

## ARTICLE 49

### HALFWAY HOUSES

#### SECTION 4901 SUBMISSION REQUIREMENTS

The operator or agency applying for a Conditional Use permit to operate a Halfway House shall submit the following information to aid the Board of Zoning Appeals in their review of the requested facility:

- A. Information sufficient to establish the need for the facility in the proposed location, in relationship to the specific clientele served.
- B. Identification of similar facilities presently existing within the County and its municipalities.
- C. Location of community facilities and/or services pertinent to the proposed site, i.e., nearest fire station, park, library, shopping complex, major thoroughfare, etc.
- D. 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 available, a verified affidavit so stating shall be presented.
- E. A copy of the sponsoring agency's operational and occupancy standards.
- F. A site plan for the proposed home indicating home structure outline and floor area, 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 evidence that the proposed use of the site will be compatible with the present character of the neighborhood, in consideration of such factors as congestion, noise, traffic or lights.
- G. A detailed plan for services and programs.

#### SECTION 4902 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. Suitable space shall be provided for indoor and/or outdoor recreational activities for the clientele served, based upon generally accepted recreational standards or those specified by

the licensing authority.

- 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 of compatible residential design with the surrounding neighborhood, to the degree possible.
- 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 per every three (3) persons residing in a 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 automobiles operated out of the facility. Within neighborhoods in which on-street parking is accepted practice, on-street space directly abutting the subject lot may substitute for a proportion of the required off-street spaces if approved by the Board of Zoning Appeals.
- F. No facility shall be permitted within three thousand (3,000) feet of another Halfway House. The Board of Zoning Appeals may consider a variance from this standard of not more than ten (10) percent.

#### SECTION 4903 FINDINGS 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 following criteria. The proposed facility:

- A. Is in fact a Halfway House licensed by the appropriate authority to provide such service within the State of Ohio (and the respective jurisdiction). If such licensing is not available, a verified affidavit so stating has been presented to document this statement.
- B. Is approved by the local agency responsible for providing support services and/or programs to the facility.
- C. Is in fact a needed facility in the location proposed, based upon evidence acceptable to the Board of Zoning Appeals.
- D. Will be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or officially planned uses of the general vicinity and that such use will not change the essential character of the same area. In this regard, it does not contribute to a concentration of such facilities in the respective area.
- E. Will not be hazardous or disturbing to existing or officially planned future neighboring uses from the standpoint of noise, lights, congestion or traffic generation which would be incompatible with the neighborhood environment.

- 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 not involve uses, activities and conditions of operation that will be detrimental to any persons, property, or the general welfare.
- H. Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares.
- I. Will not result in the destruction, loss or damage of a natural, scenic, or historic feature of major importance.
- J. The Board of Zoning Appeals may issue a temporary Conditional Use permit for a period of one (1) year. At the completion of the one (1) year time period, the residential home operation shall be reviewed by the Board of Zoning Appeals. The Board of Zoning Appeals may extend the temporary conditional use, grant a permanent conditional use or deny the conditional use. The Board of Zoning Appeals in considering the Conditional Use application shall take into consideration the extent to which the sponsoring agencies have dispersed these facilities within the County and its municipalities.