

*****DRAFT - NOT FOR FILING*****

4781-12-08 Manufactured home lots.

- (A) Each manufactured home lot in a manufactured home park constructed, changed, or added to after December 16, 1951, but prior to January 1, 1961, shall have a land area of not less than twelve hundred fifty square feet.
- (B) Each manufactured home lot in a manufactured home park or section thereof, constructed after December 31, 1960, but prior to July 1, 1971, shall have a land area of not less than eighteen hundred square feet; provided, however, corner lots not exceeding ten per cent of the total number of lots, may have a land area of not less than fifteen hundred square feet.
- (C) Each manufactured home lot in a manufactured home park or section thereof, constructed or substantially altered after June 30, 1971, shall have a land area of not less than thirty-six hundred square feet.
- (D) As of May 8, 1994, each existing manufactured home in a manufactured home park constructed prior to July 1, 1971, is not required to comply with paragraphs (E) to (G) of this rule unless the manufactured home is removed from the lot. A replacement manufactured home must comply with paragraphs (E) to (G) of this rule.
- (E) Each manufactured home, in a manufactured home park constructed prior to January 1, 1961, shall be placed upon the lot so as to provide not less than ten feet distance between the sides of any manufactured homes, eight feet distance between the end of any manufactured home and the side of any manufactured home, and five feet distance between manufactured homes placed end to end.
- (F) Each manufactured home, in a manufactured home park constructed prior to July 1, 1971, shall be placed upon the lot so as to provide not less than ten feet distance from any building, public roadway, street, alley, and any right-of-way designated for vehicular traffic as specified by the Ohio department of transportation or other local jurisdiction, and not less than five feet distance from roadways and parkways within the manufactured home park, and not less than five feet distance from the manufactured home park property line.
- (G) Each manufactured home, in a manufactured home park constructed after December 31, 1960, or substantially altered after June 30, 1971, shall be placed upon the lot so as to provide all of the following with respect to placement of the manufactured home in proximity to other manufactured homes:
 - (1) A manufactured home that is placed side to side with another manufactured home or placed at an angle of less than ninety degrees shall maintain an average distance between the manufactured homes of at least fifteen feet, but in no event shall be placed at a distance of less than twelve feet at any point.
 - (2) A manufactured home that is placed side to end with another manufactured home or placed at an angle of ninety degrees or greater, but less than one hundred thirty-five degrees, shall maintain a minimum distance of ten feet from the other manufactured home; and
 - (3) A manufactured home that is placed end to end with another manufactured home or placed at ~~an~~ a one hundred thirty-five degree or greater angle shall maintain a minimum distance of five feet from the other manufactured home.

For the purpose of this paragraph, angles shall be measured in relation to each manufactured home's side or longest length. Average distance shall be determined by dividing by two the sum of the distance between each of the two corners of one manufactured home to the closest adjacent corner on the other

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- (H) Each manufactured home in a manufactured home park constructed or substantially altered after June 30, 1971, shall be placed upon the lot so as to provide not less than fifteen feet distance from any building, public roadway, street, alley, and any right-of-way designated for vehicular traffic as specified by the Ohio department of transportation or other local jurisdiction, and not less than ten feet distance from roadways and parkways within the manufactured home park, and not less than ten feet distance from the manufactured home park property line.
- (I) The operator shall be responsible for defining the manufactured home lot boundaries and requiring the proper placement of the manufactured home upon the lot. The operator shall assure compliance with the minimum spacing requirements of this rule. The operator shall also assure that an existing manufactured home that is not in compliance with the minimum spacing requirements of paragraphs (E) to (G) of this rule pursuant to paragraph (D) of this rule is not expanded, enlarged, or otherwise extended in a manner that increases the noncompliance.
- (J) In all instances where a manufactured home has been placed on a lot so as to provide less than ten feet distance between the sides of manufactured homes, less than eight feet distance between the end of the manufactured home and the side of any manufactured home, or less than five feet distance between manufactured homes placed end to end, and at all times that this condition exists, the operator shall:
- (1) Make conveniently available, at no charge to the resident, at least one operable dry chemical, multi-purpose "2A 10 BC" rated or equivalent pressure-type fire extinguisher; and
 - (2) Make conveniently available, at no charge to the resident, at two functioning battery-operated single-station smoke detectors for each bedroom area if the manufactured home was constructed prior to June 15, 1976.
- (K) In computing manufactured home distance requirements, width and length mean the largest overall width and length of the manufactured home including cabinets and other projections ~~which~~that contain interior space, lean-tos, auxiliary rooms, and similar accessories connected to the manufactured home. Width and length dimensions do not include structures ~~which~~that are completely open on two or more sides, roof projections, overhangs, colonnades, or eaves under which there ~~is~~are no interior spaces; nor do they include drawbars, couplings, or hitches.
- (L) Each manufactured home lot and street in a manufactured home park shall be marked so as to be readily identifiable and easily readable from the street. Each manufactured home lot shall be identified by markings in numerals, letters, or a combination thereof, of a size of at least four inches in height. If an operator renumbers any lot or lots within the park, all renumbering shall be done in sequential order. The park operator shall notify the ~~commission~~division and all safety service agencies at least seven days prior to placing the new numbering system into effect.
- (M) The operator of a manufactured home park constructed or substantially altered after June 30, 1971 may apply to the ~~commission~~division for a variance from the provisions of paragraphs (A) to (H) of this rule for any existing manufactured home placed or installed on a manufactured home lot as of May 8, 1994. The

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~~commission~~division shall not grant a variance unless:

- (1) The applicant applies in writing to the ~~commission~~division specifically stating the proposed variance from the particular rule provision and certifying that the noncompliance existed as of May 8, 1994;
- (2) The applicant lists all other potentially reasonable alternatives for compliance and demonstrates that the alternatives have been investigated, considered, and determined to be unreasonable;
- (3) The applicant demonstrates that there will be unusual and unnecessary hardship in complying with the rule provision; and
- (4) The proposed variance will not adversely affect the public health and safety nor defeat the spirit and general intent of Chapter 4781-12 of the Administrative Code or sections 4781.26 to 4781.35 of the Revised Code.

The ~~commission~~division shall request and consider recommendations from both the director of the Ohio department of health and the fire authority with jurisdiction before considering the proposed variance. The ~~commission~~division shall conduct a hearing within thirty days after receiving the application for a variance or a request for a continuance made by the applicant. The ~~commission~~division shall either approve or deny the application. If the application is approved, the ~~commission~~division shall issue a written variance listing the terms and conditions of the variance. The ~~commission~~division shall inspect the manufactured home park every twelve months to certify compliance with the terms and conditions of the variance. The ~~licensor~~division may revoke a variance if the terms or conditions of the variance or the provisions of this rule are not met or are otherwise violated. A variance is immediately void upon removal of the existing manufactured home from the lot or upon attempt to expand, enlarge, or otherwise extend a manufactured home in a manner that increases the noncompliance with the minimum spacing requirements of paragraph (G) or (H) of this rule. Any replacement manufactured home on the lot shall comply with paragraphs (G) and (H) of this rule.