

ORDINANCE NO. 900-10-2023

AN ORDINANCE AMENDING VILLAGE CODE §§1109.02, 1133.02, AND 1159 REGARDING MOBILE AND MANUFACTURED HOUSING AND NOT DECLARING AN EMERGENCY.

WHEREAS, the Village has established a Planning Commission in accordance with ORC §713.01; and

WHEREAS, the Village has the authority to enact regulations concerning the type of structures which may be built within its jurisdiction under ORC §713.07, et al.; and

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Roaming Shores, as follows:

SECTION 1. Village Code §1109.2 shall be amended to read as follows:

...
DWELLING UNIT: ~~Space, within a dwelling, comprising living, dining, sleeping room or rooms, storage closets, as well as space and equipment for cooking, bathing, and toilet facilities, all used by only one family and its household employees. A single unit of one or more rooms providing complete, permanent independent living facilities for one family or, alternatively, one housekeeping unit including permanent provisions for living, sleeping, eating, cooking, and sanitation but not including a tent, cabin, hotel, motel recreational vehicle, or other temporary or transient structure or facility. A dwelling unit shall not include a mobile home or recreational vehicle, camping equipment, or a manufactured home.~~

...
MANUFACTURED HOME: ~~Any non-self-propelled vehicle transportable in one or more sections, which in the traveling mode, is eight body feet or more in width or forty body feet or more in length or, when erected on site, is three hundred twenty or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein. Any such structure as defined in the preceding sentence shall be a Manufactured Home for purposes of this Ordinance whether or not such structure is subject to taxation under Section 4503.06 of the Ohio Revised Code or its successor provisions as a manufactured home, and whether or not such structure is permanently attached to a site and no longer has the potential for mobility, by reason of, but not limited to, lack or surrender of any manufactured home title, physical alteration such as removal of towing tongue, and/or situation on property owned by the owner of such structure. Calculations used to determine the number of square feet in a structure are based on the structure's exterior dimensions measured at the largest horizontal projections when erected on site. These dimensions include all expandable rooms, cabinets, and other projections containing interior space, but do not include bay windows. This dwelling unit shall bear a label certifying that it is built in compliance with the Federal Manufactured Housing Construction and Safety Standards (see 24 CFR 3280 for legal definition). A structure,~~

~~transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term "manufactured home" does not include a "recreational vehicle". For the purposes of these regulations, a manufactured home includes manufactured homes and mobile homes as defined in Chapter 4781 of the Ohio Revised Code. Shall have the same meaning as ORC §4781.01(C).~~

~~**MANUFACTURED HOME PARK:** Any site, or tract or land under single ownership, upon which three or more manufactured homes used for habitation are parked, either free of charge or for revenue purposes; including any roadway, building, structure, vehicle, or enclosure used or intended for use as part of the facilities of such park. Shall have the same meaning as ORC §4781.01(D).~~

...
~~**MOBILE HOME :** See Manufactured Home Shall have the same meaning as ORC §4781.01(G).~~

~~**MOBILE HOME PARK:** See Manufactured Home Park.~~

...

SECTION 2. Village Code §1133: *District Regulations* shall be amended as follows:

...

Zoning District: R-1

Purpose: The purpose of the R-1 (Single Family District) is to permit development of rural and near rural areas which may not have public facilities in the near future. This district allows single family dwelling units which ~~may be site built or, modular, or manufactured housing~~must conforming to Chapter 1159.

...

Zoning District: R-A

Purpose: The purpose of the R-A (Single Family District) is to permit development of existing "A" sublots within the Roaming Rock Shores Subdivision, and to encourage development of compatible areas elsewhere in the Village. This district allows single family dwelling units which ~~must may be site built or, modular or manufactured housing~~ing conforming to Chapter 1159.

...

Zoning District: R-B

Purpose: The purpose of the R-B (Single Family District) is to permit development of existing "B" sublots within the Roaming Rock Shores Subdivision, and to encourage development of compatible areas elsewhere in the Village. This district allows single family dwelling units which ~~must may be site built, or modular or manufactured housing~~ing conforming to Chapter 1159.

...

Zoning District: R-C

Purpose: The purpose of the R-C (Single Family District) is to permit development of existing “C” sublots within the Roaming Rock Shores Subdivision, and to encourage development of compatible areas elsewhere in the Village. This district allows single family dwelling units which ~~must may be site built, or modular or manufactured housing conforming~~ to Chapter 1159.

...

Zoning District: R-M

Purpose: The purpose of the R-M (Multi-Family District) is to permit development of two-family and multi-family residential uses on land within the Village. This district does not permit detached single family dwelling units. Manufactured Home Parks shall be prohibited in this district.

PUD’s allowed as an overlay district.

...

Zoning District: R-F

Purpose: The purpose of the R-F (Single Family District) is to permit development of rural and near rural areas which may not have public facilities in the near future. This district allows single family dwelling units which ~~may be site built, or modular or manufactured housing conform~~must conforming to Chapter 1159.

...

SECTION 3. Village Code §1159: *Appearance and Design Standards for Single-Family Housing* shall be amended as follows:

CHAPTER 1159

Appearance and Design Standards for Single Family Housing

1159.01 Purpose.
1159.02. Standards.

1159.03 ~~Uniformity with respect to granting of variances~~
Prohibition of Mobile and Manufactured Homes

1159.01 PURPOSE.

These standards are created to ensure the health, safety, and general welfare of the Village. ~~They will further the equitable treatment of all housing construction types and provide affordable housing for a larger segment of the Village population.~~ Additionally, these regulations will improve the overall appearance of the housing stock and ensure more durable and safer homes for all residents. (Ord. 381-02-03. Passed 5-20-03.)

1159.02 STANDARDS.

These regulations apply to all single-family housing units in all residential districts

~~including Manufactured Homes, Modular Homes and Site-Built Homes.~~

1. The minimum floor area of the single-family dwelling unit shall be as required in Chapter 1133. The garage portion of the structure is not included in the living area total calculation.
 2. The minimum width of all single-family dwelling units shall be at least twenty (20) feet.
 3. All dwelling units shall have a minimum roof overhang of at least twelve (12) inches on the roof edge that would hold the gutters.
 4. All dwelling units shall be double pitched and have a pitch of at least five (5) in twelve (12).
 5. All dwelling units shall have roof material that is generally used in residential construction including: approved wood, clay, slate, asphalt composition shingles, fiberglass compositions shingles and metal roofing. Material excluded are corrugated aluminum and corrugated fiberglass materials. The materials are applicable to all primary buildings, accessory buildings, garages and carports.
 6. Exterior siding of all dwelling units cannot have a high-gloss finish (such as polished metal but not semi-gloss paint) and must be residential in appearance including but not limited to, clapboards, simulated clapboards such as conventional vinyl or metal siding, wood shingles, shakes, or similar material, but excluding smooth, ribbed or corrugated metal or plastic panels.
 7. The home must be placed on a permanent foundation that complies with the Ohio Residential Building Code and be inspected by the Ashtabula County Department of Building Regulations.
 - ~~8. The hitch, axles and wheels of any manufactured home must be removed.~~
 - ~~9. The dwelling unit must be oriented on the lot so that its long axis is parallel with the road right-of-way. A perpendicular or diagonal placement may be permitted if there is a building addition or substantial landscaping so that the narrow dimension of the unit, as so modified and facing the street, is no less than fifty percent (50%) of the unit's long dimension.~~
 - ~~10.8.~~ The lot must be landscaped to ensure compatibility with the surrounding properties.
 - ~~11.9.~~ Open foundations shall not be permitted.
 - ~~12.10.~~ All principal structures within the Roaming Shores Subdivision are required to be connected to the Village utilities (water and sewer).
- (Ord. 381-02-03. Passed 5-20-03; Ord. 809-10-21. Passed 12-21-21.)

~~**1159.03 — UNIFORMITY WITH RESPECT TO GRANTING OF VARIANCES.**~~

~~The granting of variances from the requirements of this Ordinance with respect to the siting of single-family housing, their design or appearance, shall be uniformly and equitably done, irrespective of the fact that the structure proposed for such siting is a site-built structure, modular or manufactured home, and shall be guided by the provisions of Chapter 1117.~~

~~(Ord. 381-02-03. Passed 5-20-03.)~~

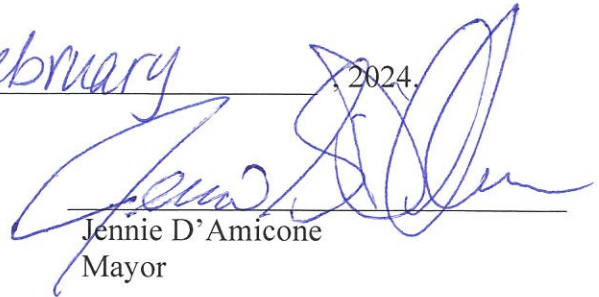
1159.03 PROHIBITION OF MOBILE AND MANUFACTURED HOMES.

a) **Mobile and Manufactured Homes Prohibited.** No mobile home or trailer manufactured home, whether left to remain on wheels or set on a fixed foundation, shall be permitted to be used for habitation in the municipality. This prohibition shall not apply to mobile or manufactured homes existing on any lot prior to July 1, 2024, but, shall nonetheless be considered as a non-conforming structure subject to Chapter 1113.

SECTION 4. This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

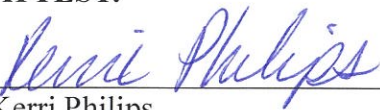
SECTION 5. This ordinance is deemed not to be an emergency for the health, safety, and welfare of the residents of the Village and shall take effect thirty (30) days after passage.

PASSED this 20th day of February, 2024.




Jennie D'Amicone
Mayor

ATTEST:



Kerri Philips
Clerk/Treasurer

APPROVED as to form and legality:



Kyle B. Smith
Solicitor

Clerk's Publication Statement:

I hereby certify that a summary of the foregoing ordinance was published twice by the Jefferson Gazette News on the following dates, _____ and _____, 2024.

Kerri Philips
Clerk/Treasurer

