

ARTICLE X
STANDARDS FOR SPECIAL EXCEPTION USES

SECTION 10.1 **REQUIREMENT OF SPECIFIC STANDARDS**

Specific standards for Special Exception Uses allowed in this Ordinance are set forth in this Article. These standards must be met prior to the Zoning Hearing Board granting a Special Exception Use Permit for such uses in applicable zones.

SECTION 10.2 **SPECIAL REQUIREMENTS FOR CONVERSION APARTMENTS**

- A. The Zoning Hearing Board may authorize as a special exception the conversion of any dwelling existing at the effective date of This Ordinance into a dwelling for two (2) or more families in the C-R, R-75, and R-125 residential district, subject to the following requirements:
1. The lot area per family unit shall not be reduced to less than one thousand five hundred square feet (1,500 Sq. Ft.) for the C-R Zone; three thousand square feet (3,000 Sq. Ft.) for the R-125 Zone.
 2. The yard, building, parking, and other applicable lot requirements for the district shall not be reduced.
 3. No structural alteration of the exterior building shall be made not in keeping with the prevailing residential character except as may be necessary for purposes of health, safety, and aesthetics.
 4. Such conversion shall be authorized only for a relatively large building which has lost its value or usefulness as a conforming dwelling or use.

SECTION 10.3 **SPECIAL REQUIREMENTS FOR HOUSING DEVELOPMENT GROUPING**

- A. Housing Development Grouping - In the case of a housing development consisting of two (2) or more buildings to be constructed on a plot of ground of at least three (3) acres not subdivided into customary parcels and streets and which will not be subdivided, or where existing or contemplated lot and street layout make it impractical to apply requirements of This Ordinance to the individual building in such a development; an application shall be put forth to the Zoning Hearing Board in a manner that will be in harmony with the neighborhood character, will insure a density of land use no higher and a standard of common open space at least as much as required in the district which the proposed development is to be located. In no case shall there be authorized a greater building height than permitted.

SECTION 10.4 **SPECIAL REQUIREMENTS FOR TRANSITION ZONE**

A. Transition Zone - Wherever the INST, C-I or C-R Districts adjoin a R-75 or R-125 District, the Zoning Hearing Board shall be hereby given the power after public hearing, to establish transition zones in the adjoining residential districts and extending only along a major road frontage for a distance or depth of not more than one hundred feet (100') or a zone shall not be deeper than the established depth of the greater lot depth prescribed in the district, and in no case shall it cross any street or alley. Any use permitted in the non-residential zones shall be permitted in the transition zone, but such use shall be subject to height, area, yard requirements of the residential district, including a buffer belt of landscaping ten feet (10') in width established adjacent and along the abutting residential property in the residential district for the purpose of ensuring the health, safety, and welfare of those properties in the residential districts.

Furthermore, there are powers, guidelines, and standards relative to special exceptions, such as:

1. In granting any special exception, the Zoning Hearing Board shall have the right to impose such conditions, restrictions, or regulations as may be deemed necessary or advisable for the protection of surrounding and neighboring properties.
2. The owners, lessees, or tenants of the property for which a special exception is granted, if required by the Zoning Hearing Board, shall enter into an agreement in writing with said Board stipulating the conditions, restrictions, or regulations governing such special exception, and such agreement shall be recorded among the Land Records of Franklin County. The cost of such agreement and the cost of recording thereof, if required, shall be borne by the party requesting such special exception.
3. In the granting of any special permit, variance, or transition zone, the Zoning Hearing Board shall be governed and controlled as to whether or not such proposed use will menace the public health, safety, security, morals, and general welfare of the community, and as a further guide to their decision upon the facts of the case, they shall consider whether the proposed use will:
 - a. Interfere with adequate light and air;
 - b. Tend to create congestion in roads, streets, and alleys in the area involved;
 - c. Tend to overcrowd land and cause undue concentration of population;
 - d. Create a hazard from fire, panic, or other dangers; and
 - e. Interfere improperly with adequate provisions for schools, parks, water, sewage, transportation, and other public requirements, conveniences, and improvements.