

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 recommended FY13 Operating Budget for the Board of Appeals is \$577,864, an increase of \$28,774 or 5.2 percent from the FY12 Approved Budget of \$549,090. Personnel Costs comprise 90.2 percent of the budget for three full-time positions for 3.50 FTEs. Operating Expenses account for the remaining 9.8 percent of the FY13 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

Performance measures for this department are included below. The FY12 estimates reflect funding based on the FY12 approved budget. The FY13 and FY14 figures are performance targets based on the FY13 recommended budget and funding for comparable service levels in FY14.

| Measure | Actual FY10 | Actual FY11 | Estimated FY12 | Target FY13 | Target FY14 |
|--|-------------|-------------|----------------|-------------|-------------|
| Program Measures | | | | | |
| Number of administrative appeals filed | 12 | 9 | 9 | 9 | 9 |
| Number of variances filed | 15 | 8 | 20 | 20 | 20 |
| Number of variances heard | 12 | 8 | 20 | 20 | 20 |
| Average days to issue Notices of Variances hearings | 13 | 7 | 7 | 7 | 7 |
| Number of administrative appeals decided | 10 | 6 | 12 | 12 | 12 |
| Number of administrative appeals heard | 10 | 9 | 12 | 12 | 12 |
| Number of special exceptions decided | 15 | 24 | 30 | 30 | 30 |
| Number of variances decided | 12 | 8 | 16 | 16 | 16 |
| Number of work sessions held | 30 | 24 | 30 | 30 | 30 |
| Number of special exceptions heard | 15 | 35 | 50 | 50 | 50 |
| Number of special exceptions filed | 24 | 42 | 44 | 44 | 44 |
| Average days to issue Notices of Special Exception hearings ¹ | 14 | 28 | 14 | 14 | 14 |
| Average days to issue Notices of Administrative Appeals hearings | 14 | 18 | 14 | 14 | 14 |
| Average days to issue written variances ² | 30 | 31 | 30 | 30 | 30 |
| Average days to Variances hearing | 74 | 49 | 83 | 83 | 83 |
| Average days to issue written Special Exceptions ³ | 35 | 27 | 27 | 27 | 27 |
| Average days to issue written administrative appeals ⁴ | 50 | 36 | 36 | 36 | 36 |
| Number of administrative actions taken | 250 | 228 | 300 | 300 | 300 |
| Average days to Administrative Appeals hearing ⁵ | 144 | 103 | 103 | 103 | 103 |
| Number of walk-in clients assisted | 350 | 500 | 500 | 500 | 500 |
| Average days to Special Exceptions hearing ⁶ | 130 | 101 | 130 | 130 | 130 |
| Number of telephone inquiries answered | 1,570 | 1367 | 1,500 | 1500 | 1500 |

¹ 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.

² Board of Appeals Rule 9.1 requires issuance of variance opinions within 30 days of close of record.

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

⁴ Board of Appeals Rule 9.1 requires issuance of administrative appeal opinions within 45 days of close of record.

⁵ 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.

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.

ACCOMPLISHMENTS AND INITIATIVES

❖ *Productivity Improvements*

- *Used office paper is recycled for use as scratch pads and note pads.*
- *The Board continues to avail itself of volunteer office help to try to meet statutory deadlines.*

PROGRAM CONTACTS

Contact Katherine Freeman of the Board of Appeals at 240.777.6600 or Jane Mukira of the Office of Management and Budget at 240.777.2754 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 FY11 | Budget FY12 | Estimated FY12 | Recommended FY13 | % Chg Bud/Rec |
|--|----------------|----------------|-------------------|---------------------|------------------|
| COUNTY GENERAL FUND | | | | | |
| EXPENDITURES | | | | | |
| Salaries and Wages | 387,969 | 389,710 | 386,493 | 397,959 | 2.1% |
| Employee Benefits | 105,179 | 102,650 | 105,841 | 123,395 | 20.2% |
| County General Fund Personnel Costs | 493,148 | 492,360 | 492,334 | 521,354 | 5.9% |
| Operating Expenses | 54,549 | 56,730 | 59,512 | 56,510 | -0.4% |
| Capital Outlay | 0 | 0 | 0 | 0 | — |
| County General Fund Expenditures | 547,697 | 549,090 | 551,846 | 577,864 | 5.2% |
| PERSONNEL | | | | | |
| Full-Time | 3 | 3 | 3 | 3 | — |
| Part-Time | 0 | 0 | 0 | 0 | — |
| FTEs | 3.60 | 3.50 | 3.50 | 3.50 | — |
| REVENUES | | | | | |
| Board of Appeals Fees | 375,715 | 223,310 | 306,334 | 306,334 | 37.2% |
| Other Charges/Fees | -6,170 | 0 | 0 | 0 | — |
| County General Fund Revenues | 369,545 | 223,310 | 306,334 | 306,334 | 37.2% |

FY13 RECOMMENDED CHANGES

| | Expenditures | FTEs |
|--|----------------|-------------|
| COUNTY GENERAL FUND | | |
| FY12 ORIGINAL APPROPRIATION | 549,090 | 3.50 |
| Other Adjustments (with no service impacts) | | |
| Increase Cost: Retirement Adjustment | 17,240 | 0.00 |
| Increase Cost: Lump Sum Wage Adjustment | 6,646 | 0.00 |
| Increase Cost: Group Insurance Adjustment | 3,033 | 0.00 |
| Increase Cost: Longevity Adjustment | 2,075 | 0.00 |
| Shift: Help Desk - Desk Side Support to the Desktop Computer Modernization NDA | -60 | 0.00 |
| Decrease Cost: Printing and Mail Adjustment | -160 | 0.00 |
| FY13 RECOMMENDED: | 577,864 | 3.50 |

FUTURE FISCAL IMPACTS

| Title | CE REC. | | | | | |
|---|------------|------------|------------|------------|------------|------------|
| | FY13 | FY14 | FY15 | (\$000's) | | |
| | FY16 | FY17 | FY18 | | | |
| This table is intended to present significant future fiscal impacts of the department's programs. | | | | | | |
| COUNTY GENERAL FUND | | | | | | |
| Expenditures | | | | | | |
| FY13 Recommended | 578 | 578 | 578 | 578 | 578 | 578 |
| No inflation or compensation change is included in outyear projections. | | | | | | |
| Elimination of One-Time Lump Sum Wage Adjustment | 0 | -7 | -7 | -7 | -7 | -7 |
| This represents the elimination of the one-time lump sum wage increases paid in FY13. | | | | | | |
| Subtotal Expenditures | 578 | 571 | 571 | 571 | 571 | 571 |

