

FAIRFIELD TOWNSHIP
RESOLUTION NO. 21-50

**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

- **6387 Hillgale Ln- Watercraft 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 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 24, 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 24th day of March, 2021.

ATTEST:

Shelly Schultz

Shelly Schultz, Fairfield Township Fiscal Officer

APPROVED AS TO FORM:

Lawrence E. Barbieri

Lawrence E. Barbieri, Township Law Director

Case Date:	02/23/2021
Fairfield TWP Violation #:	21-028
Address of Violation:	6387 Hillgale Ln
Complainant Name:	Resident Complaint
Complainant Address:	
Complainant Phone:	
Complainant Email:	
Description:	532.4 Watercraft parking
Corrective Action:	Park Watercraft 50' from the right of way on an approved surface
Status:	Open- zoning violation
Action to be taken:	Resolution
Assigned To:	Nick Armstrong
Case Date:	02/23/2021

Property

Parcel #	Address	Legal Description	Owner Name	Zoning
A0300045000089	6387 Hillgale Ln	1848 ENT	MOSELY JOSHUA R	R-1

Violations

Date	Violation	Description	Status
02/23/2021	532. Parking and Storage of Vehicles and Trailers	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.	1. Open

Notes

Date	Note	Created By:
2021-2-23	Inspected and courtesy sent	Nick Armstrong
2021-3-05	Property inspected First Sent	Nick Armstrong
2021-3-19	Property Sent to Resolution	Nick Armstrong



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 # 21-028

Property Owner:

JOSHUA R MOSLEY
6387 HILLGALE LN

Date: 2/23/2021

Address in Violation:

6387 HILLGALE LN Parcel ID: A0300045000089

YOU ARE HEREBY NOTIFIED that you are in Violation of the Fairfield Township Zoning Resolution at the property located at 6387 HILLGALE LN.

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

Per Section: 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

Required Action: Watercraft cannot be located in driveway unless it is 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.



Nick Armstrong
Zoning Inspector

2/23/21

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.



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NOTICE OF ZONING VIOLATION

Under Fairfield Township Zoning Resolution

CASE # 21-028

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JOSHUA R MOSLEY
6387 HILLGALE LN

Date: 3/05/2021

Address in Violation:

6387 HILLGALE LN Parcel ID: A0300045000089

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