

TOWN OF HERNDON

Enriching the Quality of Life and Promoting a Sense of Community



MEMORANDUM

To: Arthur A. Anselene, Town Manager

Through: Elizabeth M. Gilleran, Director of Community Development *EMG*

From: William Edmonston, Senior Community Inspector *WE*

Date: November 6, 2009

Subject: Monthly Community Inspections Report – October 2009

I. All Violation Complaints by Status

❖ *Zoning Complaints Closed*

During the month of October 2009, the Building Official's staff and Zoning Administrator's staff closed fifty-two (52) cases, which included violations of the Zoning Ordinance, IPMC Code, and the Town Code. The breakdown of the total number of closed violations is as follows:

Type of Complaints	# of Closed Complaints
IPMC New Construction	1
IPMC Property Maintenance	4
Business Violation	0
Fence	0
Home-Based Business	1
Illegal Dwelling Unit	2
Other	1
Overcrowding	12*
Excessive Occupancy	0
Signs	2
Tall Grass	6
Trash	6
Vehicle	17

* Indicates closed cases regardless of when they originated.

❖ *New Zoning Complaints*

In October 2009, the Department of Community Development and the Building Official's Office received thirty-seven (37) new complaints. The new cases consisted of:

Type of Complaints	# of New Complaints
IPMC New Construction	1
IPMC Property Maintenance	2
Business Violation	1
Excessive Paved Surface	0
Fence	0
Heritage District Violation	0
Illegal Dwelling Unit	2
Other	2
Overcrowding	6
Sign	1
Tall Grass	4
Trash	4
Vehicle	14
Home Based business	0

❖ *Complaints Report Summary*

- As of October 2009, the report for the fiscal year shows that the total number of current complaints for all types of violations is one hundred ninety-five (195). Of that total, forty-three (43) of those remain open. The three most prevalent types of complaints being investigated are vehicle, overcrowding and property maintenance. Relative to the property maintenance complaints, the Zoning Enforcement Staff is continuing to be proactive in assisting the Building Official's Office.
- The total number of zoning enforcement related actions equaled three hundred ten (310) for October 2009. In October 2009, the percentage of excessive occupancy cases without investigative activity remains at 0%.
- Zoning staff removed three hundred seventy (370) illegally placed signs in the public right-of-way during the month of October 2009.
- Community Inspectors completed six (6) Zoning Inspection Permits (ZIPs) during the month of October 2009.

- Zoning staff continues to provide early morning, evening, and weekend enforcement to identify and resolve reported violations. This includes proactive enforcement of day labor activity in the Elden Street and Alabama Drive area. During October our staff continued compiling statistics of persons standing in the Alabama/Elden Street area. We continue to make counts at 10:00am and 2:00pm on weekdays. The averages for those time periods this month are forty-five (45) and twenty (20) respectfully. These numbers are a reduction from what we observed during the spring and summer months. On weekends at 10:00am the average has been approximately seventy (70) people. In October we observed fifteen (15) possible day labor hires; of which two (2) were registered too commercial owners. This, like in September, is a significant reduction from the previous spring and summer months. None of the vehicles came back registered to addresses within the corporate limits of the Town. Three (3) of the recipients of the letters responded to my request for them to contact our office. Two (2) of the respondents were from the commercial companies. One advised that he did not pick up anyone and the other advised his employee did and he has taken administrative action to prevent a recurrence. The third respondent was a residential owner and he apologized for his transgression. The majority of these day labor pickups occurred while the laborers were initially standing in the public right of way. Staff is continuing to work with the HPD and the Town Attorney's Office to resolve this issue. Staff is still devoting approximately thirty (30) man hours per week on this assignment and related administrative actions.

II. Excessive Occupancy Complaints Caseload Status

Below is a summary of the activities of the Community Inspectors for the month of October 2009, concerning excessive occupancy complaints.

Status	October 2009	September 2009	Change
New Complaints Received	6	7	-1
Cases Closed	12	13	-1
Violations Abated	9	7	+2
% Cases Closed with Abated Violations	75%	54%	+21%
# Re-opened Cases	12	4	+8
# Cases Currently Under Investigation	35*	31*	+4
# Complaints Reported, No Investigation Initiated	0	0	0
<i>Total Open Complaints</i>	<i>35*</i>	<i>31*</i>	<i>+4</i>

* Includes reopened cases from previous year(s)

In October 2009, the number of overcrowding cases currently under investigation is thirty-five (35), which are four more than of reported in September of 2009. Of the six (6) new complaints opened this month, one (1) was initiated by Town staff. Our total for new overcrowding complaints is one hundred thirteen (113) compared to one hundred three (103) reported for the same time period last year. Again, even though our case load has increased our time period for closing/resolving these cases continues to decline. This can be attributed to several factors including training, experience and case management oversight.

Based on the charts below, we can conclude that the average length of time it has taken the inspectors to determine the status of a case, continues to be lower in 2009 when compared to the average results of 2008.

❖ *Time Length Case Resolution Comparison and Averages*

Complaint Year 2008	Days to First Visit	Days to Determine Status	Days Under Investigation	Enforcement Time
Avg.	<1.0	80.0	79.2	57.2

Complaint Year 2009	Days to First Visit	Days to Determine Status	Days Under Investigation	Enforcement Time
Avg.	<1.0	31.5	28.7	37.6

Days to First Visit – the number of days from the date of the complaint to the date of investigative action being taken by an inspector.

Days to Determine Status – the number of total days from the date of the complaint until an Inspector reaches a conclusion as to whether a violation exists or the complaint is unfounded.

Days under Investigation – the number of days from the first date of investigative action by an Inspector until the date that a determination is made regarding the existence of a violation.

Enforcement Time – the number of days spent on resolving the violation, after the Inspector identifies that a violation exists.

- *Court Cases*

No Court action in October 2009;

❖ *Community Outreach*

During this month, I have continued our program of outreach to the community by working with HOA and Neighborhood Watch Representatives and keeping them informed and involved in the Section’s enforcement activities.

The final set of attachments comprises the Green-Yellow-Red status of overcrowding cases for the month of October 2009.

If you have any questions concerning this report, please contact me at (703) 435-6800 x 2030.

Attachments:

Summary Report for the fiscal year 2009-2010 is found in Attachment #1
Summary Report for the calendar year of 2009 is found in Attachment #2

Cc: Chairman Sivertsen and Members of the Planning Commission
Viki Wellershaus, Town Clerk
Bob Boxer, Director of Public Works
John Orrison, Building Official
Anne Curtis, Public Information Officer



Canendar Year 2009

Complaint Type	Total	CLOSED	OPEN
BOCA NEW CONSTRUCTION	12	11	1
BOCA PROPERTY MAINTENANCE	56	41	15
BUSINESS VIOLATION	3	2	1
EXCESSIVE PAVED SURFACE	1		1
FENCE	6	4	2
HERITAGE DISTRICT VIOLATION	1		1
HOME-BASED BUSINESS	26	26	
ILLEGAL DWELLING UNIT	16	14	2
OTHER	13	11	2
OVERCROWDING	113	93	20
SIGN	19	18	1
TALL GRASS	134	130	4
TRASH	68	65	3
VEHICLE	155	145	10
	Total Closed:		560
	Total Open:		63
	Total Complaints:		623

Percent Closed 90% **Percent Open:** 10%



Fiscal Year 2010

Complaint Type	Total	CLOSED	OPEN
BOCA NEW CONSTRUCTION	6	5	1
BOCA PROPERTY MAINTENANCE	14	7	7
BUSINESS VIOLATION	2	1	1
FENCE	3	2	1
HOME-BASED BUSINESS	13	13	
ILLEGAL DWELLING UNIT	5	3	2
OTHER	4	2	2
OVERCROWDING	29	16	13
SIGN	5	5	
TALL GRASS	37	33	4
TRASH	23	20	3
VEHICLE	54	45	9
	Total Closed:		152
	Total Open:		43
	Total Complaints:		195

Percent Closed 78% **Percent Open:** 22%



Excessive Occupancy Cases

Status Green - Cases Closed Since 10/01/2009

BRANCH DRIVE

Number	Street	Type	Unit	Complaint Date	Close Date	Status
	BRANCH	AV		4/9/2009	10/28/2009	ABATED
	BRANCH	DR		6/5/2007	10/20/2009	ABATED

CHANDON

Number	Street	Type	Unit	Complaint Date	Close Date	Status
	PATRICK	LA		6/29/2006	10/26/2009	ABATED
	PICKETT	LA		6/2/2009	10/28/2009	NO VIOLATION FOUND
	PICKETT	LA		6/3/2009	10/26/2009	ABATED

COURTS OF CHANDON

Number	Street	Type	Unit	Complaint Date	Close Date	Status
	BIRCH	CT		8/24/2009	10/6/2009	ABATED

DULLES PARK

Number	Street	Type	Unit	Complaint Date	Close Date	Status
	WILSHIRE	DR		3/25/2009	10/9/2009	ABATED

FOUR SEASONS TOWNHOUSES

Number	Street	Type	Unit	Complaint Date	Close Date	Status
	SPRINGTIDE	PL		5/5/2009	10/28/2009	NO VIOLATION FOUND
	SPRINGTIDE	PL		9/18/2009	10/28/2009	ABATED

HUNTERS CREEK

Number	Street	Type	Unit	Complaint Date	Close Date	Status
	PEMBROOK	ST		5/5/2009	10/20/2009	ABATED

POTOMAC FAIRWAYS

Number	Street	Type	Unit	Complaint Date	Close Date	Status
	CASPER	DR		3/24/2009	10/19/2009	ABATED

TREESIDE

Number	Street	Type	Unit	Complaint Date	Close Date	Status
	BAYSHIRE	LA		8/12/2009	10/30/2009	NO VIOLATION FOUND

Total in Category: 12



Excessive Occupancy Cases Status - Yellow

ASHBURN

Number	Street	Type	Unit	Complaint Date	Reopen Date	Court	Civil
	WOODSHIRE	LA		4/16/2008	9/14/2009	<input type="checkbox"/>	<input type="checkbox"/>

BLUEMONT

Number	Street	Type	Unit	Complaint Date	Reopen Date	Court	Civil
	BLUEMONT	CT		3/11/2008	7/28/2009	<input type="checkbox"/>	<input type="checkbox"/>
	BLUEMONT	CT		9/22/2009		<input type="checkbox"/>	<input type="checkbox"/>

BRANCH DRIVE

Number	Street	Type	Unit	Complaint Date	Reopen Date	Court	Civil
	BRANCH	DR		9/21/2009		<input type="checkbox"/>	<input type="checkbox"/>

BROAD OAKS

Number	Street	Type	Unit	Complaint Date	Reopen Date	Court	Civil
	BROAD OAKS	DR		10/14/2009		<input type="checkbox"/>	<input type="checkbox"/>

CAVALIER PARK

Number	Street	Type	Unit	Complaint Date	Reopen Date	Court	Civil
	CHARLES	ST		8/14/2009		<input type="checkbox"/>	<input type="checkbox"/>
	QUEENS	CT		9/18/2009		<input type="checkbox"/>	<input type="checkbox"/>

CHANDON

Number	Street	Type	Unit	Complaint Date	Reopen Date	Court	Civil
	ALABAMA	DR		8/28/2008	3/1/2009	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	PICKETT	LA		6/2/2009	10/15/2009	<input type="checkbox"/>	<input checked="" type="checkbox"/>

CHANDON WOODS

Number	Street	Type	Unit	Complaint Date	Reopen Date	Court	Civil
	CALHOUN	CT		8/28/2008	10/15/2009	<input type="checkbox"/>	<input checked="" type="checkbox"/>

COURTS OF CHANDON

Number	Street	Type	Unit	Complaint Date	Reopen Date	Court	Civil
	HOLLY	CT		6/23/2009		<input type="checkbox"/>	<input type="checkbox"/>
	PALMER	DR		1/12/2007	10/27/2009	<input type="checkbox"/>	<input type="checkbox"/>

"Status Yellow" includes excessive occupancy complaints currently under investigation.

DULLES PARK

Number	Street	Type	Unit	Complaint Date	Reopen Date	Court	Civil
	WILSHIRE	DR		10/7/2009		<input type="checkbox"/>	<input type="checkbox"/>
	WILSHIRE	DR		10/7/2009		<input type="checkbox"/>	<input type="checkbox"/>

ESTATES AT EAGLE LIE

Number	Street	Type	Unit	Complaint Date	Reopen Date	Court	Civil
	BURWICK	DR		8/17/2007	10/16/2009	<input type="checkbox"/>	<input type="checkbox"/>
	BURWICK	DR		9/22/2009		<input type="checkbox"/>	<input type="checkbox"/>
	BURWICK	DR		1/16/2007	10/16/2009	<input type="checkbox"/>	<input type="checkbox"/>

FOUR SEASONS TOWNHOUSES

Number	Street	Type	Unit	Complaint Date	Reopen Date	Court	Civil
	CLEARWATER	CT		3/6/2009	9/25/2009	<input type="checkbox"/>	<input type="checkbox"/>
	CLEARWATER	CT		3/6/2009	10/19/2009	<input type="checkbox"/>	<input type="checkbox"/>
	CLEARWATER	CT		3/6/2009	10/15/2009	<input type="checkbox"/>	<input type="checkbox"/>

LIFESTYLE

Number	Street	Type	Unit	Complaint Date	Reopen Date	Court	Civil
	CENTER	ST	T2	10/9/2009		<input type="checkbox"/>	<input type="checkbox"/>

MOSBY HEIGHTS

Number	Street	Type	Unit	Complaint Date	Reopen Date	Court	Civil
	MOSBY HOLLOW	DR		10/30/2007	10/15/2009	<input type="checkbox"/>	<input type="checkbox"/>
	STERLING	RD		8/24/2009		<input type="checkbox"/>	<input type="checkbox"/>
	STERLING	RD		3/26/2009	7/30/2009	<input type="checkbox"/>	<input type="checkbox"/>
	STERLING	RD		10/2/2009		<input type="checkbox"/>	<input type="checkbox"/>

PARK AVE SQUARE

Number	Street	Type	Unit	Complaint Date	Reopen Date	Court	Civil
	PARK	AV		1/5/2009	10/14/2009	<input type="checkbox"/>	<input type="checkbox"/>

POTOMAC FAIRWAYS

Number	Street	Type	Unit	Complaint Date	Reopen Date	Court	Civil
	TWAY	LA		10/2/2009		<input type="checkbox"/>	<input type="checkbox"/>
	WHITWORTH	CT		10/11/2007	10/26/2009	<input type="checkbox"/>	<input type="checkbox"/>

"Status Yellow" includes excessive occupancy complaints currently under investigation.

Cases current through 10/31/2009

Excessive Occupancy - Status Yellow, Page 2 of 3

THE DOWNS

Number	Street	Type	Unit	Complaint Date	Reopen Date	Court	Civil
	ALABAMA	DR		2/28/2008		<input checked="" type="checkbox"/>	<input type="checkbox"/>
	ASPEN	DR		6/24/2008		<input checked="" type="checkbox"/>	<input type="checkbox"/>
	ASPEN	DR		4/13/2006	6/24/2009	<input checked="" type="checkbox"/>	<input type="checkbox"/>

TRALEE

Number	Street	Type	Unit	Complaint Date	Reopen Date	Court	Civil
	DUBLIN	PL		12/22/2008	8/4/2009	<input type="checkbox"/>	<input type="checkbox"/>

TREESIDE

Number	Street	Type	Unit	Complaint Date	Reopen Date	Court	Civil
	TERRYLYNN	CT		2/18/2005	10/26/2009	<input type="checkbox"/>	<input type="checkbox"/>

VAN VLECKS

Number	Street	Type	Unit	Complaint Date	Reopen Date	Court	Civil
	GRANT	ST		12/14/2006	10/26/2009	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

YOUNT

Number	Street	Type	Unit	Complaint Date	Reopen Date	Court	Civil
	PARK	AV		9/18/2009		<input type="checkbox"/>	<input type="checkbox"/>

Total in Category: 35