

# 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:** September 10, 2009

**Subject:** Monthly Community Inspections Report – August 2009

### I. All Violation Complaints by Status

#### ❖ *Zoning Complaints Closed*

During the month of August 2009, the Building Official's staff and Zoning Administrator's staff closed fifty-six (56) 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	2
IPMC Property Maintenance	8
Business Violation	2
Fence	1
Home-Based Business	12
Illegal Dwelling Unit	2
Other	2
Overcrowding	16*
Excessive Occupancy	0
Signs	0
Tall Grass	5
Trash	2
Vehicle	4

\* Indicates closed cases regardless of when they originated.

❖ *New Zoning Complaints*

In August 2009, the Department of Community Development and the Building Official's Office received forty-four (44) new complaints. The new cases consisted of:

<b>Type of Complaints</b>	<b># of New Complaints</b>
IPMC New Construction	0
IPMC Property Maintenance	5
Business Violation	0
Excessive Paved Surface	0
Fence	0
Heritage District Violation	0
Illegal Dwelling Unit	1
Other	1
Overcrowding	11
Sign	1
Tall Grass	8
Trash	4
Vehicle	9
Home Based business	4

❖ *Complaints Report Summary*

- As of August 2009, the report for the fiscal year shows that the total number of current complaints for all types of violations is one hundred (100). Of that total, forty-seven (47) of those remain open. The three most prevalent types of complaints being investigated are vehicle, overcrowding and tall grass. 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 two hundred three (203) for August 2009. Within those noted actions, a total of forty-five (45) addresses were investigated for excessive occupancy complaints. In August 2009, the percentage of excessive occupancy cases without investigative activity remains at 0%.
- Zoning staff removed two hundred eight (208) illegally placed signs in the public right-of-way during the month of August 2009.
- Community Inspectors completed four (4) Zoning Inspection Permits (ZIPs) during the month of August 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 August 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 seventy-five (75) and twenty-five (25) respectfully. On weekends at 10:00am the average has been approximately seventy (70) people. In August we observed thirty-one (31) possible day labor hires; of which all but one (1) were registered to non-commercial owners. Four (4) of the vehicles came back registered to addresses within the corporate limits of the Town. Eight (8) of the recipients of the letters responded to my request for them to contact our office. All of the respondents were from non-commercial registered owners. Five (5) of the owners apologized for their actions; two (2) denied doing it and one (1) advised he stopped to pick up his partner for work. 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.

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

## II. Excessive Occupancy Complaints Caseload Status

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

Status	August 2009	July 2009	Change
New Complaints Received	11	6	+5
Cases Closed	16	16	0
Violations Abated	9	7	+2
% Cases Closed with Abated Violations	56 %	44%	+12%
# Re-opened Cases	2	4	-2
# Cases Currently Under Investigation	31*	38*	-7
# Complaints Reported, No Investigation Initiated	0	0	0
<i>Total Open Complaints</i>	<i>31*</i>	<i>38*</i>	<i>-7</i>

\* Includes reopened cases from previous year(s)

In August 2009, the number of overcrowding cases currently under investigation is thirty-one (31), which is seven (7) less than reported in July of 2009. Of the eleven (11) new complaints opened this month, four (4) were initiated by Town staff. Our total for new overcrowding complaints is one hundred (100) compared to eighty (80) 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	84.6	84.0	65.5

Complaint Year 2009	Days to First Visit	Days to Determine Status	Days Under Investigation	Enforcement Time
Avg.	<1.0	23.8	22.9	34.6

**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 August 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 August 2009.

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

Attachments: as stated

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



# Executive Summary Code Complaints

Fiscal Year 2010

<b>Complaint Type</b>	<b>Total</b>	<b>CLOSED</b>	<b>OPEN</b>
BOCA NEW CONSTRUCTION	6	3	3
BOCA PROPERTY MAINTENANCE	11	3	8
BUSINESS VIOLATION	1	1	
HOME-BASED BUSINESS	10	9	1
ILLEGAL DWELLING UNIT	2	1	1
OTHER	2	1	1
OVERCROWDING	16	3	13
SIGN	1		1
TALL GRASS	19	12	7
TRASH	14	11	3
VEHICLE	18	9	9
	<b>Total Closed:</b>		53
	<b>Total Open:</b>		47
	<b>Total Complaints:</b>		100

**Percent Closed:** 53%      **Percent Open:** 47%



# Executive Summary Code Complaints

Calendar Year 2009

Complaint Type	Total	CLOSED	OPEN
BOCA NEW CONSTRUCTION	12	8	4
BOCA PROPERTY MAINTENANCE	53	29	24
BUSINESS VIOLATION	2	2	
EXCESSIVE PAVED SURFACE	1		1
FENCE	3	2	1
HERITAGE DISTRICT VIOLATION	1		1
HOME-BASED BUSINESS	23	22	1
ILLEGAL DWELLING UNIT	13	12	1
OTHER	11	10	1
OVERCROWDING	100	75	25
SIGN	15	13	2
TALL GRASS	116	109	7
TRASH	59	56	3
VEHICLE	119	110	9
	<b>Total Closed:</b>		448
	<b>Total Open:</b>		80
	<b>Total Complaints:</b>		528

**Percent Closed**

85%

**Percent Open:**

15%



# Excessive Occupancy Cases

## Status Green - Cases Closed Since 08/01/2009

### CHANDON

Number	Street	Type	Unit	Complaint Date	Close Date	Status
	ALABAMA	DR		6/23/2009	8/27/2009	INSUFFICIENT EVIDENC
	ARCHER	CT		8/3/2009	8/31/2009	ABATED
	PICKETT	LA		6/2/2009	8/24/2009	ABATED

### CHANDON WOODS

Number	Street	Type	Unit	Complaint Date	Close Date	Status
	CALHOUN	CT		8/28/2008	8/3/2009	ABATED

### COURTS OF CHANDON

Number	Street	Type	Unit	Complaint Date	Close Date	Status
	BIRCH	CT		10/24/2008	8/25/2009	INSUFFICIENT EVIDENC
	LINDEN	CT		6/23/2009	8/24/2009	INSUFFICIENT EVIDENC
	LINDEN	CT		6/23/2009	8/24/2009	ABATED
	PALMER	DR		6/2/2009	8/6/2009	COURT
	SPRUCE	CT		6/2/2009	8/27/2009	INSUFFICIENT EVIDENC

### FOUR SEASONS

Number	Street	Type	Unit	Complaint Date	Close Date	Status
	FALL	PL		9/8/2005	8/12/2009	ABATED
	HORIZON	CT		5/12/2009	8/26/2009	ABATED

### FOUR SEASONS TOWNHOUSES

Number	Street	Type	Unit	Complaint Date	Close Date	Status
	SPRINGTIDE	PL		4/20/2009	8/31/2009	ABATED
	SPRINGTIDE	PL		5/5/2009	8/26/2009	INSUFFICIENT EVIDENC

### LIFESTYLE

Number	Street	Type	Unit	Complaint Date	Close Date	Status
	CENTER	ST	204	7/28/2009	8/7/2009	NO VIOLATION FOUND

### THE DOWNS

Number	Street	Type	Unit	Complaint Date	Close Date	Status
	ASPEN	DR		6/2/2009	8/19/2009	ABATED

### WATERFORD PARK

Number	Street	Type	Unit	Complaint Date	Close Date	Status
	DAKOTA	DR		7/21/2009	8/27/2009	ABATED

Status Green describes resolved excessive occupancy complaints.

Cases current through 08/31/2009

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Total in Category: 16



# Excessive Occupancy Cases Status - Yellow

## 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		7/29/2009		<input type="checkbox"/>	<input type="checkbox"/>

## BRANCH DRIVE

Number	Street	Type	Unit	Complaint Date	Reopen Date	Court	Civil
	BRANCH	AV		4/9/2009	7/23/2009	<input type="checkbox"/>	<input type="checkbox"/>
	BRANCH	DR		6/5/2007	6/19/2009	<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"/>

## CHANDON

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

## COURTS OF CHANDON

Number	Street	Type	Unit	Complaint Date	Reopen Date	Court	Civil
	BIRCH	CT		8/24/2009		<input type="checkbox"/>	<input type="checkbox"/>
	HOLLY	CT		6/23/2009		<input type="checkbox"/>	<input type="checkbox"/>

## CRESTVIEW

Number	Street	Type	Unit	Complaint Date	Reopen Date	Court	Civil
	RENEAU	WY		7/16/2009		<input type="checkbox"/>	<input type="checkbox"/>

## DULLES PARK

Number	Street	Type	Unit	Complaint Date	Reopen Date	Court	Civil
	WILSHIRE	DR		3/25/2009		<input type="checkbox"/>	<input type="checkbox"/>

## DUMBARTON SQUARE

Number	Street	Type	Unit	Complaint Date	Reopen Date	Court	Civil
	BARTON OAKS	PL		8/7/2009		<input type="checkbox"/>	<input type="checkbox"/>

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

Cases current through 08/31/2009

**FOUR SEASONS TOWNHOUSES**

Number	Street	Type	Unit	Complaint Date	Reopen Date	Court	Civil
	CLEARWATER	CT		3/6/2009	8/26/2009	<input type="checkbox"/>	<input type="checkbox"/>
	SPRINGTIDE	PL		5/5/2009		<input type="checkbox"/>	<input type="checkbox"/>

**HUNTERS CREEK**

Number	Street	Type	Unit	Complaint Date	Reopen Date	Court	Civil
	BICKSLER	DR		8/24/2009		<input type="checkbox"/>	<input type="checkbox"/>
	BICKSLER	DR		8/24/2009		<input type="checkbox"/>	<input type="checkbox"/>
	PEMBROOK	ST		5/5/2009		<input type="checkbox"/>	<input type="checkbox"/>
	QUEENS ROW	ST		8/10/2009		<input type="checkbox"/>	<input type="checkbox"/>

**LIFESTYLE**

Number	Street	Type	Unit	Complaint Date	Reopen Date	Court	Civil
	CENTER	ST	T1	8/10/2009		<input type="checkbox"/>	<input type="checkbox"/>

**MOSBY HEIGHTS**

Number	Street	Type	Unit	Complaint Date	Reopen Date	Court	Civil
	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"/>

**POTOMAC FAIRWAYS**

Number	Street	Type	Unit	Complaint Date	Reopen Date	Court	Civil
	CASPER	DR		3/24/2009		<input type="checkbox"/>	<input type="checkbox"/>

**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	6/24/2008	<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
	BAYSHIRE	LA		8/12/2009		<input type="checkbox"/>	<input type="checkbox"/>
	TREESIDE	LA		6/23/2009		<input type="checkbox"/>	<input type="checkbox"/>

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

**WATERFORD PARK**

Number	Street	Type	Unit	Complaint Date	Reopen Date	Court	Civil
	VIRGINIA	AV		8/18/2009		<input type="checkbox"/>	<input type="checkbox"/>
	VIRGINIA	AV		7/21/2009		<input type="checkbox"/>	<input type="checkbox"/>

**Total in Category: 31**

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

Cases current through 08/31/2009

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