



Board of Appeals

APPROVED FY24 BUDGET

\$644,915

FULL TIME EQUIVALENTS

3.50

BARBARA JAY, EXECUTIVE DIRECTOR

MISSION STATEMENT

The mission of the Board of Appeals is to implement the flexibility provided by the Zoning Ordinance, as approved by the County Council, in a fair and equitable manner, and to assist County residents, irrespective of race, ethnicity, nativity, gender, disability, or other relevant demographic or socioeconomic characteristics, in understanding and participating in the variance, administrative appeal, special exception modification, and conditional use appeal processes.

BUDGET OVERVIEW

The total approved FY24 Operating Budget for the Board of Appeals is \$644,915, an increase of \$40,106 or 6.63 percent from the FY23 Approved Budget of \$604,809. Personnel Costs comprise 94.36 percent of the budget for three full-time position(s) and no part-time position(s), and a total of 3.50 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 5.64 percent of the FY24 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-designed roles, the Executive defers significantly to the Legislative and Judicial Branch agencies. Questions regarding the approved budgets for Legislative Branch departments should be directed to Sandra Marin, 240-777-7923.

COUNTY PRIORITY OUTCOMES

While this program area supports all seven of the County Executive's Priority Outcomes, the following is emphasized:

Effective, Sustainable Government

PROGRAM CONTACTS

Contact Barbara Jay of the Board of Appeals at 240.777.6604 or Katherine Bryant-Higgins of the Office of Management and Budget at 240.777.2764 for more information regarding this department's operating budget.

PROGRAM PERFORMANCE MEASURES

Performance measures for this department are included below (where applicable). The FY23 estimates reflect funding based on the FY23 Approved Budget. The FY24 and FY25 figures are performance targets based on the FY24 Approved Budget and funding for comparable service levels in FY25.

Measure	Actual FY21	Actual FY22	Estimated FY23	Target FY24	Target FY25
Program Measures					
Number of Administrative Appeals decided	6	1	5	5	5
Average days to issue written Administrative Appeals decisions (within 45 days of close of record unless extended) ¹	20	21	21	21	21
Number of Variances decided ²	43	42	42	42	42
Average days to issue Variance decision (within 30 days of close of record unless extended) ³	10	11	11	11	11
Number of Conditional Use cases decided ⁴	0	2	2	2	2
Average days to issue Conditional Use decision (must issue within 30 days of voting on the matter unless extended)	n/a	17	17	17	17
Number of Circuit Court appeals processed	2	2	2	2	2
Number of Administrative Actions taken ⁵	91	90	90	90	90

¹ Board of Appeals Rule 9.1 requires issuance of administrative appeal opinions within 45 days of close of record.

² The Board continues to see a large number of variances relative to past years.

³ Board of Appeals Rule 9.1 requires issuance of variance opinions within 30 days of close of record.

⁴ Outyear projections are based on YTD FY23 filings.

⁵ Matters considered and/or decided at worksessions include, but are not limited to: preliminary motions in Administrative Appeals, requests for major modifications (following the issuance of a report and recommendation by the Office of Zoning and Administrative Hearings) and administrative modifications of existing special exceptions, requests for by-right hearings, requests for oral argument regarding appeals of conditional use decisions, requests for the revocation of special exceptions, requests for the reconsideration of earlier Board decisions, requests for show cause hearings, complaints regarding the operation of special exceptions, inspection reports from the Department of Permitting Services and the Department of Housing and Community Affairs regarding such complaints, and the submission of documents fulfilling various Board-imposed reporting requirements.

PROGRAM DESCRIPTIONS

Zoning Related Hearings and Administrative Appeals

The Board of Appeals hears requests for variances as provided in the Zoning Ordinance. Development standards for each zone are set by the Zoning Ordinance. Variances from these standards require approval by the Board. In addition, the Board hears appeals of conditional uses decided by the Hearing Examiner, as provided in the Zoning Ordinance. 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. Finally, the Board considers modifications to those special exceptions that were filed or approved before the October 30, 2014 changes to the Zoning Ordinance.

BUDGET SUMMARY

	Actual FY22	Budget FY23	Estimate FY23	Approved FY24	%Chg Bud/App
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COUNTY GENERAL FUND

BUDGET SUMMARY

	Actual FY22	Budget FY23	Estimate FY23	Approved FY24	%Chg Bud/App
EXPENDITURES					
Salaries and Wages	443,036	454,250	454,056	491,301	8.2 %
Employee Benefits	105,401	109,269	109,032	117,267	7.3 %
County General Fund Personnel Costs	548,437	563,519	563,088	608,568	8.0 %
Operating Expenses	24,735	41,290	31,666	36,347	-12.0 %
County General Fund Expenditures	573,172	604,809	594,754	644,915	6.6 %
PERSONNEL					
Full-Time	3	3	3	3	—
Part-Time	0	0	0	0	—
FTEs	3.50	3.50	3.50	3.50	—
REVENUES					
Board of Appeals Fees	182,620	158,064	158,064	158,064	—
Other Charges/Fees	10,340	0	0	0	—
County General Fund Revenues	192,960	158,064	158,064	158,064	—

FY24 APPROVED CHANGES

	Expenditures	FTEs
COUNTY GENERAL FUND		
FY23 ORIGINAL APPROPRIATION	604,809	3.50
<u>Other Adjustments (with no service impacts)</u>		
Increase Cost: FY24 Compensation Adjustment	23,204	0.00
Increase Cost: Annualization of FY23 Compensation Increases	15,087	0.00
Increase Cost: Annualization of FY23 Personnel Costs	7,606	0.00
Increase Cost: Printing and Mail	57	0.00
Decrease Cost: Retirement Adjustment	(848)	0.00
Decrease Cost: Elimination of One-Time Items Approved in FY23	(5,000)	0.00
FY24 APPROVED	644,915	3.50

FUNDING PARAMETER ITEMS

CC APPROVED (\$000S)

Title	FY24	FY25	FY26	FY27	FY28	FY29
COUNTY GENERAL FUND						
EXPENDITURES						
FY24 Approved	645	645	645	645	645	645
No inflation or compensation change is included in outyear projections.						
Labor Contracts	0	9	9	9	9	9

FUNDING PARAMETER ITEMS

CC APPROVED (\$000S)

Title	FY24	FY25	FY26	FY27	FY28	FY29
These figures represent the estimated annualized cost of general wage adjustments, service increments, and other negotiated items.						
Subtotal Expenditures	645	654	654	654	654	654