FAIRFIELD TOWNSHIP RESOLUTION NO. 21-29

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, and/or refuse, junk, and debris were reported at the properties listed below; and

• 2470 Princeton Rd-

Remove Fence, no Permit

• 3675 Dust Commander

Junk and Debris

3985 Tylersville Rd-

Junk and Debris (tires)

• 6987 Logsdon Rd-

Commercial/Equipment

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 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 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: January 27, 2021

Board of Trustees	Vote of Trustees
Susan Berding: Susan Berding	yes
Shannon Hartkemeyer: MWWW MULLING	lies
Joe McAbee: Ker M Why	NO
AUTHENTICATION	
This is to certify that this is a resolution which was duly passed and filed w Fiscal Officer this 27th day of 4 your filed w	vith the Fairfield Township 2021.
ATTEST: Shelly Schultz, Fairfield Tov	wnship Fiscal Officer
APPROVED AS TO FORM	1 :
25 h. 1.	

Lawrence E. Barbiere, Township Law Director

Case Date:	12/08/20
Fairfield TWP Violation #:	20-284
Address of Violation:	2470 Princeton Rd
Complainant Name:	FTWP
Complainant Address:	
Complainant Phone:	
Complainant Email:	
Description:	210 No Permit, 712 Fence Violation
Corrective Action:	Remove fence
Status:	Open- zoning violation
Action to be taken:	Resolution
Assigned To:	Nick Armstrong
Case Date:	12/08/20

Parcel # A0300026000051 Address

2470 Princeton Rd

Legal Description

Owner Name Hamilton Vineyard Church Zoning

Status

1. Open

676 ENT

Violations

Date 12/08/2020

> **Notes** Date

2020-12-08

2021-1-08

Violation

712. Fences as Accessory Uses.

certified mail

Description

712. Fences as Accessory Uses.

Fences are permitted as accessory uses in all districts provided they are not located within any street right-of-way or within the front yard. On corner lots, shall not project beyond the minimum front yard setback requirement. It is the responsibility of the property owner to maintain the fence in a safe manner in good condition in compliance with Section 518.

- 1. All fence construction shall require a Zoning Certificate issued from the Fairfield Township Planning and Zoning Department prior to the start of said construction.
- 2. Fences in residential districts are limited to a maximum of 6 feet and a minimum of 4 feet in height.
- 3. No fences in residential districts shall be made or constructed with barbed, electric, or any other material or configuration designed to cause any degree of harm.
- 4. Fences in non-residential districts shall be limited to a maximum of 8 feet and a minimum of 4 feet in height.

•	
Note	Created By:
Property inspected and violation confirmed. Courtesy notice sent on 12/08/2020	Chuck Goins
Property inspected and first notice re sent via	Nick Armstrong

2021-1-21	Property Sent to Resolution	Nick Armstrong



NOTICE OF ZONING VIOLATION

Under Fairfield Township Zoning Resolution

CASE # 20-284

Property Owner:

HAMILTON VINEYARD CHURCH

Date: 12/08/2020

2470 PRINCETON RD

Address in Violation: 2470 PRINCETON RD

Parcel ID: A0300026000051

YOU ARE HEREBY NOTIFIED that you are in Violation of the Fairfield Township Zoning Resolution at the property located at 2470 PRINCETON RD.

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

Per Section:

210. Zoning Permits Required.

No building or other structure shall be erected, moved, added to, nor structurally altered; nor shall any building, structure, or land be established or changed in use without a permit therefore, issued by the Planning & Zoning Administrator. Zoning permits shall be issued only in conformity with the provisions of this Resolution unless the Planning & Zoning Administrator receives a written order from the Board of Zoning Appeals deciding an appeal, conditional use, or variance, or from the Board of Township Trustees approving a Planned Unit Development District or a Focus Area Overlay District application, as provided by this Resolution.

712. Fences as Accessory Uses.

Fences are permitted as accessory uses in all districts provided they are not located within any street right-ofway or within the front yard. On corner lots, shall not project beyond the minimum front yard setback requirement. It is the responsibility of the property owner to maintain the fence in a safe manner in good condition in compliance with Section 518.

1. All fence construction shall require a Zoning Certificate issued from the Fairfield Township Planning and Zoning Department prior to the start of said construction.

Required Action:

You must remedy the situation within TEN (10) days to avoid legal action by Fairfield Township.

Please contact Chuck Goins at (513)785-2266) or at cgoins@fairfieldtwp.org with any questions or once you are in compliance with the above noted violation(s).

Thank you in advance for your cooperation.

Zoning Administrator

12/8/2020

Date

Any person, firm or corporation who violates this Resolution or fails to comply with any of its requirements shall upon conviction thereof be fined not more than the maximum amount established by the Ohio Revised Code (\$500) and in addition shall be responsible for the payment of all costs and expenses involved in the case. Each day such violation continues after receipt of a violation notice shall be considered a separate offense.



NOTICE OF ZONING VIOLATION

Under Fairfield Township Zoning Resolution

CASE # 20-284

Property Owner:

HAMILTON VINEYARD CHURCH

Date: 1/08/2021

2470 PRINCETON RD

Address in Violation:

2470 PRINCETON RD

Parcel ID: A0300026000051

YOU ARE HEREBY NOTIFIED that you are in Violation of the Fairfield Township Zoning Resolution at the property located at 2470 PRINCETON RD.

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Per Section:

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1. All fence construction shall require a Zoning Certificate issued from the Fairfield Township Planning and Zoning Department prior to the start of said construction.

Required Action:

You must remedy the situation within TEN (10) days to avoid legal action by Fairfield Township.

Any person, firm or corporation who violates this Resolution or fails to comply with any of its requirements shall upon conviction thereof be fined not more than the maximum amount established by the Ohio Revised Code (\$500) and in addition shall be responsible for the payment of all costs and expenses involved in the case. Each day such violation continues after receipt of a violation notice shall be considered a separate offense.



Thank you in advance for your cooperation.

Nick Armstrong

Date / 2021



Any person, firm or corporation who violates this Resolution or fails to comply with any of its requirements shall upon conviction thereof be fined not more than the maximum amount established by the Ohio Revised Code (\$500) and in addition shall be responsible for the payment of all costs and expenses involved in the case. Each day such violation continues after receipt of a violation notice shall be considered a separate offense.



Case Date:	10/20/2020	
Fairfield TWP Violation #:	20-337	
Address of Violation:	3675 Dust Commander	
Complainant Name:	FTWP	
Complainant Address:		
Complainant Phone:		
Complainant Email:		
Description:	J&D	
Corrective Action:	Remove junk and debris	
Status:	Open-Nuisance violation	
Action to be taken:	Resolution	
Assigned To:	Benjamin W. Gunderson	
Case Date:	10/20/2020	

Parcel # A0300082000027

Address 3675 Dust Commander Legal Description 3075 ENT

Owner Name Charles & Sandra Johnson Zoning R-1

Violations

Date 10/20/2020

Violation 533. Junk

Description

The accumulation or storage of junk, inoperable vehicles, disabled or inoperative machinery or equipment, vehicles or machinery parts, or any other discarded objects or debris shall be prohibited, outside of an approved junk yard, in order to protect residents from unsightly conditions and/or an environment conducive to the infestation and breeding of vermin, insects, and rodents.

Status
1. Open

Notes		
Date	Note	Created By:
2020-10-20	First Notice Sent to Property	Benjamin Gunderson
2020-12-04	Property Inspected: Still in violation	Benjamin Gunderson
2020-12-09	Copy of First Notice sent to property	Benjamin Gunderson
2021-01-20	Property inspected. In violation.	Benjamin Gunderson
2021-01-27	Property Sent to Resolution	Benjamin Gunderson





Fairfield Township Zoning Department

Fairfield Township, Butler County, Ohio

NOTICE OF NUISANCE ABATEMENT VIOLATION

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

Case #: 20-337

Date: 10/20/2020

Property Owner: CHARLES & SANDRA JOHNSON

3675 DUST COMMANDER DR HAMILTON OH 45011 5571,

Location: 3675 DUST COMMANDER DR

Parcel #:A0300082000027

You are hereby notified that Fairfield Township has received a complaint and upon reviewing property owned by you being located at 3675 DUST COMMANDER DR in Fairfield Township, Butler County, Ohio has determined the need for removal of all junk and debris from the entire property. Violation(s) are in reference to Section 533.

The accumulation or storage of junk, inoperable vehicles, disabled or inoperative machinery or equipment, vehicles or machinery parts, or any other discarded objects or debris shall be prohibited, outside of an approved junk yard, in order to protect residents from unsightly conditions and/or an environment conducive to the infestation and breeding of vermin, insects, and rodents. of the Fairfield Township Zoning Resolution and section 505.87 of the Ohio Revised Code. A complete copy of the Nuisance Abatement is available upon request from the Fairfield Township Zoning Department at 6032 Morris Rd, Hamilton, Ohio 45011.

You are also notified that in the case the above-mentioned violation(s) are not addressed within TEN (10) days upon receipt of this notice Fairfield Township will repair at once said premises so owned by you in such a manner as considered best, as provided by law.

If this violation cannot be resolved within TEN (10) days, you are required to contact the Fairfield Township Zoning Department to discuss a revised timeline.

In the event that this violation is not resolved, Fairfield Township will invoice you for the cost of all work done to the property to obtain compliance for the above-mentioned violation(s) as well as the cost of postage and administrative costs. If the invoice is not paid by you within thirty (30) days of mailing, the clerk will certify to the Auditor of this County the costs shall be placed upon the tax duplicate and to be collected as other taxes are collected.

If you have any questions, contact Benjamin W. Gunderson at 513-887-4400 or at bgunderson@fairfieldtwp.org.

Zoning Inspector

10-20-20 Date

Fairfield Township Zoning Department 6032 Morris Road Hamilton, OH 45011 (513) 887-4400



Fairfield Township Zoning Department

Fairfield Township, Butler County, Ohio

NOTICE OF NUISANCE ABATEMENT VIOLATION

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

Case #: 20-337

Date: 10/20/2020

Property Owner: CHARLES & SANDRA JOHNSON

3675 DUST COMMANDER DR HAMILTON OH 45011 5571,

Location: 3675 DUST COMMANDER DR

Parcel #:A0300082000027

You are hereby notified that Fairfield Township has received a complaint and upon reviewing property owned by you being located at 3675 DUST COMMANDER DR in Fairfield Township, Butler County, Ohio has determined the need for removal of all junk and debris from the entire property. Violation(s) are in reference to Section 533. Junk.

The accumulation or storage of junk, inoperable vehicles, disabled or inoperative machinery or equipment, vehicles or machinery parts, or any other discarded objects or debris shall be prohibited, outside of an approved junk yard, in order to protect residents from unsightly conditions and/or an environment conducive to the infestation and breeding of vermin, insects, and rodents. of the Fairfield Township Zoning Resolution and section 505.87 of the Ohio Revised Code. A complete copy of the Nuisance Abatement is available upon request from the Fairfield Township Zoning Department at 6032 Morris Rd, Hamilton, Ohio 45011.

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If you have any questions, contact Benjamin W. Gunderson at 513-887-4400 or at bgunderson@fairfieldtwp.org.

| 10 - 20 - 20 | | Date |

Fairfield Township Zoning Department 6032 Morris Road Hamilton, OH 45011 (513) 887-4400





Case Date:	11/24/20	
Fairfield TWP Violation #:	20-307	
Address of Violation:	3985 Tylerville Rd	
Complainant Name:	FTWP	
Complainant Address:		
Complainant Phone:		
Complainant Email:		
Description:	533. Junk, vehicle tires well in the thousands.	
Corrective Action:	Clean up tires on property	
Status:	Open- Nuisance violation	
Action to be taken:	Resolution	
Assigned To:	Nick Armstrong	
Case Date:	11/24/20	

Parcel #

Address

Legal Description

Owner Name

Zoning

A03000070000

3985 Tylersville Rd

87 ENT

Khosrow Mohammadi

A-1

14

Violations

Date 11/24/2020

Violation 533. Junk.

Description

Status 1. Open

The accumulation or storage of junk, inoperable vehicles, disabled or inoperative machinery or equipment, vehicles or machinery parts, or any other discarded objects or debris shall be prohibited, outside of an approved junk yard, in order to protect residents from unsightly conditions and/or an environment conducive to the infestation and breeding of vermin, insects, and rodents..

Notes		
Date	Note	Created By:
2020-11-24	Property inspected and violation confirmed. Courtesy notice sent on 11/24/2020	Chuck Goins
11/28/2020	Property inspected and first notice re sent via certified mail	Nick Armstrong
1/08/2021	Toured property with owner and renter, gave them a week to clear out the majority of the tires, if down to 100 tires by Monday the following week will discuss closing. EPA notified due to the amount of tires.	Chuck Goins Nick Armstrong
2021-1-22	Property Sent to Resolution	Nick Armstrong



NOTICE OF NUISANCE ABATEMENT VIOLATION

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

CASE # 20-307

Property Owner:

KHOSROW MOHAMMADI

8077 LAUREL LAKE CT

LIBERTY TOWNSHIP OH 45044

Address in Violation: 3985 TYLERSVILLE RD

Parcel ID: A0300008000059

Date: 11/24/2020

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 **3985 TYLERSVILLE RD.**

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

Per Section: 533. Junk.

The accumulation or storage of junk, inoperable vehicles, disabled or inoperative machinery or equipment, <u>vehicles or machinery parts</u>, or any other discarded objects or debris shall be prohibited, outside of an approved junk yard, in order to protect residents from unsightly conditions and/or an environment conducive to the infestation and breeding of vermin, insects, and rodents.

Required Action: Removal all junk and tires from the property.

You must remedy the situation within **TEN** (10) days to avoid further action by Fairfield Township.

Please contact Chuck Goins at 513.785.2266 with any questions or once you are in compliance with the above noted violation(s).

Thank you in advance for your cooperation.

Chuck Goins

Zoning Administrator

Date 124/2020

If that vegetation, garbage, refuse, or other debris is not abated, controlled, or removed, or if provision for its abatement, control, or removal is not made, within the **TEN (10) days**, Fairfield Township shall provide for the abatement, control, or removal, and <u>any expenses incurred by Fairfield Township in performing that task shall be entered upon the tax duplicate and become a lien upon the land from the date of entry.</u>



NOTICE OF ZONING VIOLATION

Under Fairfield Township Zoning Resolution

CASE # 20-431

Property Owner:

KHOSROW MOHAMMADI

Date: 11/24/2020

8077 LAUREL LAKE CT

LIBERTY TOWNSHIP OH 45044

Address in Violation: 3985 TYLERSVILLE RD Parcel ID:

A0300008000059

YOU ARE HEREBY NOTIFIED that you are in Violation of the Fairfield Township Zoning Resolution at the property located at 3985 TYLERSVILLE RD.

In accordance with the Fairfield Township Zoning Resolution, your property is in violation of the following section(s): 210, 240, 622.1

Per Sections: 210. Zoning Permits Required, 240. Failure to Obtain a Zoning Permit, 622.1.Principal Permitted Uses

Required Action: Immediately suspend all sales related to the unpermitted "used tire business" until the proper approval and permits are obtained by Fairfield Township, Butler County, and the State of Ohio.

You must remedy the situation within TEN (10) days to avoid legal action by Fairfield Township.

Please contact Chuck Goins at 513.785.2266 with any questions or once you are in compliance with the above noted violation(s).

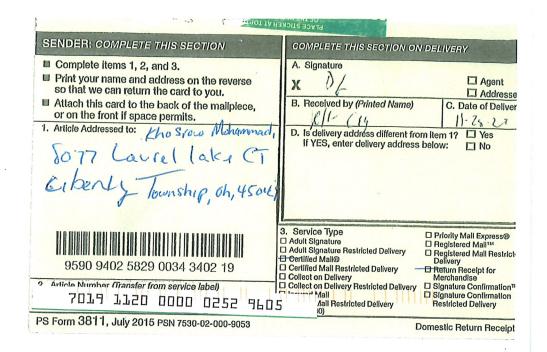
Thank you in advance for your cooperation.

Chuck Goins

Zoning Administrator

11/24/2020 Date

Any person, firm or corporation who violates this Resolution or fails to comply with any of its requirements shall upon conviction thereof be fined not more than the maximum amount established by the Ohio Revised Code (\$500) and in addition shall be responsible for the payment of all costs and expenses involved in the case. Each day such violation continues after receipt of a violation notice shall be considered a separate offense.





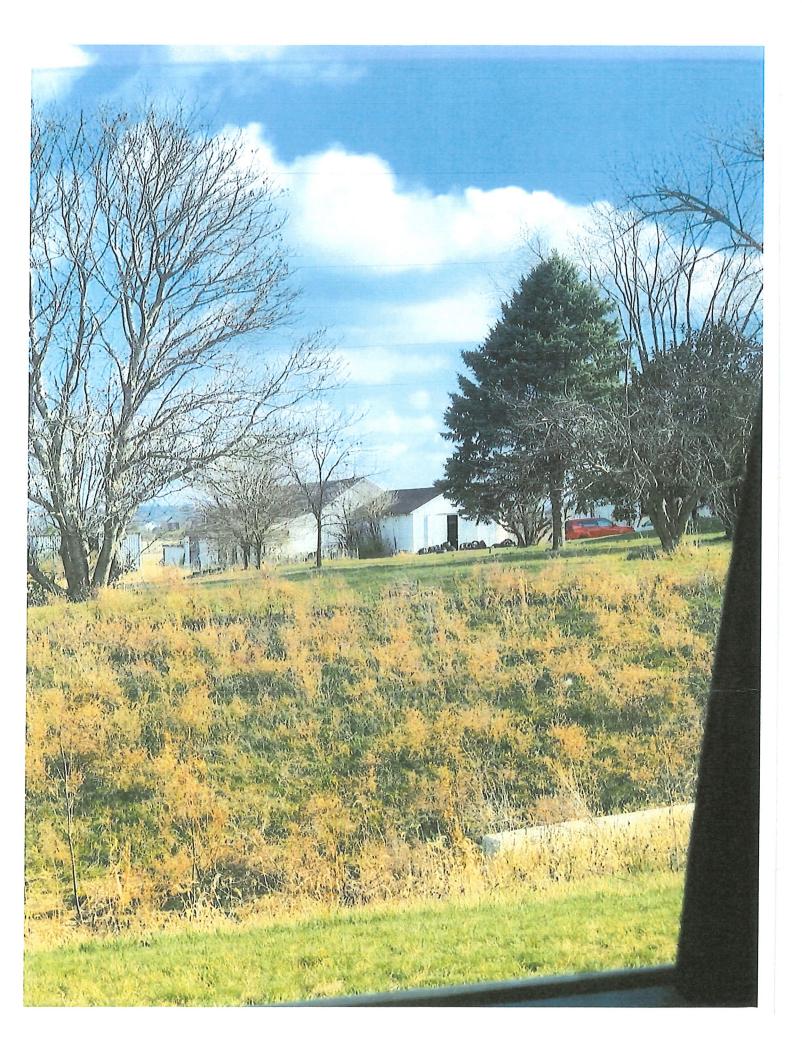
Sender: Please print your name, address, and ZIP+4° in this box°

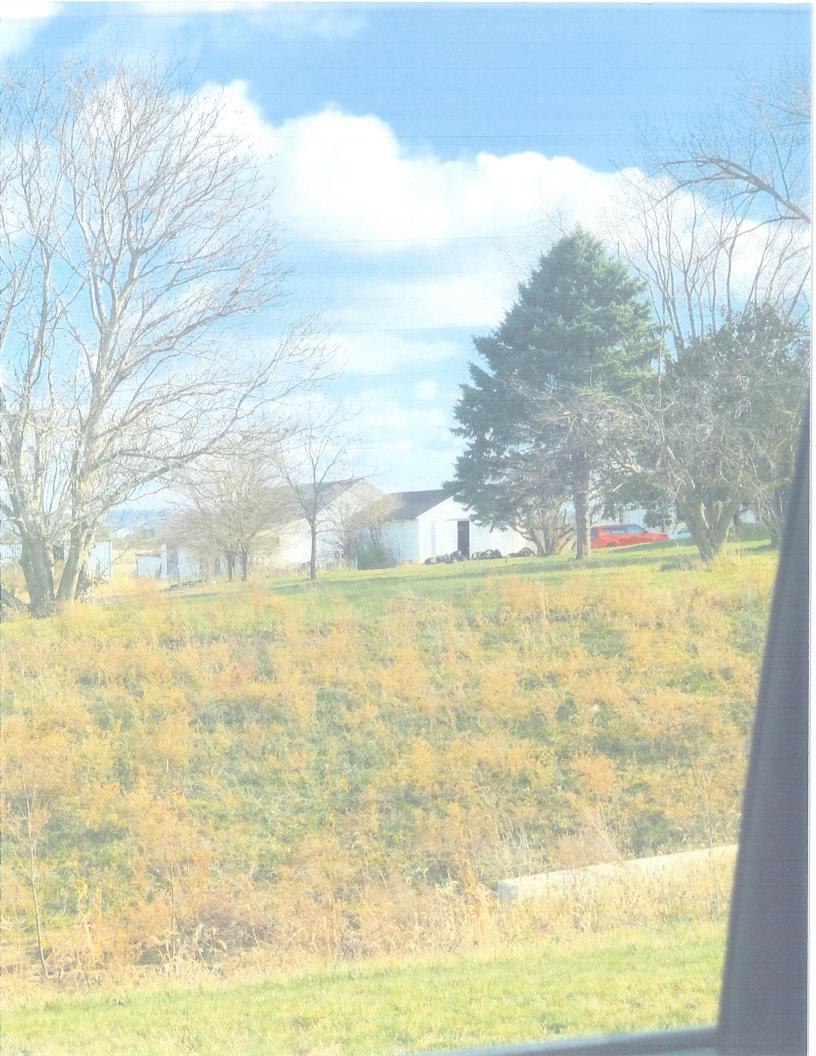
First-Class Mail Postage & Fees Paid

USPS Permit No. G-10

FAIRFIELD TOWNSHIP ZONING DEPARTMENT 6032 Morris Road Fairfield Twp., OH 45011

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Case Date:	11/20/2020	
Fairfield TWP Violation #:	20-421	
Address of Violation:	6987 Logsdon road	
Complainant Name:	FTWP	
Complainant Address:		
Complainant Phone:		
Complainant Email:		
Description:	Commercial Vehicles/Equipment	
Corrective Action:	Properly store or remove commercial	
	vehicles/equipment	
Status:	Open-Nuisance violation	
Action to be taken:	Resolution	
Assigned To:	Benjamin W. Gunderson	
Case Date:	11/20/2020	

Parcel # A0300035000023

Address 6987 Logsdon Road Legal Description 866 ENT Owner Name A Y & Sharon Mills Zoning R-1

Violations

Date 11/20/2020

Violation 532.2 Parking of Vehicles Description

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.

Status 1. Open

Notes		
Date	Note	Created By:
2020-11-20	First Notice Sent to Property	Benjamin Gunderson
2020-12-04	Property Inspected: Still in violation	Benjamin Gunderson
2020-12-09	Copy of First Notice sent to property	Benjamin Gunderson
2020-12-15	Spoke to property owner on the phone. He stated that he will be leaving for vacation for two months so he will not be moving the equipment or vehicles. Didn't appear as if he wanted to comply.	Benjamin Gunderson
2021-01-20	Property inspected. In violation.	Benjamin Gunderson
2021-01-27	Property Sent to Resolution	Benjamin Gunderson



NOTICE OF NUISANCE ABATEMENT VIOLATION

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



CASE # 20-421

Property Owner: A Y & Sharon Mills

Date: 11/20/2020

2/09/20

Address in Violation: 6987 Logsdon Road

Parcel ID: A0300035000023

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 **6987 Logsdon Road.**

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

Per Section:

532. Parking and storage of Vehicles and Trailers. 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.

Required Action: Please properly store or remove all Commercial Vehicles and Commercial Equipment from the property.

You must remedy the situation within TEN (10) days to avoid further action by Fairfield Township.

Please contact Benjamin W. Gunderson at (513) 785-2262 or at bgunderson@fairfieldtwp.org with any questions or once you are in compliance with the above noted violation(s).

Thank you in advance for your cooperation.

11/20/20

If that vegetation, garbage, refuse, or other debris is not abated, controlled, or removed, or if provision for its abatement, control, or removal is not made, within the TEN (10) days, Fairfield Township shall provide for the abatement, control, or removal, and <u>any expenses incurred by Fairfield Township in performing that task shall be entered upon the tax duplicate</u> and become a lien upon the land from the date of entry.



NOTICE OF NUISANCE ABATEMENT VIOLATION

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

CASE # 20-421

Property Owner: A Y & Sharon Mills

Date: 11/20/2020

Address in Violation: 6987 Logsdon Road

Parcel ID: A0300035000023

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 6987 Logsdon Road.

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

Per Section:

532. Parking and storage of Vehicles and Trailers. 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.

Required Action: Please properly store or remove all Commercial Vehicles and Commercial Equipment from the property.

You must remedy the situation within **TEN** (10) days to avoid further action by Fairfield Township.

Please contact Benjamin W. Gunderson at (513) 785-2262 or at bgunderson@fairfieldtwp.org with any questions or once you are in compliance with the above noted violation(s).

Thank you in advance for your cooperation.

If that vegetation, garbage, refuse, or other debris is not abated, controlled, or removed, or if provision for its abatement, control, or removal is not made, within the TEN (10) days, Fairfield Township shall provide for the abatement, control, or removal, and any expenses incurred by Fairfield Township in performing that task shall be entered upon the tax duplicate and become a lien upon the land from the date of entry.



