



Loudoun County, Virginia

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Office of the County Administrator

1 Harrison Street, S.E., 5th Floor, P.O. Box 7000, Leesburg, VA 20177-7000

Telephone (703) 777-0200 • Fax (703) 777-0325

At a business meeting of the Board of Supervisors of Loudoun County, Virginia, held in the County Government Center, Board of Supervisors' Meeting Room, 1 Harrison St., S.E., Leesburg, Virginia, on Tuesday, November 17, 2009 at 9:00 a.m.

IN RE: BOARD MEMBER INITIATIVE: SATURDAY PROACTIVE ZONING ENFORCEMENT

Mrs. Kurtz moved that the Board of Supervisors direct staff to prepare and implement a six-month pilot pro-active zoning and maintenance code enforcement of the non HOA communities of the Sterling District, which would commence on January 1, 2010 and conclude on June 30, 2010.

Mrs. Kurtz further moved that during this pilot program, the zoning enforcement program manager would forward a monthly informational report to the Board of Supervisors indicating each month's enforcement related activity within the targeted area and countywide complaint activity.

Seconded by Mr. Miller.

Voting on the Motion: Supervisors Burk, Burton, Delgaudio, Kurtz, Miller, Waters and York – Yes; None – No; and Supervisors Buckley and McGimsey – Absent for the Vote.

A COPY TESTE:

DEPUTY CLERK FOR THE LOUDOUN
COUNTY BOARD OF SUPERVISORS

(12-Saturday Proactive Zoning Enforcement)

November 17, 2009

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**BOARD OF SUPERVISORS
ACTION ITEM
BOARD MEMBER INITIATED ITEM**

SUBJECT: SATURDAY PRO-ACTIVE ZONING ENFORCEMENT

ELECTION DISTRICT: COUNTYWIDE

RECOMMENDATIONS: The Chairman recommends that the Zoning Enforcement Team be directed to conduct pro-active Zoning and Virginia Maintenance Code enforcement within targeted areas of the county for a six month pilot period.

STAFF CONTACT: Robin Bartok, Assistant to the Chairman

BACKGROUND:

Current zoning Enforcement policy (Board Direction) has been for zoning enforcement staff to respond to and investigate zoning complaints and only perform pro-active enforcement when so directed. Staff also responds to and investigates alleged zoning violations that are referred by intra-County agencies (Sheriff's Office, OSWM, Family Services, Health Dept., Board Members, etc.).

The most recent pro-active zoning initiative was conducted from January, 2008 through June, 2008 as part of the Sterling/Potomac Outreach on Williamsburg Rd. and N. Argonne Ave. During this initiative, staff conducted 935 inspections at 233 residential properties resulting in 34 Notices of Violations and \$1600 in civil penalty fines.

While zoning enforcement currently conducts inspections during weekday evening hours primarily for cases related to residential overcrowding, they also adjust their normal work hours to meet the needs of specific case resolution. Staff has traditionally not been scheduled during weekends, except for specific issues requiring weekend inspections.

ISSUES:

In an effort to have a visible presence in the targeted area, enforcement staff can adjust their resources to accommodate Saturday coverage, allowing observation of reported violations to be conducted during nontraditional work days.

Staff suggests that since most complaints continue to be received from the Sterling District, the targeted area for this initiative should be focused in the location of Sterling Park within the Sterling District, that do not have a Homeowners Association. Currently, neighborhoods within the community of Sterling that have an active Homeowner Associations appear to be policing their neighborhoods and involve zoning enforcement for exterior issues only when necessary.

FISCAL IMPACT:

There would be no fiscal impact as a result of the proposed scheduling change from a Monday through Friday to Tuesday through Saturday work week. However, the potential does exist based on the number of cited violations, that a workload issue might be created. If in fact this does occur, there is a possibility that other Building & Development personnel resources could be transferred to the Enforcement Team dependent upon relevant workloads. Staff would update the Board of any additional fiscal/resource implications related to the amount of violation activity as part of the upcoming budget deliberations.

ATTACHMENTS: Zoning Complaint Breakdown

DRAFT MOTION(S):

I move that the Board of Supervisors direct staff to prepare and implement a six-month pilot proactive zoning and maintenance code enforcement of the non HOA communities of the Sterling District, which would commence on January 1, 2010 and conclude on June 30, 2010. During this pilot program, the zoning enforcement program manager will forward a monthly informational report to the BOS indicating the each month's enforcement related activity within the targeted area and county wide complaint activity.

ATTACHMENT 1:

Complaint Breakdown September 1, 2008 to September 30, 2009

- Zoning Enforcement cases investigated 704
- Residential Overcrowding cases investigated 224
- Maintenance Code cases investigated 8 (implement June 2009)
- Residential Occupancy inspections 3661
- Commercial Occupancy inspections 294

Complaints by Election District (percentages)

Residential Overcrowding

- Blue Ridge : .4%
- Broad Run : 4.7%
- Catocin: 2.6%
- Dulles : 12.5 %
- Potomac: 12.1%
- **Sterling : 59.5%**
- Sugarland Run: 7.8%

Zoning Enforcement

- Blue Ridge: 4.1%
- Broad Run: 6.4%
- Catocin : 10.8
- Dulles: 20.6%
- Leesburg: .4%
- Potomac: 8.5%
- **Sterling: 39.2%**
- Sugarland Run : 3.3%
- Unaddressed parcels: 6.7%
- **Virginia Maintenance Code (June 2009)**
- 8 complaints to date, 5 from Sterling District