

FAIRFIELD TOWNSHIP
RESOLUTION NO. 22-102

**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, improper parking of vehicles, and/or refuse, junk, and debris were reported at the properties listed below; and

- | | |
|---------------------|--|
| • 6734 Alana Ct- | Commercial Vehicle, Trailer Parking |
| • 4055 Millikin Rd- | Vegetation, 720 Objectionable, Noxious, Dangerous use,
Practices or Conditions (Abandoned Home) |
| • 6408 Glenmont Dr- | Junk, Parking of Inoperable Vehicles, Licensing of Vehicles |

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 Fairfield Township zoning resolution outlines zoning guidelines to promote public health, safety, comfort, and welfare of the residents of Fairfield Township. Violations of a provision of the resolution have been observed and proper notice has been delivered; 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 inoperable vehicles, improperly stored vehicles, 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: July 6, 2022

Board of Trustees

Shannon Hartkemeyer:



Michael Berding:



Joe McAbee:

Vote of Trustees

yes

yes

absent

AUTHENTICATION


This is to certify that this is a resolution which was duly passed and filed with the Fairfield Township Fiscal Officer this 6th day of July, 2022.

ATTEST:



Shelly Schultz, Fairfield Township Fiscal Officer

APPROVED AS TO FORM:



Lawrence E. Barbieri, Township Law Director



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

Case Date:	4/28/2022	Courtesy Notice Date:	4/28/2022
Fairfield Twp Violation #	22-092	NOV Issue Date:	6/22/2022
Address of Violation:	6734 ALANA CT	Final NOV Issue Date:	
Complainant Name:			
Description:	Commercial vehicle, Trailer Parking, veh registration. Repeat Resident complaints		
Disposition:	Issued NOV		
Assigned to:	Nick Armstrong		

Property

Parcel #	Address	Owner Name
A0300113000052	6734 ALANA CT	GARCIA,JOSE RIGOBERTO

Violations

Code: 532.2 Commercial Vehicle Commercial Equipment Parking

Status: In Violation

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.

Date: 4/28/2022 11:35:00 AM

Required Actions:



Notes

Date: 5/4/2022	By: Nick Armstrong
Note: (513) 319-4770	
Note: Gracias Land Scaping	
Note: 1.513.372.4315	



Fairfield Township Zoning Department

COURTESY NOTICE OF VIOLATION

Under Fairfield Township Zoning Resolution 2020

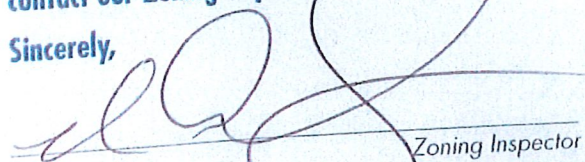
For the Address: 6734 Alana

- ☐ Junk/Debris (Section 533)
- ☐ Inoperable/Unregistered Vehicle (Section 533)
- ☒ Recreational Vehicle-Commercial Vehicle and/or Trailer (Section 532)
- ☐ High Grass/Vegetation (Section 534)
- ☐ Other/Notes: _____

Repeat Notice

No Commercial vehicle Permitted
in Residential district
We would appreciate your cooperation in this
matter. Please address this within 10 days or
contact our Zoning Department at 513-887-4400.

Sincerely,



Zoning Inspector

Date: 4/28/22



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 & 505.871)

Case Number: 22-092

Date: 6/22/2022

Property Owner: GARCIA, JOSE RIGOBERTO
6734 ALANA CT
FAIRFIELD TOWNSHIP, OH 45011

Address in Violation: 6734 ALANA CT
FAIRFIELD TOWNSHIP, OH 45011

Parcel ID: A0300113000052

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 6734 ALANA CT.

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

Code: 532.2 Commercial Vehicle Commercial Equipment Parking

Status: In Violation

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.

Required Actions:

Comments/Notes:

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.

6/22/2022

Date

June 19, 2022

Mr. Nick Armstrong, Inspector
Fairfield Township Zoning Department
6032 Morris Road
Fairfield Township, Ohio 45011

Dear Mr. Armstrong,

We are writing to inform you continued violations of previously reported zoning violation which you have addressed in the past, but which are happening again and again.

Garcia Landscaping at 6734 Alana Court continues to park trailers with landscaping equipment on our residential street. They do this every evening, arriving at 7 pm or so. They know you are checking periodically because many mornings they will be up by 7 am and then spend time moving the trailers into their driveway so they are not seen by you. On weekends they park this stuff on the street as they know you aren't working then.

This weekend both the red pickup and a trailer with mowers on it and the white dump truck and another trailer attached to it were parked all weekend on the street. The combination of the four vehicles and trailers blocked the entire street in front of both their residence and 6724 Alana, the gray house next to them. This was a special problem on Sunday as people coming to visit houses for Fathers Day could not even find a place on the street to park.

We have attached a picture taken showing all 4 vehicles parked - this picture was taken about 11:30 on Sunday morning. In addition, the bed of the red truck is filled with junk (including scrap metal, junk furniture, etc.) so it really is nothing more than a garbage truck. This is generally how the red truck always is.

Could you follow up again with these people and let them know of the violations and that you will continue to follow up? Additionally, is there anything that you can do to escalate the issue to the township trustees for further action, as the issue continues and I'm sure you're tired of having to deal with this.

Thanks for your continuing help.





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

Case Date:	5/4/2022	Courtesy Notice Date:	5/4/2022
Fairfield Twp Violation #	22-103	NOV Issue Date:	6/15/2022
Address of Violation:	4055 MILLIKIN RD	Final NOV Issue Date:	
Complainant Name:			
Description:			
Disposition:	Send to Trustees		
Assigned to:	Nick Armstrong		

Property

Parcel #	Address	Owner Name
A0300075000002	4055 MILLIKIN RD	HATFIELD,LAWRENCE D

Violations

Code: 720. Objectionable, Noxious, or Dangerous Uses, Practices or Conditions.

Status: In Violation

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. The use or storage of flammable or explosive materials is not adequately protected by fire-fighting and fire protection equipment or by such safety devices as are normally required for such activities. 2. Activities involving the use and storage of flammable and explosive materials are not removed from adjacent facilities or activities to a distance compatible with the potential danger involved; 3. Radioactivity or air pollution is present in violation of the regulations of the Ohio Environmental Protection Agency; 4. Hazardous wastes are present in violation of the regulations of the Ohio Environmental Protection Agency; 5. Objectionable noise due to volume, frequency or beat is present; 6. Vibration discernible without instruments is present on an adjoining lot or property; 7. Direct or reflected glare is present which is visible from any street or from any property not within a manufacturing district; 8. Erosion caused by wind or water is carrying objectionable substances onto any adjacent lot or property; 11 9. Water pollution or contamination, if present, is in violation of regulations of the Ohio Environmental Protection Agency or the local storm water management and sediment control regulations.

Date: 5/4/2022 3:54:00 PM

Required Actions:



Code: 534 High grass

Status: In Violation

Grass and weeds on all properties shall be kept at less than eight (8) inches in height.

Date: 5/4/2022 3:53:00 PM

Required Actions:



Notes

Date: 5/4/2022

By: Nick Armstrong

Note: 675-8434... Spoke to home owner working to atleast get the fence fixed.



Fairfield Township Zoning Department


COURTESY NOTICE OF VIOLATION

Under Fairfield Township Zoning Resolution 2020

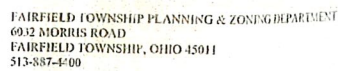
For the Address: Miller

- ☐ Junk/Debris (Section 533)
- ☐ Inoperable/Unregistered Vehicle (Section 533)
- ☐ Recreational Vehicle-Commercial Vehicle and/or Trailer (Section 532)
- ☒ High Grass/Vegetation (Section 534)
- ☐ Other/Notes: Repeat Notice

We would appreciate your cooperation in this matter. Please address this within 10 days or contact our Zoning Department at 513-887-4400.

Sincerely, 
Zoning Inspector

Date: 5/4/22



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

Date: 6/15/2022

Parcel ID: A00007500002

YOU ARE HEREBY NOTIFIED that you are in violation of the Fairfield Township Zoning Resolution and/or sections 505.57 & 505.57(1) of the OBC at the property located at 4955 MILLIKIN RD.

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

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

We found this property to be vacant.
The discharge folder has the right
and is numbered within 1 day. It is
located at 822...



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

Case Date:	6/6/2022	Courtesy Notice Date:	4/28/2021
Fairfield Twp Violation #	22-182	NOV Issue Date:	6/22/2022
Address of Violation:	6408 GLENMONT DR	Final NOV Issue Date:	
Complainant Name:	Deahawthorne@yahoo.com		
Description:			
Disposition:	Send to Trustees		
Assigned to:			

Property

Parcel #	Address	Owner Name
A0300070000155	6408 GLENMONT DR	BROOKS,JAMES D JR AND JANINA

Violations

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.

Date: 4/28/2021 12:59:00 PM

Required Actions:

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.

Date: 6/6/2022 2:14:00 PM

Required Actions:

Code: 532.3 Licencing of Vehicles/Trailers

Status: In Violation

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.

Date: 6/6/2022 2:14:00 PM

Required Actions: All vehicles must be registered and operational
All Junk and debris in the front and back of property must be removed
Vehicles should not block the sidewalk.



Notes

Date: 6/6/2022

By: Nick Armstrong

Note: Reopening previous violation



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 & 505.871)

Case Number: 22-182

Date: 6/6/2022

Property Owner: BROOKS, JAMES D JR AND JANINA
6408 GLENMONT DR
FAIRFIELD TOWNSHIP, OH 45011

Address in Violation: 6408 GLENMONT DR
FAIRFIELD TOWNSHIP, OH 45011

Parcel ID: A0300070000155

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 6408 GLENMONT 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.

Required Actions:

Comments/Notes:

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.

Required Actions:

Comments/Notes:

Code: 532.3 Licencing of Vehicles/Trailers

Status: In Violation

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.

Required Actions: All vehicles must be registered and operational
All Junk and debris in the front and back of property must be removed
Vehicles should not block the sidewalk.


Comments/Notes:



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

6/6/2022

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 & 505.871)

Case Number: 22-182

Date: 6/22/2022

Property Owner: BROOKS, JAMES D JR AND JANINA
6408 GLENMONT DR
FAIRFIELD TOWNSHIP, OH 45011

Address in Violation: 6408 GLENMONT DR
FAIRFIELD TOWNSHIP, OH 45011

Parcel ID: A0300070000155

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 6408 GLENMONT DR.

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

Code: 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.

Status: In Violation

Required Actions:

Comments/Notes:

Code: 805. Parking of Inoperable Vehicles.

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.

Status: In Violation

Required Actions:

Comments/Notes:

Code: 532.3 Licencing of Vehicles/Trailers

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.

Status: In Violation

Required Actions: All vehicles must be registered and operational
All Junk and debris in the front and back of property must be removed
Vehicles should not block the sidewalk.

Comments/Notes:



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

6/22/2022
Date