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# Zoning and Administrative Hearings

## MISSION STATEMENT

The mission of the Office of Zoning and Administrative Hearings is to provide a hearing process for land use and other administrative matters that protects the due process rights of the participants as well as the public interest.

## BUDGET OVERVIEW

The total approved FY10 Operating Budget for the Office of Zoning and Administrative Hearings is \$524,440, a decrease of \$27,470 or 5.0 percent from the FY09 Approved Budget of \$551,910. Personnel Costs comprise 87.0 percent of the budget for three full-time positions and one part-time position for 3.8 workyears. Operating Expenses account for the remaining 13.0 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<br>FY07 | Actual<br>FY08 | Estimated<br>FY09 | Approved<br>FY10 | Projected<br>FY11 |
|--|----------------|----------------|-------------------|------------------|-------------------|
| <b>Program Measures</b>  |                |                |                   |                  |                   |
| Average time from filing a case until hearing is held (months)   | 4.5            | 4.5            | 4.5               | 4.5              | 4.5               |
| Number of Hearing Examiner decisions overturned on appeal  | 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, Board of Appeals, and Human Rights Commission | 96             | 96             | 96                | 96               | 96                |
| Total cases completed  | 49             | 50             | 50                | 50               | 50                |

## PROGRAM CONTACTS

Contact Francoise Carrier of the Office of Zoning and Administrative Hearings at 240.777.6660 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; hears and decides certain special exception cases; schedules and conducts referral hearings from other departments; maintains administrative records for public inspection; collects fees; responds to public inquiries; and works with other County agencies in the preparation, revision, and review of procedural rules, fee schedules, and zoning text amendments. Administrative support involves preparing advertising and other forms of notice; providing court reporter services; printing and mailing; and general office services.

## BUDGET SUMMARY

|   | Actual<br>FY08 | Budget<br>FY09 | Estimated<br>FY09 | Approved<br>FY10 | % Chg<br>Bud/App |
|---|----------------|----------------|-------------------|------------------|------------------|
| <b>COUNTY GENERAL FUND</b>                      |                |                |                   |                  |                  |
| <b>EXPENDITURES</b>                             |                |                |                   |                  |                  |
| Salaries and Wages                              | 355,672        | 376,740        | 367,310           | 385,650          | 2.4%             |
| Employee Benefits                               | 57,322         | 79,730         | 65,660            | 70,400           | -11.7%           |
| <b>County General Fund Personnel Costs</b>      | <b>412,994</b> | <b>456,470</b> | <b>432,970</b>    | <b>456,050</b>   | <b>-0.1%</b>     |
| Operating Expenses                              | 65,048         | 95,440         | 80,910            | 68,390           | -28.3%           |
| Capital Outlay                                  | 0              | 0              | 0                 | 0                | —                |
| <b>County General Fund Expenditures</b>         | <b>478,042</b> | <b>551,910</b> | <b>513,880</b>    | <b>524,440</b>   | <b>-5.0%</b>     |
| <b>PERSONNEL</b>                                |                |                |                   |                  |                  |
| Full-Time                                       | 3              | 3              | 3                 | 3                | —                |
| Part-Time                                       | 1              | 1              | 1                 | 1                | —                |
| Workyears                                       | 3.8            | 3.8            | 3.8               | 3.8              | —                |
| <b>REVENUES</b>                                 |                |                |                   |                  |                  |
| Zoning and Administrative Hearing Fees - MNCPPC | 0              | 0              | -25,000           | -25,000          | —                |
| Zoning and Administrative Hearing Fees          | 80,926         | 100,000        | 100,000           | 100,000          | —                |
| <b>County General Fund Revenues</b>             | <b>80,926</b>  | <b>100,000</b> | <b>75,000</b>     | <b>75,000</b>    | <b>-25.0%</b>    |

## FY10 APPROVED CHANGES

|   | Expenditures   | WYs        |
|---|----------------|------------|
| <b>COUNTY GENERAL FUND</b>                                |                |            |
| <b>FY09 ORIGINAL APPROPRIATION</b>                        | <b>551,910</b> | <b>3.8</b> |
| <b><u>Other Adjustments (with no service impacts)</u></b> |                |            |
| Increase Cost: Salary increases for Hearing Examiners     | 6,460          | 0.0        |
| Increase Cost: Service Increment                          | 4,100          | 0.0        |
| Increase Cost: Group Insurance Adjustment                 | 720            | 0.0        |
| Increase Cost: Printing and Mail Adjustments              | 210            | 0.0        |
| Decrease Cost: Legal/Attorney Services                    | -2,260         | 0.0        |
| Decrease Cost: Personnel cost adjustment                  | -4,130         | 0.0        |
| Increase Cost: Annualization of FY09 Personnel Costs      | -7,570         | 0.0        |
| Decrease Cost: Decrease operating expenses                | -25,000        | 0.0        |
| <b>FY10 APPROVED:</b>                                     | <b>524,440</b> | <b>3.8</b> |