

FAIRFIELD TOWNSHIP
RESOLUTION NO. 23-111

**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

- | | |
|----------------------|-------------------------------|
| • 7033 Haverford Dr- | Boat and Trailer Parking |
| • 1925 Parkamo Ave- | Junk & Debris |
| • 1905 Parkamo Ave- | Junk & Zoning Permit Required |

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 unsecured property, 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 8, 2023

Board of Trustees

Michael Berding: _____

Shannon Hartkemeyer: _____

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 8th day of August, 2023.

ATTEST:

Shelly Schultz

Shelly Schultz, Fairfield Township Fiscal Officer

APPROVED AS TO FORM:

L.E. Barbieri

Lawrence E. Barbieri, Township Assistant Law Director



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: 23-161

Date: 7/25/2023

Property Owner: CLARK, MICHAEL D AND ALANNA M
7033 HAVERFORD DR
FAIRFIELD TOWNSHIP, OH 45011

Address in Violation: 7033 HAVERFORD DR
FAIRFIELD TOWNSHIP, OH 45011

Parcel ID: A0300139000018

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 7033 HAVERFORD DR.

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

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: Repeat violation. Boat and trailer not 50' from ROW

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 [redacted] with any questions or once you are in compliance with the above notice violation(s).

Thank you in advance for your cooperation.

7/25/2023

Date



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

Case Date:	7/25/2023	Courtesy Notice Date:	
Fairfield Twp Violation #	23-161	NOV Issue Date:	7/25/2023
Address of Violation:	7033 HAVERFORD DR	Final NOV Issue Date:	
Complainant Name:			
Description:	Boat and Trailer Parking on corner lot (not 50' from ROW)		
Disposition:			
Assigned to:	Nick Armstrong		

Property

Parcel #	Address	Owner Name
A0300139000018	7033 HAVERFORD DR	CLARK,MICHAEL D AND ALANNA M

Violations

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: 7/25/2023 2:11:00 PM

Required Actions: Repeat violation. Boat and trailer not 50' from ROW



Notes

Date: 8/3/2023 **By:** Nick Armstrong

Note: Have spoke to the owners previously. The boat was removed, they put in plans for a concrete pad on the side of the house for the Trailer. Requested additional, permit nor pad were completed. Boat and trailer are back on the property and in violation of the 50' from ROW.



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NOTICE OF NUISANCE ABATEMENT VIOLATION

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

Case Number: 23-146

Date: 7/13/2023

Property Owner: MUNTZ, CARL
1701 FLEMMING RD
MIDDLETOWN, OH 45042

Address in Violation: 1925 PARKAMO AVE
FAIRFIELD TOWNSHIP, OH 45015

Parcel ID: A0300040000011

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 1925 PARKAMO AVE.

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 front's Back of property*

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.

7/13/2023

Date



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

Case Date:	7/13/2023	Courtesy Notice Date:	
Fairfield Twp Violation #	23-146	NOV Issue Date:	7/13/2023
Address of Violation:	1925 PARKAMO AVE	Final NOV Issue Date:	
Complainant Name:			
Description:			
Disposition:	Send to Trustees		
Assigned to:	Nick Armstrong		

Property

Parcel #	Address	Owner Name
A0300040000011	1925 PARKAMO AVE	MUNTZ,CARL

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: 7/13/2023 2:57:00 PM

Required Actions:



Notes



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

Case Date:	7/13/2023	Courtesy Notice Date:	
Fairfield Twp Violation #	23-145	NOV Issue Date:	7/13/2023
Address of Violation:	1905 PARKAMO AVE	Final NOV Issue Date:	
Complainant Name:			
Description:	Unpermitted structure		
Disposition:	Send to Trustees		
Assigned to:	Nick Armstrong		

Property

Parcel #	Address	Owner Name
A0300040000008	1905 PARKAMO AVE	SHAHREZ INC,

Violations

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: 7/13/2023 2:56:00 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: 7/13/2023 2:55:00 PM

Required Actions:



Code: 210. Zoning Permit Required

Status: In Violation

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 AND Zoning Administrator. Zoning permits shall be issued only in conformity with the provisions of this Resolution unless the Planning AND 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.

Date: 7/13/2023 2:55:00 PM

Required Actions: Garage structure in front of house does not have a permit and is not permitted

Notes

Date: 8/7/2023

By: Nick Armstrong

Note: Property was previously with legal then changed ownership. Violation process being redone with new owner. Structure was added with our a permit, and does not meet the minimum front yard set back.



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NOTICE OF NUISANCE ABATEMENT VIOLATION

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

Case Number: 23-145

Date: 7/13/2023

Property Owner: SHAHREZ INC,
5604 WINDING CAPE WAY
MASON, OH 45040

Address in Violation: 1905 PARKAMO AVE
FAIRFIELD TOWNSHIP, OH 45015

Parcel ID: A0300040000008

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 1905 PARKAMO AVE.

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

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: 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: 210. Zoning Permit Required

Status: In Violation

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 AND Zoning Administrator. Zoning permits shall be issued only in conformity with the provisions of this Resolution unless the Planning AND 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 Actions: **Garage structure in front of house does not have a permit and is not permitted**

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.

7/13/2023

Date