



Board of Appeals

RECOMMENDED FY27 BUDGET

\$626,130

FULL TIME EQUIVALENTS

3.00

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 recommended FY27 Operating Budget for the Board of Appeals is \$626,130, an increase of \$17,796 or 2.93 percent from the FY26 Approved Budget of \$608,334. Personnel Costs comprise 95.76 percent of the budget for three full-time position(s) and no part-time position(s), and a total of 3.00 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 4.24 percent of the FY27 budget.

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 Payne Tarkenton of the Office of Management and Budget at 240-777-2758 for more information regarding this department's operating budget.

PROGRAM PERFORMANCE MEASURES

Performance measures for this department are included below (where applicable). The FY26 estimates reflect funding based on the FY26 Approved Budget. The FY27 and FY28 figures are performance targets based on the FY27 Recommended Budget and funding for comparable service levels in FY28.

| Measure | Actual FY24 | Actual FY25 | Estimated FY26 | Target FY27 | Target FY28 |
|---------|----------------|----------------|-------------------|----------------|----------------|
|---------|----------------|----------------|-------------------|----------------|----------------|

| Measure | Actual FY24 | Actual FY25 | Estimated FY26 | Target FY27 | Target FY28 |
|---|----------------|----------------|-------------------|----------------|----------------|
| Program Measures | | | | | |
| Number of administrative appeals decided | 9 | 4 | 4 | 4 | 4 |
| Average days to issue written administrative appeals decisions (within 45 days of close of record unless extended) ¹ | 19 | 11 | 11 | 11 | 11 |
| Number of variances decided ² | 44 | 45 | 45 | 45 | 45 |
| Average days to issue variance decision (within 30 days of close of record unless extended) ³ | 11 | 11 | 11 | 11 | 11 |
| Number of conditional use cases decided ⁴ | 3 | 1 | 1 | 1 | 1 |
| Average days to issue conditional use decision (must issue within 30 days of voting on the matter unless extended) | 18 | 9 | 9 | 9 | 9 |
| Number of Circuit Court appeals processed | 5 | 2 | 2 | 2 | 2 |
| Number of administrative actions taken ⁵ | 85 | 99 | 99 | 99 | 99 |

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 FY25 actuals.

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 FY25 | Budget FY26 | Estimated FY26 | Recommended FY27 | %Chg Bud/Rec |
|--|----------------|----------------|-------------------|---------------------|-----------------|
| COUNTY GENERAL FUND | | | | | |
| EXPENDITURES | | | | | |
| Salaries and Wages | 453,825 | 465,629 | 455,191 | 477,368 | 2.5 % |
| Employee Benefits | 108,467 | 116,789 | 111,567 | 122,185 | 4.6 % |
| County General Fund Personnel Costs | 562,292 | 582,418 | 566,758 | 599,553 | 2.9 % |
| Operating Expenses | 24,036 | 25,916 | 16,462 | 26,577 | 2.6 % |

BUDGET SUMMARY

| | Actual FY25 | Budget FY26 | Estimated FY26 | Recommended FY27 | %Chg Bud/Rec |
|---|----------------|----------------|-------------------|---------------------|-----------------|
| County General Fund Expenditures | 586,328 | 608,334 | 583,220 | 626,130 | 2.9 % |
| PERSONNEL | | | | | |
| Full-Time | 3 | 3 | 3 | 3 | — |
| Part-Time | 0 | 0 | 0 | 0 | — |
| FTEs | 3.00 | 3.00 | 3.00 | 3.00 | — |
| REVENUES | | | | | |
| Board of Appeals Fees | 186,361 | 158,064 | 158,064 | 158,064 | — |
| Other Charges/Fees | 4,664 | 0 | 0 | 0 | — |
| County General Fund Revenues | 191,025 | 158,064 | 158,064 | 158,064 | — |

FY27 RECOMMENDED CHANGES

| | Expenditures | FTEs |
|--|------------------------------------|---------------------|
| COUNTY GENERAL FUND | | |
| | FY26 ORIGINAL APPROPRIATION | 608,334 3.00 |
| <u>Other Adjustments (with no service impacts)</u> | | |
| Increase Cost: FY27 Compensation Adjustment | 14,794 | 0.00 |
| Increase Cost: Annualization of FY26 Compensation Increases | 1,221 | 0.00 |
| Increase Cost: Board Member Stipend Adjustments [Zoning Related Hearings and Administrative Appeals] | 1,090 | 0.00 |
| Increase Cost: Annualization of FY26 Personnel Costs | 680 | 0.00 |
| Increase Cost: Printing and Mail | 661 | 0.00 |
| Decrease Cost: Retirement Adjustment | (650) | 0.00 |
| | FY27 RECOMMENDED | 626,130 3.00 |

FUNDING PARAMETER ITEMS

CE RECOMMENDED (\$000S)

| Title | FY27 | FY28 | FY29 | FY30 | FY31 | FY32 |
|---|------------|------------|------------|------------|------------|------------|
| COUNTY GENERAL FUND | | | | | | |
| EXPENDITURES | | | | | | |
| FY27 Recommended | 626 | 626 | 626 | 626 | 626 | 626 |
| No inflation or compensation change is included in outyear projections. | | | | | | |
| Subtotal Expenditures | 626 | 626 | 626 | 626 | 626 | 626 |

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