VILLAGE OF PHILLIPSBURG, OHIO
COMPREHENSIVE ZONING CODE AND PROPERTY MAINTENANCE ORDINANCE
2026 EDITION — AMENDED MARCH 18, 2026

PART I: ZONING CODE AMENDMENTS

ARTICLE 2 — GENERAL PROVISIONS

2.1 Definitions (Amended)

Accessory Structure. A subordinate building or roofed structure located on the same lot as a principal building, the use of which is incidental to the principal use of the lot, including but not limited to sheds, detached garages, gazebos, and similar enclosed or partially enclosed buildings. Fences, walls, at-grade patios, and landscaping features are structures for building and maintenance purposes but do not count toward the numerical limit on accessory buildings in Section 5.1.

Permanent Sign. A sign designed, constructed, and installed for ongoing use at a fixed location, typically mounted to a building or permanently installed on posts or a base.

Screening. For purposes of outdoor storage regulations, “screening” means the use of fences, walls, dense landscaping, berms, planters, or similar features arranged to substantially block direct views of outdoor storage, equipment, utilities, or other non-decorative items from public streets or adjoining properties. Screening shall be of sufficient height and opacity so that the screened items are not readily visible when viewed from eye level at the property line. Decorative landscaping or garden planters used solely for aesthetic purposes are not themselves considered “outdoor storage.”

Temporary Sign. A sign intended and constructed for short-term display, not permanently anchored, such as yard signs, event signs, and temporary banners.

ARTICLE 4 — RESIDENTIAL DISTRICT REGULATIONS

4.1 R-1 Single-Family Residential District (Amended)

Purpose: To provide areas for low-density single-family residential development with protection for neighborhood character and property values.

Permitted Uses:

- Single-family dwellings
- Home occupations (limited)
- Parks and recreation areas (public)
- Public buildings and utilities (limited)

Prohibited Uses: The following uses are prohibited in the R-1 Single-Family Residential District:

- The keeping of livestock, poultry, or other farm animals (including chickens, roosters, ducks, geese, turkeys, and similar fowl)
- Commercial kennels or breeding operations
- Agricultural uses except residential gardens

Exceptions may be granted only by express authorization of Village Council in a separate ordinance.

Dimensional Standards:

- Minimum Lot Area: 7,500 square feet
- Minimum Lot Width: 75 feet
- Minimum Lot Frontage: 75 feet
- Front Yard Setback: 25 feet
- Side Yard Setback: 10 feet each
- Rear Yard Setback: 25 feet
- Maximum Height: 35 feet (2.5 stories)
- Maximum Lot Coverage: 40 percent
- Maximum Impervious Surface: 60 percent

4.2 R-2 Multi-Family Residential District (Amended)

Purpose: To provide areas for residential development with multiple dwelling units, including townhomes and low-rise apartments.

Permitted Uses:

- Single-family dwellings
- Two-family dwellings
- Townhomes (attached)
- Apartment buildings (up to 4 stories)
- Parks and recreation areas (public)
- Public buildings and utilities (limited)

Prohibited Uses: The following uses are prohibited in the R-2 Multi-Family Residential District:

- The keeping of livestock, poultry, or other farm animals (including chickens, roosters, ducks, geese, turkeys, and similar fowl)
- Commercial kennels or breeding operations
- Agricultural uses except residential gardens

Exceptions may be granted only by express authorization of Village Council in a separate ordinance.

Dimensional Standards:

- Minimum Lot Area: 10,000 square feet
- Minimum Lot Width: 100 feet
- Minimum Lot Frontage: 100 feet
- Front Yard Setback: 25 feet

- Side Yard Setback: 15 feet each
- Rear Yard Setback: 25 feet
- Maximum Height: 50 feet (4 stories)
- Maximum Lot Coverage: 50 percent
- Maximum Impervious Surface: 70 percent

ARTICLE 5 — SUPPLEMENTARY REGULATIONS

5.1 Accessory Structures (Amended)

a) Number of Accessory Buildings:

1. On residential lots under two (2) acres in area, up to three (3) accessory buildings are permitted, including any detached private garage.
2. On residential lots two (2) acres or larger in area, up to four (4) accessory buildings are permitted, including any detached private garage.
3. An attached garage that is structurally integrated with the dwelling is not counted as an accessory building for purposes of this subsection.
4. Accessory buildings that lawfully existed prior to the effective date of this section are considered legal nonconforming structures and may continue, be maintained, and be repaired, subject to Article 8.

b) Location:

- Rear yard only, minimum 10 feet from the rear lot line; or
- Side yard, minimum 5 feet from the side lot line.
- Not permitted in the front yard.

c) Size of Individual Buildings:

- No individual accessory building shall exceed 600 square feet in ground-floor area.
- Maximum height for any accessory building shall be 20 feet.

d) Total Accessory Building Coverage:

1. On residential lots under two (2) acres in area, the combined ground-floor area of all accessory buildings on the lot, including any detached garage, shall not exceed 800 square feet.
2. On residential lots two (2) acres or larger in area, the combined ground-floor area of all accessory buildings on the lot, including any detached garage, shall not exceed 1,600 square feet.
3. All accessory buildings remain subject to the district’s maximum lot coverage and maximum impervious surface limits.

e) Setback:

- Minimum 5 feet from all property lines.

g) Maintenance:

- All accessory structures shall be maintained in safe, structurally sound condition in accordance with the Property Maintenance Ordinance, Article III, Section 3.03.

h) Nonconforming Protection:

- Existing detached garages and accessory buildings lawfully constructed before the effective date of this Code are considered legal nonconforming structures and may continue, be maintained, and be repaired, subject to Article 8.

5.3 Parking and Transportation (Amended)

Off-Street Parking Requirements:

- Residential (per dwelling): 2 spaces minimum
- Commercial (per 250 square feet): 1 space
- Office (per 300 square feet): 1 space
- Retail (per 250 square feet): 1 space

Standards:

- Each space minimum 9 feet by 18 feet.
- Parking areas paved with asphalt or concrete.
- Striping and directional signs required for 10 or more spaces.
- Landscaping buffer required from streets.

f) Clarification of Residential Parking Requirement:
For single-family and two-family dwellings, the requirement of “2 spaces per dwelling” establishes a minimum number of off-street parking spaces, not a maximum number of vehicles allowed on the property. Additional vehicles may be parked on the lot provided all of the following are met:

1. All vehicles are parked on a lawful parking surface or driveway (paved or improved per this Code).
2. No parking occurs within the public right-of-way contrary to traffic or parking regulations.
3. No parking blocks sidewalks, fire hydrants, or sight distance at intersections.

This requirement does not obligate property owners to expand existing driveways or construct new surfacing solely to create two off-street spaces if safe and lawful parking is otherwise available.

5.4 Fences and Walls (Amended)

a) Front Yard: Maximum 3 feet in height.
b) Side Yard (visible from street): Maximum 4 feet in height.
c) Side and Rear Yards (not visible from street): Maximum 6 feet in height.
d) Materials: Wood, vinyl, metal, or masonry. No chain link in front yards.
e) Maintenance: All fences shall be maintained in safe, structurally sound condition in accordance with the Property Maintenance Ordinance.
f) Setback: Minimum 5 feet from the front lot line; on side lot lines at the required setback line.
g) Clarification: Fences and walls regulated by this section are not counted as accessory structures for purposes of the numerical limits in Section 5.1.

5.5 Outdoor Storage and Screening (Amended)

a) Screening Required: All outdoor storage, equipment, utilities, and similar features visible from public streets or adjoining properties shall be screened from view.

b) Screening Methods:

- Six-foot opaque fence (wood, vinyl, or masonry); or
- Dense evergreen hedge with minimum six-foot height; or
- Combination of fence and landscaping achieving equivalent screening.

c) Maintenance: Screening shall be maintained in good condition and remain effective year-round in accordance with the Property Maintenance Ordinance.

d) Exception – Decorative Elements:
Decorative landscaping or garden planters not exceeding 3 feet in height are exempt from the screening requirements of this section only. Taller planters or decorative features are allowed if they comply with yard, visibility, and safety standards, but may be subject to screening if used for outdoor storage.

Planters or decorative features of any height shall not be placed so as to obstruct visibility at driveways or intersections, or to create a hazard in the public right-of-way.

5.10 Use of Public Right-of-Way and Easements (New Section)

a) Restrictions on Structures in Right-of-Way:
No walls, brick planters, raised beds, or similar constructed features shall be placed within the public right-of-way or tree lawn/parking strip between the sidewalk and the street without prior written approval from the Village. Such features may not extend edge-to-edge in a way that blocks pedestrian access, limits space for snow storage or utility work, or creates a tripping or visibility hazard.

b) Fire Hydrant Clearance:
Vegetation, landscaping, fences, walls, planters, or other features shall not be installed or maintained within a minimum radius of three (3) feet around any fire hydrant, nor in any manner that obstructs clear access or visibility of the hydrant from the street. Any such obstruction shall be removed or reduced in height as directed by the Code Enforcement Officer or Fire Department.

c) Removable Landscaping:
Landscaping and decorative features in easement or right-of-way areas must remain low-profile and removable so as not to interfere with utilities, snow removal, or public safety operations.

ARTICLE 7 — SIGNS AND VISUAL REGULATIONS (AMENDED)

7.1 Permitted Signs (Amended)

a) Residential Districts:

1. Permanent identification sign: One per dwelling, maximum 2 square feet in area.
2. Temporary yard signs: Up to three temporary signs per lot, each not exceeding 6 square feet in area and 4 feet in height, allowed for real estate, personal expression, construction, or event notices.
3. Duration: Temporary signs may be displayed for up to 90 days per calendar year per sign message, and shall be removed within 7 days after the event, sale, or activity ends.
4. Home occupation signs: Up to 2 square feet, plaque style.

b) Business Districts:
Commercial signage permitted subject to:

- Maximum sign area per business: 1 square foot per linear foot of building frontage, up to 50 square feet (applies to permanent wall and freestanding business identification signs).
- Building-mounted signs only unless otherwise approved.
- Illuminated signs permitted with adequate shielding.
- No flashing or animated signs.

c) Prohibited Signs:

- Billboards and off-premises advertising.
- Inflatable or balloon signs.
- Portable/sandwich board signs except temporary special events.
- Signs obstructing visibility at intersections.
- Signs on utility poles or within the public right-of-way.

7.2 Sign Standards (Unchanged)

a) Setback: All freestanding signs shall be set back a minimum of 5 feet from the front property line.
b) Height: Maximum 15 feet for free-standing signs; wall-mounted signs shall not project above the roof line.
c) Maintenance: All signs shall be maintained in good condition, with legible lettering and clean surfaces.
d) Colors: Neutral or natural colors preferred; excessive neon colors discouraged.

7.3 Temporary Signs – General Standards (New Section)

a) Materials: Temporary signs may be constructed of corrugated plastic, fabric, or similar materials intended for short-term use.
b) Placement: Temporary signs shall not be located in the public right-of-way, attached to utility poles, or placed where they obstruct visibility.
c) Illumination: Temporary signs shall not be internally illuminated.
d) Removal: Property owners are responsible for timely removal of temporary signs in accordance with the duration limits in Section 7.1.

ARTICLE 8 — NONCONFORMING LOTS, USES, AND STRUCTURES

8.2 Nonconforming Structures (Amended)

a) Definition: A structure existing prior to adoption of this Code that does not comply with dimensional requirements.

b) Continued Use: Nonconforming structures may continue in current use but shall not be enlarged or expanded except by variance.

c) Maintenance: Nonconforming structures shall be maintained in compliance with the Property Maintenance Ordinance and the Ohio Building Code.

d) Reconstruction: If substantially damaged (50 percent of assessed value), rebuilding must conform or obtain a variance.

e) Accessory Structures: Existing detached garages and accessory buildings lawfully constructed before the effective date of this Code are considered legal nonconforming structures and may continue, be maintained, and be repaired, subject to this Article.

PART II: PROPERTY MAINTENANCE ORDINANCE AMENDMENTS

ARTICLE II — DEFINITIONS (AMENDED)

Decorative Landscaping or Flowers. Intentionally planted and maintained ornamental plants, flowers, or garden beds arranged in a defined bed, border, or landscaped area.

Nuisance Weeds. Vegetation identified as noxious or invasive under state law, or uncontrolled volunteer growth that is not intentionally planted or maintained and creates a blighting or overgrown appearance.

Turf Grass. Grasses customarily used as lawn, including bluegrass, fescue, ryegrass, and similar species.

ARTICLE III — PROPERTY MAINTENANCE STANDARDS

3.02 Yards, Grounds, and Landscaping (Amended)

Property owners shall maintain all yards, grounds, and exterior areas in a neat, orderly condition.

Standards:

a) Grass and weeds:
Turf grass in lawn areas and nuisance weeds anywhere on the exterior property shall not exceed 8 inches in height. Decorative landscaping or flower beds, native plantings, or pollinator gardens may exceed 8 inches provided they are intentionally planted, maintained in a defined bed or border, and do not obstruct sidewalks, driveways, street intersections, or create harborage for vermin.

Location: This height standard applies to all exterior lawn areas visible from public streets or neighboring properties, including front yards, side yards, rear yards visible from the street, and tree lawn/parking strip areas between the sidewalk and the street. Decorative flower beds in these areas may exceed 8 inches if they are intentionally planted and maintained, but vegetation in the tree lawn shall not be planted or maintained so as to obstruct visibility for drivers or pedestrians at driveways, alleys, or intersections.

Cure Period: Upon issuance of a notice of violation for grass or weed height under this section, the property owner shall have 7 days from the date of notice to cut the grass and weeds and bring the property into compliance, unless a shorter period is specified in the notice due to an imminent health or safety hazard.

b) Vegetation maintenance:
Property owners shall maintain reasonable vegetation, groundcover, or landscaping to prevent soil erosion and maintain neighborhood appearance. Overgrown or dead vegetation shall be trimmed or removed.

c) Trees and shrubs:
Dead trees and tree branches that overhang public property or create hazards shall be removed or trimmed. Trees shall not obstruct street lights or visibility at intersections.

d) Flower beds and mulch:
Landscape beds shall be maintained and edged. Mulch shall be regularly raked and replenished to prevent soil erosion.

e) Sidewalks and walkways:
All sidewalks, walkways, and pedestrian areas shall be kept clear of hazards, vegetation overgrowth, and debris. Trip hazards shall be repaired.

f) Driveways and parking areas:
All driveways and parking areas shall be maintained in safe condition, free of potholes, cracks, and hazards. All surfaces shall be kept clean and free of debris.

g) Landscape trees:
Where Zoning Code Article 5, Section 5.2 requires landscaping or tree planting, such landscaping shall be established and maintained in accordance with zoning requirements.

h) Nuisance prevention:
No brush, junk, garbage, or debris shall be allowed to accumulate in yards. No visible rot, decay, or deterioration shall be permitted.

i) Fire Hydrant Clearance:
Vegetation, landscaping, fences, walls, planters, or other features shall not be installed or maintained within a minimum radius of 3 feet around any fire hydrant, nor in any manner that obstructs clear access or visibility of the hydrant from the street. Any such obstruction shall be removed or reduced in height as directed by the Code Enforcement Officer or Fire Department.

j) Right-of-Way Vegetation Safety:
Vegetation or landscaping in the public right-of-way or tree lawn that obstructs sight distance for vehicles or pedestrians, blocks traffic control devices, or creates a hazard shall be trimmed, reduced in height, or removed as directed by the Code Enforcement Officer.

3.06 Prohibited Conditions (Amended)

The following conditions are prohibited on all properties:

a) Open dumping:
No open dumping of garbage, refuse, or hazardous materials is permitted.

b) Junk vehicles:
No inoperable, dismantled, or junked vehicles are allowed except as temporary work vehicles on active construction sites (maximum 6 months).

c) Visible debris:
No trash, garbage, scrap materials, or debris visible from public streets except during collection day is permitted. Upon issuance of a notice of violation for trash, garbage, or debris under this section, the property owner or occupant shall have 10 calendar days from the date of notice to remove such materials and bring the property into compliance.

d) Abandoned structures:
No buildings may be left vacant, boarded-up, or abandoned in a deteriorated condition for more than 60 days.

e) Stagnant water:
No stagnant water, sewage, or hazardous liquids are allowed to accumulate on property.

f) Noxious odors:
No conditions creating noxious odors, including but not limited to decomposing waste, sewage backup, or chemical releases.

g) Fire hazards:
No flammable materials, propane tanks, or combustibles shall be stored improperly or in close proximity to structures.

h) Unsafe structures:
No structures may remain standing if substantially damaged, leaning, or creating safety hazards.

i) Dead animals:
No dead animals are permitted to remain on property; they must be properly disposed of in accordance with health department standards.

ARTICLE IV — VIOLATIONS, NOTICE, AND ENFORCEMENT

4.02 Notice of Violation (Amended)

Upon discovery of a violation, the Code Enforcement Officer shall provide written notice to the property owner or occupant by one or more of the following methods:

Notice Methods:

- Certified mail, mailed to the property owner at the address on tax records.
- Hand delivery, personally delivered to the property owner or occupant.
- Posted notice, posted conspicuously on the property if the owner cannot be located.
- Email, if the property owner has provided an email address.

Notice Content:
The notice shall include:

- Property address and legal description.
- Specific violations identified, with reference to ordinance sections.
- Cure period deadline by which the violation must be corrected.
- Detailed description of required corrective action.
- Photographs of the violation, if applicable.
- Code Enforcement Officer contact information.
- Right to appeal to the Property Maintenance Code Appeals Board (BZA) within 10 days.
- Consequences of failure to cure, including daily fines, enforcement action, and liens.

4.03 Cure Periods (Amended)

Property owners shall be allowed a reasonable cure period from the date of notice to correct violations.

Cure Period by Violation Severity:

- Minor: 10 calendar days (examples: minor landscaping other than grass height, minor paint, dead shrub removal).
- Moderate: 30 days (examples: roof repair, exterior painting, fence repair, accumulated debris removal).
- Serious: 30 days (examples: unsafe structure, health and safety hazard, inoperable vehicle – 30 days).
- Emergency: 48 hours (examples: imminent danger to public, structural collapse risk, hazardous material).

Special Cure Periods:
Notwithstanding the general cure periods above:

1. Violations involving grass and weed height under Section 3.02(a) shall carry a default cure period of 7 days. This 7-day period supersedes the general “Minor – 10 calendar days” category for tall grass and weeds.
2. Violations involving trash, garbage, and debris under Section 3.06(c) shall carry a cure period of 10 calendar days as specified in the notice of violation.

These shorter cure periods are intended for high-turnover nuisance conditions and do not apply to structural, roofing, or similar repair items.

Cure Period Extensions:

- A property owner may request a 30-day extension if:
    - Emergency circumstances exist (illness, injury, hardship);

- Professional services are required (contractor, plumber, electrician);
- Materials or parts are on order; or
- Work is already in progress.

- The request must be made in writing before the cure period expires.
- The Code Enforcement Officer may grant a reasonable extension with evidence of progress.
- Extensions do not apply to emergency violations.

4.08 Appeals Process (Amended)

A property owner may appeal a Code Enforcement Officer determination to the Property Maintenance Code Appeals Board, which shall be the Village's Board of Zoning Appeals (BZA).

Appeal Procedure:
a) Filing: Appeal must be filed in writing within 10 days of the notice of violation.
b) Appeal fee: An appeal fee between $75 and $200 shall be charged to cover the cost of the hearing and decision.
c) BZA hearing: The Board shall hold a quasi-judicial hearing within 30 days of the filing of the appeal.
d) Applicant appearance: The property owner may appear and present evidence; witnesses are permitted.
e) Decision: The BZA shall issue a written decision sustaining, modifying, or overturning the Code Enforcement Officer determination.
f) Further appeal: The BZA decision may be appealed to the Ohio Court of Common Pleas within 30 days in accordance with Ohio Revised Code Section 2506.04.

Cure period suspended during appeal:
The violation cure deadline is suspended from the date the appeal is filed until the date of the BZA decision.

5.03 Abatement and Cost Recovery (Amended)

If the property owner fails to cure a violation within the specified timeframe, the Village may abate (correct) the condition.

a) Notice of intent:
The Code Enforcement Officer shall provide a notice of intent to abate with a 10 calendar day notice period.

b) Abatement:
The Village may hire a contractor to correct the violation.

c) Cost:
All costs of abatement, including materials, labor, and equipment, shall be charged to the property owner.

d) Administrative fee:
An additional 15 percent administrative fee shall be added to the abatement cost.

e) Payment method:
Abatement costs shall be added to the property owner's property tax bill and shall become a lien on the property.

f) Tax foreclosure:
If the costs remain unpaid, the property may be subject to tax foreclosure in accordance with County Auditor procedures.

PART III: CROSS-REFERENCE ANIMALS ORDINANCE

Keeping of Poultry (New Section for Basic Code Animals Title)

It shall be unlawful to keep, harbor, or maintain any chickens, roosters, ducks, geese, turkeys, or other poultry on any lot in the Village where such use is not permitted by the Zoning Code. Poultry kept in violation of the Zoning Code is hereby declared a nuisance and is subject to enforcement under this ordinance and the Property Maintenance Ordinance.

Purpose: This section harmonizes the Village's Animals regulations with the Zoning Code prohibition on poultry in residential districts.

Enforcement: Violations shall be enforced by the Code Enforcement Officer in coordination with the Zoning Inspector.

Penalty: A violation constitutes a minor misdemeanor and is subject to fine and abatement as provided in the Property Maintenance Ordinance.

SUMMARY OF KEY CHANGES

1. Parking Clarification

- Clarified that the "2 spaces per dwelling" requirement is a minimum, not a vehicle maximum.
- Clarified that property owners are not required to expand driveways solely to create two off-street spaces if lawful parking exists.

2. Accessory Structures

- Allows up to three accessory buildings on residential lots under two acres and up to four accessory buildings on lots two acres or larger, including any detached garage.
- Caps total ground-floor area of all accessory buildings at 800 square feet on smaller lots and 1,600 square feet on larger lots.
- Clarifies that fences and walls do not count toward the accessory-building limits.
- Confirms nonconforming protection for existing accessory structures.

3. Signage

- Adds definitions for permanent and temporary signs.
- Sets clear standards for temporary residential signs (number, size, duration).
- Clarifies size standards for business signs.

4. Chickens and Poultry

- Explicitly prohibits poultry in R-1 and R-2 districts.
- Adds a cross-reference in the Animals regulations.

5. Grass and Vegetation

- Removes tall grass from generic "minor – 30 days" cure category.
- Reinforces a 7-day cure period for grass and weed height violations.
- Distinguishes decorative landscaping from nuisance weeds.
- Clarifies that the 8-inch height limit applies to lawns and tree lawns.

- Allows taller intentional plantings if maintained and not hazardous.

6. Appeals and Timeframes

- Reduces Property Maintenance appeals from 20 days to 10 days.
- Sets a 10 calendar day cure period for trash and debris violations.
- Standardizes other cure periods by severity.

7. Planters and Screening

- Clarifies that the 3-foot planter height is a screening exemption threshold, not a universal planter height cap.
- Adds a definition of screening.
- Restricts brick planters and similar structures edge-to-edge in the right-of-way.

8. Safety Clearances

- Requires a 3-foot clear radius around fire hydrants.
- Adds height and visibility restrictions for vegetation in tree lawns near intersections and driveways.
- Prohibits structures in the right-of-way without Village approval.

EFFECTIVE DATE AND ADOPTION

These amendments to the Comprehensive Zoning Code and Property Maintenance Ordinance shall take effect thirty (30) days after adoption by Village Council.

Prepared: March 18, 2026
Prepared by: John Ritter, Council Member
Status: Draft for Council Review

Village of Phillipsburg, Ohio
Council President: _____
Village Administrator: _____
Date of Adoption: _____