



Zoning and Administrative Hearings

Approved FY18 Budget
\$689,591

Full Time Equivalents
4.00

Mission Statement

The mission of the Office of Zoning and Administrative Hearings (OZAH) 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 FY18 Operating Budget for the Office of Zoning and Administrative Hearings is \$689,591, a decrease of \$6,051 or 0.87 percent from the FY17 Approved Budget of \$695,642. Personnel Costs comprise 85.64 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 14.36 percent of the FY18 budget.

Consistent with the County Charter, the County Executive makes recommendations on the operating budget for all County departments, offices, and agencies. However, recognizing the Charter-defined roles, the Executive defers significantly to Legislative and Judicial Branch agencies. Questions regarding the approved budgets for Legislative Branch departments should be directed to Mary Jane Berry, 240-777-7930.

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 FY17 estimates reflect funding based on the FY17 approved budget. The FY18 and FY19 figures are performance targets based on the FY18 approved budget and funding for comparable service levels in FY19.

Measure	Actual FY15	Actual FY16	Estimated FY17	Target FY18	Target FY19
Program Measures					
Average time from filing a case until the first hearing date is scheduled (months) ¹	4.0	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

Measure	Actual	Actual	Estimated	Target	Target
	FY15	FY16	FY17	FY18	FY19
Percentage of Hearing Examiner recommendations accepted by County Council, the Human Rights Commission, the CCOC and the CAO, and the percentage of Hearing Examiner decisions upheld by the Board of Appeals ³	100	100	100	100	100
Total cases completed ⁴	29	28	28	28	28

¹ Hearings in land-use cases are initially scheduled within 4 months of filing. When the hearings are delayed, it is almost always at the request of the applicant to accomplish changes in the applicants' plans required by the Planning Department.

² At this time, three OZAH cases are pending in the courts.

³ The District Council, the Human Rights Commission, and the Chief Administrative Office accepted the Hearing Examiners' recommendations in all the cases submitted in FY 2016. The Board of Appeals also upheld OZAH recommendations and decisions, except it slightly modified a condition in one case and remanded another case for further findings, eventually adopting the Hearing Examiner's decision.

⁴ The number of new cases filed has been 54% greater in the first two quarters of FY 2017 (20 cases) than in the comparable period of FY 2016 (13 cases).

Program Contacts

Contact Martin Grossman of the Office of Zoning and Administrative Hearings at 240.777.6667 or Trevor Lobaugh of the Office of Management and Budget at 240.777.2763 for more information regarding this department's operating budget.

Program Descriptions

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 (CCOC); 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 FY16	Budget FY17	Estimate FY17	Approved FY18	%Chg Bud/App
COUNTY GENERAL FUND					
EXPENDITURES					
Salaries and Wages	469,992	485,370	476,918	485,425	—
Employee Benefits	108,417	106,308	106,088	105,167	-1.1 %
County General Fund Personnel Costs	578,409	591,678	583,006	590,592	-0.2 %
Operating Expenses	61,108	103,964	65,090	98,999	-4.8 %
County General Fund Expenditures	639,517	695,642	648,096	689,591	-0.9 %
PERSONNEL					

BUDGET SUMMARY

	Actual FY16	Budget FY17	Estimate FY17	Approved FY18	%Chg Bud/App
Full-Time	3	4	4	4	—
Part-Time	1	0	0	0	—
FTEs	3.75	4.00	4.00	4.00	—
REVENUES					
Other Charges/Fees	3,425	0	0	0	—
Zoning Fees	126,385	65,000	65,000	65,000	—
County General Fund Revenues	129,810	65,000	65,000	65,000	—

FY18 APPROVED CHANGES

	Expenditures	FTEs
COUNTY GENERAL FUND		
FY17 ORIGINAL APPROPRIATION	695,642	4.00
Other Adjustments (with no service impacts)		
Increase Cost: FY18 Compensation Adjustment	7,442	0.00
Increase Cost: Annualization of FY17 Compensation Increases	3,161	0.00
Decrease Cost: Printing and Mail	(193)	0.00
Decrease Cost: Retirement Adjustment	(2,549)	0.00
Decrease Cost: Decrease in Operating Expenses for Target Reduction	(4,772)	0.00
Decrease Cost: Annualization of FY17 Personnel Costs	(9,140)	0.00
FY18 APPROVED	689,591	4.00

FUTURE FISCAL IMPACTS

CC APPROVED (\$000S)

Title	FY18	FY19	FY20	FY21	FY22	FY23
COUNTY GENERAL FUND						
EXPENDITURES						
FY18 Approved	690	690	690	690	690	690
No inflation or compensation change is included in outyear projections.						
Labor Contracts	0	2	2	2	2	2
These figures represent the estimated annualized cost of general wage adjustments, service increments, and other negotiated items.						
Subtotal Expenditures	690	692	692	692	692	692

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