drilling, notching and VCC M1401.1 Installation does not exist.

The decision by the County Building Official and local appeals board that a violation of the VCC Sections R502.8 Cutting, drilling, notching and VCC M1401.1 Installation does not exist is upheld.

- F. Whether to uphold the decision of the County Building Official and the local appeals board that a violation of the VCC Section N1103.3.1 (R403.3.1) Protection of piping insulation does not exist.

The decision by the County Building Official and local appeals board that a violation of the VCC Section N1103.3.1 (R403.3.1) Protection of piping insulation does not exist is overturned.

- G. Whether to uphold the decision of the County Building Official and the local appeals board that a violation of the VCC Section M1412.3 Insulation of piping does not exist.

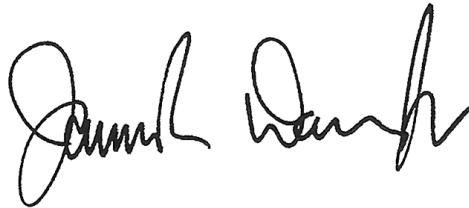
The decision by the County Building Official and local appeals board that a violation of the VCC Section M1412.3 Insulation of piping does not exist is remanded to the County Building Official for additional investigation and inspection contingent on the Davis' providing the necessary access to the space for inspection.

H. Whether to uphold the decision of the County Building Official and the local appeals board that a violation of the VCC Section M1401.1 Installation does not exist.

The decision by the County Building Official and local appeals board that a violation of the VCC Section M1401.1 Installation does not exist is upheld.

I. Whether to uphold the decision of the County Building Official and the local appeals board that a violation of the VCC Section N1101.11 (R302.1) Interior design conditions does not exist.

The decision by the County Building Official and local appeals board that a violation of the VCC Section N1101.11 (R302.1) Interior design conditions does not exist is overturned.



Chair, State Building Code Technical Review Board

Date entered _____ July 15, 2022 _____

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have thirty (30) days from the date of service (the date you actually received this decision or the date it was mailed to you, whichever occurred first) within which to appeal this decision by filing a Notice of Appeal with W. Travis Luter, Sr., Secretary of the Review Board. In the event that this decision is served on you by mail, three (3) days are added to that period.

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Additional Documents
Submitted By Monica
and Michael Davis

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Second Submittal For Appeals 22-01

Mr. Hendricks appealed the 4 simple items on the NOV the county issued. The first item on the list was the landing at the man doors on the attached and detached garage. Below you will see images clearly showing you that code R311.3 does exist. One of the landings is almost a foot and a half to small. The county withdrew the decision stating the Statue of Limitations has expired. No where in the code can you find any such verbiage.

Picture taken May 24, 2021 by Monica Davis





Picture taken May 24, 2021 by Monica Davis

The second and third item on the NOV the county grouped together and said the violations exist, but it was due to the Davises not maintain the grass. Below are images that were taken June 23, 2020 just 3 months after the CO was issued. You will clearly see code R401.3 for drainage has always existed. You can also see code M1305.1.4.1 for ground clearance under the HVAC unit has always existed as well. The code violations have absolutely nothing to do with grass maintenance because you can clearly see grass in the pictures. The images show the grade slopes toward the house, the HVAC units are not in compliance, and the wood members of the house are just an inch or two from grade.



Picture taken June 23, 2020 by M. Davis



Picture taken December 30, 2022 by Monica Davis



Picture taken December 30, 2022 by Monica Davis



Picture taken June 23, 2020 by Monica Davis

The fourth item on the list I did not address because the Mini Split unit in that image is being appealed by the County from the last appeals we had where you the board told them it was incorrect.

VIRGINIA:

BEFORE THE
STATE BUILDING CODE TECHNICAL REVIEW BOARD

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

CONTENTS

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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
WOODBIDGE 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.

VUSBC Code Year	VUSBC Code Section	VIOLATION	CORRECTIVE ACTION NECESSARY	Compliance Date
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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
Rspt. # 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: <i>[Signature]</i>			

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, SI, ___	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: <i>[Signature]</i>		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

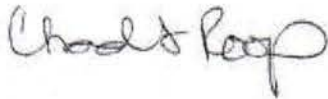
Mailing Address

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



NOVA 220

5 APR 2022 PM 4



US POSTAGE



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

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



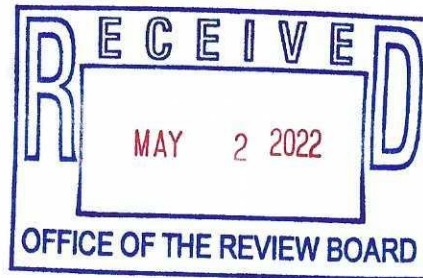
22191-356320

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			Finald	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
---------------	-------------	------------------	-------------	-----	------	------------	--------



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

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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





County of Prince William

Attachment #4

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

INSPECTION REPORT

Case Number: OCC2022-00446

Inspection Scheduled: 10/12/2021 **Inspection Status:** Rejected

Inspection Date: 10/12/2021 3:33 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
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.



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

1346 Profits Ct.

89-36

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

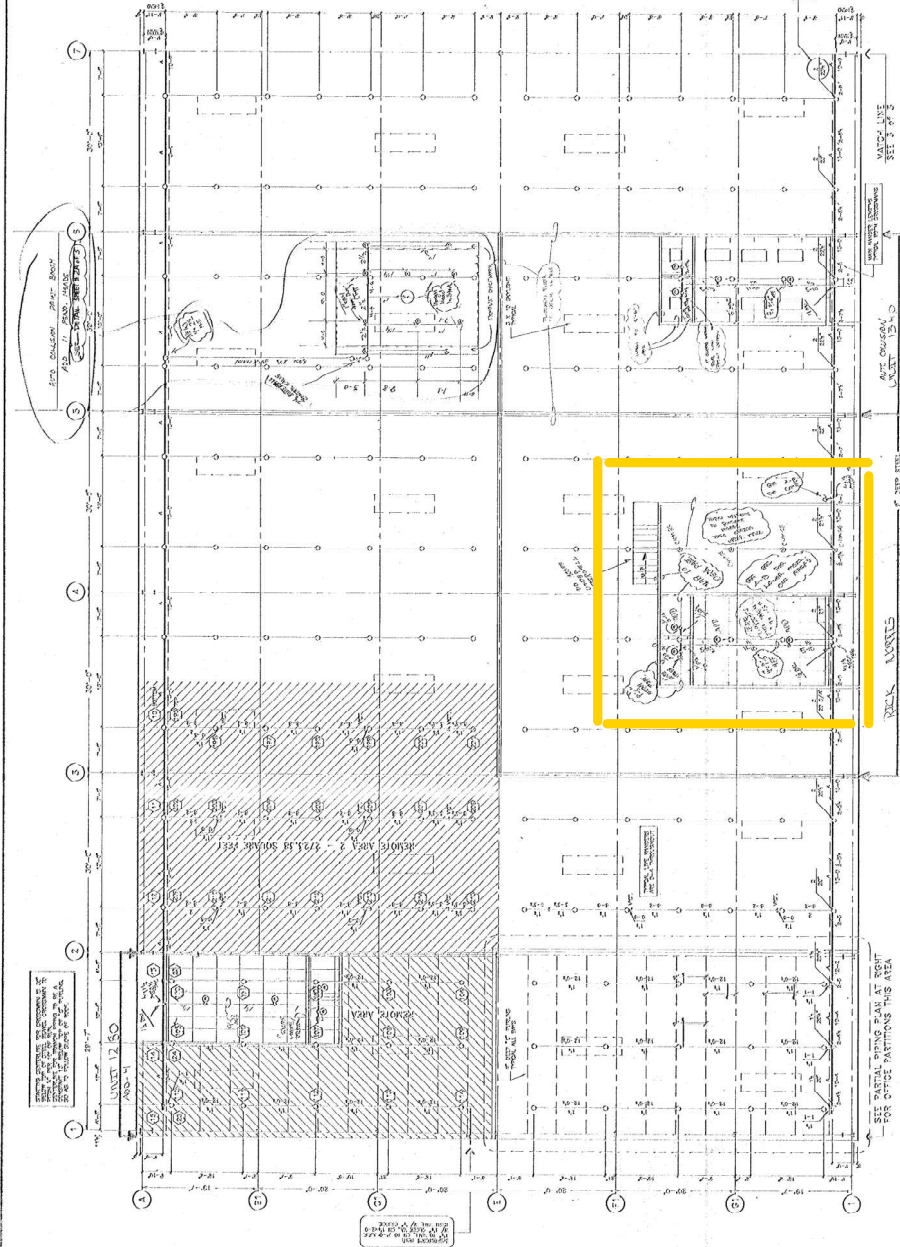
The above referenced plan has been reviewed by the Plan Review staff. The following comments are offered:

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

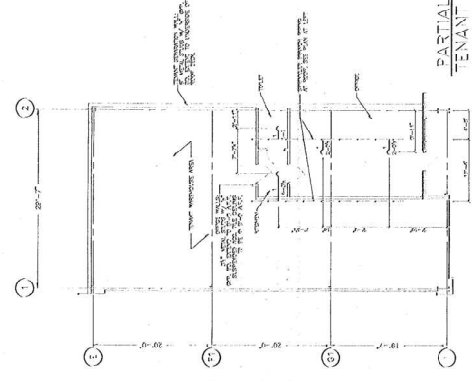
1. Control valve must be an indicating type valve, and supervised as per the Building Code.
2. Ventilation system shall be in accordance with NFPA 91, "Standard for the installation of blower and exhaust systems for dust, stock and vapor removal or conveying".
3. Notify Fire Marshal's Office at least 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.



TENANT SPACE
PARTIAL PLAN



NO CHANGES SHALL BE MADE TO THE APPROVED
PLANS WITHOUT PRIOR WRITTEN PERMISSION OF THE
OFFICE OF CONSTRUCTION INSPECTORS.
NO INSPECTION WILL BE MADE UNLESS AN
APPROVED SET OF PLANS IS ON JOB SITE

TOWNS HILLMAN COUNTY
CONSTRUCTION INSPECTORS
Plan Approved as Shown
Signed: FEB 24 1999

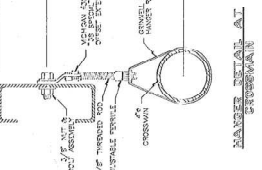
UNITED SPRINKLER CO., INC.
19541 SAN JUAN AVENUE, SUITE 200 • BOSTON, MA 02134 • (617) 237-7700

WAREHOUSE PIPING PLAN - PART ONE

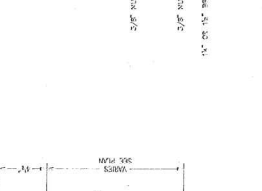
PLEASE REFER TO THE NOTES ON THE PREVIOUS SHEET FOR EXPLANATION. ALL DIMENSIONS TO FACE UNLESS OTHERWISE NOTED.
UNLESS OTHERWISE NOTED, ALL DIMENSIONS ARE IN FEET AND INCHES.

SEE DETAIL PIPING PLAN AT RIGHT FOR CHUTE PARTITION THIS AREA

MANNEE METAL AT BRANK LINE



MANNEE METAL AT DOWNMAN



SUBTOTALS	TYPE	TEMP.	VALVE	FINISH	TOTAL	MANNEE METAL AT BRANK LINE	MANNEE METAL AT DOWNMAN
1	1/2" BRASS	150°	1	1	1	1	1
2	1/2" BRASS	150°	1	1	1	1	1
3	1/2" BRASS	150°	1	1	1	1	1
4	1/2" BRASS	150°	1	1	1	1	1
5	1/2" BRASS	150°	1	1	1	1	1
6	1/2" BRASS	150°	1	1	1	1	1
7	1/2" BRASS	150°	1	1	1	1	1
8	1/2" BRASS	150°	1	1	1	1	1
9	1/2" BRASS	150°	1	1	1	1	1
10	1/2" BRASS	150°	1	1	1	1	1
11	1/2" BRASS	150°	1	1	1	1	1
12	1/2" BRASS	150°	1	1	1	1	1
13	1/2" BRASS	150°	1	1	1	1	1
14	1/2" BRASS	150°	1	1	1	1	1
15	1/2" BRASS	150°	1	1	1	1	1
16	1/2" BRASS	150°	1	1	1	1	1
17	1/2" BRASS	150°	1	1	1	1	1
18	1/2" BRASS	150°	1	1	1	1	1
19	1/2" BRASS	150°	1	1	1	1	1
20	1/2" BRASS	150°	1	1	1	1	1
21	1/2" BRASS	150°	1	1	1	1	1
22	1/2" BRASS	150°	1	1	1	1	1
23	1/2" BRASS	150°	1	1	1	1	1
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30	1/2" BRASS	150°	1	1	1	1	1
31	1/2" BRASS	150°	1	1	1	1	1
32	1/2" BRASS	150°	1	1	1	1	1
33	1/2" BRASS	150°	1	1	1	1	1
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37	1/2" BRASS	150°	1	1	1	1	1
38	1/2" BRASS	150°	1	1	1	1	1
39	1/2" BRASS	150°	1	1	1	1	1
40	1/2" BRASS	150°	1	1	1	1	1
41	1/2" BRASS	150°	1	1	1	1	1
42	1/2" BRASS	150°	1	1	1	1	1
43	1/2" BRASS	150°	1	1	1	1	1
44	1/2" BRASS	150°	1	1	1	1	1
45	1/2" BRASS	150°	1	1	1	1	1
46	1/2" BRASS	150°	1	1	1	1	1
47	1/2" BRASS	150°	1	1	1	1	1
48	1/2" BRASS	150°	1	1	1	1	1
49	1/2" BRASS	150°	1	1	1	1	1
50	1/2" BRASS	150°	1	1	1	1	1

UNITED SPRINKLER CO., INC.
19541 SAN JUAN AVENUE, SUITE 200 • BOSTON, MA 02134 • (617) 237-7700

SALES • ESTIMATING • INSTALLATION • MAINTENANCE • REPAIRS

SALES • ESTIMATING • INSTALLATION • MAINTENANCE • REPAIRS

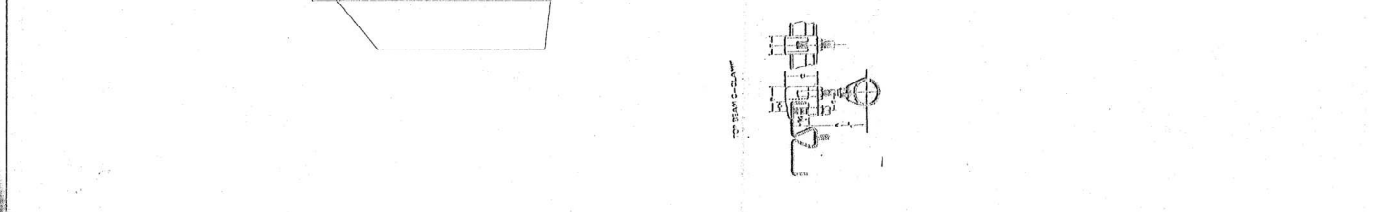
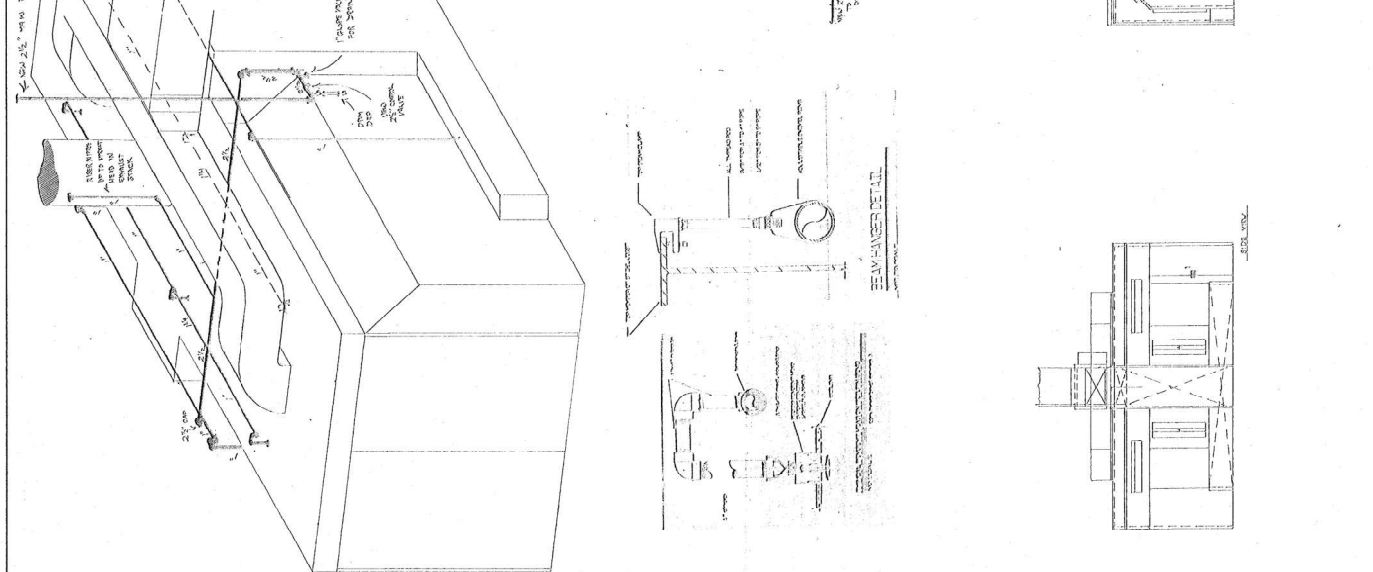
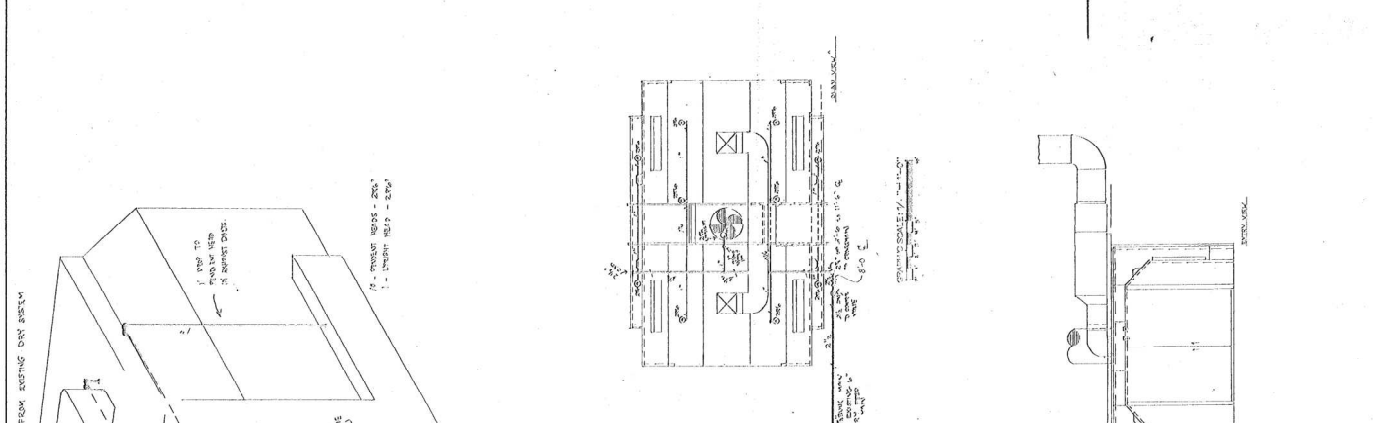
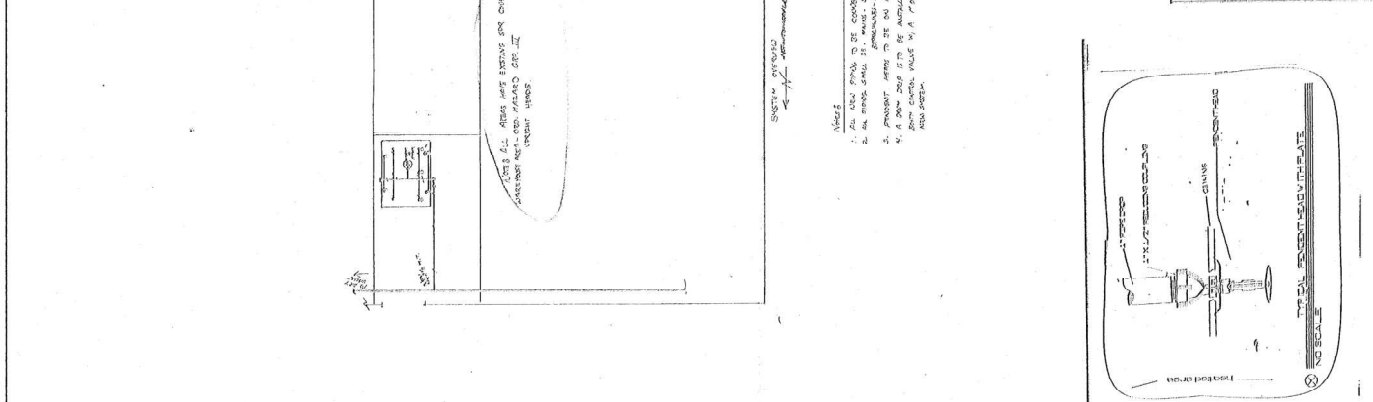
SOUTH BEE BROTHERS CENTER
TEMPERATURE CONTROL CENTER PANEL - 1-A

SALES • ESTIMATING • INSTALLATION • MAINTENANCE • REPAIRS

SALES • ESTIMATING • INSTALLATION • MAINTENANCE • REPAIRS

DESIGN CRITERIA	SPECIALTY ITEMS	MECH. ITEMS / NOTES	PLAN REVIEWS
1. ALL NEW WORK TO BE CONSIDERED TO BE OF THE HIGHEST QUALITY. 2. ALL NEW WORK SHALL BE SUBJECT TO THE APPROVAL AND INSPECTION OF THE ARCHITECT. 3. PROVIDER SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES. 4. A NEW ZONE SHALL BE MAINTAINED FOR THE EXISTING ZONE IN ORDER TO MAINTAIN THE EXISTING ZONE'S FUNCTIONALITY.	1. ALL NEW WORK TO BE CONSIDERED TO BE OF THE HIGHEST QUALITY. 2. ALL NEW WORK SHALL BE SUBJECT TO THE APPROVAL AND INSPECTION OF THE ARCHITECT. 3. PROVIDER SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES. 4. A NEW ZONE SHALL BE MAINTAINED FOR THE EXISTING ZONE IN ORDER TO MAINTAIN THE EXISTING ZONE'S FUNCTIONALITY.	1. ALL NEW WORK TO BE CONSIDERED TO BE OF THE HIGHEST QUALITY. 2. ALL NEW WORK SHALL BE SUBJECT TO THE APPROVAL AND INSPECTION OF THE ARCHITECT. 3. PROVIDER SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES. 4. A NEW ZONE SHALL BE MAINTAINED FOR THE EXISTING ZONE IN ORDER TO MAINTAIN THE EXISTING ZONE'S FUNCTIONALITY.	1. ALL NEW WORK TO BE CONSIDERED TO BE OF THE HIGHEST QUALITY. 2. ALL NEW WORK SHALL BE SUBJECT TO THE APPROVAL AND INSPECTION OF THE ARCHITECT. 3. PROVIDER SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES. 4. A NEW ZONE SHALL BE MAINTAINED FOR THE EXISTING ZONE IN ORDER TO MAINTAIN THE EXISTING ZONE'S FUNCTIONALITY.

AUTO COLLECTOR 24" WIDE
 1800 RPOPT CT
 WOODBRIDGE, VA 22191
 UNITED SPARKER INC.
 1800 RPOPT CT
 WOODBRIDGE, VA 22191
 (703) 596-1111
 FAX (703) 596-1112
 WWW.UNITEDSPARKER.COM





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

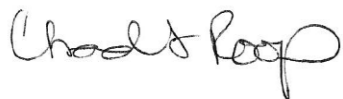
Mailing Address

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,

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

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

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

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

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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.

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703-792-7337
ssteiner@pwcgov.org

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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.

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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

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Woodbridge VA, 22192
703-792-7337
ssteiner@pwcgov.org

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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

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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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

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1320 Profit Ct.
Woodbridge, Va. 22191
703-490-4000

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To: Chris Berry <chris@blackwolfauto.com>
Subject: BCE2022-00117 Profit Ct

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Building Development Division
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703-792-7337
ssteiner@pwcgov.org

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

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

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
Woodbridge VA, 22192
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

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Mr. Steiner,
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Chris Berry

From: Steiner Jr., Stephen F. <SSteiner@pwcgov.org>
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Subject: RE: BCE2022-00117 Profit Ct

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ssteiner@pwcgov.org

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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

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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: [Chris Berry](#)
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.

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: 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
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 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

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: 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.

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

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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

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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
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: 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

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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

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Ms. Bates,

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

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

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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

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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

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1320 Profit Ct.
Woodbridge, Va. 22191
703-490-4000

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To: Chris Berry <chris@blackwolfauto.com>
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Amanda Bates

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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;
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.

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]

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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.



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

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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.

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

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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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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
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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: 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]

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?

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

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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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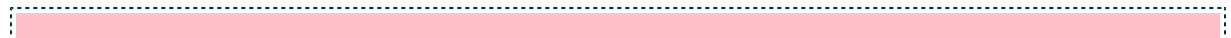
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Ms. Ghimire,

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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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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: 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>
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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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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 6:19:33 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!

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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<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. <rhoarrell@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: [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]

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]

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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,

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: [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

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Sent: Wednesday, January 12, 2022 5:04 PM
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Subject: RE: Case Number OCC2022-00446

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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,
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Black Wolf Automotive Specialties
1320 Profit Ct
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703-490-4000

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Sent: Wednesday, January 12, 2022 8:19 AM
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Cc: Alexander, Kristin O. <KAlexander@pwcgov.org>; Ghimire, Sarmin <SGhimire@pwcgov.org>
Subject: FW: Case Number OCC2022-00446

FYI

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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!

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ssteiner@pwcgov.org

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To: Chris Berry <chris@blackwolfauto.com>
Subject: RE: Case Number OCC2022-00446

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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

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

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]

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]

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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: [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

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To: Chris Berry <chris@blackwolfauto.com>
Subject: RE: Case Number OCC2022-00446

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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.

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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.

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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.

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Senior Building Code Enforcement Inspector
Building Development Division
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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.

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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](#)

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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 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.

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
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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]

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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]

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.

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To: Chris Berry <chris@blackwolfauto.com>
Subject: RE: 1308 PROFIT CT

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Subject: RE: 1308 PROFIT CT
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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.

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

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From: [Ghimire, Sarmin](#)
To: [Chris Berry](#)
Subject: 1308 PROFIT CT
Date: Tuesday, January 25, 2022 3:01:20 PM
Attachments: [Final Determination Letter Profit Court Mr. Berry.pdf](#)

Mr. Berry,

Please find attached letter from Deputy Building Official.

Letter has contact information if you have any question.

Sarmin Ghimire
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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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Please let me know.

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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>

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

To: Chris Berry <chris@blackwolfauto.com>

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

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

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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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To: [Ghimire, Sarmin](#); [Chris Berry](#)
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.

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Subject: RE: Today's meeting - OCC2022-00446 - 1308 PROFIT CT [none]

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

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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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Department of Development Services
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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: [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

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

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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

Find Important Development Services COVID-19 Update Information Online at:
<https://www.pwcva.gov/departments/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!

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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]

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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?

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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
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5 County Complex Court, Suite 120
Prince William, VA 22192
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SGhimire@pwcgov.org

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Chris Berry

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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.

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>>

From: [Ghimire, Sarmin](#)
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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>>

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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

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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,

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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

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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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Ms. Ghimire,
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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]

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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: 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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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]

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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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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, January 6, 2022 8:01:17 AM

Mr. Berry,

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

Sarmin Ghimire
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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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Prince William, VA 22192
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SGhimire@pwcgov.org

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

To: Chris Berry <chris@blackwolfauto.com>

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To: [Chris Berry](#)
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Date: Thursday, December 30, 2021 9:46:17 AM

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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

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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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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

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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
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: [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!

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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>
Subject: RE: Site Visit

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

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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

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

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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
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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!

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Senior Building Code Enforcement Inspector
Building Development Division
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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,

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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:
<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
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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
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Woodbridge VA, 22192
703-792-7337
ssteiner@pwcgov.org

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

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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,

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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

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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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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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Fire Marshall Harrell,

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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

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.

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Stephen Steiner, Jr
Senior Building Code Enforcement Inspector
Building Development Division
5 County Complex Court #120
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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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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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Subject: RE: Case Number OCC2022-00446

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Robert Harrell

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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: [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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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

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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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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

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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

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Subject: RE: BCE2022-00117 Profit Ct

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When is your next opening to schedule the follow up inspection?
Thank you,
Chris Berry

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Subject: RE: BCE2022-00117 Profit Ct

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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

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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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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.

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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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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 pursuit 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,

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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!

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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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Sent: Monday, October 18, 2021 8:37 AM
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From: Chris Berry <chris@blackwolfauto.com>
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Subject: RE: BCE2022-00117 Profit Ct

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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.

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

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Sent: Friday, October 1, 2021 8:18 AM
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Thank you very much for that help.

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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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Subject: RE: BCE2022-00117 Profit Ct

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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>



County of Prince William

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

INSPECTION REPORT

Case Number: OCC2022-00446
Inspection Scheduled: 10/12/2021
Inspection Date: 10/12/2021 3:33 pm
Inspector: Stephen Steiner - Main Inspector

Inspection Status: Rejected
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?

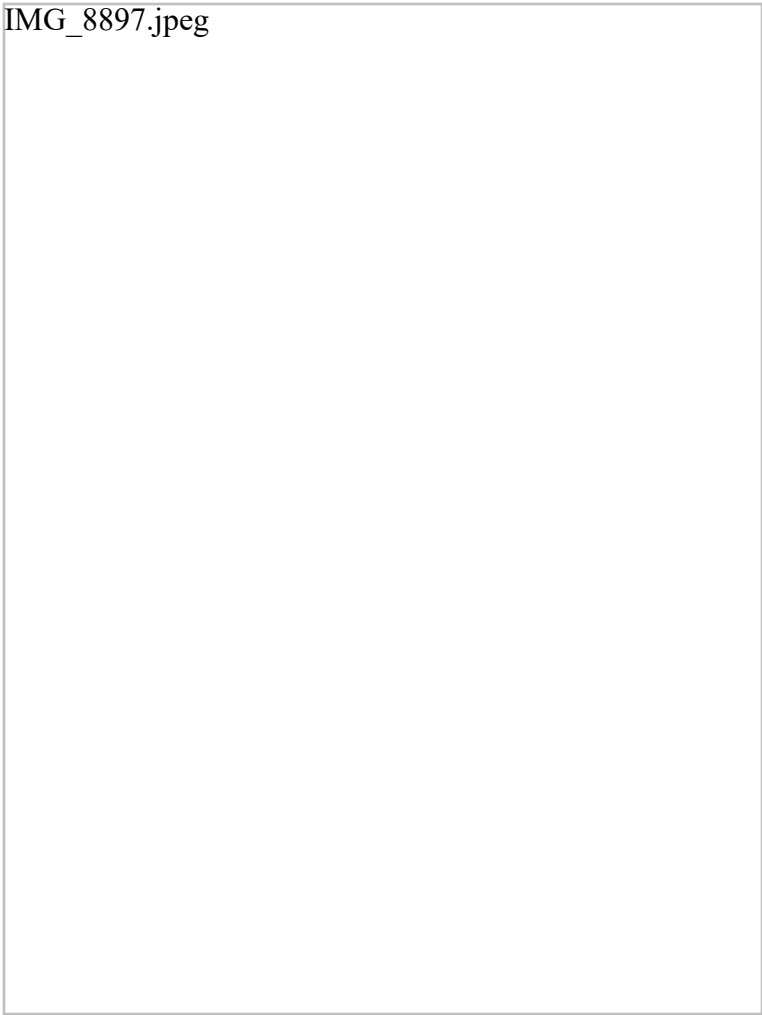
Also, do you know what construction they're referring to? I didn't notice anything under construction when I was on-site earlier this week. Please let me know what I can do to help you remedy these violations.

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.

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: 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.

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
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703-792-7337
ssteiner@pwcgov.org

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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?

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Thank you again for your assistance with this matter.

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ssteiner@pwcgov.org

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<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.

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<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
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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
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/departments/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!

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Brightleaf Management
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Cell 301-642-0241

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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,

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Mobile: 301-642-0241
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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

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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.

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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

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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

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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		
Site Address:	1320 PROFIT CT	Email Address:	CHRIS@BLACKWOLFAUTO.COM

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

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

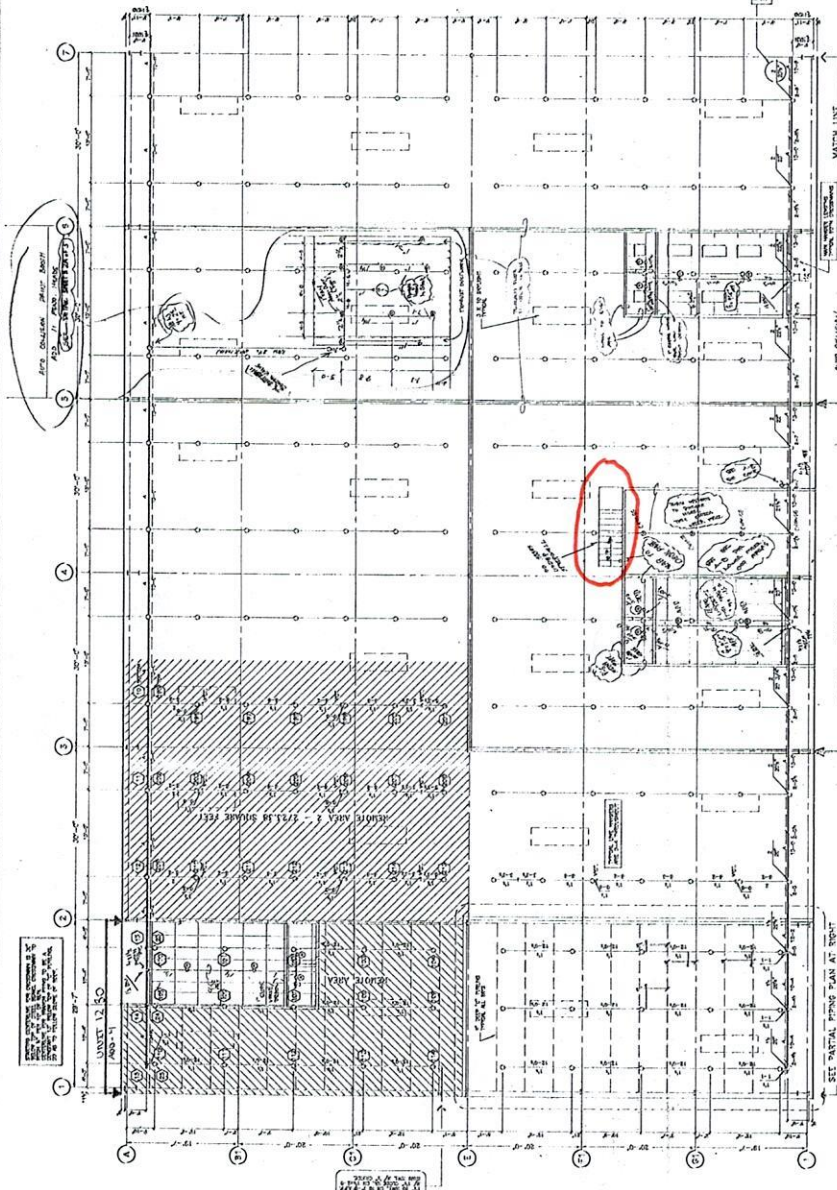
The above referenced plan has been reviewed by the Plan Review staff. The following comments are offered:

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.

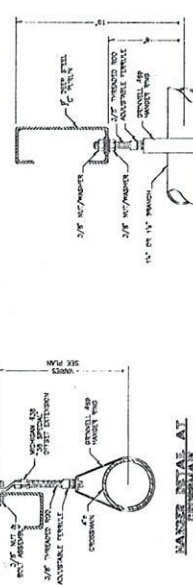
These comments may be addressed at next submission. If you have any questions, please feel free to call.

Thank you.



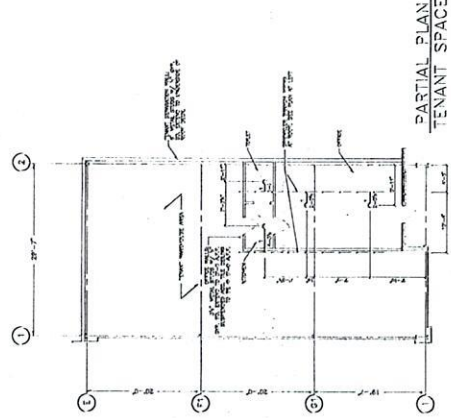
WAREHOUSE PIPING PLAN - PART ONE

SHOW TO BE IN CONFORMANCE WITH THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 13-1999. ALL UNLESS NOTED TO BE IN CONFORMANCE WITH THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 13-1999.



HANGER DETAIL AT BRANCH LINE

HANGER DETAIL AT BRANCH LINE



PARTIAL PLAN TENANT SPACE

NO SPRINKLER SHALL BE MORE TO THE APPROVED PLANS WITHOUT THE APPROVAL FROM THE OFFICE OF CONSTRUCTION INSPECTION.

NO INSPECTION WILL BE MADE UNLESS AN APPROVED SET OF PLANS IS ON JOB SITE

THIS PLAN MUST BE APPROVED BY THE OFFICE OF CONSTRUCTION INSPECTION. THIS PLAN IS NOT TO BE USED FOR ANY OTHER PURPOSES. ALL UNLESS NOTED TO BE IN CONFORMANCE WITH THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 13-1999.

ALL UNLESS NOTED TO BE IN CONFORMANCE WITH THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 13-1999.

UNITED SPRINKLER CO., INC.
 1000 WEST 10TH AVENUE, SUITE 100
 DENVER, COLORADO 80202
 (303) 733-7000

NO COPY

UNITED SPRINKLER CO., INC.
 1000 WEST 10TH AVENUE, SUITE 100
 DENVER, COLORADO 80202
 (303) 733-7000

DATE	DESCRIPTION	BY	REVISION
11-15-99	ISSUE FOR PERMIT	...	1
11-15-99	ISSUE FOR PERMIT	...	2
11-15-99	ISSUE FOR PERMIT	...	3
11-15-99	ISSUE FOR PERMIT	...	4
11-15-99	ISSUE FOR PERMIT	...	5
11-15-99	ISSUE FOR PERMIT	...	6
11-15-99	ISSUE FOR PERMIT	...	7
11-15-99	ISSUE FOR PERMIT	...	8
11-15-99	ISSUE FOR PERMIT	...	9
11-15-99	ISSUE FOR PERMIT	...	10
11-15-99	ISSUE FOR PERMIT	...	11
11-15-99	ISSUE FOR PERMIT	...	12
11-15-99	ISSUE FOR PERMIT	...	13
11-15-99	ISSUE FOR PERMIT	...	14
11-15-99	ISSUE FOR PERMIT	...	15
11-15-99	ISSUE FOR PERMIT	...	16
11-15-99	ISSUE FOR PERMIT	...	17
11-15-99	ISSUE FOR PERMIT	...	18
11-15-99	ISSUE FOR PERMIT	...	19
11-15-99	ISSUE FOR PERMIT	...	20



Selby C. Jacobs
Director

COUNTY OF PRINCE WILLIAM

1 County Complex Court, Prince William, Virginia 22192-9201
(703) 335-6800 Metro 631-1703

1316 Profit Ct
FIRE and RESCUE SERVICE

February 23, 1990

Delta Building Design & Construction
12656-B Lake Ridge Drive
Woodbridge, Virginia 22192

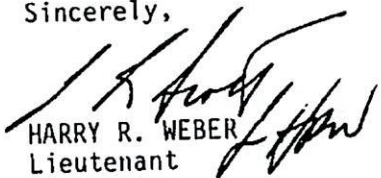
Gentlemen:

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. 22091
 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
 Directions to Property CEE DISTANCE DR. FEATHERSTONE INDIAN PK.
 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 _____
 Total # of Units _____
 Ownership:
 Fee Simple
 Condominium
 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 _____
 *Swimming Pool YES NO
 *Requires separate permit

Right of Inspection - Article 6.1 Code of Virginia, Erosion and Sediment Control Law 21-89, 8.A

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 _____
 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: _____
 Use Group: _____
 Type Constr. _____
 Sanitarian _____
 Gross Sq. Ft. _____
 Rate of Fee _____
 Total Fee 30.00
 Filing Fee 2.00
 Date Paid 2/20/90
 SD/SP # _____
 R.E. Acct. # _____
 Data Entry _____
 Lot in Flood Plain: YES NO
 EROSION CONTROLS REQUIRED: _____

FMO
CAPT. Scott
270 - M

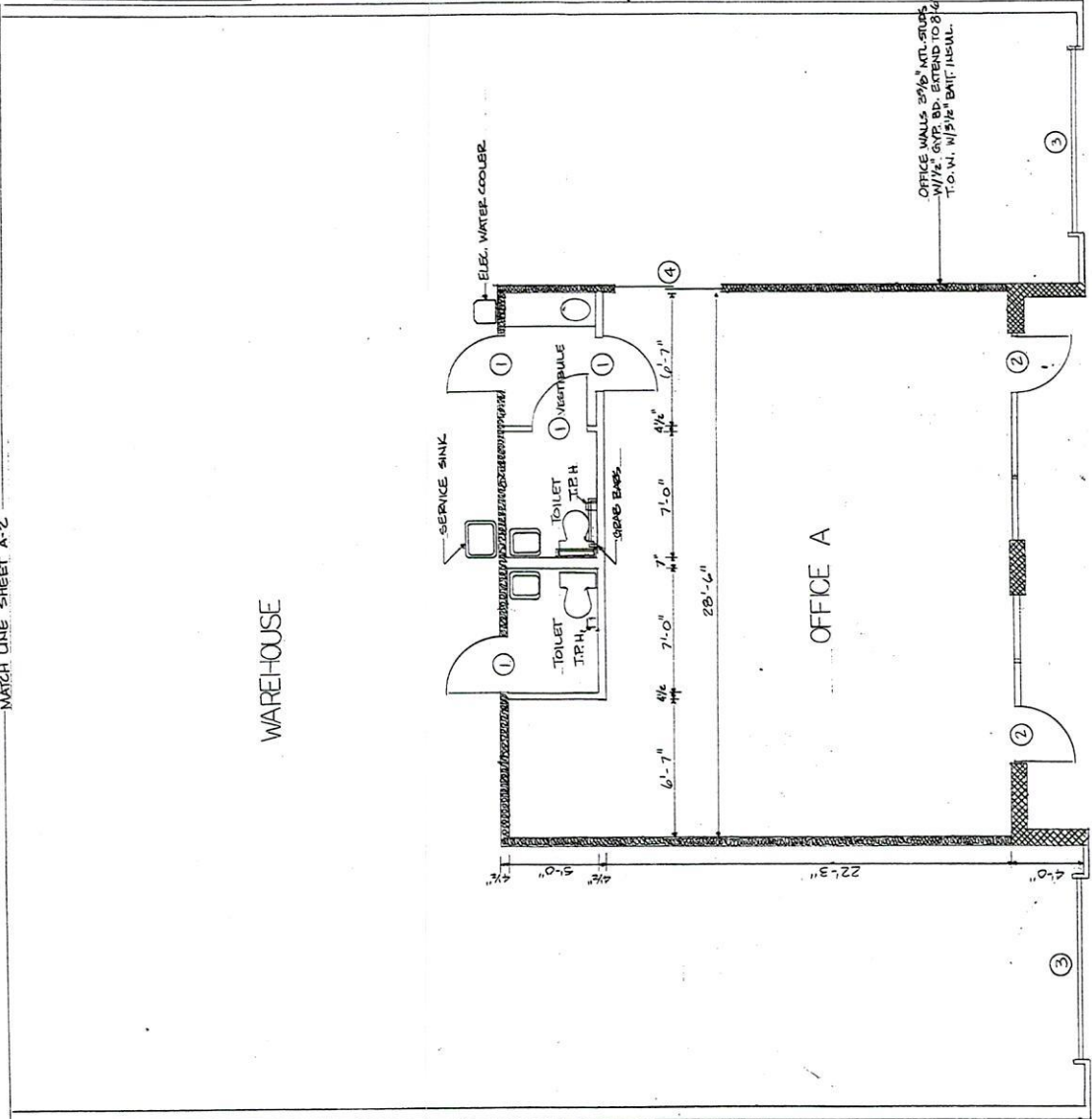
REC'D
FEB 21 '90
PWG-RS

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.



TOUCH OF GLASS
 SOUTHLEE BUSINESS CTR.,
 1312 PROFIT CT.
 WOODBRIDGE, VA
 FEATHERSTONE INDUS. PK.

DATE	ISSUED BY	DATE	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:

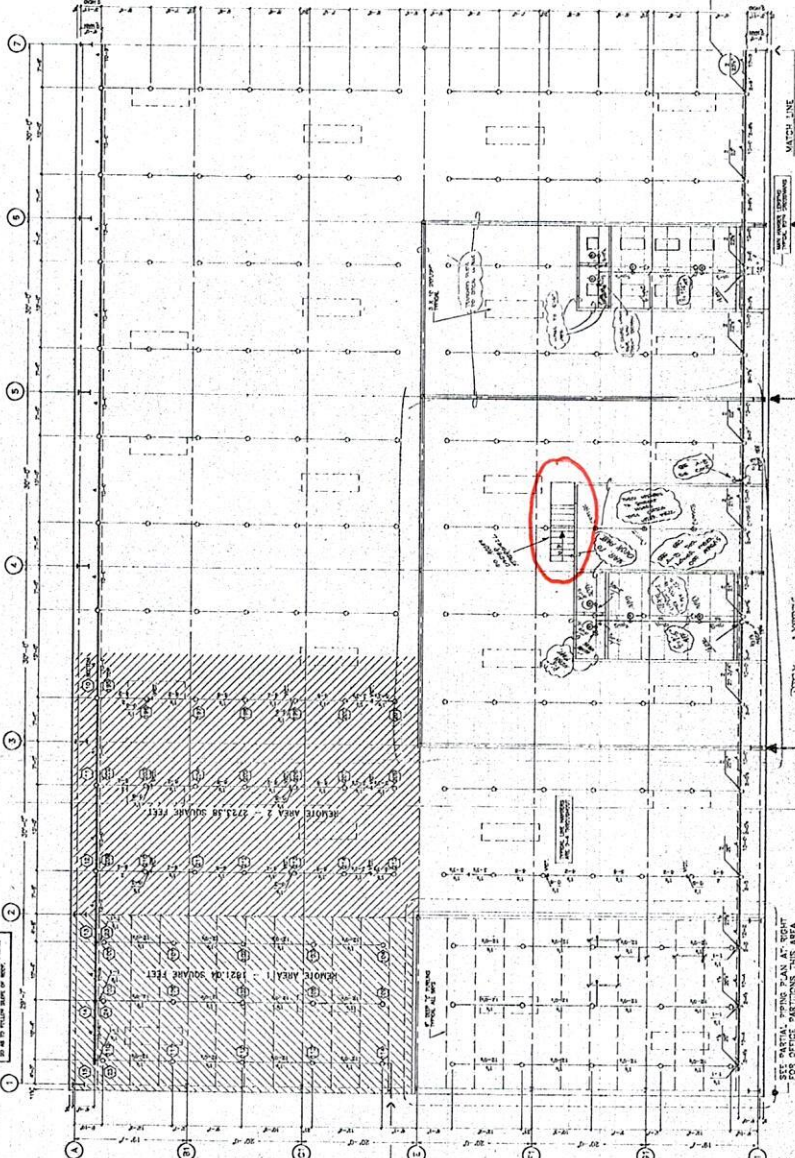
- 1. Notify Fire Marshal's Office at least twenty-four hours prior to requested test date.

FEE: \$105.00 based on the minimum fee.

[Handwritten Signature]
HARRY R. WEBER

6485

NOTES: 1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND SPECIFICATIONS. 2. ALL DIMENSIONS SHALL BE IN FEET AND INCHES UNLESS OTHERWISE NOTED. 3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.

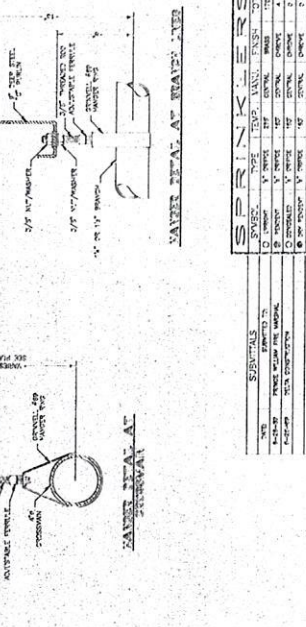
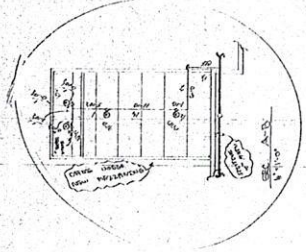


WAREHOUSE PIPING PLAN - PART ONE

THIS PLAN WILL BE SUBMITTED TO THE LOCAL HEALTH DEPARTMENT FOR REVIEW AND APPROVAL. ALL DIMENSIONS SHALL BE IN FEET AND INCHES UNLESS OTHERWISE NOTED.

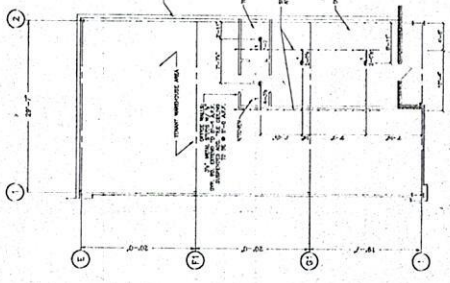
WAREHOUSE PIPING PLAN - PART TWO

THIS PLAN WILL BE SUBMITTED TO THE LOCAL HEALTH DEPARTMENT FOR REVIEW AND APPROVAL. ALL DIMENSIONS SHALL BE IN FEET AND INCHES UNLESS OTHERWISE NOTED.



VALVE TRAIL AT REAR LAYER

VALVE TRAIL AT FRONT LAYER



PARTIAL PLAN TENANT SPACE

PROFESSIONAL ENGINEER
 CIVIL ENGINEERING
 REGISTERED PROFESSIONAL ENGINEER
 STATE OF MISSISSIPPI
 No. 12345
 Date: 11/15/2023
 Project: Warehouse Piping Plan

FMO COPY

ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND SPECIFICATIONS.

JOHN J. BARTON, ENGINEER
 ENGINEERING CONSULTANTS
 1000 W. MAIN ST., SUITE 200
 MEMPHIS, TENNESSEE 38103

FMO COPY

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SPECIALS		DESIGN CRITERIA		FIRE PLAN	
1	PIPE	TYPE	TEMP	WALL	THICK
2	PIPE	TYPE	TEMP	WALL	THICK
3	PIPE	TYPE	TEMP	WALL	THICK
4	PIPE	TYPE	TEMP	WALL	THICK
5	PIPE	TYPE	TEMP	WALL	THICK
6	PIPE	TYPE	TEMP	WALL	THICK
7	PIPE	TYPE	TEMP	WALL	THICK
8	PIPE	TYPE	TEMP	WALL	THICK
9	PIPE	TYPE	TEMP	WALL	THICK
10	PIPE	TYPE	TEMP	WALL	THICK
11	PIPE	TYPE	TEMP	WALL	THICK
12	PIPE	TYPE	TEMP	WALL	THICK

SPECIALS		DESIGN CRITERIA		FIRE PLAN	
1	PIPE	TYPE	TEMP	WALL	THICK
2	PIPE	TYPE	TEMP	WALL	THICK
3	PIPE	TYPE	TEMP	WALL	THICK
4	PIPE	TYPE	TEMP	WALL	THICK
5	PIPE	TYPE	TEMP	WALL	THICK
6	PIPE	TYPE	TEMP	WALL	THICK
7	PIPE	TYPE	TEMP	WALL	THICK
8	PIPE	TYPE	TEMP	WALL	THICK
9	PIPE	TYPE	TEMP	WALL	THICK
10	PIPE	TYPE	TEMP	WALL	THICK
11	PIPE	TYPE	TEMP	WALL	THICK
12	PIPE	TYPE	TEMP	WALL	THICK

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.”

Appeal to the Review Board for Black Wolf Services LLC Appeal No. 22-05

May 16, 2022

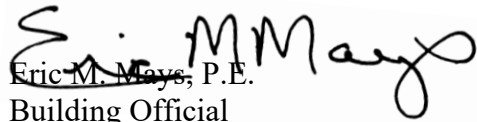
4 of 4

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.

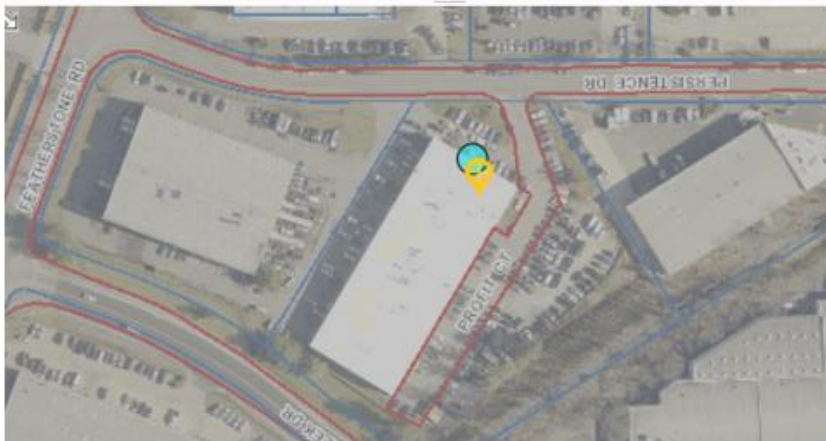
Building Official

Prince William County

Attachments

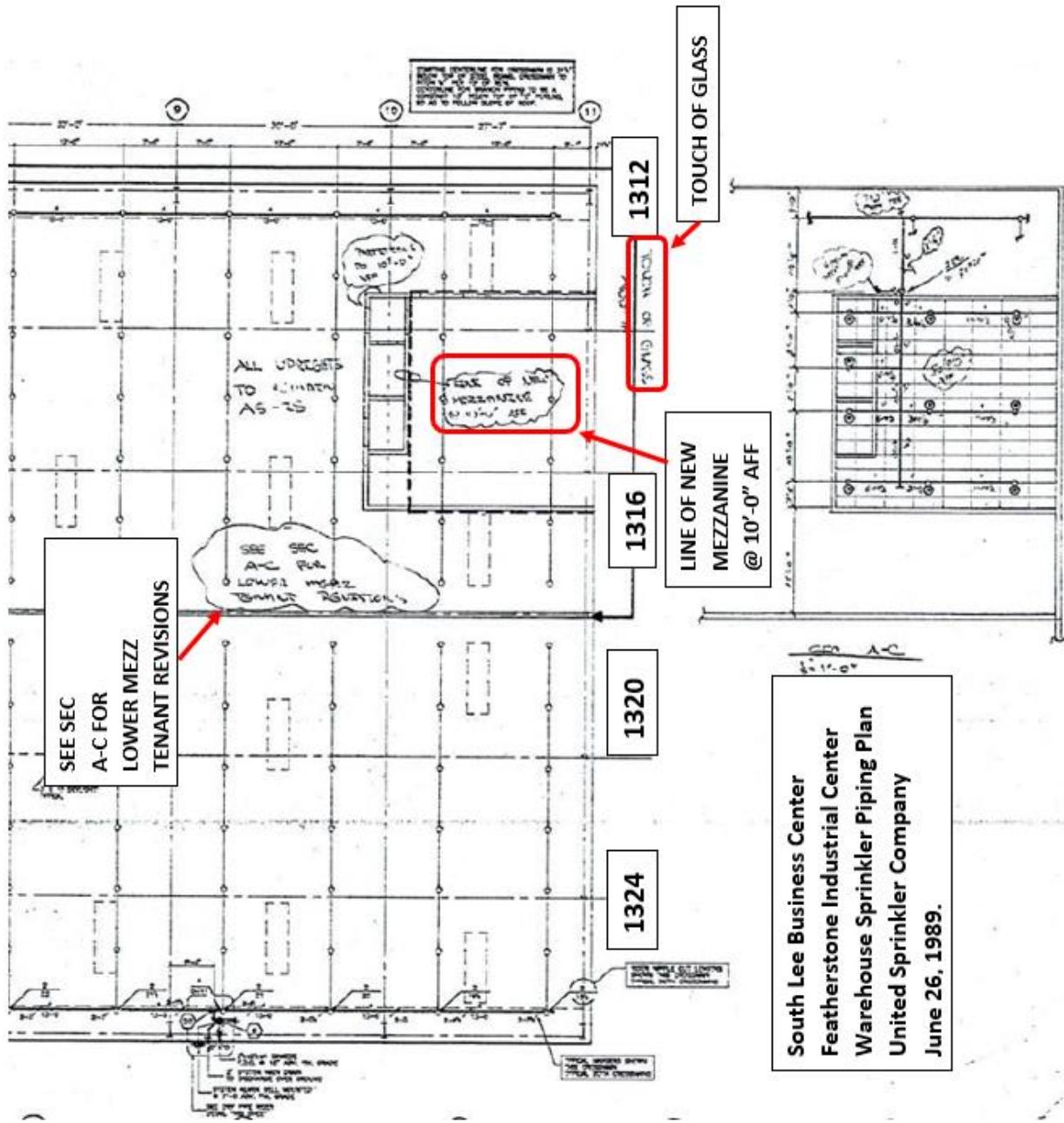
Appeal to the Review Board for Black Wolf Services LLC Appeal No. 22-05
May 16, 2022
ATTACHMENT 2 Fire Protection Plan – United Sprinkler Company, June 26, 1989

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



South Lee Business Center
Featherstone Industrial Center
Warehouse Sprinkler Piping Plan
United Sprinkler Company
June 26, 1989.

**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

(Page left blank intentionally)

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

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: RE: 1308 PROFIT CT WOODBRIDGE, VA 22191

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Ms. Ghimire,

I am still waiting for the certified letter to arrive from the county that is specified in Ms. Spina's March 17 email attachment.

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

From: Ghimire, Sarmin <SGhimire@pwcgov.org>
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To: Chris Berry <chris@blackwolfauto.com>
Subject: 1308 PROFIT CT WOODBRIDGE, VA 22191

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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: Chris Berry <chris@blackwolfauto.com>

Sent: Friday, March 11, 2022 8:27 AM

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

Cc: Chris Berry <chris@blackwolfauto.com>

Subject: FW: Request for Appeal

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Any assistance you could provide regarding this matter would be greatly appreciated.

Sincerely,

Chris Berry

Black Wolf Automotive Specialties

1320 Profit Ct.

Woodbridge, Va. 22191

703-490-4000

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.

Sincerely,

Chris Berry

Black Wolf Automotive Specialties

Blackwolfauto.com

703-490-4000

From: Spina, Mandi <MSpina@pwcgov.org>

Sent: Thursday, March 10, 2022 3:35 PM

To: Chris Berry <chris@blackwolfauto.com>

Subject: RE: Request for Appeal

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.

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

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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;
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Person Appealing;
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Sent: Thursday, April 28, 2022 12:45 PM
To: Ghimire, Sarmin
Cc: Chris Berry
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Ms. Ghimire,

I spoke earlier today with the representative from the state who is helping with the next appeal.

I am writing today to ask for your assistance with a couple items. Could you please provide me with;

- Building official Eric Mays;
 - o Mailing address
 - o Email address
 - o Phone number
- A copy of either (or both if available) the minutes or the recording of the appeals hearing that took place on March 11.

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Department of Development Services
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Work Cell Phone: 571-436-1253
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Email: mspina@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;
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703-490-4000

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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

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: Ghimire, Sarmin <SGhimire@pwcgov.org>
Sent: Thursday, April 28, 2022 12:49 PM
To: Spina, Mandi <MSpina@pwcgov.org>
Cc: Bates, Amanda <ABates@pwcgov.org>; O'Connor, Richard <roconnor@pwcgov.org>
Subject: FW: 1308 PROFIT CT WOODBRIDGE, VA 22191

Mandi,

Please see Mr. Berry's email below.

Please let me know if there is anything I can do.

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

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I spoke earlier today with the representative from the state who is helping with the next appeal.

I am writing today to ask for your assistance with a couple items. Could you please provide me with;

- Building official Eric Mays;
 - o Mailing address
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Department of Development Services

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Importance: High

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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

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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.

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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Importance: High

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Sincerely,
Chris Berry
Black Wolf Automotive Specialties
Blackwolfauto.com
703-490-4000

From: Spina, Mandi <MSpina@pwcgov.org>
Sent: Thursday, March 10, 2022 3:35 PM
To: Chris Berry <chris@blackwolfauto.com>
Subject: RE: Request for Appeal
Importance: High

Mr. Berry,

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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

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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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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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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
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Phone: 703.792.5631
SGhimire@pwcgov.org

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Sent: Tuesday, April 19, 2022 9:59 AM
To: Chris Berry
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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
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

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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
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 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:
[Development Services – COVID-19 UPDATE Operational Guidance](#)

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

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

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:
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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

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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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1320 Profit Ct.
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703-490-4000

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Good afternoon Mr. Berry,

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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

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5 County Complex Ct. Suite 120 | Prince William, VA 22192
703-792-5267 (direct) | Abates@pwcgov.org

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[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

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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,
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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

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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.

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Thanks,

Amanda Bates

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703-792-5267 (direct) | ABates@pwcgov.org

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To: Bates, Amanda <ABates@pwcgov.org>
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Subject: Request for Appeal

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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,
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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:

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.

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- 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

**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

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Ms. Bates,

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

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Subject: RE: Request for Appeal

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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>
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Sincerely,
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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

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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

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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.

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

<i>Staff Use Only</i>	
OCC20	22-00446
Fee \$	527.75
Rept. #	20210931183948

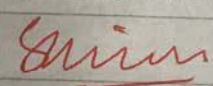
NEW OCCUPANT INFORMATION

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)

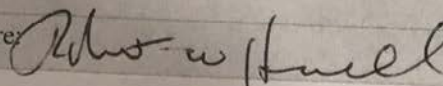
(PLEASE TYPE OR PRINT CLEARLY IN INK AND FILL IN ALL BLANK SPACES)

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#: 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

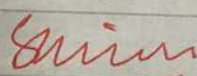
<i>Staff Use Only</i>	
OCC20	22-00446
Fee \$	527.75
Rcpt. #	20210931183948

NEW OCCUPANT INFORMATION

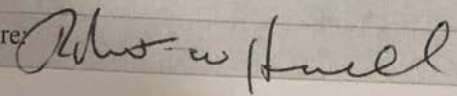
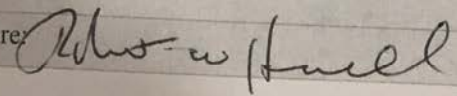
APPLICANT INFORMATION IS REQUIRED PRIOR TO SUBMITTING APPLICATION
 (You will be notified if your application is approved or denied for inspection within 5 business days)
 (PLEASE TYPE OR PRINT CLEARLY IN INK AND FILL IN ALL BLANK SPACES)

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: 2008 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.

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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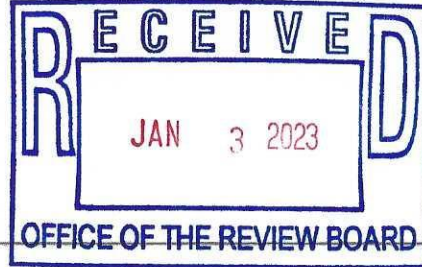
Prince William Building Code Appeals Board
March 11, 2022
Meeting Minutes

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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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: Gregory H. Revels

Phone Number: 804/501-4374

Email Address: Greg.Revels@henrico.us

Applicable Code: 2017 National Electrical Code

Code Section(s): Articles 230.82(6), 250.4(A), 250-142(A)(1), 705.12(A), 705.50

Submitted by (signature):

A handwritten signature in blue ink, appearing to be "Gregory H. Revels", written over a horizontal line.

Date: 12.30.2022

QUESTION(S):

See attached

(Page left blank intentionally)

230.82 Equipment Connected to the Supply Side of Service Disconnect.

Only the following equipment shall be permitted to be connected to the supply side of the service disconnecting means:

- (1) Cable limiters or other current-limiting devices.**
- (2) Meters and meter sockets nominally rated not in excess of 1000 volts, if all metal housings and service enclosures are grounded in accordance with Part VII and bonded in accordance with Part V of Article 250.**
- (3) Meter disconnect switches nominally rated not in excess of 1000 V that have a short-circuit current rating equal to or greater than the available short-circuit current, if all metal housings and service enclosures are grounded in accordance with Part VII and bonded in accordance with Part V of Article 250. A meter disconnect switch shall be capable of interrupting the load served. A meter disconnect shall be legibly field marked on its exterior in a manner suitable for the environment as follows:
**METER DISCONNECT
NOT SERVICE EQUIPMENT****
- (4) Instrument transformers (current and voltage), impedance shunts, load management devices, surge arresters, and Type 1 surge-protective devices.**
- (5) Taps used only to supply load management devices, circuits for standby power systems, fire pump equipment, and fire and sprinkler alarms, if provided with service equipment and installed in accordance with requirements for service-entrance conductors.**
- (6) Solar photovoltaic systems, fuel cell systems, wind electric systems, energy storage systems, or interconnected electric power production sources.**
- (7) Control circuits for power-operable service disconnecting means, if suitable overcurrent protection and disconnecting means are provided.**
- (8) Ground-fault protection systems or Type 2 surge-protective devices, where installed as part of listed equipment, if suitable overcurrent protection and disconnecting means are provided.**
- (9) Connections used only to supply listed communications equipment under the exclusive control of the serving electric utility, if suitable overcurrent protection and disconnecting means are provided. For installations of equipment by the serving electric utility, a disconnecting means is not required if the supply is installed as part of a meter socket, such that access can only be gained with the meter removed.**

250.4 General Requirements for Grounding and Bonding.

The following general requirements identify what grounding and bonding of electrical systems are required to accomplish. The prescriptive methods contained in Article 250 shall be followed to comply with the performance requirements of this section.

ENHANCED CONTENT

Expand 

(A) Grounded Systems.

(1) Electrical System Grounding.

Electrical systems that are grounded shall be connected to earth in a manner that will limit the voltage imposed by lightning, line surges, or unintentional contact with higher-voltage lines and that will stabilize the voltage to earth during normal operation.

Informational Note No. 1: An important consideration for limiting the imposed voltage is the routing of bonding and grounding electrode conductors so that they are not any longer than necessary to complete the connection without disturbing the permanent parts of the installation and so that unnecessary bends and loops are avoided.

Informational Note No. 2: See NFPA 780-2014, *Standard for the Installation of Lightning Protection Systems*, for information on installation of grounding and bonding for lightning protection systems.

(2) Grounding of Electrical Equipment.

Normally non-current-carrying conductive materials enclosing electrical conductors or equipment, or forming part of such equipment, shall be connected to earth so as to limit the voltage to ground on these materials.

(3) Bonding of Electrical Equipment.

Normally non-current-carrying conductive materials enclosing electrical conductors or equipment, or forming part of such equipment, shall be connected together and to the electrical supply source in a manner that establishes an effective ground-fault current path.

(4) Bonding of Electrically Conductive Materials and Other Equipment.

Normally non-current-carrying electrically conductive materials that are likely to become energized shall be connected together and to the electrical supply source in a manner that establishes an effective ground-fault current path.

(5) Effective Ground-Fault Current Path.

Electrical equipment and wiring and other electrically conductive material likely to become energized shall be installed in a manner that creates a low-impedance circuit facilitating the operation of the overcurrent device or ground detector for high-impedance grounded systems. It shall be capable of safely carrying the maximum ground-fault current likely to be imposed on it from any point on the wiring system where a ground fault may occur to the electrical supply source. The earth shall not be considered as an effective ground-fault current path.

250.142 Use of Grounded Circuit Conductor for Grounding Equipment.

(A) Supply-Side Equipment.

A grounded circuit conductor shall be permitted to ground non-current-carrying metal parts of equipment, raceways, and other enclosures at any of the following locations:

- (1) On the supply side or within the enclosure of the ac service-disconnecting means
- (2) On the supply side or within the enclosure of the main disconnecting means for separate buildings as provided in 250.32(B)
- (3) On the supply side or within the enclosure of the main disconnecting means or overcurrent devices of a separately derived system where permitted by 250.30(A)(1)

705.12 Point of Connection.

The output of an interconnected electric power source shall be connected as specified in **705.12(A)** or **(B)**.

ENHANCED CONTENT

Expand 

(A) Supply Side.

An electric power production source shall be permitted to be connected to the supply side of the service disconnecting means as permitted in **230.82(6)**. The sum of the ratings of all overcurrent devices connected to power production sources shall not exceed the rating of the service.

ENHANCED CONTENT



Part II. Interactive Inverters

705.60 Circuit Sizing and Current.

(A) Calculation of Maximum Circuit Current.

The maximum current for the specific circuit shall be calculated in accordance with **705.60(A)(1)** and (A)(2).

(1) Inverter Input Circuit Currents.

The maximum current shall be the maximum rated input current of the inverter.

(2) Inverter Output Circuit Current.

The maximum current shall be the inverter continuous output current rating.

(B) Ampacity and Overcurrent Device Ratings.

Inverter system currents shall be considered to be continuous. The circuit conductors and overcurrent devices shall be sized to carry not less than 125 percent of the maximum currents as calculated in **705.60(A)**. The rating or setting of overcurrent devices shall be permitted in accordance with **240.4(B)** and (C).

Exception: Circuits containing an assembly together with its overcurrent device(s) that is listed for continuous operation at 100 percent of its rating shall be permitted to be utilized at 100 percent of its rating.



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250.24 Grounding of Service-Supplied Alternating-Current Systems.

(A) System Grounding Connections.

A premises wiring system supplied by a grounded ac service shall have a grounding electrode conductor connected to the grounded service conductor, at each service, in accordance with 250.24(A)(1) through (A)(5).

ENHANCED CONTENT

Expand 

(1) General.

The grounding electrode conductor connection shall be made at any accessible point from the load end of the overhead service conductors, service drop, underground service conductors, or service lateral to, including the terminal or bus to which the grounded service conductor is connected at the service disconnecting means.

*Informational Note: See definitions of **Service Conductors, Overhead**; **Service Conductors, Underground**; **Service Drop**; and **Service Lateral** in Article 100.*

ENHANCED CONTENT

Expand 

(2) Outdoor Transformer.

Where the transformer supplying the service is located outside the building, at least one additional grounding connection shall be made from the grounded service conductor to a grounding electrode, either at the transformer or elsewhere outside the building.

Exception: The additional grounding electrode conductor connection shall not be made on high-impedance grounded neutral systems. The system shall meet the requirements of 250.36.

ENHANCED CONTENT

Expand **(3) Dual-Fed Services.**

For services that are dual fed (double ended) in a common enclosure or grouped together in separate enclosures and employing a secondary tie, a single grounding electrode conductor connection to the tie point of the grounded conductor(s) from each power source shall be permitted.

(4) Main Bonding Jumper as Wire or Busbar.

Where the main bonding jumper specified in [250.28](#) is a wire or busbar and is installed from the grounded conductor terminal bar or bus to the equipment grounding terminal bar or bus in the service equipment, the grounding electrode conductor shall be permitted to be connected to the equipment grounding terminal, bar, or bus to which the main bonding jumper is connected.

(5) Load-Side Grounding Connections.

A grounded conductor shall not be connected to normally non-current-carrying metal parts of equipment, to equipment grounding conductor(s), or be reconnected to ground on the load side of the service disconnecting means except as otherwise permitted in this article.

Informational Note: See [250.30](#) for separately derived systems, [250.32](#) for connections at separate buildings or structures, and [250.142](#) for use of the grounded circuit conductor for grounding equipment.

ENHANCED CONTENT

Expand **(B) Main Bonding Jumper.**

For a grounded system, an unspliced main bonding jumper shall be used to connect the equipment grounding conductor(s) and the service-disconnect enclosure to the grounded conductor within the enclosure for each service disconnect in accordance with [250.28](#).

Exception No. 1: Where more than one service disconnecting means is located in an assembly listed for use as service equipment, an unspliced main bonding jumper shall bond the grounded conductor(s) to the assembly enclosure.

Exception No. 2: Impedance grounded neutral systems shall be permitted to be connected as provided in [250.36](#) and [250.187](#).

ENHANCED CONTENT

Expand 

(C) Grounded Conductor Brought to Service Equipment.

Where an ac system operating at 1000 volts or less is grounded at any point, the grounded conductor(s) shall be routed with the ungrounded conductors to each service disconnecting means and shall be connected to each disconnecting means grounded conductor(s) terminal or bus. A main bonding jumper shall connect the grounded conductor(s) to each service disconnecting means enclosure. The grounded conductor(s) shall be installed in accordance with [250.24\(C\)\(1\)](#) through (C)(4).

Exception: Where two or more service disconnecting means are located in a single assembly listed for use as service equipment, it shall be permitted to connect the grounded conductor(s) to the assembly common grounded conductor(s) terminal or bus. The assembly shall include a main bonding jumper for connecting the grounded conductor(s) to the assembly enclosure.

ENHANCED CONTENT

Expand 

(1) Sizing for a Single Raceway or Cable.

The grounded conductor shall not be smaller than specified in [Table 250.102\(C\)\(1\)](#).

(2) Parallel Conductors in Two or More Raceways or Cables.

If the ungrounded service-entrance conductors are installed in parallel in two or more raceways or cables, the grounded conductor shall also be installed in parallel. The size of the grounded conductor in each raceway or cable shall be based on the total circular mil area of the parallel ungrounded conductors in the raceway or cable, as indicated in [250.24\(C\)\(1\)](#), but not smaller than 1/0 AWG.

Informational Note: See 310.10(G) for grounded conductors connected in parallel.

(3) Delta-Connected Service.

The grounded conductor of a 3-phase, 3-wire delta service shall have an ampacity not less than that of the ungrounded conductors.

(4) High Impedance.

The grounded conductor on a high-impedance grounded neutral system shall be grounded in accordance with 250.36.

(D) Grounding Electrode Conductor.

A grounding electrode conductor shall be used to connect the equipment grounding conductors, the service-equipment enclosures, and, where the system is grounded, the grounded service conductor to the grounding electrode(s) required by Part III of this article. This conductor shall be sized in accordance with 250.66. High-impedance grounded neutral system connections shall be made as covered in 250.36.

250.25 Grounding Systems Permitted to Be Connected on the Supply Side of the Disconnect.

The grounding of systems connected on the supply side of the service disconnect, as permitted in 230.82, that are in enclosures separate from the service equipment enclosure shall comply with 250.25(A) or (B).

N (A) Grounded System.

If the utility supply system is grounded, the grounding of systems permitted to be connected on the supply side of the service disconnect and are installed in one or more separate enclosures from the service equipment enclosure shall comply with the requirements of 250.24(A) through (D).

N (B) Ungrounded Systems.

If the utility supply system is ungrounded, the grounding of systems permitted to be connected on the supply side of the service disconnect and are installed in one or more separate enclosures from the service equipment enclosure shall comply with the requirements of 250.24(E).

ENHANCED CONTENT

2023 NEC

705.11 Source Connections to a Service.

ENHANCED CONTENT

Expand 

N(A) Service Connections.

An electric power production source shall be permitted to be connected to a service by one of the following methods:

- (1) To a new service in accordance with 230.2(A)
- (2) To the supply side of the service disconnecting means in accordance with 230.82(6)
- (3) To an additional set of service entrance conductors in accordance with 230.40,
Exception No. 5

These connections shall comply with 705.11(B) through (F).

Δ(B) Conductors.

Service conductors connected to power production sources shall comply with the following:

- (1) The ampacity of the service conductors connected to the power production source service disconnecting means shall not be less than the sum of the power production source maximum circuit current in 705.28(A).
- (2) The service conductors connected to the power production source service disconnecting means shall be sized in accordance with 705.28 and not be smaller than 6 AWG copper or 4 AWG aluminum or copper-clad aluminum.
- (3) The ampacity of any other service conductors to which the power production sources are connected shall not be less than that required in 705.11(B).

State Building Code Technical Review Board Policy #30

Title: Remote Participation of State Building Code Technical Review Board Members

Authority: Section 2.2-3708.3 of the Code of Virginia and is to be strictly construed in conformance with the Virginia Freedom of Information Act (VFOIA), Code of Virginia Section 2.2-3700—3715.

This policy shall not govern an electronic meeting conducted to address a state of emergency declared by the Governor or the Board of Supervisors. Any meeting conducted by electronic communication means under such circumstances shall be governed by the provisions of Va. Code § 2.2-3708.2. This policy also does not apply to an all-virtual public meeting.

Policy Statement: **DEFINITIONS**

a. **“BOARD”** means the State Building Code Technical Review Board or any committee, subcommittee, or other entity of the State Building Code Technical Review Board.

b. **“Member”** means any member of the State Building Code Technical Review Board.

c. **“Remote participation”** means participation by an individual member of the State Building Code Technical Review Board by electronic communication means in a public meeting where a quorum of the Board is physically assembled, as defined by Va. Code § 2.2-3701.

d. **“Meeting”** means a meeting as defined by Va. Code § 2.2-3701.

e. **“Notify”** or **“notifies,”** for purposes of this policy, means written notice, such as email or letter. Notice does not include text messages or communications via social media.

MANDATORY REQUIREMENTS

Regardless of the reasons why the member is participating in a meeting from a remote location by electronic communication means, the following conditions must be met for the member to participate remotely:

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a. A quorum of the Board must be physically assembled at the primary or central meeting location; and

b. Arrangements have been made for the voice of the remotely participating member to be heard by all persons at the primary or central meeting location. If at any point during the meeting the voice of the remotely participating member is no longer able to be heard by all persons at the meeting location, the remotely participating member shall no longer be permitted to participate remotely. When the remotely participating member cannot hear all persons at the primary or central meeting location, the remotely participating member will abstain from all discussions and votes.

PROCESS TO REQUEST REMOTE PARTICIPATION

~~a. On or before the day of the meeting, and at any point~~ A minimum of 10 business days before the meeting begins, the requesting member must notify the Board Chair (or the Vice-Chair if the requesting member is the Chair) that they are unable to physically attend a meeting due to (i) a temporary or permanent disability or other medical condition that prevents the member's physical attendance, (ii) a family member's medical condition that requires the member to provide care for such family member, thereby preventing the member's physical attendance, (iii) their principal residence location more than 60 miles from the meeting location, or (iv) a personal matter and identifies with specificity the nature of the personal matter.

b. The requesting member shall also notify the Board Secretary of their request, but their failure to do so shall not affect their ability to remotely participate.

c. If the requesting member is unable to physically attend the meeting due to a personal matter, the requesting member must state with specificity the nature of the personal matter. Remote participation due to a personal matter is limited each calendar year to two meetings or 25 percent of the meetings held per calendar year rounded up to the next whole number, whichever is greater. There is no limit to the number of times that a member may participate remotely for the other authorized purposes listed in (i)—(iii) above.

d. The requesting member is not obligated to provide independent verification regarding the reason for their nonattendance, including the temporary or permanent disability or other medical condition or the family member's medical condition that prevents their physical attendance at the meeting.

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e. The Chair (or the Vice-Chair if the requesting member is the Chair) shall promptly notify the requesting member whether their request is in conformance with this policy, and therefore approved or disapproved.

PROCESS TO CONFIRM APPROVAL OR DISAPPROVAL OF PARTICIPATION FROM A REMOTE LOCATION

When a quorum of the Board has assembled for the meeting, the Board shall vote to determine whether:

- a. The Chair's decision to approve or disapprove the requesting member's request to participate from a remote location was in conformance with this policy; and
- b. The voice of the remotely participating member can be heard by all persons at the primary or central meeting location.

RECORDING IN MINUTES:

- a. If the member is allowed to participate remotely due to a temporary or permanent disability or other medical condition, a family member's medical condition that requires the member to provide care to the family member, or because their principal residence is located more than 60 miles from the meeting location the Board shall record in its minutes (1) the Board's approval of the member's remote participation; and (2) a general description of the remote location from which the member participated.
- b. If the member is allowed to participate remotely due to a personal matter, such matter shall be cited in the minutes with specificity, as well as how many times the member has attended remotely due to a personal matter, and a general description of the remote location from which the member participated.
- c. If a member's request to participate remotely is disapproved, the disapproval, including the grounds upon which the requested participation violates this policy or VFOIA, shall be recorded in the minutes with specificity.

CLOSED SESSION

If the Board goes into closed session, the member participating remotely shall ensure that no third party is able to hear or otherwise observe the closed meeting.

STRICT AND UNIFORM APPLICATION OF THIS POLICY

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This Policy shall be applied strictly and uniformly, without exception, to the entire membership, and without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at the meeting.

The Chair (or Vice-Chair) shall maintain the member's written request to participate remotely and the written response for a period of one year, or other such time required by records retention laws, regulations, and policies.

**Approval
and Review:**

This Board policy was reviewed and approved on 03/17/2023.

Supersession:

This Board policy is new.

**Board Chair
at Last Review:**

James R. Dawson

DHCD Director:

Bryan Horn

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State Building Code Technical Review Board Policy #31

Title: All Virtual Public Meeting of the State Building Code Technical Review Board

Authority: Section 2.2-3708.3 of the Code of Virginia and is to be strictly construed in conformance with the Virginia Freedom of Information Act (VFOIA), Code of Virginia Section 2.2-3700—3715.

This policy shall not govern an electronic meeting conducted to address a state of emergency declared by the Governor or the Board of Supervisors. Any meeting conducted by electronic communication means under such circumstances shall be governed by the provisions of Va. Code § 2.2-3708.2.

Policy Statement: **DEFINITIONS**

a. **“BOARD”** means the State Building Code Technical Review Board or any committee, subcommittee, or other entity of the State Building Code Technical Review Board.

b. **“Member”** means any member of the State Building Code Technical Review Board.

c. **“All-virtual public meeting”** means a public meeting conducted by the Board using electronic communication means during which all members of the public body who participate do so remotely rather than being assembled in one physical location, and to which public access is provided through electronic communication means, as defined by Va. Code § 2.2-3701.

d. **“Meeting”** means a meeting as defined by Va. Code § 2.2-3701.

e. **“Notify”** or **“notifies,”** for purposes of this policy, means written notice, such as email or letter. Notice does not include text messages or communications via social media.

WHEN AN ALL-VIRTUAL PUBLIC MEETING MAY BE AUTHORIZED

An all-virtual public meeting may be held under the following circumstances:

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- a. It is impracticable or unsafe to assemble a quorum of the Board in a single location, but a state of emergency has not been declared by the Governor; or
- b. Other circumstances warrant the holding of an all-virtual public meeting as determined by the Chair or Vice-Chair in the absence of the Chair, including, but not limited to, the convenience of an all-virtual meeting; and
- c. The Board has not had more than two all-virtual public meetings, or more than 25 percent of its meetings rounded up to the next whole number, whichever is greater, during the calendar year; and
- d. The Board's last meeting was not an all-virtual public meeting.
- e. Virtual meetings may only be utilized for administrative matters.

PROCESS TO AUTHORIZE AN ALL-VIRTUAL PUBLIC MEETING

- a. The Board may schedule its all-virtual public meetings at the same time and using the same procedures used by the Board to set its meetings calendar for the calendar year; or
- b. If the Board wishes to have an all-virtual public meeting on a date not scheduled in advance on its meetings calendar, and an all-virtual public meeting is authorized under Section 3 above, the Board Chair may schedule an all-virtual public meeting provided that any such meeting comports with VFOIA notice requirements.

ALL-VIRTUAL PUBLIC MEETING REQUIREMENTS

The following applies to any all-virtual public meeting of the Board that is scheduled in conformance with this Policy:

- a. The meeting notice indicates that the public meeting will be all-virtual and the Board will not change the method by which the Board chooses to meet without providing a new meeting notice that comports with VFOIA;
- b. Public access is provided by electronic communication means that allows the public to hear all participating members of the Board;
- c. Audio-visual technology, if available, is used to allow the public to see the members of the Board;
- d. A phone number, email address, or other live contact information is provided to the public to alert the Board if electronic transmission of the meeting fails for

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the public, and if such transmission fails, the Board takes a recess until public access is restored;

e. A copy of the proposed agenda and all agenda packets (unless exempt) are made available to the public electronically at the same time such materials are provided to the Board;

f. The public is afforded the opportunity to comment through electronic means, including written comments, at meetings where public comment is customarily received; and

g. There are no more than two members of the Board together in one physical location.

RECORDING IN MINUTES:

Minutes are taken as required by VFOIA and must include the fact that the meeting was held by electronic communication means and the type of electronic communication means used.

CLOSED SESSION

If the Board goes into closed session, transmission of the meeting will be suspended until the public body resumes to certify the closed meeting in open session.

STRICT AND UNIFORM APPLICATION OF THIS POLICY

This Policy shall be applied strictly and uniformly, without exception, to the entire membership, and without regard to the matters that will be considered or voted on at the meeting.

**Approval
and Review:**

This Board policy was reviewed and approved on 03/17/2023.

Supersession:

This Board policy is new.

**Board Chair
at Last Review:**

James R. Dawson

DHCD Director:

Bryan Horn

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