



## ARLINGTON COUNTY, VIRGINIA

**County Board Agenda Item  
Meeting of January 21, 2012**

**DATE:** January 3, 2012

**SUBJECT:** Request to advertise "On the County Board's Own Motion" a public hearing on a proposed use permit for an addition to a community building for the Lyon Park Community Center located at 414 and 420 N. Fillmore St. (RPC# 18-050-001).

**C. M. RECOMMENDATION:**

Authorize advertisement "On The County Board's Own Motion" of a public hearing by the County Board on March 10, 2012 for a proposed special exception use permit in the public interest for an addition to a community building located at 414 and 420 North Fillmore Street (Lyon Park Community Center).

**ISSUES:** This is a request for authorization from the County Board to advertise on its own motion a public hearing to consider a use permit for an addition to a community building located at 414 and 420 North Fillmore Street, also known as the Lyon Park Community Center. The Board of Governors of the Lyon Park Community Center consents to the proposed use permit and no issues have been identified.

**SUMMARY:** The Lyon Park Community Center wishes to expand their community building, which is a legally nonconforming use as it predates the requirement of a special exception use permit. Through the use permit process, the applicant may also request modifications to the Zoning Ordinance requirements, including those for off-street parking. Therefore, staff recommends that the County Board advertise, on its own motion, a public hearing by the County Board on March 10, 2012, to consider a proposed use permit in the public interest for an addition to a community building for the Lyon Park Community Center located at 414 and 420 N. Fillmore Street, that will bring the building into conformity with the zoning ordinance.

**BACKGROUND:** The Lyon Park Community Center was established in 1924, and the present building was constructed about one (1) year later as an effort by the citizens of the new subdivision of Lyon Park to provide recreation and meeting space for the community. The grounds around the Community Center are a private park used for active and passive recreation,

County Manager: *BMD/GA*

County Attorney: *[Signature]* *[Signature]*

Staff: Peter Schulz, DCPHD, Planning Division

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including a playground. The property is privately owned by the not-for-profit Lyon Park Community Center, and administered by a Board of Governors. The use as a community building and private park was established before the adoption of Arlington County's first zoning ordinance (1930) and is considered a legal nonconforming use. The subject property has been zoned "R-6" One-Family Dwelling Districts since the adoption of the current Arlington County Zoning Ordinance in 1950. The "R-6" district (referring back to "R-20") requires a special exception use permit for "community buildings", as well as non-commercial "clubs and grounds for games and sports". The applicant now desires to construct an addition to the existing clubhouse, which will require approval by the County Board of a special exception use permit. With the use permit application, the applicant may also request a modification of the off-street parking regulations. Previously, the applicant had requested a rezoning from "R-6" to "S-3A", (which would have made the use a by-right use) but after further research and discussion with staff, a rezoning would ultimately not have assisted the applicant's renovation plans and the applicant has subsequently withdrawn the rezoning request.

**DISCUSSION:** The current community building does not have a special exception use permit as required by the Zoning Ordinance, as the use and structure predates the Zoning Ordinance. The applicant plans to construct an addition to the existing clubhouse, requiring approval by the County Board of a use permit. In addition, through the use permit process the applicant may request modifications to the Zoning Ordinance, including off-street parking regulations. Furthermore, staff recommends that the County Board waive the use permit filing fee of \$1,782, as the proposed use permit is in the public interest by bringing a use that is currently nonconforming to the Zoning Ordinance to a conforming status. The Board of Governors of the Lyon Park Community Center consent to the proposed use permit.

**CONCLUSION:** It should be noted that a recommendation to authorize advertisement does not imply staff support of approval of the use permit. However, for the County Board to consider the use permit, a public hearing must be advertised. Furthermore, staff recommends that the County Board waive the use permit filing fee of \$1,782, as the proposed use permit is in the public interest by bringing a use that is currently nonconforming to the Zoning Ordinance to a conforming status. . Therefore, staff recommends that the County Board authorize advertisement, on its own motion, a public hearing by the County Board on March 10, 2012, to consider a proposed use permit for an addition to a community building for the Lyon Park Community Center located at 414 and 420 N. Fillmore Street.