

FAIRFIELD TOWNSHIP
RESOLUTION NO. 21-35

**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

- | | |
|--------------------|------------------------------|
| • 3693 Pimlico Ct | Parking Recreational Vehicle |
| • 3551 Dawn Dr | Parking Recreational Vehicle |
| • 2461 Eastring Dr | Building Disrepair |

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: February 10, 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 10th day of February, 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:	10/20/20
Fairfield TWP Violation #:	20-340
Address of Violation:	3693 Pimlico Ct
Complainant Name:	FTWP
Complainant Address:	
Complainant Phone:	
Complainant Email:	
Description:	Rv Park
Corrective Action:	Rv must be parked on an approved surface
Status:	Open- Zoning violation
Action to be taken:	Resolution
Assigned To:	Benjamin Gunderson
Case Date:	10/20/20

Property

Parcel #	Address	Legal Description	Owner Name	Zoning
A0300082000051	3693 Pimlico Ct	3047 ENT	Dennis Locker, Vicki Locker	R-1

Violations

Date	Violation	Description	Status
10/20/2020	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:
2020-10-19	Resident reported property. Property inspected and violation confirmed. Courtesy notice sent on 12/15/2020	Benjamin Gunderson
2021-1-26	Property inspected and first notice resent. Owner has not called back or made any contact	Benjamin Gunderson
2021-2-05	Property Sent to Resolution	Nick Armstrong

12/11/2020

COPY



Fairfield Township Zoning Department
Fairfield Township, Butler County, Ohio

COURTESY NOTICE OF NUISANCE VIOLATION

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

Case #: 20-340

Date: 10/20/2020

Property Owner: DENNIS K LOCKER VICKI L RODGERS-LOCKER
3693 PIMLICO CT
HAMILTON OH 45011 5508,

Location: 3693 PIMLICO CT

Parcel #: A0300082000051

Please be advised your property 3693 PIMLICO CT is not in accordance with Fairfield Township Zoning Resolution 2008. 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.

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. This violation has been observed on the property. Please address this issue with TEN (10) days to avoid further action from Fairfield Township.

For your information any lot in any district shall be maintained and kept in good condition and good repair including all structures, buildings, accessory buildings, and fences. Property owners are expected to mow grass, cut weeds or brush, remove fallen trees, paint or cover exterior surfaces when needed, repair or replace damaged or deteriorated fences, keep property free of trash, junk and debris, repair driveways, repair damaged structures and other maintenance related items as needed.

We would greatly appreciate your cooperation with this matter. Please contact Benjamin W. Gunderson at the number below to discuss remedies to these issues.

Respectfully,

A handwritten signature in blue ink, appearing to be "B. Gunderson", is written over a horizontal line.

Fairfield Township Zoning Inspector
Benjamin W. Gunderson
513-887-4400

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



Fairfield Township Zoning Department
Fairfield Township, Butler County, Ohio

COURTESY NOTICE OF NUISANCE VIOLATION

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

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Fairfield Township Zoning Inspector
Benjamin W. Gunderson
513-887-4400

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



Case Date:	12/15/20
Fairfield TWP Violation #:	20-469
Address of Violation:	3551 Dawn Dr
Complainant Name:	FTWP
Complainant Address:	
Complainant Phone:	
Complainant Email:	
Description:	Rv Park
Corrective Action:	Rv must be parked on an approved surface
Status:	Open- Zoning violation
Action to be taken:	Resolution
Assigned To:	Nick Armstrong
Case Date:	12/15/20

Property

Parcel #	Address	Legal Description	Owner Name	Zoning
A0300106000009	3551 Dawn Dr	4265 ENT	J Petrie	R-1

Violations

Date	Violation	Description	Status
12/15/2020	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:
2020-12-15	Resident reported property. Property inspected and violation confirmed. Courtesy notice sent on 12/15/2020	Nick Armstrong
2020-12-20	Spoke with owner, he is working on being compliant and will move his RV back further as soon as he can get the improved surface to sit it on in the back. Said he will call me back Monday once task is complete for re-inspection..... Nick...	Nick Armstrong
2021-1-26	Property inspected and first notice re sent. Owner has not called back or made any contact	Nick Armstrong
2021-2-05	Property Sent to Resolution	Nick Armstrong



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: 20-469

Date: 12/15/2020

Property Owner: J PETRIE
3551 DAWN DR
Fairfield Township, Ohio, 45011

Property in Violation: 3551 DAWN DR Parcel ID: A0300106000009

This Courtesy Notice is being sent to you in regards to your property at 3551 DAWN DR. In accordance to the Fairfield Township Zoning Resolution, your property violates section(s) 532.4 Parking and Storage of Vehicles and Trailers.

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.

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.

Please address these violation(s) within ten (10) days before further action is taken by Fairfield Township.

Our mission at the Fairfield Township Planning Department is to effectively balance and manage Planning, Zoning, and Economic Development activities to ensure that Fairfield Township remains a great place to live, work, and play. We appreciate voluntary compliance and all efforts used to maintain the high standards instilled in Fairfield Township.

Thank you in advance for your cooperation.

Zoning Inspector

12/15/2020
Date



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





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

NOTICE OF ZONING VIOLATION

Under Fairfield Township Zoning Resolution

Case Number: 20-459

Date: 1/27/2020

Property Owner:

J PETRIE

3551 DAWN DR
Fairfield Township, Oh, 45011

Property in Violation: 3551 DAWN DR

Parcel ID: A0300106000009

This Courtesy Notice is being sent to you in regards to your property at 3551 DAWN DR. In accordance to the Fairfield Township Zoning Resolution, your property violates section(s)

532.4 Parking and Storage of Vehicles and Trailers

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.

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.

Action Required: Surface the RV is placed on is not impermeable or approved surface based on the above stated resolution. RV must be on an approved surface and not past the front of the house (50' from the right of way)

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

Please contact Nick Armstrong at 513.887.4400 with any questions or once you are in compliance with the above noted violation(s).

Thank you in advance for your cooperation.

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.



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

Nick Armstrong
Zoning Inspector

1/27/21
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.

Case Date:	12/21/20
Fairfield TWP Violation #:	20-478
Address of Violation:	2461 Eastridge
Complainant Name:	FTWP
Complainant Address:	
Complainant Phone:	
Complainant Email:	
Description:	Building Disrepair
Corrective Action:	Remove J&D and repair damaged garage
Status:	Open- Zoning & Nuisance violation
Action to be taken:	Resolution
Assigned To:	Benjamin Gunderson
Case Date:	12/21/20

Property

Parcel #	Address	Legal Description	Owner Name	Zoning
A0300067000021	2461 Eastridge	2408 ENT	Mailing Name 1 CHRISTOPHER & SHERRY BARRETT	R-1

Violations

Date	Violation	Description	Status
12/21/20	720. Objectionable, Noxious, or Dangerous Uses, Practices or Conditions.	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. Open

Notes

Date	Note	Created By:
2020-12-21	Resident reported property. Property inspected and violation confirmed. Courtesy notice sent on 12/15/2020	Benjamin Gunderson
2021-1-19	Property inspected and first notice resent. Owner has not called back or made any contact	Benjamin Gunderson
2021-2-05	Property Sent to Resolution	Nick Armstrong



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: 20-478

Date: 12/21/2020

Property Owner: Christopher & Sherry Barrett

Property in Violation: 2461 Eastridge

Parcel ID: A0300067000021

This Courtesy Notice is being sent to you in regards to your property at 2461 Eastridge. In accordance to the Fairfield Township Zoning Resolution, your property violates section(s)

720. Objectionable, Noxious, or Dangerous Use, Practices or Conditions


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:

Please properly replace the garage door currently in disrepair.

Please address these violation(s) within ten (10) days before further action is taken by Fairfield Township.

Our mission at the Fairfield Township Planning Department is to effectively balance and manage Planning, Zoning, and Economic Development activities to ensure that Fairfield Township remains a great place to live, work, and play. We appreciate voluntary compliance and all efforts used to maintain the high standards instilled in Fairfield Township.

Thank you in advance for your cooperation.


Benjamin W. Gunderson

12/21/2020
Date





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 & ORC 505.871)

CASE # 20-278

Property Owner: Christopher & Sherry Barrett

Date: 01/19/2021

Address in Violation: 2461 Eastridge

Parcel ID: A0300067000021

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 2409 Eastridge. In accordance with the Fairfield Township Zoning Resolution, your property is in violation of the following section(s):

Per Section: 720. Objectionable, Noxious, or Dangerous Use, Practices or Conditions

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.

Required Action: Please properly repair the garage door that is in disrepair.

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.

01/19/2021

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.

