

Board of Appeals

MISSION STATEMENT

The mission of the Board of Appeals is to implement the flexibility provided in the Zoning Ordinance as approved by the County Council and to assist County residents in understanding and participating in the special exception, variance, and administrative appeal process.

BUDGET OVERVIEW

The total approved FY10 Operating Budget for the Board of Appeals is \$617,520, a decrease of \$1,780 or 0.3 percent from the FY09 Approved Budget of \$619,300. Personnel Costs comprise 91.7 percent of the budget for four full-time positions for 4.7 workyears. Operating Expenses account for the remaining 8.3 percent of the FY10 budget.

LINKAGE TO COUNTY RESULT AREAS

While this program area supports all eight of the County Result Areas, the following are emphasized:

❖ **A Responsive, Accountable County Government**

DEPARTMENT PERFORMANCE MEASURES

This table presents the department's headline measures or submeasures including projections from FY09 through FY11. These estimates reflect funding based on the FY09 savings plan, the FY10 budget, and funding for comparable service levels in FY11.

Measure	Actual FY07	Actual FY08	Estimated FY09	Approved FY10	Projected FY11
Program Measures					
Average days to Administrative Appeals hearing ¹	102	130	148	148	148
Average days to issue Notices of Administrative Appeals hearings	14	15	16	16	16
Average days to issue Notices of Special Exception hearings ²	23	20	17	17	17
Average days to issue Notices of Variances hearings	14	21	19	19	19
Average days to issue written administrative appeals ³	110	48	48	48	48
Average days to issue written Special Exceptions ⁴	29	28	28	28	28
Average days to issue written variances ⁵	77	35	45	35	35
Average days to Special Exceptions hearing ⁶	93	144	127	127	127
Average days to Variances hearing	64	89	114	114	114
Number of administrative actions taken	353	318	300	300	300
Number of administrative appeals decided	16	16	15	15	15
Number of administrative appeals filed	32	16	18	18	18
Number of administrative appeals heard	27	22	22	22	22
Number of special exceptions decided	21	23	15	15	15
Number of special exceptions filed	26	29	26	26	26
Number of special exceptions heard	22	28	24	24	24
Number of telephone inquiries answered	NA	2,412	2,075	2,075	2,074
Number of variances decided	38	20	18	18	18
Number of variances filed	35	21	18	18	18
Number of variances heard	37	18	16	16	16
Number of walk-in clients assisted	NA	503	550	550	550
Number of work sessions held	31	27	26	26	26

¹ County Code requires that the hearing on an administrative appeal be held not fewer than 30 days following the issuance of the written notice of the hearing.

² County Code requires mailing of written notices of hearings within 7 days after the filing of any appeal, petition for special exception, request for a variance, or other matter within the Board's jurisdiction.

³ Board of Appeals Rule 9.1 requires issuance of administrative appeal opinions within 45 days of close of record.

⁴ Board of Appeals Rule 9.1 requires issuance of special exception opinions within 30 days of close of record.

⁵ Board of Appeals Rule 9.1 requires issuance of variance opinions within 30 days of close of record.

⁶ County Code requires that the hearings for special exceptions be held not fewer than 60 days following the issuance of the written notice of hearing, and that the hearing on any other matter within the Board's jurisdiction be held not fewer than 30 days.

PROGRAM CONTACTS

Contact Katherine Freeman of the Board of Appeals at 240.777.6600 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 Related Hearings and Administrative Appeals

The Board of Appeals hears requests for special exceptions and variances as provided in the Zoning Ordinance. The Zoning Ordinance requires that requests for certain uses (special exceptions) be considered for approval by the Board. Development standards for each zone are also set by the Zoning Ordinance. Variances from these standards require approval by the Board. 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.

BUDGET SUMMARY

	Actual FY08	Budget FY09	Estimated FY09	Approved FY10	% Chg Bud/App
COUNTY GENERAL FUND					
EXPENDITURES					
Salaries and Wages	418,197	433,640	431,820	449,930	3.8%
Employee Benefits	99,262	110,910	106,930	116,470	5.0%
County General Fund Personnel Costs	517,459	544,550	538,750	566,400	4.0%
Operating Expenses	46,926	74,750	71,980	51,120	-31.6%
Capital Outlay	0	0	0	0	—
County General Fund Expenditures	564,385	619,300	610,730	617,520	-0.3%
PERSONNEL					
Full-Time	4	4	4	4	—
Part-Time	0	0	0	0	—
Workyears	4.7	4.7	4.7	4.7	—
REVENUES					
Board of Appeals Fees - MNCPPC	0	0	-90,000	-75,000	—
Board of Appeals Fees	361,838	270,000	360,000	300,000	11.1%
County General Fund Revenues	361,838	270,000	270,000	225,000	-16.7%

FY10 APPROVED CHANGES

	Expenditures	WYs
COUNTY GENERAL FUND		
FY09 ORIGINAL APPROPRIATION	619,300	4.7
<u>Changes (with service impacts)</u>		
Reduce: Decrease Operating Funds	-23,670	0.0
<u>Other Adjustments (with no service impacts)</u>		
Increase Cost: Annualization of FY09 Personnel Costs	17,830	0.0
Increase Cost: Retirement Adjustment	1,980	0.0
Increase Cost: Service Increment	1,070	0.0
Increase Cost: Group Insurance Adjustment	970	0.0
Increase Cost: Printing and Mail Adjustments	40	0.0
FY10 APPROVED:	617,520	4.7