

ARTICLE 37

COMMUNITY ORIENTED RESIDENTIAL SOCIAL SERVICE FACILITIES AND HALFWAY HOUSES

SECTION 3701 SUBMISSION REQUIREMENTS

The operator or agency applying for a conditional use permit to operate a Community Oriented Residential Social Service Facility or Halfway House shall submit the following information to aid the Board of Zoning Appeals in their review of the requested facility:

- A. Identification of similar facilities presently existing within (local jurisdiction) and contiguous jurisdiction and confirmation the siting of the facility is compatible with the Residential Care Opportunities Guide for Montgomery County.
- B. A license or evidence of ability to obtain a license, if such is required, from the pertinent governmental unit prior to operation. Prior to the issuance of a final certificate of occupancy, the operator or agency shall provide evidence that a valid license has been issued or is obtainable for the proposed conditional use on the subject property. If licensing is not required, an affidavit from the applicant so stating shall be presented.
- C. A copy of the sponsoring agency's operational and occupancy standards and a detailed plan for services and programs.
- D. A site plan for the proposed home indicating home structure outline and floor plan, off-street parking provisions, driveway access, landscaping and screening provisions, recreational and open space facilities as well as other pertinent information which the Board may require. Such plan shall include sufficient information to indicate that the proposed use of the site will be compatible with the present character of the neighborhood.

SECTION 3702 FACILITY REQUIREMENTS

- A. Every room occupied for sleeping purposes within the home shall contain a minimum of eighty (80) square feet of habitable room area for one occupant, and when occupied by more than one shall contain at least sixty (60) square feet of habitable room area for each occupant.
- B. Indoor and outdoor recreational space shall be provided for the clientele served, based upon standards specified by the licensing authority and/or the sponsoring agency.

If not such standards exist, then the following minimum area shall apply:

- 1 Common indoor area shall consist of at least 25 square feet per individuals.

2. Common outdoor area shall consist of at least 60 square feet per individual. If a public park or other common open space is available in the immediate vicinity of the facility, the Board may waive the outdoor space requirements.
- C. No exterior alterations of the structure shall be made which depart from the residential character of the building. All new structures proposed shall be compatible with the surrounding neighborhood.
- D. All exterior lighting shall be suitably directed and shaded to prevent any glare upon adjoining residential properties.
- E. Off-street parking requirements: one space for each 3 persons residing in a community based residential social service facility or halfway house except for facilities prohibiting ownership or operation of automobiles by occupants of such facilities. In any case, suitably screened off-street parking shall be provided on a one-to-one ratio to the number of autos operated out of the facility. Within neighborhoods in which on-street parking is accepted practice, on-street space directly abutting the subject lot may substituted for a portion of the required off-street spaces if approved by the Board of Zoning Appeals.
- F. No facility shall be permitted within 1,500 feet of another Community Oriented Residential Social Service Facility or Halfway House and the siting of the facility complies with the Residential Care Opportunities Guide for Montgomery County.

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 The Board of Zoning Appeals may reduce this standard if the applicant show that, due to unique conditions, a reduction of the separation requirement or deviation from the Residential Care Opportunities Guide will not contribute to the concentration of such facilities (e.g., the proposed site is located in a distinctly different neighborhood which is separated from an existing site by an interstate highway or the site is in an area that does not constitute a typical residential neighborhood due to a diversity of land uses).

- G. The facility must be reviewed by the Fire Department or a certified Fire Safety Inspector.

SECTION 3703

FINDING BY THE BOARD OF ZONING APPEALS

In its review of each proposed facility, the Board of Zoning Appeals shall make specific findings of fact relative to the relative to the following criteria. Upon findings all such facts to be true the Board shall grant the Conditional Use. The proposed facility:

- A. Complies with all the applicable facilities requirements.
- B. Is in fact a community based residential social service facility or halfway house licensed by an agency of the State of Ohio (and respective

jurisdiction). If such licensing is not required, an affidavit so stating has been presented to document this statement.

- C. Is approved by the local agency responsible for providing support services and/or programs to the facility.
- D. Will be designed, constructed, and maintained so that such use will not change the general character of the area and operated in compliance with relevant licensing or certification standards.
- E. Will not be within 500 feet of another CORSSF or Halfway House, unless this standard is varied by the Board of Zoning Appeals to a lesser distance.
- F. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.
- G. Will have vehicular approaches to the property which shall be designed to prevent any undue interference with traffic on surrounding public streets.