

FAIRFIELD TOWNSHIP
RESOLUTION NO. 22-141

**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

- | | |
|--------------------------------|---|
| • 2484 Conover St- | Junk & Debris |
| • 3880 Hamilton Middletown Rd- | Parking of Vehicles, Junk & Debris |
| • 2637 Lenox Ave- | High Grass, Junk & Debris, Parking of Inoperable
Vehicles, Objectionable, Noxious or Dangerous Uses (Building disrepair) |

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.

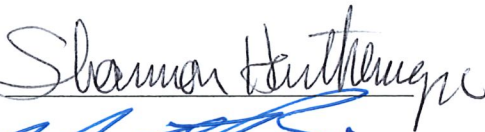
SECTION 5: That it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in meetings open to the public, in compliance with all legal requirements including §121.22 of the Ohio Revised Code.

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.

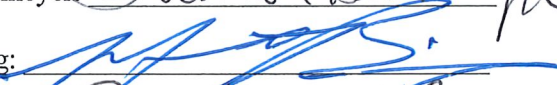
Adopted: October 11, 2022

Board of Trustees

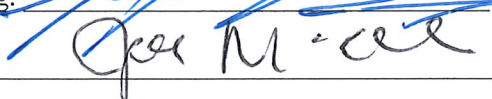
Shannon Hartkemeyer:



Michael Berding:



Joe McAbee:



Vote of Trustees

yes

yes

yes

AUTHENTICATION

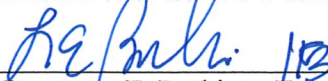
This is to certify that this is a resolution which was duly passed and filed with the Fairfield Township Fiscal Officer this 11th day of October, 2022.

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:	9/27/2022	Courtesy Notice Date:	9/27/2022
Fairfield Twp Violation #	22-327	NOV Issue Date:	9/27/2022
Address of Violation:	2484 CONOVER ST	Final NOV Issue Date:	
Complainant Name:	Heather Smith		
Description:	Junk and Debris on the property, in the front yard and on side of driveway. Multiple residential complaints.		
Disposition:	Send to Trustees		
Assigned to:	Nick Armstrong		

Property

Parcel #	Address	Owner Name
A0300071000002	2484 CONOVER ST	DUNCAN, GLENNA M

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: 9/27/2022 9:38:00 AM

Required Actions: Junk and Debris in the front yard and on the side of the driveway.



Code: 730. Temporary Uses.

Status: In Violation

5. A permit in advance is required for all yard, garage or other similar type sales. A maximum of nine permits per calendar year may be issued for any parcel of record.

Date: 9/27/2022 9:41:00 AM

Required Actions:

Notes



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: 22-327

Date: 9/27/2022

Property Owner: DUNCAN, GLENNA M
2484 CONOVER ST
FAIRFIELD TOWNSHIP, OH 45011

Address in Violation: 2484 CONOVER ST
FAIRFIELD TOWNSHIP, OH 45011

Parcel ID: A0300071000002

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 2484 CONOVER ST.

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: Junk and Debris in the front yard and on the side of the driveway.

Comments/Notes:



Code: 730. Temporary Uses.

Status: In Violation

5. A permit in advance is required for all yard, garage or other similar type sales. A maximum of nine permits per calendar year may be issued for any parcel of record.

Required Actions:

Comments/Notes:

Date: 9/19/2022 By: Nick Armstrong

Note: Anonymous resident called to complain about the condition of the property. Resident lives on Ravena and stated the home owner has had a yardsale or items in the yard for several weeks now.

Date: 10/3/2022 By: Nick Armstrong

Note: Heather Smith 513.892.9130 Called about the condition of the property. The weeds are overgrown and there has been Junk and debris on the property for four weeks.

Note: Property was written up for J&D on the side of the driveway. 12/30 and was cleaned up on 1/22

Note: Anonymous resident complaint call in.

Property in violation 3/4/2021 Vehicle parking on dirt
Violation resolved

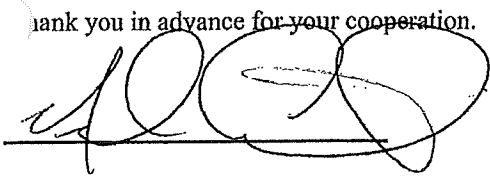
Date: 10/4/2022 By: Nick Armstrong

Note: Received another phone call complaint from a resident concerned about the junk on the propert.

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 large, stylized handwritten signature in black ink, appearing to be 'J. Jones', written over a horizontal line.

9/27/2022

Date





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

Case Date:	8/8/2022	Courtesy Notice Date:	8/8/2022
Fairfield Twp Violation #	22-260	NOV Issue Date:	9/9/2022
Address of Violation:	3880 HAMILTON MIDDLETOWN RD	Final NOV Issue Date:	
Complainant Name:	Rick Fine		
Description:	Vehicle parking Junk and debirs		
Disposition:	Send to Trustees		
Assigned to:	Nick Armstrong		

Property

Parcel #	Address	Owner Name
A0300019000018	3880 HAMILTON MIDDLETOWN RD	GONZALEZ,MANUEL SR.

Violations

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: 8/8/2022 2:03:00 PM

Required Actions: All commercial vehicles, construction equipment or building materials must be stored indoors if not being used for current repairs.

Contact Fairfield Township Zoning for questions.

Thank you for progress on previous 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: 8/8/2022 2:04:00 PM

Required Actions:



Notes

Date: 8/15/2022 By: Nick Armstrong
Note: Manuel Gonzalez's phone nos. are (513) 557-8456 and (513) 692-1603

Phone Call

Left a voice mail on one number

Second number I spoke to someone who said he was not home.

I spoke to him today, he said he would clean up all the junk and debris around the garage. He said that would be done today. He said he would not park the box trucks there anymore. I let him know in 3 days he would be getting a certified letter, I posted a courtesy notice on the property on 8-8, so 8-18 would be the 10th day. Under the tarps in front of the house is siding, he is waiting for an architect to draw up prints for the new front facing.

We spoke about junk and debris
Vehicle Parking
Commercial vehicles

Date: 8/18/2022 By: Nick Armstrong

Note: Email added to new property complaint

Date: 9/7/2022 By: Nick Armstrong

Note: Progress being made on property, Follow up with property owner

Date: 9/13/2022 By: Chuck Goins

Note: Spoke with Mr. Gonzalez about the state of the property. He is still working with an architect on the remodeling plans. He agreed to address the remaining junk and debris located on the site, remove the commercial vehicles/equipment (specifically what he has the vehicles and equipment behind the house), and consolidate the construction material to and relocate it to behind the house and garage. He stated that he would have these issues addressed by this weekend. Follow up inspection is scheduled for Monday September 19.

Date: 9/19/2022 By: Nick Armstrong

Note: Called and left a voicemail about the condition of the property. None of the requested task were completed on Monday

Date: 9/28/2022 By: Nick Armstrong

Note: Resident called and stated they moved the building materials from the front of the house as requested

Date: 10/4/2022 By: Nick Armstrong

Note: Progress has been made on the property. All the junk and debris- building materials are no longer visible from the roadway. No commercial vehicles visible at the time of inspections. Vehicles still being parked in back of property not on a paved surface. Commercial vehicles possible returning in the evenings and on weekends.



Fairfield Township Zoning Department

COURTESY NOTICE OF VIOLATION

Under Fairfield Township Zoning Resolution 2020

For the Address: 3860 Hm

☒ Junk/Debris (Section 522)

☒ Inoperable/Unregistered Vehicle
(Section 523)

☒ Recreational Vehicle-Commercial
Vehicle and/or Trailer (Section 532)

☐ High Grass/Vegetation (Section 534)

☐ Other/Notes: Please call
about property violations

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: 5/8/02

NOTICE OF NUISANCE ABATEMENT VIOLATION

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

Case Number: 22-260

Date: 9/9/2022

Property Owner: GONZALEZ, MANUEL SR.
3880 HAMILTON MIDDLETOWN RD
FAIRFIELD TOWNSHIP, OH 45011

Address in Violation: 3880 HAMILTON MIDDLETOWN RD
FAIRFIELD TOWNSHIP, OH 45011

Parcel ID: A0300019000018

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 3880 HAMILTON MIDDLETOWN RD.

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

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: **All commercial vehicles, construction equipment or building materials must be stored indoors if not being used for current repairs.**

Contact Fairfield Township Zoning for questions.

Thank you for progress on previous violations.

Comments/Notes:

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:

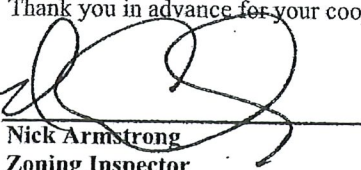
Comments/Notes:



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

9/9/2022

Date



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

Case Date:	9/16/2022	Courtesy Notice Date:	9/16/2022
Fairfield Twp Violation #	22-309	NOV Issue Date:	9/27/2022
Address of Violation:	2637 LENOX AVE	Final NOV Issue Date:	
Complainant Name:			
Description:	In Violation 720. Objectionable, Noxious, or Dangerous Uses, Practices or Conditions. In Violation 532.1 Parking of Vehicles In Violation 805. Parking of Inoperable Vehicles. In Violation 533 Junk In Violation 534 High grass Concerns over the structural integrity of the building		
Disposition:	Send to Trustees		
Assigned to:	Nick Armstrong		

Property

Parcel #	Address	Owner Name
A0300037000184	2637 LENOX AVE	IVY,JAMES K

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: 9/16/2022 12:36:00 PM

Required Actions:



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: 9/16/2022 12:37:00 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: 9/16/2022 12:37:00 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: 9/16/2022 12:37:00 PM

Required Actions:

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; 111 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: 9/16/2022 12:37:00 PM

Required Actions:

Notes



Fairfield Township Zoning Department

COURTESY NOTICE OF VIOLATION

Under Fairfield Township Zoning Resolution 2020

For the Address: 2637 Lennox

- ☒ ~~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: _____

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: 9/16/22



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: 22-309

Date: 9/27/2022

Property Owner: IVY, JAMES K
298 HASTINGS AVE
HAMILTON, OH 45011

Address in Violation: 2637 LENOX AVE
FAIRFIELD TOWNSHIP, OH 45015

Parcel ID: A0300037000184

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 2637 LENOX AVE.

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: 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: 532.1 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: 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; 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.

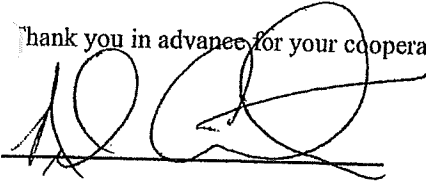
Required Actions:

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.

A handwritten signature in black ink, consisting of a large, stylized 'A' followed by a cursive 'C' and a horizontal line.

9/27/2022

Date