

(1) ~~THE GRANTING OF THE LICENSE APPROVAL~~ WOULD SERVE TO ACCOMMODATE MENTALLY RETARDED PERSONS;

(2) A PUBLIC GROUP HOME IS NOT PRESENTLY AVAILABLE TO MEET THE NEED;

(3) THE APPLICANT IS A PROPER PERSON TO RECEIVE THE ~~LICENSE~~ CERTIFICATE APPLIED FOR;

(4) THE PRIVATE GROUP HOME PROPOSED TO BE ~~LICENSED~~ APPROVED IS APPROPRIATE FOR THE STATED PURPOSE; AND

(5) THE PRIVATE GROUP HOME IS, OR UPON COMPLETION WILL BE, IN COMPLIANCE WITH THE RULES AND REGULATIONS ADOPTED PURSUANT TO §20 OF THIS ARTICLE, TO THE EXTENT COMPLIANCE IS THEN DETERMINABLE.

(F) THE DIRECTOR SHALL TAKE ACTION ON EACH APPLICATION FOR A CERTIFICATE OF APPROVAL OF A PRIVATE GROUP HOME WITHIN 60 DAYS AFTER FILING, UNLESS OTHERWISE AGREED TO BY THE APPLICANT. IF THE DIRECTOR FAILS TO TAKE ACTION ON THE APPLICATION WITHIN THE TIME SPECIFIED, THEN THE APPLICATION SHALL BE DEEMED TO BE APPROVED AND THE ~~LICENSE~~ CERTIFICATE OF APPROVAL SHALL BE ISSUED BY THE ADMINISTRATION.

20C.

(A) WHEN DETERMINING THE APPROPRIATENESS OF ~~ISSUING ANY LICENSE FOR THE SITE~~ OF A PRIVATE GROUP HOME, THE DIRECTOR SHALL CONSIDER THE FOLLOWING:

(1) THE NATURE AND CHARACTER OF THE AREA INVOLVED;

(2) THE AVAILABILITY OF UTILITIES;

(3) ACCESS TO TRANSPORTATION, SHOPPING, RECREATION, AND PUBLIC FACILITIES; AND

(4) GENERAL ZONING REGULATIONS APPLICABLE TO THE SITE INVOLVED.

(B) A GENERAL ZONING ORDINANCE APPLICABLE TO THE AREA IN WHICH THE PRIVATE GROUP HOME IS TO BE ESTABLISHED SHALL APPLY TO:

(1) THE HEIGHT AND SIZE OF THE BUILDING AND STRUCTURES INVOLVED;

(2) LAND WHICH MAY BE COVERED OR OCCUPIED;

(3) AREA OR SIZE OF YARDS REQUIRING OPEN SPACE;

(4) DENSITY OF POPULATION;

(5) USE OF LAND, BUILDINGS, AND STRUCTURES.