

Affordable Dwelling Unit (ADU) Program

NOTICE OF REQUIRED ANNUAL ANNIVERSARY AFFIDAVIT

May 1, 2023

Dear ADU Property Owner:

Enclosed you will find a copy of the required Affordable Dwelling Unit (ADU) Annual Anniversary Affidavit for your review and signature. The ADU Affidavit is an annual, mandatory requirement of the ADU Program for as long as you own it.

The **ORIGINAL** Affidavit must be completed, signed, notarized, and returned to the Loudoun County Department of Housing & Community Development (DHCD) **no later than June 1, 2023**, in accordance with the provisions of the Revised 1993 Loudoun County Zoning Ordinance and Chapter 1450 of the Loudoun County Codified Ordinance. The **ORIGINAL** Affidavit should be returned to the attention of Mr. Jimmy Kimbrough, Housing Program Specialist. **Copies, faxes, and e-mails of the Affidavit will not be accepted.** You will not receive additional notices or requests for this information. Please note that the Loudoun County Department of Housing & Community Development is a separate department and is no longer a part of the Department of Family Services, so please do **not** return the Affidavit to the Shenandoah Building or mail it there. **Please have your Affidavit notarized prior to returning it to Loudoun County DHCD.**

There are three ways you can return your Affidavit:

- 1. By mail: Mail your Affidavit to the Loudoun County Department of Housing & Community Development, P.O. Box 7000, Leesburg, VA 20177-7000.**
- 2. Use our secure blue drop box in the lobby of our building: Drop your Affidavit in the blue drop box in our lobby at 106 Catoctin Circle, SE, Leesburg, VA. Lobby hours for accessing the blue drop box are Monday – Friday, 7:00am – 9:30pm, excluding holidays.**
- 3. In person: Bring your Affidavit in to our office located on the first floor at 106 Catoctin Circle, SE, Leesburg, VA. The public entrance is at the rear of the building. We are open for in-person services Monday – Friday, 8:30am – 5:00pm, excluding holidays.**

*****Policy.** To receive confirmation that your Affidavit has been received, please include a current, active e-mail address on your Affidavit (if one is not already provided) and be sure to print your e-mail address **clearly**. If there is an e-mail address already printed on your Affidavit but it is incorrect, please cross it out and clearly print the correct e-mail address. We will use the e-mail address provided to send you an automated message confirming receipt of your Affidavit. Loudoun County DHCD will **not** be providing households with any other written confirmation of receipt or a photocopy of the Affidavit. If you require a copy for your records, please make one before returning your Affidavit to Loudoun County DHCD.

All questions should be addressed to Mr. Jimmy Kimbrough, Housing Program Specialist, at 571-258-3115 or jimmy.kimbrough@loudoun.gov.

Please be advised that failure to submit the enclosed Affidavit is a violation of Section 6-504 of the Revised 1993 Loudoun County Zoning Ordinance and will result in the issuance of civil penalty citations by the Department of Planning and Zoning/Zoning Enforcement Division. In accordance with Section 6-504 of the Revised 1993 Loudoun County Zoning Ordinance, the fine for failure to submit the Affidavit is \$100.00 per day, until such time as the executed Affidavit is received by the Loudoun County Department of Housing & Community Development. If the Affidavit is not received by Loudoun County DHCD by June 1, 2023, the issue will be referred to Zoning Enforcement staff, and you will be subject to fines.

This determination applies solely to the referenced property and is not binding upon the County, the Zoning Administrator, or any other official with respect to any other property. No person may rely upon this determination with respect to any other property other than the referenced property.

Please be advised that any person aggrieved, or any officer, department, or agency of Loudoun County affected by an order, requirement, decision or determination made by an administrative officer in the administration or enforcement of the provisions of the Zoning Ordinance may appeal said decision within thirty days to the Board of Zoning Appeals in strict accordance with Section 15.2-2311 of the *Code of Virginia*.

To file an appeal, you must:

Provide a copy of this letter.

Complete an "Application for Appeal Form." An electronic version of the form can be found at: <https://www.loudoun.gov/DocumentCenter/View/123603>.

Provide a written statement specifying the reasons for your appeal and include a check payable to Loudoun County in the amount of \$350.00.

The appeal must be filed with the Zoning Administrator and Chairman of the Board of Zoning Appeals no later than thirty days after the date of this letter.

If you have additional questions regarding the ADU Annual Affidavit process, please contact the undersigned Housing Program Specialist directly.



Jimmy D. Kimbrough, Jr., Housing Program Specialist, for:
Mark Stultz, Zoning Administrator
Zoning Administration, Enforcement Division
Telephone (571) 258-3115

May 01, 2023

Date

Attachment: Annual Affidavit