

FAIRFIELD TOWNSHIP
RESOLUTION NO. 21-137

**RESOLUTION DECLARING NUISANCE AND ORDERING ABATEMENT ON THE
PROPERTIES LISTED BELOW AND FURTHER AUTHORIZING THE ZONING
ADMINISTRATOR TO INITIATE COMPLAINT.**

WHEREAS: Uncontrolled vegetation, unsecured property, improper parking of vehicles, and/or refuse, junk, and debris were reported at the properties listed below; and

- | | |
|------------------------|---|
| • 7360 Morris Rd- | Inoperable Vehicle, Vehicle Parking, Vegetation |
| • 3778 River Downs Ct- | Parking Recreational Vehicle |
| • 4090 Millikin Rd- | Vehicle Parking |

WHEREAS: The Ohio Revised Code Section 505.87 provides that, at least seven days prior to providing for the abatement, control or removal of any vegetation, garbage, refuse or debris, or securing the property, the Board of Trustees shall notify the owner of the land and any holders of liens of record upon the land; and

WHEREAS: The Fairfield Township zoning resolution outlines zoning guidelines to promote public health, safety, comfort, and welfare of the residents of Fairfield Township. Violations of a provision of the resolution have been observed and proper notice has been delivered; and

WHEREAS: The Ohio Revised Code Section 505.87 provides that, if the Board of Trustees determines within twelve consecutive months after a prior nuisance determination that the same owner's maintenance of vegetation, garbage refuse, or other debris on the same land in the township constitutes a nuisance, at least four days prior to providing for the abatement, control or removal of the nuisance, the Board must send notice of the subsequent nuisance determination to the landowner and to any lienholders of record by first class mail; and

WHEREAS: In accordance with Ohio Revised Code Section 505.87, the Township Trustees have the authority to contract to abate the nuisances and have the costs incurred assessed to the property tax bills;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of Fairfield Township, Butler County, Ohio, as follows;

SECTION 1: That this Board specifically finds and hereby determines that the inoperable vehicles, improperly stored vehicles, uncontrolled growth of vegetation and/or the refuse and debris on each of the said properties listed above constitute a nuisance within the meaning of Ohio Revised Code Section 505.87, and the Board directs that notice of this action be given to owners of the said property and lienholders in the manner required by Ohio Revised Code Section 505.87.

SECTION 2: That this Board hereby orders the owners of said property to remove and abate the nuisances within seven days after notice of this order is given to the owners and lienholders of record, and within four days after notice of this order is given to the owners and lienholders of record for properties previously determined to be a nuisance. If said nuisances are not removed and abated by the said owners, or if no agreement for removal and abatement is reached between the Township and the owners and lienholders of record within four or seven days after notice is given, the Zoning Administrator shall cause the nuisances to be removed, and the Township shall notify the County "Auditor to assess such cost-plus administrative expense to the property tax bills for the said parcel, as provided in Ohio Revised Code Section 505.87.

SECTION 3: The Board hereby dispense with the requirement that this resolution be read on two separate days, pursuant to RC 504.10, and authorizes the adoption of this resolution upon its first reading.

SECTION 4: This resolution is the subject of the general authority granted to the Board of Trustees through the Ohio Revised Code and not the specific authority granted to the Board of Trustees through the status as a Limited Home Rule Township.

SECTION 5: That it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in meetings open to the public, in compliance with all legal requirements including §121.22 of the Ohio Revised Code.

SECTION 6: This resolution shall be declared an emergency and shall take effect at the earliest period allowed by law and to facilitate remediation of the nuisance throughout the growing season.

Adopted: September 22, 2021

Board of Trustees

Vote of Trustees

Susan Berding:

Susan Berding

yes

Shannon Hartkemeyer:

Shannon Hartkemeyer

yes

Joe McAbee:

Joe McAbee

yes

AUTHENTICATION

This is to certify that this is a resolution which was duly passed and filed with the Fairfield Township Fiscal Officer this 22nd day of September, 2021.

ATTEST:

Shelly Schultz

Shelly Schultz, Fairfield Township Fiscal Officer

APPROVED AS TO FORM:

L.E. Barbieri

Lawrence E. Barbieri, Township Law Director

Case Date:	08/11/2021
Fairfield TWP Violation #:	21-216
Address of Violation:	7360 Morris Rd
Complainant Name:	
Complainant Address:	
Complainant Phone:	
Complainant Email:	
Description:	Vehicle Parking
Corrective Action:	Inoperable Vehicle parked on an unapproved surface
Status:	Open- zoning violation
Action to be taken:	Resolution
Assigned To:	Nick Armstrong
Case Date:	08/11/2021

Property

Parcel #	Address	Legal Description	Owner Name	Zoning
A0300082000093	7360 Morris Rd	3006 ENT	GRIFFIN BRIAN LEE & MELAINIE	R-1

Violations

Date	Violation	Description	Status
3/11/2021	532. Parking and Storage of Vehicles and Trailers.	1. Parking and/or storing of any vehicle on a lawn or dirt surface shall be prohibited. On all tracts in residential districts, all open off-street parking areas shall be graded, and surfaced with bituminous concrete (asphalt), Portland cement concrete, brick, cobblestone or similar hard surface approved by the Zoning Inspector.	1. Open

Notes

Date	Note	Created By:
08/11/2021	Property inspected. Door hanger left, no one answered.	Nick Armstrong
2021-9-1	Property inspected, still in violation. First Sent. Vegetation appeared to be cleared up but the Inoperable vehicle still is parked on a non-approved surface	Nick Armstrong
2021-9-16	Property prepared for Resolution	Nick Armstrong



FAIRFIELD TOWNSHIP PLANNING & ZONING DEPARTMENT
6032 MORRIS ROAD
FAIRFIELD TOWNSHIP, OHIO 45011
513-887-4400

NOTICE OF NUISANCE ABATEMENT VIOLATION

Under Fairfield Township Zoning Resolution and
(ORC 505.87 & 505.871)

Case Number: 21-216

Date: 9/1/2021

Property Owner: GRIFFIN, BRIAN LEE AND MELAINIE
7360 MORRIS RD
FAIRFIELD TOWNSHIP, OH 45011

Address in Violation: 7360 MORRIS RD
FAIRFIELD TOWNSHIP, OH 45011

Parcel ID: A0300082000093

YOU ARE HEREBY NOTIFIED that you are in Violation of the Fairfield Township Zoning Resolution and/or sections 505.87 & 505.871 of the ORC at the property located at 7360 MORRIS RD.

In accordance with the Fairfield Township Zoning Resolution, your property is in violation of the following section(s):

Code: 534 High grass

Status: In Violation

Grass and weeds on all properties shall be kept at less than eight (8) inches in height.

Required Actions:

Comments/Notes:

Code: 532.1 Parking of Vehicles

Status: In Violation

Parking and/or storing of any vehicle on a lawn or dirt surface shall be prohibited. On all tracts in residential districts, all open off-street parking areas shall be graded, and surfaced with bituminous concrete (asphalt), Portland cement concrete, brick, cobblestone or similar hard surface approved by the Zoning Inspector.

Required Actions:

Comments/Notes:

Code: 532.3 Licencing of Vehicles/Trailers

Status: In Violation

No vehicles or trailers of any type without current license plates shall be parked or stored in any Zoning District other than in a completely enclosed building.

Required Actions:

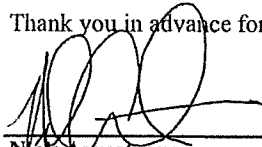
Comments/Notes:



You must remedy the situation within **TEN (10) days** before further action is taken by Fairfield Township.

Please contact Nick Armstrong at (513) 887-4400 or at narmstrong@fairfieldtwp.org with any questions or once you are in compliance with the above notice violation(s).

Thank you in advance for your cooperation.



Nick Armstrong
Zoning Inspector

9/1/2021

Date



Fairfield Township Zoning Department

COURTESY NOTICE OF VIOLATION

Under Fairfield Township Zoning Resolution 2020

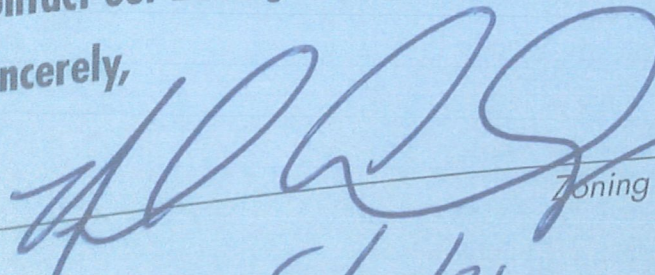
For the Address: 7360 Morris

- ☒ Junk/Debris (Section 533)
- ☒ Inoperable/Unregistered Vehicle (Section 533)
- ☐ Recreational Vehicle-Commercial Vehicle and/or Trailer (Section 532)
- ☐ High Grass/Vegetation (Section 534)
- ☐ Other/Notes: Vegetation around

van

We would appreciate your cooperation in this matter. Please address this within 10 days or contact our Zoning Department at 513-887-4400.

Sincerely,



Zoning Inspector
5/11/21

Case Date:	08/13/2021
Fairfield TWP Violation #:	21-223
Address of Violation:	3778 Riverdowns Ct
Complainant Name:	Resident Complaint
Complainant Address:	
Complainant Phone:	
Complainant Email:	
Description:	RV Parking
Corrective Action:	Park RV on a paved surface and 50' from right of way
Status:	Open- zoning violation
Action to be taken:	Resolution
Assigned To:	Nick Armstrong
Case Date:	08/13/2021

Property

Parcel #	Address	Legal Description	Owner Name	Zoning
A0300101000030	3778 Riverdowns Ct	3997 ENT	MATTHEW B HIGGINS	R-1

Violations

Date	Violation	Description	Status
08/13/2021	532. Parking and Storage of Vehicles and Trailers.	<p>1. Parking and/or storing of any vehicle on a lawn or dirt surface shall be prohibited. On all tracts in residential districts, all open off-street parking areas shall be graded, and surfaced with bituminous concrete (asphalt), Portland cement concrete, brick, cobblestone or similar hard surface approved by the Zoning Inspector.</p> <p>2. No commercial vehicles or commercial equipment, (including but not limited to commercial tractors, commercial trucks, buses, box trucks and semi-trailers) shall be parked or stored on any property within a residential zoning district other than in a completely enclosed building, except those commercial vehicles conveying the necessary tools, materials, and equipment to a premises where labor using such tools, materials, and equipment is to be performed during the actual time of parking.</p> <p>3. No vehicles or trailers of any type without current license plates shall be parked or stored in any Zoning District other than in a completely enclosed building.</p> <p>4. No recreational vehicle, utility trailer, camper or watercraft shall be parked in any front yard, unless such item is a minimum of fifty (50) feet from any Right of Way. Recreational vehicles and trailers in the front, rear or side yards must follow setback requirements for accessory structures in this Resolution.</p>	1. Open

Notes

Date	Note	Created By:
08/13/2021	Resident called and complained about a camper parked on the side of their neighbors	Nick Armstrong

	house close to their house. Attempted to make contact with the resident, no one answered. Left a door hanger	
2021-9-9	Property inspected First Sent and posted to the property.	Nick Armstrong
2021-9-15	Property prepared for Resolution	Nick Armstrong



FAIRFIELD TOWNSHIP PLANNING & ZONING DEPARTMENT
6032 MORRIS ROAD
FAIRFIELD TOWNSHIP, OHIO 45011
513-887-4400

NOTICE OF NUISANCE ABATEMENT VIOLATION

Under Fairfield Township Zoning Resolution and
(ORC 505.87 & 505.871)

Case Number: 21-223

Date: 9/9/2021

Property Owner: MATTHEW B HIGGINS CHRISTOPHER D DOWD
3778 RIVERDOWNS CT
FAIRFIELD TOWNSHIP, OH 45011

Address in Violation: 3778 RIVERDOWNS CT
FAIRFIELD TOWNSHIP, OH 45011

Parcel ID: A0300101000030

YOU ARE HEREBY NOTIFIED that you are in Violation of the Fairfield Township Zoning Resolution and/or sections 505.87 & 505.871 of the ORC at the property located at 3778 RIVERDOWNS CT.

In accordance with the Fairfield Township Zoning Resolution, your property is in violation of the following section(s):

Code: 532.4 Recreational Vehicle, trailer, watercraft parking

Status: In Violation

No recreational vehicle, utility trailer, camper or watercraft shall be parked in any front yard, unless such item is a minimum of fifty (50) feet from any Right of Way. Recreational vehicles and trailers in the front, rear or side yards must follow setback requirements for accessory structures in this Resolution.

Required Actions:

Comments/Notes:

Code: 532.1 Parking of Vehicles

Status: In Violation

Parking and/or storing of any vehicle on a lawn or dirt surface shall be prohibited. On all tracts in residential districts, all open off-street parking areas shall be graded, and surfaced with bituminous concrete (asphalt), Portland cement concrete, brick, cobblestone or similar hard surface approved by the Zoning Inspector.

Required Actions:

Comments/Notes:



You must remedy the situation within **TEN (10) days** before further action is taken by Fairfield Township.

Please contact Nick Armstrong at (513) 887-4400 or at narmstrong@fairfieldtwp.org with any questions or once you are in compliance with the above notice violation(s).

Thank you in advance for your cooperation.



Nick Armstrong
Zoning Inspector

9/9/2021

Date



Fairfield Township Zoning Department

COURTESY NOTICE OF VIOLATION

Under Fairfield Township Zoning Resolution 2020

For the Address: 3778 River dows

☐ Junk/Debris (Section 533)

☐ Inoperable/Unregistered Vehicle
(Section 533)

☒ Recreational Vehicle-Commercial
Vehicle and/or Trailer (Section 532)

☐ High Grass/Vegetation (Section 534)

☐ Other/Notes: RV cannot be

parked on Dirt, Paved
Surface only

We would appreciate your cooperation in this
matter. Please address this within 10 days or
contact our Zoning Department at 513-887-4400.

Case Date:	08/11/2021
Fairfield TWP Violation #:	21-218
Address of Violation:	4090 Millikin Rd
Complainant Name:	
Complainant Address:	
Complainant Phone:	
Complainant Email:	
Description:	Vehicle Parking
Corrective Action:	Inoperable Vehicle parked on a dirt surface.
Status:	Open- zoning violation
Action to be taken:	Resolution
Assigned To:	Nick Armstrong
Case Date:	08/11/2021

Property

Parcel #	Address	Legal Description	Owner Name	Zoning
A0300087000003	4090 Millikin Rd	3300 ENT	CRISWELL ERIC JAMES & BRIANA	R-1

Violations

Date	Violation	Description	Status
08/11/2021	532. Parking and Storage of Vehicles and Trailers.	1. Parking and/or storing of any vehicle on a lawn or dirt surface shall be prohibited. On all tracts in residential districts, all open off-street parking areas shall be graded, and surfaced with bituminous concrete (asphalt), Portland cement concrete, brick, cobblestone or similar hard surface approved by the Zoning Inspector.	1. Open

Notes

Date	Note	Created By:
08/11/2021	Stopped at the property and spoke to the property owner about the vehicle parked on the side of her house. She said it was inoperable and a relative's vehicle. I stated it could not be parked on dirt and gave her a door hanger.	Nick Armstrong
2021-8-31	Property inspected, still in violation. First Sent	Nick Armstrong
2021-9-16	Property prepared for Resolution	Nick Armstrong



FAIRFIELD TOWNSHIP PLANNING & ZONING DEPARTMENT
6032 MORRIS ROAD
FAIRFIELD TOWNSHIP, OHIO 45011
513-887-4400

NOTICE OF NUISANCE ABATEMENT VIOLATION

Under Fairfield Township Zoning Resolution and
(ORC 505.87 & 505.871)

Case Number: 21-218

Date: 8/31/2021

Property Owner: CRISWELL, ERIC JAMES AND BRIANA
4090 MILLIKIN RD
FAIRFIELD TOWNSHIP, OH 45011

Address in Violation: 4090 MILLIKIN RD
FAIRFIELD TOWNSHIP, OH 45011

Parcel ID: A0300087000003

YOU ARE HEREBY NOTIFIED that you are in Violation of the Fairfield Township Zoning Resolution and/or sections 505.87 & 505.871 of the ORC at the property located at 4090 MILLIKIN RD.

In accordance with the Fairfield Township Zoning Resolution, your property is in violation of the following section(s):

Code: 805. Parking of Inoperable Vehicles.

Status: In Violation

The parking of an inoperable vehicle within a residential district shall be prohibited, except that such vehicle may be stored in an enclosed garage or other accessory building, provided that no business shall be conducted in connection therewith while such vehicle is parked or stored.

Required Actions:

Comments/Notes:




You must remedy the situation within **TEN (10) days** before further action is taken by Fairfield Township.

Please contact Nick Armstrong at (513) 887-4400 or at narmstrong@fairfieldtwp.org with any questions or once you are in compliance with the above notice violation(s).

Thank you in advance for your cooperation.

8/31/2021



Nick Armstrong
Zoning Inspector

8/31/2021
Date