

FAIRFIELD TOWNSHIP
RESOLUTION NO. 21-59

**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

- **2600 Hamilton Mason Rd - Zoning Permit Required, Accessory Building**
- **3800 Princeton Rd- Junk and Debris**
- **5824 Reigart Rd- 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: April 14, 2021

Board of Trustees

Susan Berding:

Susan Berding

Shannon Hartkemeyer:

Shannon Hartkemeyer

Joe McAbee:

Joe M. 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 14th day of April, 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:	02/09/2021
Fairfield TWP Violation #:	21-028
Address of Violation:	2600 Hamilton Mason
Complainant Name:	
Complainant Address:	
Complainant Phone:	
Complainant Email:	
Description:	711 Accessory Buildings
Corrective Action:	Remove two storage units from property
Status:	Open- zoning violation
Action to be taken:	Resolution
Assigned To:	Nick Armstrong
Case Date:	02/09/2021

Property

Parcel #	Address	Legal Description	Owner Name	Zoning
A0300025000026	2600 HAMILTON MASON RD	587 ENT	KAPI L JONES	R-1

Violations

Date	Violation	Description	Status
02/09/2021	711. Accessory Buildings/ Storage Sheds.	<p>41. 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.</p> <p>2. No residential storage shed shall exceed two-hundred square feet in area.</p> <p>3. Accessory structures in residential zones shall not contain or be used as dwelling units, home occupations, or for commercial or industrial purposes.</p> <p>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.</p> <p>5. Accessory structures shall be located no closer than five feet to any property line or right-of-way.</p> <p>6. Accessory structures in nonresidential zones are permitted as regulated in the appropriate zone.</p> <p>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..</p>	1. Open

Notes		
Date	Note	Created By:
2021-2-09	Inspected and courtesy sent	Nick Armstrong
2021-3-31	Property inspected First Sent	Nick Armstrong
	First Posted on Property	
2021-4-12	Property Sent to Resolution	Nick Armstrong



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 Number: 21-028

Date: 3/31/2021

Property Owner: COMPSTON KAPI L
3782 59TH AVE
BRADENTON FL 34210 5408

Property in Violation: 2600 HAMILTON MASON RDRD Parcel ID: A0300025000026

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. Accessory Buildings/ Storage Sheds.

Except as otherwise provided in this Resolution, accessory structures shall be permitted in association with principal structures provided that: 98

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.

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

Required Action: Please remove the unpermitted storage containers located in your rear yard seen in the photo.

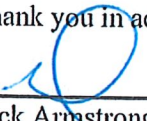
If that vegetation, garbage, refuse, or other debris is not abated, controlled, or removed, or if provision for its abatement, control, or removal is not made, within the TEN (10) days, Fairfield Township shall provide for the abatement, control, or removal, and any expenses incurred by Fairfield Township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



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

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

Date



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1st Notice
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: 21-028

Date: 2/9/2021

Property Owner: COMPSTON KAPIL
3782 59TH AVE
BRADENTON FL 34210 5408

Property in Violation: 2600 HAMILTON MASON RDRD Parcel ID: A0300025000026

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Case Date:	01/13/2021
Fairfield TWP Violation #:	21-010
Address of Violation:	3940 PRINCETON RD
Complainant Name:	Resident Complaint
Complainant Address:	
Complainant Phone:	
Complainant Email:	
Description:	533. Junk
Corrective Action:	Remove junk and debris from property
Status:	Open- nuisance violation
Action to be taken:	Resolution
Assigned To:	Nick Armstrong
Case Date:	01/13/2021

Property

Parcel #	Address	Legal Description	Owner Name	Zoning
A0300018000065	3940 PRINCETON RD	341 ENT	ERIN M EBBING	R-1

Violations

Date	Violation	Description	Status
01/13/2021	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:
2021-1-13	Inspected and courtesy sent	Nick Armstrong
2021-3-04	Property inspected First Sent	Nick Armstrong
2021-4-12	Property Sent to Resolution	Nick Armstrong



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 Number: 21-010

Date: 3/04/2021

Property Owner ERIN M EBBING
3800 PRINCETON RD

Fairfield Township, Oh, 45011

Property in Violation: 3940 PRINCETON RD Parcel ID: A0300018000065

This Courtesy Notice is being sent to you in regards to your property at 3940 PRINCETON RD. 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 address these violation(s) within ten (10) days before further action is taken by Fairfield Township.

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Thank you in advance for your cooperation.

Zoning Inspector

Date



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





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513-887-4400

Courtesy Notice of Violation

Under Fairfield Township Zoning Resolution
(ORC 505.87 & 505.871)

Case Number: 21-010

Date: 1/13/2021

Property Owner ERIN M EBBING
3800 PRINCETON RD

Fairfield Township, Oh, 45011

Property in Violation: 3940 PRINCETON RD Parcel ID: A0300018000065

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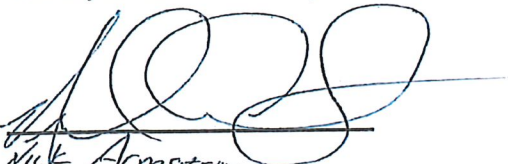
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Nick Armstrong
Zoning Inspector

1/13/2021

Date



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6032 MORRIS ROAD
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513-887-4400





Case Date:	12/23/2020
Fairfield TWP Violation #:	20-496, 497
Address of Violation:	5824 REIGART RD
Complainant Name:	Resident Complaint
Complainant Address:	
Complainant Phone:	
Complainant Email:	
Description:	533. Junk.
Corrective Action:	Remove J&D and inoperable vehicles
Status:	Open- nuisance violation
Action to be taken:	Resolution
Assigned To:	Nick Armstrong
Case Date:	12/23/2020

Property	Address	Legal Description	Owner Name	Zoning
Parcel #	5824 REIGART RD		SCOTT R WHITAKER	R-1
A0300050000010		1848 ENT		

Violations	Violation	Description	Status
Date	533. Junk.		1. Open
12/23/2020		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:
2020-12-23	Inspected and courtesy sent	Nick Armstrong
2021-1-04	Spoke to owner said he was working to get the property cleaned up. Attempted to call the owner back, left voicemail and did not get a call back.	Nick Arstrong
2021-1-18	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

Courtesy Notice of Violation

Under Fairfield Township Zoning Resolution
(ORC 505.87 & 505.871)

Case Number: 20-496,497

Date: 12/23/2020

Property Owner: SCOTT R WHITAKER
5550 LINDENWOOD LN
Fairfield, Ohio, 45014

Property in Violation: 5824 REIGART RD Parcel ID: A0300050000010

This Courtesy Notice is being sent to you in regards to your property at 5824 REIGART RD. 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.

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Thank you in advance for your cooperation.



Zoning Inspector

12/28/2020

Date



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



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.



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FAIRFIELD TOWNSHIP, OHIO 45011
513-887-4400





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513-887-4400

NOTICE OF NUISANCE ABATEMENT VIOLATION

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

Case Number: 20-496,497

Date: 1/18/2020

Property Owner: SCOTT R WHITAKER
5550 LINDENWOOD LN
Fairfield, Ohio, 45014

Property in Violation: 5824 REIGART RD Parcel ID: A0300050000010

This Courtesy Notice is being sent to you in regards to your property at 5824 REIGART RD. In accordance to the Fairfield Township Zoning Resolution, your property violates section(s)

533. Junk.

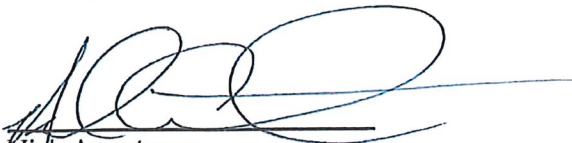
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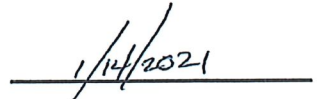
Follow up to original notice sent 12/23/2020/ Minimal Progress shown on property.

You must remedy the situation within **TEN (10) days** to avoid further 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

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.