



Zoning and Administrative Hearings

Recommended 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 recommended 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.

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 recommended 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 |
| 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 | Recommended FY18 | %Chg Bud/Rec |
|--|----------------|----------------|------------------|---------------------|-----------------|
| COUNTY GENERAL FUND | | | | | |
| EXPENDITURES | | | | | |
| Salaries and Wages | 469,992 | 485,370 | 478,047 | 485,425 | — |
| Employee Benefits | 108,417 | 106,308 | 94,941 | 105,167 | -1.1 % |
| County General Fund Personnel Costs | 578,409 | 591,678 | 572,988 | 590,592 | -0.2 % |
| Operating Expenses | 61,108 | 103,964 | 27,341 | 98,999 | -4.8 % |
| County General Fund Expenditures | 639,517 | 695,642 | 600,329 | 689,591 | -0.9 % |
| PERSONNEL | | | | | |
| 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 RECOMMENDED CHANGES

| | Expenditures | FTEs |
|--|----------------|-------------|
| COUNTY GENERAL FUND | | |
| FY17 ORIGINAL APPROPRIATION | 695,642 | 4.00 |
| <u>Other Adjustments (with no service impacts)</u> | | |
| 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 RECOMMENDED | 689,591 | 4.00 |

FUTURE FISCAL IMPACTS

CE RECOMMENDED (\$000S)

| Title | FY18 | FY19 | FY20 | FY21 | FY22 | FY23 |
|--|------------|------------|------------|------------|------------|------------|
| COUNTY GENERAL FUND | | | | | | |
| EXPENDITURES | | | | | | |
| FY18 Recommended | 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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