

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 approved FY12 Operating Budget for the Board of Appeals is \$549,090, a decrease of \$17,740 or 3.1 percent from the FY11 Approved Budget of \$566,830. Personnel Costs comprise 89.7 percent of the budget for three full-time positions for 3.5 workyears. Operating Expenses account for the remaining 10.3 percent of the FY12 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 FY11 estimates incorporate the effect of the FY11 savings plan. FY12 and FY13 targets assume the approved FY12 budget and FY13 funding for comparable service levels.

Measure	Actual FY09	Actual FY10	Estimated FY11	Target FY12	Target FY13
Program Measures					
Number of administrative appeals filed	18	12	12	12	12
Number of variances filed	17	15	15	15	15
Number of variances heard	18	12	12	12	12
Average days to issue Notices of Variances hearings	13	13	13	13	13
Number of administrative appeals decided	12	10	10	10	10
Number of administrative appeals heard	12	10	10	10	10
Number of special exceptions decided	15	15	15	15	15
Number of variances decided	18	12	12	12	12
Number of work sessions held	33	30	30	30	30
Number of special exceptions heard	15	15	15	15	15
Number of special exceptions filed	21	24	24	24	24
Average days to issue Notices of Special Exception hearings ¹	14	14	14	14	14
Average days to issue Notices of Administrative Appeals hearings	14	14	14	14	14
Average days to issue written variances ²	39	30	30	30	30
Average days to Variances hearing	74	74	74	74	74
Average days to issue written Special Exceptions ³	38	35	35	35	35
Average days to issue written administrative appeals ⁴	74	50	50	50	50
Number of administrative actions taken	254	250	250	250	250
Average days to Administrative Appeals hearing ⁵	144	144	144	144	144
Number of walk-in clients assisted	370	350	350	350	350
Average days to Special Exceptions hearing ⁶	116	130	130	130	130
Number of telephone inquiries answered	1,547	1,570	1,570	1,570	1,570

¹ 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.

² Board of Appeals Rule 9.1 requires issuance of variance opinions within 30 days of close of record.

³ Board of Appeals Rule 9.1 requires issuance of special exception opinions within 30 days of close of record.

⁴ Board of Appeals Rule 9.1 requires issuance of administrative appeal opinions within 45 days of close of record.

⁵ 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.

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.

ACCOMPLISHMENTS AND INITIATIVES

❖ *Productivity Improvements*

- *The Board continues to update and encourage use of its website to reduce paper usage. Photocopying is done double-sided. Scrap paper is recycled and used for writing tablets. The Board has an Intern-Volunteer to assist with administrative duties in the office.*

PROGRAM CONTACTS

Contact Katherine Freeman of the Board of Appeals at 240.777.6600 or Jane Mukira of the Office of Management and Budget at 240.777.2754 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 FY10	Budget FY11	Estimated FY11	Approved FY12	% Chg Bud/App
COUNTY GENERAL FUND					
EXPENDITURES					
Salaries and Wages	443,106	396,010	386,870	389,710	-1.6%
Employee Benefits	110,353	114,200	105,440	102,650	-10.1%
County General Fund Personnel Costs	553,459	510,210	492,310	492,360	-3.5%
Operating Expenses	44,089	56,620	55,690	56,730	0.2%
Capital Outlay	0	0	0	0	—
County General Fund Expenditures	597,548	566,830	548,000	549,090	-3.1%
PERSONNEL					
Full-Time	4	3	3	3	—
Part-Time	0	0	0	0	—
Workyears	4.7	3.6	3.6	3.5	-2.8%
REVENUES					
Board of Appeals Fees - MNCPPC	0	-75,000	-27,960	-27,960	-62.7%
Board of Appeals Fees	230,113	310,000	251,270	251,270	-18.9%
County General Fund Revenues	230,113	235,000	223,310	223,310	-5.0%

FY12 APPROVED CHANGES

	Expenditures	WYs
COUNTY GENERAL FUND		
FY11 ORIGINAL APPROPRIATION	566,830	3.6
<u>Other Adjustments (with no service impacts)</u>		
Increase Cost: Restore Personnel Costs - Furloughs	6,350	0.1
Increase Cost: Annualization of FY11 Personnel Costs	4,130	0.0
Increase Cost: Help Desk - Desk Side Support	60	0.0
Increase Cost: Printing and Mail Adjustment	50	0.0
Technical Adj: Miscellaneous Personnel Change	0	0.1
Decrease Cost: Retirement Adjustment	-2,700	0.0
Decrease Cost: Group Insurance Adjustment	-2,910	0.0
Decrease Cost: Eliminate Chargeback from People's Counsel	-22,720	-0.3
FY12 APPROVED:	549,090	3.5

