

FAIRFIELD TOWNSHIP
RESOLUTION NO. 21-76

**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

- | | |
|------------------------|--|
| • 6299 Jayfield Dr- | Inoperative Vehicle |
| • 3714 Winter Hill Dr- | Commercial Vehicle |
| • 4135 Hickory Trail | Unfenced pool, pool sanitation, vegetation |

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: May 12, 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 12th day of May, 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:	04/01/2021
Fairfield TWP Violation #:	20-464
Address of Violation:	6299 JAYFIELD DR
Complainant Name:	
Complainant Address:	
Complainant Phone:	
Complainant Email:	
Description:	532. Parking and Storage of Vehicles and Trailers
Corrective Action:	Inop vehicle, untagged and parked on grass needs to be moved.
Status:	Open- nuisance violation
Action to be taken:	Resolution
Assigned To:	Nick Armstrong
Case Date:	04/01/2021

Property

Parcel #	Address	Legal Description	Owner Name	Zoning
A0300102000005	6299 JAYFIELD DR	4075 ENT	CROSS GREGORY	R-1

Violations

Date	Violation	Description	Status
04/01/2021	532. Parking and Storage of Vehicles and Trailers	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:
04/01/2021	Inspected and courtesy sent	Nick Armstrong
04/12/2021	Property inspected First Sent	Nick Armstrong
	Spoke to resident, stated they would move it in one weeks time	
05/06/2021	Property Sent to Resolution, Still in violation	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: 21-050

Date: 04/12/2021

Property Owner: CROSS, GREGORY T AND DEBORAH R
6299 JAYFIELD DR
FAIRFIELD TOWNSHIP, OH 45011

Property in Violation: 6299 JAYFIELD DR
FAIRFIELD TOWNSHIP, OH 45011

Parcel ID: A0300102000005

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 6299 JAYFIELD DR.

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

Code: 533 Junk

Status: In Violation

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.



Code: 805. Parking of Inoperable Vehicles.

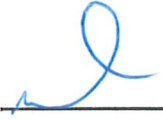
Status: In Violation

The parking of an inoperable vehicle within a residential district shall be prohibited, except that such vehicle may be stored in an enclosed garage or other accessory building, provided that no business shall be conducted in connection therewith while such vehicle is parked or stored.

You must remedy the situation within **TEN (10) days** before further action is taken by Fairfield Township.

Please contact at (513) 887-4400 or at with any questions or once you are in compliance with the above notice violation(s).

Thank you in advance for your cooperation.



4/12/2021

Date



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: 21-050

Date: 4/1/2021

Property Owner: CROSS, GREGORY T AND DEBORAH R
6299 JAYFIELD DR
FAIRFIELD TOWNSHIP, OH 45011

Parcel ID: A0300102000005

Property in Violation: 6299 JAYFIELD DR
FAIRFIELD TOWNSHIP, OH 45011

This Courtesy Notice is being sent to you in regards to your property at 6299 JAYFIELD DR. In accordance to the Fairfield Township Zoning Resolution, your property violates section(s):

Code: 533 Junk

Status: In Violation

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.



Code: 805. Parking of Inoperable Vehicles.

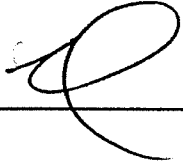
Status: In Violation

The parking of an inoperable vehicle within a residential district shall be prohibited, except that such vehicle may be stored in an enclosed garage or other accessory building, provided that no business shall be conducted in connection therewith while such vehicle is parked or stored.

You must remedy the situation within **TEN (10) days** before further action is taken by Fairfield Township.

Please contact at (513) 887-4400 or at with any questions or once you are in compliance with the above notice violation(s).

Thank you in advance for your cooperation.

A handwritten signature in black ink, consisting of a large, stylized 'R' or 'P' shape, positioned above a horizontal line.

3/31/2021

Date

Case Date:	12/11/2020
Fairfield TWP Violation #:	20-464
Address of Violation:	3714 WINTER HILL DR
Complainant Name:	
Complainant Address:	
Complainant Phone:	
Complainant Email:	
Description:	532. Parking and Storage of Vehicles and Trailers
Corrective Action:	Box truck cannot be parked in a residential district unless compliant with 532.2
Status:	Open- Zoning violation
Action to be taken:	Resolution
Assigned To:	Nick Armstrong
Case Date:	12/11/2020

Property

Parcel #	Address	Legal Description	Owner Name	Zoning
A0300122000026	3714 WINTER HILL DR	5327 ENT	ROBERT L GUNNELL	R-1

Violations

Date	Violation	Description	Status
12/11/2020	532. Parking and Storage of Vehicles and Trailers	<p>532. Parking and Storage of Vehicles and Trailers.</p> <p>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.</p> <p>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.</p> <p>3. No vehicles or trailers of any type without current license plates shall be parked or stored in any Zoning District other than in a completely enclosed building.</p> <p>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.</p>	1. Open

Notes

Date	Note	Created By:
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12/11/2020	Inspected and courtesy sent	Nick Armstrong
12/22/2020	Property inspected First Sent	Nick Armstrong
	Commercial vehicles placed on hold	
05/06/2021	Re-opened case after the hold. 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 Number: 20-464

Date: 12/23/2020

Property Owner: ROBERT L GUNNELL
3714 WINTER HILL DR
Fairfield Township, Ohio, 45011

Property in Violation: 3714 WINTER HILL DR Parcel ID: A0300122000026

This Courtesy Notice is being sent to you in regards to your property at 3714 WINTER HILL DR. In accordance to the Fairfield Township Zoning Resolution, your property violates section(s)

532.2 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.

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.

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).

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

Thank you in advance for your cooperation.

Nick Armstrong
Zoning Inspector

12/22/2024

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.



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: 20-464

Date: 12/12/2020

Property Owner: ROBERT L GUNNELL
3714 WINTER HILL DR
Fairfield Township, Ohio, 45011

Property in Violation: 3714 WINTER HILL DR Parcel ID: A0300122000026

This Courtesy Notice is being sent to you in regards to your property at 3714 WINTER HILL DR. In accordance to the Fairfield Township Zoning Resolution, your property violates section(s)

532.2 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.

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.



Nick Armstrong
Zoning Inspector

12/11/2020

Date



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



Case Date:	04/07/2021
Fairfield TWP Violation #:	21-58
Address of Violation:	4135 Hickory Trail
Complainant Name:	Resident Complaint x4 (calls)
Complainant Address:	
Complainant Phone:	
Complainant Email:	
Description:	713 Private Swimming Pool
Corrective Action:	Pool unfenced, pool unkept, vegetation growth
Status:	Open- Nuisance violation
Action to be taken:	Resolution
Assigned To:	Nick Armstrong
Case Date:	04/07/2021

Property

Parcel #	Address	Legal Description	Owner Name	Zoning
A0300110000008	4135 HICKORY TRAIL PL	4405 ENT	ROY CURRY	R-1

Violations

Date	Violation	Description	Status
04/07/2021	713. Private Swimming Pools as Accessory Uses	<p>A private swimming pool, but not including farm ponds, as regulated herein, shall be any pool above or below ground, pond, lake or open tank, not located within a completely enclosed building, and containing, or normally capable of containing water to a depth at any point greater than one and one-half feet. No swimming pool shall be allowed in any residential District except as an accessory use in compliance with following conditions and requirements:</p> <ol style="list-style-type: none"> 1. Swimming pools shall be maintained in a clean and sanitary condition and in good repair. 2. The pool is intended and is to be used solely for the enjoyment of the occupants and/or guests of the principal use of the property on which it is located. 3. It shall not be located closer than any accessory structure setback requirement to any property line of the property on which it is located and shall not be located within the front yard. 4. The swimming pool, or the entire property on which it is located, shall be fenced so as to prevent uncontrolled access by children from the street or adjacent properties. Said fence to be not less than four feet high and a minimum of four feet from the edge of the pool. Above ground pools with fencing that meets the requirements of Sub-paragraph (5) below are exempted from the requirements of this paragraph. 5. The fencing for an above ground pool may be located on the outer pool walls. The fence shall be a minimum of three feet high and the combined height of the pool walls and fence shall be a minimum of six feet above grade. All pool access points are to be provided with a lockable fence gate and removable 	1. Open

or retractable ladders to prohibit access to the pool when not in use.
6. The required fencing must be in place when the pool.

Notes		
Date	Note	Created By:
04/07/2021	Inspected and courtesy sent	Nick Armstrong
04/21/2021	Property inspected First Sent	Nick Armstrong
05/06/2021	Property Sent to Resolution	Nick Armstrong



FAIRFIELD TOWNSHIP PLANNING & ZONING DEPARTMENT
6032 MORRIS ROAD
FAIRFIELD TOWNSHIP, OHIO 45011
513-837-4400

NOTICE OF NUISANCE ABATEMENT VIOLATION

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

Case Number: 212-058

Date: 04/21/2021

Property Owner: CURRY, ROY
4135 HICKORY TRAIL PL
FAIRFIELD TOWNSHIP, OH 45011

Property in Violation: 4135 HICKORY TRAIL PL
FAIRFIELD TOWNSHIP, OH 45011

Parcel ID: A0300110000008

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 4135 HICKORY TRAIL PL.

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

Code: 713. Private Swimming Pools as Accessory Uses.

Status: In Violation


713. Private Swimming Pools as Accessory Uses. A private swimming pool, but not including farm ponds, as regulated herein, shall be any pool above or below ground, pond, lake or open tank, not located within a completely enclosed building, and containing, or normally capable of containing water to a depth at any point greater than one and one-half feet. No swimming pool shall be allowed in any residential District except as an accessory use in compliance with following conditions and requirements: 1. Swimming pools shall be maintained in a clean and sanitary condition and in good repair. 2. The pool is intended and is to be used solely for the enjoyment of the occupants and/or guests of the principal use of the property on which it is located. 3. It shall not be located closer than any accessory structure setback requirement to any property line of the property on which it is located and shall not be located within the front yard. 4. The swimming pool, or the entire property on which it is located, shall be fenced so as to prevent uncontrolled access by children from the street or adjacent properties. Said fence to be not less than four feet high and a minimum of four feet from the edge of the pool. Above ground pools with fencing that meets the requirements of Sub-paragraph (5) below are exempted from the requirements of this paragraph. 5. The fencing for an above ground pool may be located on the outer pool walls. The fence shall be a minimum of three feet high and the combined height of the pool walls and fence shall be a minimum of six feet above grade. All pool access points are to be provided with a lockable fence gate and removable or retractable ladders to prohibit access to the pool when not in use. 6. The required fencing must be in place when the pool construction is completed.



You must remedy the situation within **TEN (10) days** before further action is taken by Fairfield Township.

Please contact Nick Armstrong at (513) 887-4400 or at narmstrong@fairfieldtwp.org with any questions or once you are in compliance with the above notice violation(s).

Thank you in advance for your cooperation.



Nick Armstrong
Zoning Inspector

4/21/2021
Date



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: 212-058

Date: 4/7/2021

Property Owner: CURRY, ROY
4135 HICKORY TRAIL PL
FAIRFIELD TOWNSHIP, OH 45011

Parcel ID: A0300110000008

Property in Violation: 4135 HICKORY TRAIL PL
FAIRFIELD TOWNSHIP, OH 45011

This Courtesy Notice is being sent to you in regards to your property at 4135 HICKORY TRAIL PL. In accordance to the Fairfield Township Zoning Resolution, your property violates section(s):

Code: 713. Private Swimming Pools as Accessory Uses.

Status: In Violation

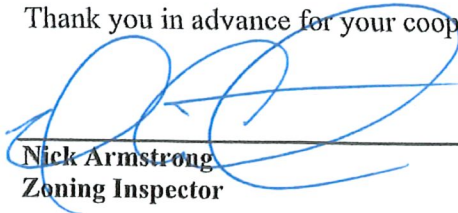
713. Private Swimming Pools as Accessory Uses. A private swimming pool, but not including farm ponds, as regulated herein, shall be any pool above or below ground, pond, lake or open tank, not located within a completely enclosed building, and containing, or normally capable of containing water to a depth at any point greater than one and one-half feet. No swimming pool shall be allowed in any residential District except as an accessory use in compliance with following conditions and requirements: 1. Swimming pools shall be maintained in a clean and sanitary condition and in good repair. 2. The pool is intended and is to be used solely for the enjoyment of the occupants and/or guests of the principal use of the property on which it is located. 3. It shall not be located closer than any accessory structure setback requirement to any property line of the property on which it is located and shall not be located within the front yard. 4. The swimming pool, or the entire property on which it is located, shall be fenced so as to prevent uncontrolled access by children from the street or adjacent properties. Said fence to be not less than four feet high and a minimum of four feet from the edge of the pool. Above ground pools with fencing that meets the requirements of Sub-paragraph (5) below are exempted from the requirements of this paragraph. 5. The fencing for an above ground pool may be located on the outer pool walls. The fence shall be a minimum of three feet high and the combined height of the pool walls and fence shall be a minimum of six feet above grade. All pool access points are to be provided with a lockable fence gate and removable or retractable ladders to prohibit access to the pool when not in use. 6. The required fencing must be in place when the pool construction is completed.



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Please contact Nick Armstrong at (513) 887-4400 or at narmstrong@fairfieldtwp.org with any questions or once you are in compliance with the above notice violation(s).

Thank you in advance for your cooperation.



Nick Armstrong
Zoning Inspector

4/6/2021
Date