

FAIRFIELD TOWNSHIP
RESOLUTION NO. 21-146

**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

- **Anchors Way (Retail Private RD)- Vegetation**
- **3430 Hamilton Middletown Rd- Vegetation**

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 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: October 27, 2021

Board of Trustees

Susan Berding:

Susan Berding

Shannon Hartkemeyer:

Shannon Hartkemeyer

Joe McAbee:

Joe McAbee

Vote of Trustees

yes

yes

yes

AUTHENTICATION

This is to certify that this is a resolution which was duly passed and filed with the Fairfield Township Fiscal Officer this 27th day of October, 2021.

ATTEST:

Shelly Schultz

Shelly Schultz, Fairfield Township Fiscal Officer

APPROVED AS TO FORM:

L. E. Barbieri

Lawrence E. Barbieri, Township Law Director



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

Case Date:	9/21/2021	Courtesy Notice Date:	9/21/2021
Fairfield Twp Violation #	21-264	NOV Issue Date:	10/18/2021
Address of Violation:	ANCHOR PRIVATE RD	Final NOV Issue Date:	
Complainant Name:			
Description:	Vegetation on property		
Disposition:	Issued NOV		
Assigned to:	Nick Armstrong		

Property

Parcel #	Address	Owner Name
A0300021000051	ANCHOR PRIVATE RD	MSC BRIDGEWATER LLC

Violations

Code: 534 High grass

Status: In Violation

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

Date: 9/21/2021 9:27:00 AM

Required Actions: Please maintain the overgrown vegetation on your property



Notes

Date: 10/12/2021

By: Nick Armstrong

Note: Property owner said he would send someone out to look at the property. Have not heard back and vegetation is still in violation. We have had several resident complaints about retail properties in this area for vegetation and Junk and Debris.



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FAIRFIELD TOWNSHIP, OHIO 45011
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NOTICE OF NUISANCE ABATEMENT VIOLATION

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

Case Number: 21-264

Date: 10/18/2021

Property Owner: MSC BRIDGEWATER LLC
PO BOX 757
HARRISON OH 45030

Address in Violation: ANCHOR PRIVATE RD
HAMILTON, OH 45011

Parcel ID: A0300021000051

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 ANCHOR PRIVATE 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: Please maintain the overgrown vegetation on your property

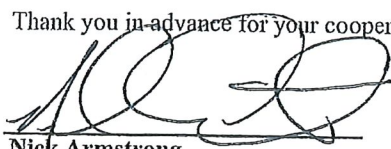
Comments/Notes:



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

10/18/2021

Date



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

Courtesy Notice of Violation

Under Fairfield Township Zoning Resolution
(ORC 505.87 & 505.871)

Case Number: 21-264

Date: 9/21/2021

Property Owner: MSC BRIDGEWATER LLC
PO BOX 757
HARRISON OH 45030

Parcel ID: A0300021000051

Property in Violation: ANCHOR PRIVATE RD
HAMILTON, OH 45011

This Courtesy Notice is being sent to you in regards to your property at ANCHOR PRIVATE RD. In accordance to the Fairfield Township Zoning Resolution, your property violates 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: Please maintain the overgrown vegetation on your property


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

9/21/2021

Date



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

Case Date:	9/28/2021	Courtesy Notice Date:	9/28/2021
Fairfield Twp Violation #	21-275	NOV Issue Date:	10/8/2021
Address of Violation:	3430 HAMILTON MIDDLETOWN RD	Final NOV Issue Date:	
Complainant Name:			
Description:	Vegetation on the property, complaints of bees.		
Disposition:	Issued Courtesy Notice		
Assigned to:	Nick Armstrong		

Property

Parcel #	Address	Owner Name
A0300051000015	3430 HAMILTON MIDDLETOWN RD	KEJRIWAL,MANJU R AND VARUN

Violations

Code: 534 High grass

Status: In Violation

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

Date: 9/28/2021 10:10:00 AM

Required Actions:

Code: 720. Objectionable, Noxious, or Dangerous Uses, Practices or Conditions.

Status: In Violation

No land or building in any district shall be occupied or used, including home occupations, in any manner which creates or contributes to the existence of conditions which are dangerous, injurious, harmful, noxious, or objectionable, or which may otherwise adversely affect surrounding areas or adjoining premises, except that any use permitted by this Resolution may be undertaken or maintained if acceptable measures and safeguards to reduce any dangerous or objectionable conditions to acceptable limits, as established in this Section, are properly exercised. Specifically, the occupation or use of any land or building in any district shall be in violation of this Resolution if one or more of the following conditions are found to exist at any time: 1. The use or storage of flammable or explosive materials is not adequately protected by fire-fighting and fire protection equipment or by such safety devices as are normally required for such activities. 2. Activities involving the use and storage of flammable and explosive materials are not removed from adjacent facilities or activities to a distance compatible with the potential danger involved; 3. Radioactivity or air pollution is present in violation of the regulations of the Ohio Environmental Protection Agency; 4. Hazardous wastes are present in violation of the regulations of the Ohio Environmental Protection Agency; 5. Objectionable noise due to volume, frequency or beat is present; 6. Vibration discernible without instruments is present on an adjoining lot or property; 7. Direct or reflected glare is present which is visible from any street or from any property not within a manufacturing district; 8. Erosion caused by wind or water is carrying objectionable substances onto any adjacent lot or property; 111 9. Water pollution or contamination, if present, is in violation of regulations of the Ohio Environmental Protection Agency or the local storm water management and sediment control regulations.

Date: 9/28/2021 10:10:00 AM

Required Actions: Complaints of bees coming from the property and causing a nuisance to surrounding buisnesses.



Notes

Date: 10/21/2021

By: Nick Armstrong

Note: Customer of the Kids daycare stated she complained about the bees and infestation. The daycare said the had a company come out to look at it and the bees were coming from the overgrown property next to the daycare. The property is not being maintained, the grass is overgrown. I was unable to tell if there were any bee hives at the time of inspection.



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NOTICE OF NUISANCE ABATEMENT VIOLATION

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

Case Number: 21-275

Date: 10/8/2021

Property Owner: KEJRIWAL, MANJU R AND VARUN
3227 BRINTON TRL
CINCINNATI, OH 45241

Address in Violation: 3430 HAMILTON MIDDLETOWN RD
FAIRFIELD TOWNSHIP, OH 45011

Parcel ID: A0300051000015

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 3430 HAMILTON MIDDLETOWN RD.

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

Code: 720. Objectionable, Noxious, or Dangerous Uses, Practices or Conditions.

Status: In Violation

No land or building in any district shall be occupied or used, including home occupations, in any manner which creates or contributes to the existence of conditions which are dangerous, injurious, harmful, noxious, or objectionable, or which may otherwise adversely affect surrounding areas or adjoining premises, except that any use permitted by this Resolution may be undertaken or maintained if acceptable measures and safeguards to reduce any dangerous or objectionable conditions to acceptable limits, as established in this Section, are properly exercised. Specifically, the occupation or use of any land or building in any district shall be in violation of this Resolution if one or more of the following conditions are found to exist at any time: 1. The use or storage of flammable or explosive materials is not adequately protected by fire-fighting and fire protection equipment or by such safety devices as are normally required for such activities. 2. Activities involving the use and storage of flammable and explosive materials are not removed from adjacent facilities or activities to a distance compatible with the potential danger involved; 3. Radioactivity or air pollution is present in violation of the regulations of the Ohio Environmental Protection Agency; 4. Hazardous wastes are present in violation of the regulations of the Ohio Environmental Protection Agency; 5. Objectionable noise due to volume, frequency or beat is present; 6. Vibration discernible without instruments is present on an adjoining lot or property; 7. Direct or reflected glare is present which is visible from any street or from any property not within a manufacturing district; 8. Erosion caused by wind or water is carrying objectionable substances onto any adjacent lot or property; 111 9. Water pollution or contamination, if present, is in violation of regulations of the Ohio Environmental Protection Agency or the local storm water management and sediment control regulations.

Required Actions: Complaints of bees coming from the property and causing a nuisance to surrounding buisnesses.

Comments/Notes:



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:

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

10/8/2021
Date



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6032 MORRIS ROAD
FAIRFIELD TOWNSHIP, OHIO 45011
513-887-4400

Courtesy Notice of Violation

Under Fairfield Township Zoning Resolution
(ORC 505.87 & 505.871)

Case Number: 21-275

Date: 9/28/2021

Property Owner: KEJRIWAL, MANJU R AND VARUN
3227 BRINTON TRL
CINCINNATI, OH 45241

Parcel ID: A0300051000015

Property in Violation: 3430 HAMILTON MIDDLETOWN RD
FAIRFIELD TOWNSHIP, OH 45011

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In accordance to the Fairfield Township Zoning Resolution, your property violates section(s):

Code: 720. Objectionable, Noxious, or Dangerous Uses, Practices or Conditions.

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Required Actions: Complaints of bees coming from the property and causing a nuisance to surrounding businesses.

Comments/Notes:



Code: 534 High grass

Status: In Violation

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

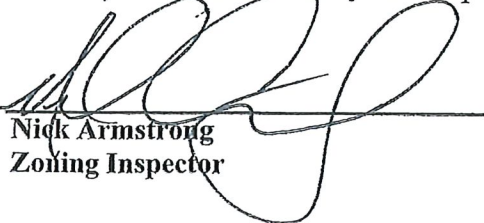
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Comments/Notes:

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Nick Armstrong
Zoning Inspector

9/28/2021

Date