

Date of Meeting: June 15, 2011

**BOARD OF SUPERVISORS
TRANSPORTATION AND LAND USE COMMITTEE**

ACTION ITEM

SUBJECT: Fee Waiver Request, Michael & Son Services Cares Program

ELECTION DISTRICT: Broad Run

STAFF CONTACTS: Mike Seigfried, AICP, Building and Development
Terrance D. Wharton, Director, Building and Development

CRITICAL ACTION DATE: At the Pleasure of the Committee

RECOMMENDATIONS:

Staff: Staff recommends upholding the Board's policy of recovering the costs of processing applications through the collection of fees.

BACKGROUND:

Michael and Son Services have submitted a request for a waiver of building permit fees in the amount of \$530.00. In October 2010, Michael and Sons established its "Cares" program which is a charitable program intended to assist families in need. The current project is to assist a family in Ashburn Village whose son was attacked and is currently in a vegetative state. The applicant's statement describing the request is included on page A-4. The project involves expanding the existing bathroom to make it handicapped accessible, finishing the basement for a bedroom, and possibly upgrading the electrical system to handle the needs of the medical equipment.

As part of this program Michael and Sons donates their time for the project and solicits businesses to donate materials. As noted in the request, B & F Ceramics Design will be contributing tiles and installation. It is estimated that the cost of the project will be approximately \$25,000 and will include four (4) of the construction trades to be involved. Based upon this information, it is estimated that the building permit fees will total \$530.00.

ISSUES:

1. The purpose of application fees is to cover the County's costs of processing and reviewing land development applications.
2. The Board adopted guidelines for waiving application fees in July of 2000. This organization does not appear to be eligible for a waiver under these guidelines.

FISCAL IMPACT:

The fiscal impact associated with fee waivers is dependent upon the costs of processing the permits and performing the inspections. If waived, the \$530.00 building permit fee will be funded from local tax revenues rather than recovered from the fees.

ALTERNATIVES:

1. Do not waive the fee.
2. Waive the fee as requested.

DRAFT MOTION (S):

1. I move that the Transportation and Land Use Committee deny the request to waive building permit fees in the amount of \$530.00 or,
- * 2. I move that the Transportation and Land Use Committee approve the request to waive building permit fees in the amount of \$530.00 or,
3. I move an alternate motion

ATTACHMENTS:

1. County Fee Waiver Policy
2. Fee Waiver Application

*Motion #2 is proposed for Consent

**LOUDOUN COUNTY LAND DEVELOPMENT APPLICATION
FEE WAIVER POLICY
Adopted July 10, 2000**

The Loudoun County Board of Supervisors affirms its Blanket Fee Waiver Policy for Land Development Applications initiated by the County Government, the Loudoun County School System, the incorporated Towns, the Loudoun County Sanitation Authority, and the Fire and Rescue Companies. Waivers may also be granted upon written request from applicants meeting the criteria set forth in Sections 15.2-953 and 15.2-820 of the Code of Virginia, which defines the groups which may receive gifts or donations from a locality in the Commonwealth as described below, for facilities to serve the public, when the applicant can demonstrate hardship, or for replacement of facilities serving the public which have been lost as a result of disaster and when the loss is not reimbursable from a third party. As set forth in the Loudoun County Zoning Ordinance, no fee will be charged to any applicant for downzoning to A-10 and A-25. No approvals will be given to requests that fees be based on recorded time and expenses for processing individual applications.

Eligible Groups:

Any charitable institution or association, located within their respective limits or outside their limits if such institution or association provides services to residents of the locality not controlled in whole or in part by any church or sectarian society;

Any charitable institution or nonprofit or other organization, providing housing for persons sixty years of age or older, or operating a hospital or nursing home;

Any organization furnishing voluntary fire fighting services;

Any non-profit lifesaving crew or lifesaving organization or rescue squad;

Non-profit recreational associations or organizations...not controlled in whole or in part by any church or sectarian society;

Chambers of Commerce which are non-profit and non-sectarian;

Industrial Development Authorities

Public and private nonprofit organizations engaged in commemorating historical events;

A state college or university which provides services to such locality's residents;

Any non-profit legal entity that is not controlled in whole or in part by any church, sectarian society or group that has exclusionary membership practices or rules, that owns recreational facilities in the county, such as swimming pools, tennis courts, etc....

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MAY 24 2011

BUILDING AND DEVELOPMENT

LOUDOUN COUNTY LAND DEVELOPMENT APPLICATION
REQUEST FOR FEE WAIVER

This form should be completed and submitted to County Administration for transmittal to the Board of Supervisors' Land Use Committee. You will be notified in advance of the date and time of the meeting at which this request will be considered.

County Administration, 1 Harrison Street, S.E., P. O. Box 7000, Leesburg, VA 20177
703-777-0200

Name of Organization: Michael & Son Services Cares Program
Address: 5740 General Washington Drive, Alexandria VA 22312 Contact Person: Bryan Nolde
Phone: 703 658-1153
Fax: 703 914-1793

Date of Fee Waiver Request: _____

Signature of Contact Person: Bryan P. Nolde Marketing Manager
Director (Title) Michael and Son Cares Program

Type of Land Use Development Application: N/A

Date of Submission of Application: 5/17/2011

Fee: \$ 530.00 Requested Waiver: Full or Partial _____

If Partial, please indicate on this line the amount you wish to have waived (subtracted) from the full fee: \$ _____

Purpose of Application:
To obtain a fee waiver for charitable work to be completed in Loudoun County.

The Loudoun County Land Development Application Fee Waiver Policy is attached. This policy identifies the organizations which are eligible to apply for a land development fee waiver, and defines the circumstances in which a request for a fee waiver may be granted. Fee waivers may be granted to eligible organizations for facilities to serve the public when the applicant can demonstrate hardship, or for replacement of facilities serving the public which have been lost as a result of disaster and when the loss is:

THE FOLLOWING ATTACH YOUR REQUEST FOR A W

ATTACHMENT 2

D IN ORDER TO PROCESS APPLICATION FEES:

A-2

Request for Waiver of Land Development Application Fee
Page 2

1. What is the mission of your organization and/or its basic purpose?

Our Michael & Son Care Program assists Community members in need as well donate the necessary services to their home w/e it if they are elderly handicapped/disabled, unemployed and candidates are referred by community members

2. What specific public good will the proposed facility provide to Loudoun County residents?

our mission will assist community members in their time of need by ensuring the safety and proper function of their plumbing, electrical or heating & cooling

3. Describe the qualifying circumstances for this fee waiver request (i.e. hardship or replacement of facilities serving the public which have been lost as a result of disaster and when the loss is not reimbursable from a third party). If more space is needed, please continue on a separate sheet of paper.

Michael and Son Services will provide a public service for a family who was recently struck with hardship due to an injury suffered by the families son.

4. Have land development application fees previously been waived for this organization?

No

If yes, please indicate when and for what type of application(s)

5. What other contributions have you received for this project?

RoF Ceramics Design will contribute tiles and provide installation.

6. Please attach a copy of the documentation of your organization's IRS status (501.C.3 or other).

Attachments:

Loudoun County Land Develop
Virginia Code Sections 15.2-951

Michael & Son Services, Inc.

Electrical Services • Handyman Services • Plumbing Services • Generator Services • Remodeling & Construction Services

Tel: (703) 658-3998 • Fax: (703) 914-1793
5740 General Washington Drive
Alexandria, VA 22312

Dear Loudon County,

We at Michael & Son Services established our "Cares" charitable program last October which helps support our community members during their time of need. We recently have been in communication with a Loudon county family in desperate need of our help. Ryan Diviney was brutally attacked a few months ago which has now left him in a vegetative state. The Diviney's now must provide Ryan with constant supervision and assistance due to his condition. We've offered to donate our services to the family and are currently planning on building out their basement with a handicap bathroom to help Ryan's father bathe him properly.

We're asking for the Counties support if you could please considering waiving the permit fees related to the Diviney's project. We've gotten a lot of public support and sponsors to help build this for Ryan and now the final step is to get Loudon County included to help this young man during his time of need. We greatly appreciate your consideration and look forward to hearing from you.

Sincerely,

Christopher Thompson

Michael & Son Services, Inc.
(703) 658-1152
Christopher.thompson@michaelandson.com

MICHAEL & SON CARES



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Michael & Son Cares

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OUR MISSION:

September 29th, 2010 § [Leave a Comment](#)

Proud Son and Owner of Michael & Son Services, Basim M. Mansour established the “Michael & Son Cares” initiative in recent efforts to lend a helping hand to the community that has nurtured our company since 1976. Expanding on previous charitable efforts, “Michael & Son Cares” is reaching out to members of the D.C. metropolitan area and asking you to help share stories of neighbors in your area, that can use a little help during their time of uncertainty. We will offer up to \$300 in cash or services so that we can help someone important to you and the community that is unrelated to yourself. Your emails will personally be reviewed by Basim on a case by case basis. We hope that with your heart-felt stories, we can inspire others in our area to lend a helping hand. Help us help our community.

Email us your story:

michaelandsoncares@michaelandson.com

