

**FAIRFIELD TOWNSHIP
RESOLUTION NO. 21-46**

**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

- **2817 Hamilton Mason Rd- Junk and Debris**
- **2622 Hamilton Mason Rd- Junk/Debris, Accessory Building Zoning Permit Required**
- **6341 Hillgale Ln- Junk and Debris**

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: March 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 march, 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:	12/28/20
Fairfield TWP Violation #:	20-505
Address of Violation:	2817 Hamilton Mason
Complainant Name:	
Complainant Address:	
Complainant Phone:	
Complainant Email:	
Description:	533. Junk
Corrective Action:	Remove all Junk and Debris from back of propter
Status:	Open- Nuisance violation
Action to be taken:	Resolution
Assigned To:	Benjamin Gunderson
Case Date:	12/28/20

Property

Parcel #	Address	Legal Description	Owner Name	Zoning
A0300060000004	2817 Hamilton Mason	2179 ENT	Donna White	R-1

Violations

Date	Violation	Description	Status
12/28/20	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..	1. Open

Notes

Date	Note	Created By:
2020-12-28	Inspected and courtesy sent	Benjamin Gunderson
2021-1-22	Property inspected First Sent	Benjamin Gunderson
2021-3-5	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: 20-505

Date: 12/28/2020

Property Owner: Donna White

Property in Violation: 2817 Hamilton Mason

Parcel ID: A0300006000004

This Courtesy Notice is being sent to you in regard to your property at 2817 Hamilton Mason Road. In accordance to the Fairfield Township Zoning Resolution, your property violates section(s).

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.

Please properly remove all junk and debris located on the property.

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.

12/28/2020



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 # 20-505

Property Owner: Donna White

Date: 01/22/2021

Address in Violation: 2817 Hamilton Mason

Parcel ID: A0300006000004

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 **2817 Hamilton Mason Road**.

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, 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.

Required Action: Please properly remove all junk and debris located on 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.

01/22/2021

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.





Case Date:	01/22/21
Fairfield TWP Violation #:	21-020
Address of Violation:	2622 Hamilton Mason Rd
Complainant Name:	
Complainant Address:	
Complainant Phone:	
Complainant Email:	
Description:	711.4, 210, 533
Corrective Action:	Remove shed from front of house, apply for permit, remove junk and debris from back of property
Status:	Open- Nuisance violation
Action to be taken:	Resolution
Assigned To:	Nick Armstrong
Case Date:	01/22/21

Property

Parcel #	Address	Legal Description	Owner Name	Zoning
A0300025000024	2622 Hamilton Mason Rd	589 ENT	HARVILLE CHARLES D MARGARET S	R-1

Violations

Date	Violation	Description	Status
01/22/21	711.4 Accessory Building 210 Zoning Permit Required 533 Junk	4. No accessory structure shall be located within the front yard. Accessory buildings shall be located within the side or rear yard. Storage sheds shall be located within the rear yard.	1. Open

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.

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:
2021-1-22	Inspected and courtesy sent	Nick Armstrong
2021-2-22	Property inspected First Sent	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: 21-020

Date: 1/22/2021

Property Owner: CHARLES & MARGARET HARVILLE
2622 HAMILTON MASON RD
Fairfield Township, Ohio, 45011

Property in Violation: 2622 HAMILTON MASON RD Parcel ID: A0300025000024

This Courtesy Notice is being sent to you in regards to your property at 2622 HAMILTON MASON RD. In accordance to the Fairfield Township Zoning Resolution, your property violates section(s)

711.4 Accessory Buildings/ Storage Sheds.

4. No accessory structure shall be located within the front yard. Accessory buildings shall be located within the side or rear yard. Storage sheds shall be located within the rear yard.

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

Per Section: 533. Junk.

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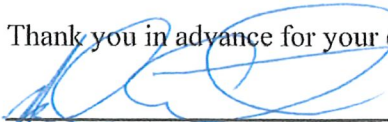
Required Action: Please remove the unpermitted shed located in your front/side yard seen in the photo. Please keep the back of the property clean and free of Junk and Debris listed in section: 533. Thank you in advance for your corporation.

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

Thank you in advance for your cooperation.



Nick Armstrong
Zoning Inspector

1/25/21

Date





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: 21-020

Date: 2/24/2021

Property Owner:

Charles & Margaret Harville
2622 Hamilton Mason Rd
Fairfield Township, Oh, 45011

Property in Violation: 2622 Hamilton Mason Rd Parcel ID: A030025000024

This notice is being sent to you in regards to your property at 2622 Hamilton Mason Rd. In accordance to the Fairfield Township Zoning Resolution, your property violates section(s)

711. Accessory Buildings/ Storage Sheds.

Except as otherwise provided in this Resolution, accessory structures shall be permitted in association with principal structures provided that:

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1. Accessory buildings in all residential districts on parcels containing five (5) acres or more shall be limited to two (2) accessory buildings not to exceed 1,500 square feet in size and 20 feet in height for each. Parcels containing one (1) to five (5) acres shall be limited to one (1) accessory building not to exceed 1,500 square feet in size and 14 feet in height. parcels containing 0.5 acres to 1 acres shall be limited to one (1) accessory building not to exceed 1,000 square feet in size and 14 feet in height. parcels containing less than 0.5 acres shall be limited to one (1) accessory building not to exceed 750 square feet in size and 14 feet in height.
2. No residential storage shed shall exceed two-hundred square feet in area.
3. Accessory structures in residential zones shall not contain or be used as dwelling units, home occupations, or for commercial or industrial purposes.
4. No accessory structure shall be located within the front yard. Accessory buildings shall be located within the side or rear yard. Storage sheds shall be located within the rear yard.
5. Accessory structures shall be located no closer than five feet to any property line or right-of-way.
6. Accessory structures in nonresidential zones are permitted as regulated in the appropriate zone.
7. A detached garage located in a recorded subdivision requires a paved driveway of bituminous concrete (asphalt), Portland cement concrete, brick, cobblestone or similar hard surface.

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

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.

533. Junk.

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Action Required: Please remove the unpermitted shed from the property or apply for a permit. Please keep the back of the property clean and free of Junk and Debris listed in section : 533. Thank you in advance

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.

Nick Armstrong
Zoning Inspector

Date

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Case Date:	02/03/2021
Fairfield TWP Violation #:	21-027
Address of Violation:	6341 Hillgale Ln
Complainant Name:	Resident Complaint
Complainant Address:	
Complainant Phone:	
Complainant Email:	
Description:	533 Junk
Corrective Action:	Remove shed from front of house,
Status:	Open- Nuisance violation
Action to be taken:	Resolution
Assigned To:	Nick Armstrong
Case Date:	02/03/2021

Property

Parcel #	Address	Legal Description	Owner Name	Zoning
A0300045000084	6341 Hillgale Ln	1843 ENT	Cynthia Ann Garrett	R-1

Violations

Date	Violation	Description	Status
02/03/2021	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..	1. Open

Notes		
Date	Note	Created By:
2021-2-03	Inspected and courtesy sent	Nick Armstrong
2021-2-24	Property inspected First Sent	Nick Armstrong
2021-3-5	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: 21-027

Date: 2/03/2021

Property Owner: CYNTHIA ANN GARRETT
6341 HILLGALE LN
Fairfield Township, Oh, 45011

Property in Violation: 6341 HILLGALE LN Parcel ID: A0300045000084

This Courtesy Notice is being sent to you in regards to your property at 6341 HILLGALE LN. In accordance to the Fairfield Township Zoning Resolution, your property violates section(s)

533. Junk.

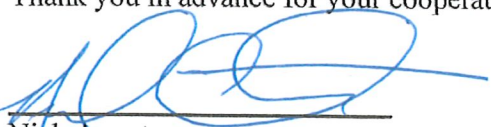
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Required action; Please relocate the airplane cabin located on the side of the house to a new location not visible from any roadway.

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.


Nick Armstrong
Zoning Inspector

2/2/21
Date



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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 & ORC 505.871)

Case Number: 21-027

Date: 2/24/2021

Property Owner: CYNTHIA ANN GARRETT
6341 HILLGALE LN
Fairfield Township, Oh, 45011

Property in Violation: 6341 HILLGALE LN Parcel ID: A0300045000084

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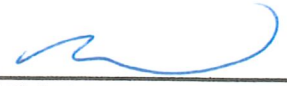
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Date