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 citizens in understanding and participating in the special exception, variance, and administrative appeal process.

BUDGET OVERVIEW

The total recommended FY09 Operating Budget for the Board of Appeals is $619,300, an increase of $32,290 or 5.5 percent from the FY08 Approved Budget of $587,010. Personnel Costs comprise 87.9 percent of the budget for four full-time positions for 4.7 workyears. Operating Expenses account for the remaining 12.1 percent of the FY09 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***

PERFORMANCE MEASURES

This table presents what the department estimates and projects will be the FY08 through FY10 data for its performance measures if there are no changes in funding.

Measure	Actual FY06	Actual FY07	Estimated FY08	Projected FY09	Projected FY10
Number of walk-in clients assisted	N/A	N/A	350	350	350
Average days to issue written variances[1]	49	77	30	30	30
Average days to issue written administrative appeals[2]	58	110	83	80	80
Number of special exceptions filed	28	26	15	15	15
Number of special exceptions heard	28	22	20	20	20
Number of variances filed	41	35	15	15	15
Number of variances heard	41	37	15	15	15
Number of administrative appeals filed	26	32	20	20	20
Number of administrative appeals heard	26	27	20	20	20
Average days to issue written Special Exceptions[3]	44	29	20	20	20
Number of telephone inquiries answered	N/A	N/A	882	882	882
Average days to Administrative Appeals hearing	N/A	102	121	121	121
Number of special exceptions decided	29	21	15	15	15
Number of variances decided	38	38	15	15	15
Number of administrative appeals decided	9	16	20	20	20
Number of administrative actions taken	363	353	350	350	350
Average days to issue Notices of Special Exception hearings[4]	23	23	23	23	23
Average days to issue Notices of Variances hearings	6	14	19	19	19
Average days to issue Notices of Administrative Appeals hearings	9	14	10	10	10
Average days to Special Exceptions hearing[5]	N/A	93	113	113	113
Average days to Variances hearing	N/A	64	73	73	73
Number of work sessions held	26	31	26	26	26

[1]Board of Appeals Rule 9.1 requires issuance of variance opinions within 30 days of close of record.
[2]Board of Appeals Rule 9.1 requires issuance of administrative appeal opinions within 45 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]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.
[5]County Code requires that the hearings for special exceptions be held not fewer than 60 days and that the hearing on any other matter within the Board's jurisdiction be held not fewer than 30 days following the issuance of the written notice of hearing.

PROGRAM CONTACTS

Contact Katherine Freeman of the Board of Appeals at 240.777.6600 or Helen Vallone of the Office of Management and Budget at 240.777.2755 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 FY07	Budget FY08	Estimated FY08	Recommended FY09	% Chg Bud/Rec
COUNTY GENERAL FUND					
EXPENDITURES					
Salaries and Wages	395,989	407,580	425,040	433,640	6.4%
Employee Benefits	97,236	106,040	100,310	110,910	4.6%
County General Fund Personnel Costs	***493,225***	***513,620***	***525,350***	***544,550***	***6.0%***
Operating Expenses	60,586	73,390	53,160	74,750	1.9%
Capital Outlay	0	0	0	0	—
County General Fund Expenditures	***553,811***	***587,010***	***578,510***	***619,300***	***5.5%***
PERSONNEL					
Full-Time	4	4	4	4	—
Part-Time	0	0	0	0	—
Workyears	4.7	4.7	4.7	4.7	—
REVENUES					
Board of Appeals Fees	247,624	375,000	270,000	270,000	-28.0%
County General Fund Revenues	***247,624***	***375,000***	***270,000***	***270,000***	***-28.0%***

FY09 RECOMMENDED CHANGES

	Expenditures	WYs
COUNTY GENERAL FUND		
FY08 ORIGINAL APPROPRIATION	**587,010**	**4.7**
Other Adjustments (with no service impacts)		
Increase Cost: General Wage and Service Increment Adjustments	15,760	0.0
Increase Cost: Annualization of FY08 Personnel Costs	11,600	0.0
Increase Cost: Group Insurance Adjustment	1,790	0.0
Increase Cost: Retirement Adjustment	1,780	0.0
Increase Cost: Printing and Mail Adjustments	1,360	0.0
FY09 RECOMMENDED:	**619,300**	**4.7**

FUTURE FISCAL IMPACTS

Title	CE REC. FY09	FY10	FY11	($000's) FY12	FY13	FY14
This table is intended to present significant future fiscal impacts of the department's programs.						
COUNTY GENERAL FUND						
Expenditures						
FY09 Recommended	**619**	**619**	**619**	**619**	**619**	**619**
No inflation or compensation change is included in outyear projections.						
Labor Contracts	**0**	**16**	**17**	**17**	**17**	**17**
These figures represent the estimated cost of general wage adjustments, service increments, and associated benefits.						
Subtotal Expenditures	***619***	***636***	***636***	***636***	***636***	***636***