

Department of Planning and Zoning

35-08-Zoning Enforcement

Fund/Agency: 001/35	Department of Planning and Zoning	
Personnel Services	\$1,298,644	<p>CAPS Percentage of Agency Total</p> <p>A pie chart titled 'CAPS Percentage of Agency Total' is located on the right side of the table. It is divided into two segments: a large yellow segment representing 'All Other Agency CAPS' at 84.1%, and a smaller blue segment representing 'Zoning Enforcement' at 15.9%. A legend below the chart identifies the blue square as 'Zoning Enforcement' and the yellow square as 'All Other Agency CAPS'.</p>
Operating Expenses	\$95,574	
Recovered Costs	\$0	
Capital Equipment	\$0	
Total CAPS Cost:	\$1,394,218	
Federal Revenue	\$0	
State Revenue	\$0	
User Fee Revenue	\$83,771	
Other Revenue	\$0	
Total Revenue:	\$83,771	
Net CAPS Cost:	\$1,310,447	
Positions/SYE involved in the delivery of this CAPS	26/27.2	

► CAPS Summary

Investigates complaints of alleged Zoning Ordinance and Noise Ordinance violations, which includes issuing Notices of Violation and initiating legal action, when required. Reviews and processes sign permit applications. As necessary, conducts inspections of properties subject to special permit, special exception, variance or rezoning approvals to assure compliance with the conditions for such approval. Responds to citizen inquiries and requests for information and meets with civic and business organizations on enforcement issues and activities.

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► Method of Service Provision

Zoning enforcement is provided by County staff. Complaints are filed with the Zoning Enforcement Branch via calls, letters, e-mails, or personal visits from citizens, business owners, civic leaders, and Board of Supervisors staff. A supervising field inspector oversees the enforcement actions for three Supervisor districts with a staff of six inspectors, and each district is assigned two inspectors. The core hours of operation for the Branch are 8:00 a.m. - 4:30 p.m., Monday through Friday. Branch staff regularly and frequently flex or extend their working hours to perform inspections and investigations outside of the core hours and days. Branch policy requires staff to flex working hours to meet the demands of the cases. Additionally, upon request, staff attends evening citizen association meetings.

► Performance/Workload Related Data

Investigates complaints about alleged Zoning Ordinance and Noise Ordinance violations. In FY 2001, staff investigated complaints pertaining to 2,192 locations and resolved approximately 2,000 complaints. There has been an increasing need to resolve violations through litigation and, in FY 2001, staff prepared 45 cases for prosecution, up from the 31 cases prepared in FY 1995.

Reviews and processes sign permit applications for compliance with Zoning Ordinance provisions, conducting site inspections as needed. This function often involves discussions and meetings with sign contractors and business owners regarding specific proposals. In FY 2001 staff processed 1,223 sign permit applications. The average number of sign permits processed over the past two fiscal years represents a 13 percent increase over FY 1998.

Processes requests for Noise Ordinance Variances. Many of these requests involve nighttime road widening or paving operations, and there has been a steady increase in such requests in recent years. In FY 2001, staff processed 181 Noise Ordinance Variance requests, a 41 percent increase over FY 1995.

Staff continues to respond to a large number of requests for information under the Freedom of Information Act (FOIA). Typically, these requests pertain to case investigations and may require coordination with the County Attorney's Office. In FY 2001, staff responded to 107 FOIA requests.

Branch staff provides assistance to other agencies by participating on multi-agency work groups or task forces, often in the area of enhanced code enforcement and community revitalization/enhancement. Also assists other agency staff by providing input related to the preparation of appeal, special permit, and special exception staff reports, and provides assistance to the Ordinance Administration Branch in the preparation of Ordinance amendments by gathering data or by assessing amendment for enforceability.

Title	FY 1998 Actual	FY 1999 Actual	FY 2000 Actual	FY 2001 Estimate	FY 2002 Estimate
Zoning Complaints Resolved	2,588	1,981	1,848	2,000	2,000
Sign Permits Processed	1,174	1,110	1,418	1,200	1,200

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► User Fee Information

Subobject Code	Fee Title	FY 2002 ABP Fee Total
0463	Sign Permit Fees	\$66,135
Current Fee		Maximum Allowable Fee Amount
\$50/permit \$5/temporary political signs		No Limitation
Purpose of Fee: This fee is charged for the permit authorizing all signs visible from County roadways. Exceptions include signs owned or required by government or another public agency, signs giving address numbers, small signs for directions and convenience of the public, and certain temporary signs. The permit fee was increased from \$30 to \$50 in June 1991. The increase was made with the intent of recovering 100% of the cost to process the permits. Prior to August 1982, a \$10 fee was charged for the annual inspection of freestanding signs, but the inspection was determined not to be an effective use of staff time. Subsequently, the charge is no longer required.		
Levy Authority	Requirements to Change the Fee	Year Fee Was Last Adjusted
Sect. 12-302 of the Zoning Ordinance	Amendment to the Zoning Ordinance.	1991
Other Remarks:		

Subobject Code	Fee Title	FY 2002 ABP Fee Total
0464	Quarry Inspection Fee	\$17,636
Current Fee		Maximum Allowable Fee Amount
Established on a case-by-case basis at the time a special permit for such use is issued by the BZA. Can be cost reimbursement of a flat fee.		No Limitation
Purpose of Fee: The quarry and asphalt inspection fees are established on a case-by-case basis at the time a special permit for such use is approved by the Board of Zoning Appeals (BZA). Two quarries are billed based on the County's actual expenses to perform inspections and air quality monitoring; a third is subject to an annual flat fee of \$1,000; while a fourth pays no fees as the BZA set none when issuing the March 1987 permit for APAC Corp. to take over the American Asphalt plant.		
Levy Authority	Requirements to Change the Fee	Year Fee Was Last Adjusted
Section 15.2-2286 of the Code of Virginia	Amendment to the Zoning Ordinance.	N/A
Other Remarks:		