



Zoning and Administrative Hearings

APPROVED FY19 BUDGET

\$704,059

FULL TIME EQUIVALENTS

4.00

MARTIN GROSSMAN, DIRECTOR

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 FY19 Operating Budget for the Office of Zoning and Administrative Hearings is \$704,059, an increase of \$14,468 or 2.10 percent from the FY18 Approved Budget of \$689,591. Personnel Costs comprise 86.10 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 13.90 percent of the FY19 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 FY18 estimates reflect funding based on the FY18 Approved Budget. The FY19 and FY20 figures are performance targets based on the FY19 Approved Budget and funding for comparable service levels in FY20.

Measure	Actual FY16	Actual FY17	Estimated FY18	Target FY19	Target FY20
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Zoning and Administrative Hearings

Measure	Actual FY16	Actual FY17	Estimated FY18	Target FY19	Target FY20
Program Measures					
Average time from filing a case until the first hearing date is scheduled (months) ¹	4	4	4	4	4
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	28	32	20	24	24

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 applicant's plans required by the Planning Department.

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

³ The District Council, the Human Rights Commission and the Chief Administrative Officer accepted the Hearing Examiner's recommendations in all of cases submitted in FY 2017. The Board of Appeals also upheld OZAH recommendations and decisions, except that it slightly modified a condition in one case.

⁴ The number of new cases filed in FY 2017 (33) was 37% greater than in FY 2016 (24); however, new case filings in the first two quarters of FY 2018 have declined significantly, so our projections for FY 2018 and future filings have been reduced.

PROGRAM CONTACTS

Contact Martin Grossman of the Office of Zoning and Administrative Hearings at 240.777.6667 or Helen P. Vallone of the Office of Management and Budget at 240.777.2755 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; 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 FY17	Budget FY18	Estimate FY18	Approved FY19	%Chg Bud/App
COUNTY GENERAL FUND					
EXPENDITURES					
Salaries and Wages	475,535	485,425	487,652	496,191	2.2 %
Employee Benefits	104,487	105,167	90,691	110,000	4.6 %

BUDGET SUMMARY

	Actual FY17	Budget FY18	Estimate FY18	Approved FY19	%Chg Bud/App
County General Fund Personnel Costs	580,022	590,592	578,343	606,191	2.6 %
Operating Expenses	62,516	98,999	27,381	97,868	-1.1 %
County General Fund Expenditures	642,538	689,591	605,724	704,059	2.1 %
PERSONNEL					
Full-Time	4	4	4	4	—
Part-Time	0	0	0	0	—
FTEs	4.00	4.00	4.00	4.00	—
REVENUES					
Other Charges/Fees	7,100	0	0	0	—
Zoning Fees	114,730	65,000	65,000	65,000	—
County General Fund Revenues	121,830	65,000	65,000	65,000	—

FY19 APPROVED CHANGES

	Expenditures	FTEs
COUNTY GENERAL FUND		
FY18 ORIGINAL APPROPRIATION	689,591	4.00
<u>Other Adjustments (with no service impacts)</u>		
Increase Cost: FY19 Compensation Adjustment	10,018	0.00
Increase Cost: Refurbish dais in the hearing room. Total cost shared with Board of Appeals.	10,000	0.00
Increase Cost: Annualization of FY18 Personnel Costs	5,237	0.00
Increase Cost: Retirement Adjustment	344	0.00
Increase Cost: Printing and Mail	28	0.00
Decrease Cost: Reduce Consultant Fees	(4,159)	0.00
Decrease Cost: Reduce Transcript Cost	(7,000)	0.00
FY19 APPROVED	704,059	4.00

FUTURE FISCAL IMPACTS

CC APPROVED (\$000S)

Title	FY19	FY20	FY21	FY22	FY23	FY24
COUNTY GENERAL FUND						
EXPENDITURES						
FY19 Approved	704	704	704	704	704	704
No inflation or compensation change is included in outyear projections.						
Elimination of One-Time Items Approved in FY19	0	(10)	(10)	(10)	(10)	(10)
Items recommended for one-time funding in FY19, including refurbish dais in hearing room, will be eliminated from the base in the outyears.						

FUTURE FISCAL IMPACTS

CC APPROVED (\$000S)

Title	FY19	FY20	FY21	FY22	FY23	FY24
Labor Contracts	0	5	5	5	5	5
These figures represent the estimated annualized cost of general wage adjustments, service increments, and other negotiated items.						
Subtotal Expenditures	704	699	699	699	699	699