



## ARLINGTON COUNTY, VIRGINIA

<p><b>County Board Agenda Item Meeting of July 8, 2006</b></p>
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**DATE:** June 23, 2006

**SUBJECT:** Amendment to Section 36. Administration and Procedures of the Arlington County Zoning Ordinance to authorize the Board of Zoning Appeals to grant special exception use permits that modify requirements contained in the Zoning Ordinance with respect to physical requirements of improvements on a lot or parcel of land, including setback and other placement requirements, coverage, and height.

**C. M. RECOMMENDATION:**

Defer to the September 5, 2006 Planning Commission meeting and the September 16, 2006 County Board meeting.

**ISSUES:** None.

**SUMMARY:** This Zoning Ordinance Amendment would give the Board of Zoning Appeals (BZA) the authority to approve use permits that modify placement, height and coverage requirements for by-right development, primarily involving one-family dwellings. The Code of Virginia restricts the ability of the BZA to approve variances from strict application of the Zoning Ordinance. The Code of Virginia gives the County Board the authority to authorize the BZA to grant use permits. The use permit process could be used as an alternative to the variance process that has been used by Arlington homeowners to deal with the constraints of their lots and/or existing dwellings when designing improvements.

Staff has had meetings with the Civic Federation, the Neighborhood Conservation Advisory Committee and the Zoning Ordinance Review Committee of the Planning Commission to discuss the proposed amendment. The additional time will be used to determine whether there should be limitations on modifications that may be granted and standards for approving modifications.

**BACKGROUND:** The Planning Division website includes frequently asked questions (FAQ) regarding this proposed Zoning Ordinance Amendment and the 2005 Annual Report of the Board of Zoning Appeals which includes statistics on the variance cases considered by the BZA last year. It can be found at the following url: <http://www.arlingtonva.us/Departments/CPHD/Planning/studies/bzaauthorized.aspx>.

<p>County Manager: _____</p>
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<p>County Attorney: _____</p>
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<p>Staff: Terry Russell, Zoning Administrator</p>
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<p>Tony Burnette, Deputy Zoning Administrator, Executive Secretary of the BZA</p>
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<p>PLA-4383</p>
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**CONCLUSION:** Defer to the September 5, 2006 Planning Commission meeting and the September 16, 2006 County Board meeting.