

## MEMORANDUM

October 14, 2021

TO: Planning, Housing, and Economic Development (PHED) Committee

FROM: Naeem M. Mia, Legislative Analyst

SUBJECT: **Oversight Worksession:** Office of Zoning and Administrative Hearings (OZAH)

### **Expected Attendees:**

- Lynn R. Hannan, Director, Office of Zoning and Administrative Hearings
- Phil Weeda, Office of Management and Budget

### **Summary**

Due to the ongoing COVID-19 pandemic, the Council's FY22 budget review process included a consent calendar approval of several department/office budgets with the plan that those departments/offices would be scheduled for a Committee oversight review session in the Fall of 2021.

The purpose of these oversight sessions is to:

- 1) provide the Committees with an opportunity to meet with Department/Office Directors;
- 2) receive updates on key programs or initiatives; and
- 3) review any relevant spending or performance data.

Director Lynn R. Hannan is available to discuss the recent activities of the office, including the impact of the COVID-19 pandemic on department operations. The department's FY22 Approved Operating Budget is on circles 1-4.

### **Mission Statement**

The mission of OZAH is to conduct due process hearings in land use and other administrative matters in a manner that protects the rights of the participants, provides a complete record in each case, results in a thorough and balanced report or decision, and serves the public interest.

### **Duties and Responsibilities**

The principal responsibility of OZAH is to conduct due process administrative hearings on land use cases and other matters. These include applications for rezonings, development plan amendments and floating zone plan amendments; all conditional use applications (formerly known

as special exceptions); and accessory dwelling unit objection and waiver cases arising out of the Department of Housing and Community Affairs. OZAH also presides over matters referred for hearing by the Human Rights Commission, the Commission on Common Ownership Communities, the County's Merit System Protection Board, the Office of Consumer Protection, and the Office of the Chief Administrative Officer in appeals arising under the County's Prevailing Wage Law.

This packet contains:

1. FY22 Approved Operating Budget – OZAH

Circle Page #

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# Zoning and Administrative Hearings

## APPROVED FY22 BUDGET

\$681,382

## FULL TIME EQUIVALENTS

4.00

 LYNN R. HANNAN, DIRECTOR

## MISSION STATEMENT

The mission of the Office of Zoning and Administrative Hearings (OZAH) is to conduct due process hearings in land use and other administrative matters in a manner that protects the rights of the participants, provides a complete record in each case, results in a thorough and balanced report or decision, and serves the public interest.

## BUDGET OVERVIEW

The total approved FY22 Operating Budget for the Office of Zoning and Administrative Hearings is \$681,382, an increase of \$23,078 or 3.51 percent from the FY21 Approved Budget of \$658,304. Personnel Costs comprise 91.08 percent of the budget for four full-time position(s) and no part-time position(s), and a total of 4.00 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 8.92 percent of the FY22 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-defined roles, the Executive defers significantly to Legislative and Judicial Branch agencies. Questions regarding the approved budgets for Legislative Branch departments should be directed to Mary Jane Berry, 240-777-7930.

## 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 Lynn R. Hannan of the Office of Zoning and Administrative Hearings at 240.777.6664 or Philip Weeda of the Office of Management and Budget at 240.777.2780 for more information regarding this department's operating budget.

## PROGRAM PERFORMANCE MEASURES

Performance measures for this department are included below (where applicable). The FY21 estimates reflect funding based on the FY21 Approved Budget. The FY22 and FY23 figures are performance targets based on the FY22 Approved Budget and funding for comparable service levels in FY23.

## 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; receives applications, hears and decides conditional use cases; schedules and conducts hearings in contested cases referred by other departments, such as the Commission on Human Rights; adjudicates objections and waivers associated with accessory apartment license applications; maintains administrative records for public inspection; collects application fees; responds to public inquiries on zoning and conditional use cases; and works with other County agencies in the preparation, revision, and review of procedural rules, fee schedules, and zoning text amendments.

## BUDGET SUMMARY

	Actual FY20	Budget FY21	Estimate FY21	Approved FY22	%Chg Bud/App
<b>COUNTY GENERAL FUND</b>					
<b>EXPENDITURES</b>					
Salaries and Wages	501,517	476,729	468,138	497,036	4.3 %
Employee Benefits	108,938	120,818	109,371	123,592	2.3 %
<b>County General Fund Personnel Costs</b>	<b>610,455</b>	<b>597,547</b>	<b>577,509</b>	<b>620,628</b>	<b>3.9 %</b>
Operating Expenses	63,070	60,757	60,757	60,754	—
<b>County General Fund Expenditures</b>	<b>673,525</b>	<b>658,304</b>	<b>638,266</b>	<b>681,382</b>	<b>3.5 %</b>
<b>PERSONNEL</b>					
Full-Time	4	4	4	4	—
Part-Time	0	0	0	0	—
FTEs	4.00	4.00	4.00	4.00	—
<b>REVENUES</b>					
Other Charges/Fees	23,485	0	0	0	—
Zoning Fees	57,585	65,000	65,000	65,000	—
<b>County General Fund Revenues</b>	<b>81,070</b>	<b>65,000</b>	<b>65,000</b>	<b>65,000</b>	<b>—</b>

## FY22 APPROVED CHANGES

	Expenditures	FTEs
<b>COUNTY GENERAL FUND</b>		
<b>FY21 ORIGINAL APPROPRIATION</b>	<b>658,304</b>	<b>4.00</b>
<b><u>Other Adjustments (with no service impacts)</u></b>		

## FY22 APPROVED CHANGES

	Expenditures	FTEs
Increase Cost: FY21 Compensation Adjustment	15,047	0.00
Increase Cost: FY22 Compensation Adjustment	6,923	0.00
Increase Cost: Retirement Adjustment	1,111	0.00
Decrease Cost: Print and Mail Adjustment	(3)	0.00
<b>FY22 APPROVED</b>	<b>681,382</b>	<b>4.00</b>

## FUNDING PARAMETER ITEMS

CC APPROVED (\$000S)

Title	FY22	FY23	FY24	FY25	FY26	FY27
<b>COUNTY GENERAL FUND</b>						
<b>EXPENDITURES</b>						
<b>FY22 Approved</b>	<b>681</b>	<b>681</b>	<b>681</b>	<b>681</b>	<b>681</b>	<b>681</b>
No inflation or compensation change is included in outyear projections.						
<b>Labor Contracts</b>	<b>0</b>	<b>10</b>	<b>10</b>	<b>10</b>	<b>10</b>	<b>10</b>
These figures represent the estimated annualized cost of general wage adjustments, service increments, and other negotiated items.						
<b>Subtotal Expenditures</b>	<b>681</b>	<b>691</b>	<b>691</b>	<b>691</b>	<b>691</b>	<b>691</b>

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