



Board of Appeals

APPROVED FY25 BUDGET

\$588,642

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 approved FY25 Operating Budget for the Board of Appeals is \$588,642, a decrease of \$56,273 or 8.73 percent from the FY24 Approved Budget of \$644,915. Personnel Costs comprise 93.82 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 6.18 percent of the FY25 budget.

Consistent with the County Charter, the County Executive makes recommendations on the operating budget for all County departments, offices and agencies. However, recognizing the Charter-designed roles, the Executive defers significantly to the Legislative and Judicial Branch agencies. Questions regarding the approved budgets for Legislative Branch departments should be directed to Sandra Marin, 240-777-7923.

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 Richard H. Harris of the Office of Management and Budget at 240.777.2795 for more information regarding this department's operating budget.

PROGRAM PERFORMANCE MEASURES

Performance measures for this department are included below (where applicable). The FY24 estimates reflect funding based on the FY24 Approved Budget. The FY25 and FY26 figures are performance targets based on the FY25 Approved Budget and funding for comparable service levels in FY26.

Measure	Actual FY22	Actual FY23	Estimated FY24	Target FY25	Target FY26
Program Measures					
Number of Administrative Appeals decided	1	11	11	11	11
Average days to issue written Administrative Appeals decisions (within 45 days of close of record unless extended) ¹	21	25	25	25	25
Number of Variances decided ²	42	52	52	52	52
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	2	2	2	2	2
Average days to issue Conditional Use decision (must issue within 30 days of voting on the matter unless extended)	17	15	15	15	15
Number of Circuit Court appeals processed	2	4	4	4	4
Number of Administrative Actions taken ⁵	90	86	86	86	86

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 FY23 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 FY23	Budget FY24	Estimate FY24	Approved FY25	%Chg Bud/App
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COUNTY GENERAL FUND

BUDGET SUMMARY

	Actual FY23	Budget FY24	Estimate FY24	Approved FY25	%Chg Bud/App
EXPENDITURES					
Salaries and Wages	454,247	491,301	505,551	444,849	-9.5 %
Employee Benefits	109,295	117,267	119,307	107,413	-8.4 %
County General Fund Personnel Costs	563,542	608,568	624,858	552,262	-9.3 %
Operating Expenses	32,375	36,347	30,745	36,380	0.1 %
County General Fund Expenditures	595,917	644,915	655,603	588,642	-8.7 %
PERSONNEL					
Full-Time	3	3	3	3	—
Part-Time	0	0	0	0	—
FTEs	3.50	3.50	3.50	3.00	-14.3 %
REVENUES					
Board of Appeals Fees	188,411	158,064	158,064	158,064	—
Other Charges/Fees	6,160	0	0	0	—
County General Fund Revenues	194,571	158,064	158,064	158,064	—

FY25 APPROVED CHANGES

	Expenditures	FTEs
COUNTY GENERAL FUND		
FY24 ORIGINAL APPROPRIATION	644,915	3.50
<u>Other Adjustments (with no service impacts)</u>		
Increase Cost: FY25 Compensation Adjustment	22,956	0.00
Increase Cost: Annualization of FY24 Compensation Increases	18,851	0.00
Increase Cost: Board Member Stipends [Zoning Related Hearings and Administrative Appeals]	7,000	0.00
Increase Cost: Printing and Mail	33	0.00
Decrease Cost: Annualization of FY24 Personnel Costs	(248)	0.00
Decrease Cost: Retirement Adjustment	(2,265)	0.00
Shift: Move Tax Supported Charge Backs from Board of Appeals to the Office of the County Attorney [Zoning Related Hearings and Administrative Appeals]	(102,600)	(0.50)
FY25 APPROVED	588,642	3.00

FUNDING PARAMETER ITEMS

CC APPROVED (\$000S)

Title	FY25	FY26	FY27	FY28	FY29	FY30
COUNTY GENERAL FUND						
EXPENDITURES						
FY25 Approved	589	589	589	589	589	589

FUNDING PARAMETER ITEMS

CC APPROVED (\$000S)

Title	FY25	FY26	FY27	FY28	FY29	FY30
No inflation or compensation change is included in outyear projections.						
Labor Contracts	0	10	10	10	10	10
These figures represent the estimated annualized cost of general wage adjustments, service increments, and other negotiated items.						
Subtotal Expenditures	589	599	599	599	599	599