

**FAIRFIELD TOWNSHIP
RESOLUTION NO. 22-114**

**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

- 2034 Tuley Rd- High Grass
- 3870 Dust Commander Dr- High Grass, Parking of Vehicles, Trailer 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 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: August 9, 2022

Board of Trustees

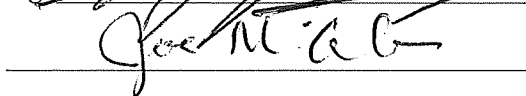
Shannon Hartkemeyer:



Michael Berding:



Joe McAbee:



Vote of Trustees

yes

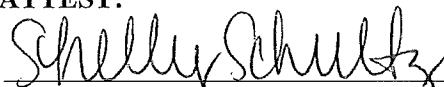
yes

yes

AUTHENTICATION

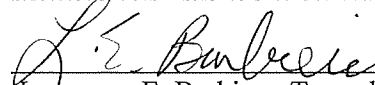
This is to certify that this is a resolution which was duly passed and filed with the Fairfield Township Fiscal Officer this 9th day of August, 2022.

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:	6/8/2022	Courtesy Notice Date:	6/8/2022
Fairfield Twp Violation #	22-185	NOV Issue Date:	7/13/2022
Address of Violation:	2034 TULEY RD	Final NOV Issue Date:	
Complainant Name:			
Description:			
Disposition:	Issued Courtesy Notice		
Assigned to:	Nick Armstrong		

Property

Parcel #	Address	Owner Name
A0300037000174	2034 TULEY RD	SHORT,DOROTHY

Violations

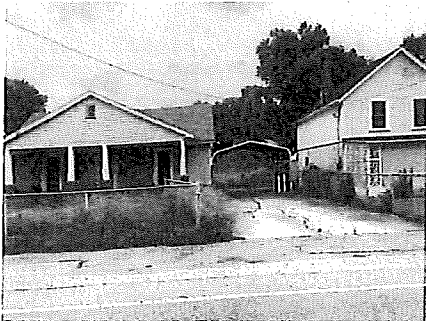
Code: 534 High grass

Status: In Violation

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

Date: 6/8/2022 2:51:00 PM

Required Actions:



Notes

Date: 8/1/2022

By: Nick Armstrong

Note: Front was cut, back was not.



Official Website: www.fairfieldnj.org

COURTESY NOTICE OF VIOLATION

Under Fairfield Township Zoning Resolution 2020

For the Address: 2034 Tully

- ☐ Junk/Debris (Section 5.33)
- ☐ Inoperable/Unregistered Vehicle (Section 5.33)
- ☐ Recreational Vehicle Commercial Vehicle and/or Trailer (Section 5.33)
- ☒ High Grass/Vegetation (Section 5.34)
- ☐ Other/Notes: _____

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

Sincerely,

A handwritten signature in dark ink, likely belonging to a Zoning Department official.

Date: 6/8/02



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: 22-185

Date: 7/13/2022

Property Owner: SHORT, DOROTHY
2034 TULEY RD
FAIRFIELD TOWNSHIP, OH 45015

Address in Violation: 2034 TULEY RD
FAIRFIELD TOWNSHIP, OH 45015

Parcel ID: A0300037000174

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 2034 TULEY RD.

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

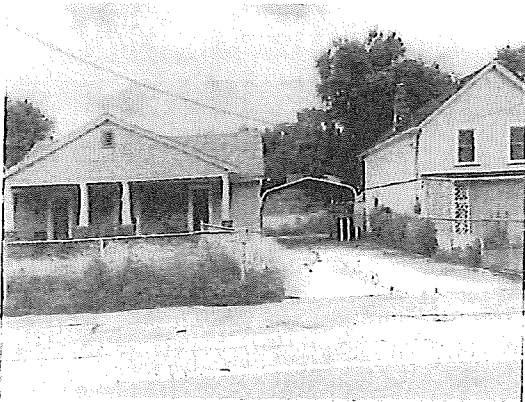
Code: 534 High grass

Status: In Violation

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

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.

7/16/2022

Date



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

Case Date:	7/19/2022	Courtesy Notice Date:	7/19/2022
Fairfield Twp Violation #	22-233	NOV Issue Date:	7/27/2022
Address of Violation:	3870 DUST COMMANDER DR	Final NOV Issue Date:	
Complainant Name:			
Description:			
Disposition:	Issued NOV		
Assigned to:	Nick Armstrong		

Property

Parcel #	Address	Owner Name
A0300083000008	3870 DUST COMMANDER DR	SARU HOMES LLC

Violations

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: 7/19/2022 2:15:00 PM

Required Actions:

Code: 532.1 Parking of Vehicles **Status:** In Violation

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.

Date: 7/19/2022 2:15:00 PM

Required Actions:

Code: 532.4 Recreational Vehicle, trailer, watercraft parking **Status:** In Violation

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.

Date: 7/19/2022 2:16:00 PM

Required Actions:



Notes

Date: 7/19/2022 By: Nick Armstrong
Note: Emailed listed relator about the condition of the property.

Her reply

On Jul 20, 2022, at 12:12 PM, Valeriy Yasnogorodsky <yvaleriy62@gmail.com> wrote:

Hi Nick,

As far as I know, the owner of the house is outside of the country.
Let me call him and I'll get back to you.

Regards,

Valeriy Yasnogorodsky
HUFF REALTY

Date: 7/26/2022 By: Nick Armstrong
Note: Did a follow up with the relator

Hi Nick,

I just talked to the owner and he told me that grass was taken care of.
Sorry, I didn't get a chance to check but I will in the next few days.

Regards,

Valeriy Yasnogorodsky
HUFF REALTY



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: 22-233

Date: 7/27/2022

Property Owner: SARU HOMES LLC
3870 DUST COMMANDER DR
FAIRFIELD TOWNSHIP, OH 45011

Address in Violation: 3870 DUST COMMANDER DR
FAIRFIELD TOWNSHIP, OH 45011

Parcel ID: A0300083000008

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 3870 DUST COMMANDER DR.

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

Code: 534 High grass

Status: In Violation

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

Required Actions:

Comments/Notes:

Code: 532.1 Parking of Vehicles

Status: In Violation

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 Actions:

Comments/Notes:

Code: 532.4 Recreational Vehicle, trailer, watercraft parking

Status: In Violation

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.

Required Actions:

Comments/Notes:



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

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Thank you in advance for your cooperation.

7/27/2022

Date