

Board of Appeals

MISSION STATEMENT

The mission of the Board of Appeals is to implement the flexibility provided in the Zoning Ordinance as approved by the County Council and to assist County residents in understanding and participating in the special exception, variance, and administrative appeal process.

BUDGET OVERVIEW

The total recommended FY11 Operating Budget for the Board of Appeals is \$566,390, a decrease of \$51,130 or 8.3 percent from the FY10 Approved Budget of \$617,520. Personnel Costs comprise 90.0 percent of the budget for three full-time positions for 3.6 workyears. Operating Expenses account for the remaining 10.0 percent of the FY11 budget.

LINKAGE TO COUNTY RESULT AREAS

While this program area supports all eight of the County Result Areas, the following are emphasized:

❖ *A Responsive, Accountable County Government*

DEPARTMENT PERFORMANCE MEASURES

Performance measures for this department are included below. The FY10 estimates incorporate the effect of the FY10 savings plan. The FY11 and FY12 targets assume the recommended FY11 budget and FY12 funding for comparable service levels.

Measure	Actual FY08	Actual FY09	Estimated FY10	Target FY11	Target FY12
Program Measures					
Average days to Administrative Appeals hearing ¹	130	144	144	144	144
Average days to issue Notices of Administrative Appeals hearings	15	14	14	14	14
Average days to issue Notices of Special Exception hearings ²	20	14	14	14	14
Average days to issue Notices of Variances hearings	21	13	13	13	13
Average days to issue written administrative appeals ³	48	74	50	50	50
Average days to issue written Special Exceptions ⁴	28	38	35	35	35
Average days to issue written variances ⁵	35	39	30	30	30
Average days to Special Exceptions hearing ⁶	144	116	130	130	130
Average days to Variances hearing	89	74	74	74	74
Number of administrative actions taken	318	254	250	250	250
Number of administrative appeals decided	16	12	10	10	10
Number of administrative appeals filed	16	18	12	12	12
Number of administrative appeals heard	22	12	10	10	10
Number of special exceptions decided	23	15	15	15	15
Number of special exceptions filed	29	21	24	24	24
Number of special exceptions heard	28	15	15	15	15
Number of telephone inquiries answered	2,412	1,547	1,570	1,570	1,570
Number of variances decided	20	18	12	12	12
Number of variances filed	21	17	15	15	15
Number of variances heard	18	18	12	12	12
Number of walk-in clients assisted	503	370	350	350	350
Number of work sessions held	27	33	30	30	30

¹ County Code requires that the hearing on an administrative appeal be held not fewer than 30 days following the issuance of the written notice of the hearing.

² County Code requires mailing of written notices of hearings within 7 days after the filing of any appeal, petition for special exception, request for a variance, or other matter within the Board's jurisdiction.

³ Board of Appeals Rule 9.1 requires issuance of administrative appeal opinions within 45 days of close of record.

⁴ Board of Appeals Rule 9.1 requires issuance of special exception opinions within 30 days of close of record.

⁵ Board of Appeals Rule 9.1 requires issuance of variance opinions within 30 days of close of record.

⁶ County Code requires that the hearings for special exceptions be held not fewer than 60 days following the issuance of the written notice of hearing, and that the hearing on any other matter within the Board's jurisdiction be held not fewer than 30 days.

PROGRAM CONTACTS

Contact Katherine Freeman of the Board of Appeals at 240.777.6600 or John Cuff of the Office of Management and Budget at 240.777.2762 for more information regarding this department's operating budget.

PROGRAM DESCRIPTIONS

Zoning Related Hearings and Administrative Appeals

The Board of Appeals hears requests for special exceptions and variances as provided in the Zoning Ordinance. The Zoning Ordinance requires that requests for certain uses (special exceptions) be considered for approval by the Board. Development standards for each zone are also set by the Zoning Ordinance. Variances from these standards require approval by the Board. The Board of Appeals also holds hearings and rules on appeals from administrative actions of certain governmental departments and agencies, as provided in the County Code.

BUDGET SUMMARY

	Actual FY09	Budget FY10	Estimated FY10	Recommended FY11	% Chg Bud/Rec
COUNTY GENERAL FUND					
EXPENDITURES					
Salaries and Wages	438,614	449,930	441,880	392,460	-12.8%
Employee Benefits	107,306	116,470	110,750	117,310	0.7%
County General Fund Personnel Costs	545,920	566,400	552,630	509,770	-10.0%
Operating Expenses	65,990	51,120	55,880	56,620	10.8%
Capital Outlay	0	0	0	0	—
County General Fund Expenditures	611,910	617,520	608,510	566,390	-8.3%
PERSONNEL					
Full-Time	4	4	4	3	-25.0%
Part-Time	0	0	0	0	—
Workyears	4.7	4.7	4.7	3.6	-23.4%
REVENUES					
Board of Appeals Fees - MNCPPC	0	-75,000	-75,000	-75,000	—
Board of Appeals Fees	254,512	300,000	300,000	300,000	—
County General Fund Revenues	254,512	225,000	225,000	225,000	—

FY11 RECOMMENDED CHANGES

	Expenditures	WYs
COUNTY GENERAL FUND		
FY10 ORIGINAL APPROPRIATION	617,520	4.7
Changes (with service impacts)		
Eliminate: Abolish Filled Position (Principal Administrative Aide)	-54,400	-1.0
Other Adjustments (with no service impacts)		
Increase Cost: Temporary Services	6,630	0.0
Increase Cost: Retirement Adjustment	6,540	0.0
Increase Cost: Group Insurance Adjustment	1,530	0.0
Decrease Cost: Annualization of FY10 Personnel Costs	-400	0.0
Decrease Cost: Printing and Mail Adjustment	-1,130	0.0
Decrease Cost: Furlough Days	-9,900	-0.1
FY11 RECOMMENDED:	566,390	3.6

FUTURE FISCAL IMPACTS

Title	CE REC.	(\$000's)				
	FY11	FY12	FY13	FY14	FY15	FY16
This table is intended to present significant future fiscal impacts of the department's programs.						
COUNTY GENERAL FUND						
Expenditures						
FY11 Recommended No inflation or compensation change is included in outyear projections.	566	566	566	566	566	566
Restore Personnel Costs This represents restoration of funding to remove FY11 furloughs.	0	10	10	10	10	10
Subtotal Expenditures	566	576	576	576	576	576