

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 FY14 Operating Budget for the Board of Appeals is \$592,558, an increase of \$14,872 or 2.6 percent from the FY13 Approved Budget of \$577,686. Personnel Costs comprise 90.4 percent of the budget for three full-time positions. A total of 3.50 FTEs includes these positions as well as any seasonal, temporary, and positions charged to or from other departments or funds. Operating Expenses account for the remaining 9.6 percent of the FY14 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 FY13 estimates reflect funding based on the FY13 approved budget. The FY14 and FY15 figures are performance targets based on the FY14 recommended budget and funding for comparable service levels in FY15.

Measure	Actual FY11	Actual FY12	Estimated FY13	Target FY14	Target FY15
Program Measures					
Number of administrative appeals decided	6	12	12	12	12
Number of administrative appeals heard	9	12	12	12	12
Number of administrative appeals filed	9	9	9	9	9
Number of variances decided	8	16	16	16	16
Average days to issue written Special Exceptions ¹	27	27	27	27	27
Average days to issue Notices of Special Exception hearings ²	28	14	14	14	14
Number of work sessions held	24	30	30	30	30
Average days to issue Notices of Variances hearings	7	7	7	7	7
Number of special exceptions decided	24	30	30	30	30
Number of special exceptions heard	35	50	50	50	50
Number of variances filed	8	20	20	20	20
Number of variances heard	8	20	20	20	20
Average days to Variances hearing	49	83	83	83	83
Number of special exceptions filed	42	44	44	44	44
Average days to issue Notices of Administrative Appeals hearings	18	14	14	14	14
Average days to issue written administrative appeals ³	36	36	36	36	36
Average days to issue written variances ⁴	31	30	30	30	30
Average days to Administrative Appeals hearing ⁵	103	103	103	103	103
Average days to Special Exceptions hearing ⁶	101	130	130	130	130
Number of administrative actions taken	228	300	300	300	300
Number of walk-in clients assisted	500	500	500	500	500
Number of telephone inquiries answered	1,367	1,500	1,500	1,500	1,500

¹ Board of Appeals Rule 9.1 requires issuance of special exception opinions within 30 days of close of record.

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 variance opinions within 30 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*

- ***The Board utilizes volunteer office help to try to meet statutory deadlines.***
- ***Office paper is recycled for use as scratch pads and notepads.***
- ***Correspondence and information are transmitted electronically.***

PROGRAM CONTACTS

Contact Katherine Freeman of the Board of Appeals at 240.777.6600 or Erika Lopez-Finn of the Office of Management and Budget at 240.777.2771 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 FY12	Budget FY13	Estimated FY13	Recommended FY14	% Chg Bud/Rec
COUNTY GENERAL FUND					
EXPENDITURES					
Salaries and Wages	389,592	397,782	394,169	387,405	-2.6%
Employee Benefits	109,283	123,394	132,738	148,170	20.1%
County General Fund Personnel Costs	498,875	521,176	526,907	535,575	2.8%
Operating Expenses	51,375	56,510	56,509	56,983	0.8%
Capital Outlay	0	0	0	0	—
County General Fund Expenditures	550,250	577,686	583,416	592,558	2.6%
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	282,172	306,334	306,334	306,334	—
Other Licenses/Permits	-31	0	0	0	—
Other Charges/Fees	2,490	0	0	0	—
County General Fund Revenues	284,631	306,334	306,334	306,334	—

FY14 RECOMMENDED CHANGES

	Expenditures	FTEs
COUNTY GENERAL FUND		
FY13 ORIGINAL APPROPRIATION	577,686	3.50
Other Adjustments (with no service impacts)		
Increase Cost: FY14 Compensation Adjustment	11,684	0.00
Increase Cost: Group Insurance Adjustment	8,378	0.00
Increase Cost: Retirement Adjustment	2,747	0.00
Increase Cost: Printing and Mail Adjustment	473	0.00
Increase Cost: Other Labor Contract Costs	419	0.00
Increase Cost: Annualization of FY13 Personnel Costs	-2,361	0.00
Decrease Cost: Elimination of FY13 \$2,000 Lump Sum	-6,468	0.00
FY14 RECOMMENDED:	592,558	3.50

FUTURE FISCAL IMPACTS

Title	CE REC.					
	FY14	FY15	FY16	(\$000's)		
	FY17	FY18	FY19			
This table is intended to present significant future fiscal impacts of the department's programs.						
COUNTY GENERAL FUND						
Expenditures						
FY14 Recommended	593	593	593	593	593	593
No inflation or compensation change is included in outyear projections.						
Labor Contracts	0	15	17	17	17	17
These figures represent the estimated cost of general wage adjustments, new service increments, and associated benefits.						
Subtotal Expenditures	593	607	610	610	610	610