

MEMORANDUM


DATE: November 25, 2008
 TO: The Board of Supervisors
 FROM: Adam R. Kinsman, Deputy County Attorney
 SUBJECT: 110 Jameswood

A partially-completed single-family structure has existed on property located at 110 Jameswood in Shellbank Woods for more than a decade. Throughout that time, the owner of the property has obtained multiple building permits and has slowly worked on the structure. Despite the many aesthetic and building code concerns raised by this project, there are few actions available to the County to compel the owner to complete construction, or at the very least, move forward at a more rapid pace.

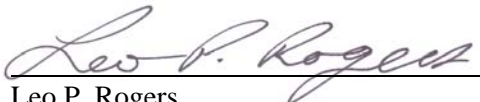
One of the few available actions for the County was discussed by the Board at its meeting on September 9, 2008. Section 15.2-906 of the Virginia Code allows the County to remove, repair, or secure a building that might endanger the public health or safety of other residents of the County upon the adoption of an ordinance requiring such action. On September 9, 2008, the Board requested that staff investigate the condition of the property to determine if there are in fact any potential threats to the public safety or welfare.

Since September 9, the Fire Department and the Police Department both investigated the property and a potential danger relating to unsecured windows was discovered. Staff will contact the property owner to request that he remedy the problem within the next month. Should the property owner refuse, staff will come back before the Board to request initiation of formal action pursuant to Section 15.2-906 of the Virginia Code.

Initiation of action under 15.2-906 of the Virginia Code will require that the Board adopt an Ordinance requiring the property owner to remedy the problem. Once the Ordinance is adopted, then the County must give "reasonable notice," which includes notification by certified mail and newspaper publication. If the owner has not complied within 30 days following the later of the receipt of the notice or publication in the newspaper, then the County may act to secure the windows and assess the owner for the cost of such action.


 Adam R. Kinsman

CONCUR:


 Leo P. Rogers

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Attachment