



Zoning and Administrative Hearings

Mission Statement

The mission of the Office of Zoning and Administrative Hearings is to conduct due process hearings in land use and other administrative matters in a manner that protects the rights of the participants, provides a complete record in each case, results in a thorough and balanced report or decision and serves the public interest.

Budget Overview

The total approved FY17 Operating Budget for the Office of Zoning and Administrative Hearings is \$695,642, an increase of \$71,642 or 11.48 percent from the FY16 Approved Budget of \$624,000. Personnel Costs comprise 85.05 percent of the budget for four full-time position(s) and no part-time position(s), and a total of 4.00 FTEs. Total FTEs may include seasonal or temporary positions and may also reflect workforce charged to or from other departments or funds. Operating Expenses account for the remaining 14.95 percent of the FY17 budget.

Linkage to County Result Areas

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

A Responsive, Accountable County Government

Department Performance Measures

Performance measures for this department are included below (where applicable). The FY16 estimates reflect funding based on the FY16 approved budget. The FY17 and FY18 figures are performance targets based on the FY17 approved budget and funding for comparable service levels in FY18.

Measure	Actual FY14	Actual FY15	Estimated FY16	Target FY17	Target FY18
Program Measures					
Average time from filing a case until the first hearing date is scheduled (months) ¹	4.5	4.0	4.0	4.0	4.0
Number of Hearing Examiner decisions overturned on appeal ²	0	0	0	0	0
Percentage of all legal deadlines and requirements met	100	100	100	100	100
Percentage of Hearing Examiner recommendations accepted by County Council, the Human Rights Commission and the CCOC, and the percentage of Hearing Examiner decisions upheld by the Board of Appeals	100	100	100	100	100
Total cases completed ³	28	29	29	40	40

¹ The timing of hearings in rezoning and conditional use cases will continue to be dictated by applicant's continuance requests and by the time needed by M-NCPPC Technical Staff and the Planning Board to complete their reviews.

² The District Council and the Board of Appeals accepted all the hearing examiner's recommendations in the cases submitted in FY15. One decision in an accessory apartment objection case was partially affirmed and partially remanded for further proceedings by the Circuit Court in FY15. In FY16, the Circuit Court affirmed the hearing examiner's FY15 decision in the Costco case.

³ The total number of cases is expected to rise in FY17 and FY18 because a large number of telecommunication cell tower conditional use cases will be referred to OZAH for hearing and resolution.

Program Contacts

Contact Martin Grossman of the Office of Zoning and Administrative Hearings at 240.777.6667 or Jennifer Nordin of the Office of Management and Budget at 240.777.2779 for more information regarding this department's operating budget.

 Zoning and Administrative Hearings

The Hearing Examiner receives applications for certain zoning matters decided by the County Council; schedules and conducts public hearings; prepares and issues reports and recommendations for County Council action; receives applications, hears and decides special exception and conditional use cases; schedules and conducts referral hearings from other departments, such as the Commission on Human Rights and the Commission on Common Ownership Communities; adjudicates objections from findings of the Department of Housing and Community Affairs regarding accessory apartment applications; maintains administrative records for public inspection; collects zoning application fees; responds to public inquiries on zoning, special exception, and conditional use cases; and works with other County agencies in the preparation, revision, and review of procedural rules, fee schedules, and zoning text amendments.

Budget Summary

	Actual FY15	Budget FY16	Estimate FY16	Approved FY17	%Chg Bud/App
COUNTY GENERAL FUND					
EXPENDITURES					
Salaries and Wages	415,586	444,146	441,227	485,370	9.3 %
Employee Benefits	100,487	103,738	104,498	106,308	2.5 %
County General Fund Personnel Costs	516,073	547,884	545,725	591,678	8.0 %
Operating Expenses	57,010	76,116	63,636	103,964	36.6 %
County General Fund Expenditures	573,083	624,000	609,361	695,642	11.5 %
PERSONNEL					
Full-Time	3	3	3	4	33.3 %
Part-Time	1	1	1	0	-100.0 %
FTEs	3.75	3.75	3.75	4.00	6.7 %
REVENUES					
Other Charges/Fees	1,800	0	0	0	---
Zoning Fees	29,263	65,000	65,000	65,000	---
County General Fund Revenues	31,063	65,000	65,000	65,000	---

FY17 Approved Changes

	Expenditures	FTEs
COUNTY GENERAL FUND		
FY16 ORIGINAL APPROPRIATION	624,000	3.75
<u>Other Adjustments (with no service impacts)</u>		
Increase Cost: Part-Time Hearing Examiner to Full-Time [Zoning and Administrative Hearings]	47,000	0.25
Increase Cost: Contract Hearing Examiner [Zoning and Administrative Hearings]	19,000	0.00
Increase Cost: FY17 Compensation Adjustment	10,016	0.00
Increase Cost: Transcripts [Zoning and Administrative Hearings]	10,000	0.00
Increase Cost: Group Insurance Adjustment	2,500	0.00
Increase Cost: Printing and Mail	48	0.00
Shift: Telecommunications to the Telecommunications Non-Departmental Account	(1,200)	0.00
Decrease Cost: Retirement Adjustment	(3,647)	0.00
Decrease Cost: Annualization of FY16 Personnel Costs	(12,075)	0.00
FY17 APPROVED	695,642	4.00

Future Fiscal Impacts

Title	CC APPROVED (\$000s)					
	FY17	FY18	FY19	FY20	FY21	FY22
COUNTY GENERAL FUND						
EXPENDITURES						
FY17 Approved	696	696	696	696	696	696
No inflation or compensation change is included in outyear projections.						
Labor Contracts	0	3	3	3	3	3
These figures represent the estimated annualized cost of general wage adjustments, service increments, and other negotiated items.						
Subtotal Expenditures	696	699	699	699	699	699

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