

FAIRFIELD TOWNSHIP
RESOLUTION NO. 23-79

**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

- | | |
|-------------------------|-------------------------------------|
| • 3986 Bayberry Dr- | RV Parking |
| • 4128 Bayberry Ct- | Commercial Vehicle, Vehicle Parking |
| • 3511 Liberty Bell Dr- | Junk and Debris |
| • 5435 Wesley Way- | Junk and Debris, Inoperable Vehicle |
| • 7595 Winkler Dr- | 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 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: May 9, 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 9th day of May, 2023.

ATTEST:

Shelly Schultz
Shelly Schultz, Fairfield Township Fiscal Officer

APPROVED AS TO FORM:

RE/Barbie 1/13
Lawrence E. Barbieri, Township Assistant Law Director



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

Case Date:	4/13/2023	Courtesy Notice Date:	4/13/2023
Fairfield Twp Violation #	23-053	NOV Issue Date:	4/24/2023
Address of Violation:	3986 BAYBERRY DR	Final NOV Issue Date:	
Complainant Name:	ELSASSER DIANE E		
Description:	Rv Parking		
Disposition:	Issued NOV		
Assigned to:	Nick Armstrong		

Property

Parcel #	Address	Owner Name
A0300080000027	3986 BAYBERRY DR	SCHWARTZ,CHRISTOPHER A

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: 4/13/2023 9:53:00 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: 23-053

Date: 4/24/2023

Property Owner: SCHWARTZ, CHRISTOPHER A
3986 BAYBERRY DR
FAIRFIELD TOWNSHIP, OH 45011

Address in Violation: 3986 BAYBERRY DR
FAIRFIELD TOWNSHIP, OH 45011

Parcel ID: A0300080000027

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 3986 BAYBERRY 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:

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.

4/24/2023
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: 23-053

Date: 4/13/2023

Property Owner: SCHWARTZ, CHRISTOPHER A
3986 BAYBERRY DR
FAIRFIELD TOWNSHIP, OH 45011

Parcel ID: A0300080000027

Property in Violation: 3986 BAYBERRY DR
FAIRFIELD TOWNSHIP, OH 45011

This Courtesy Notice is being sent to you in regards to your property at 3986 BAYBERRY DR. In accordance to the Fairfield Township Zoning Resolution, your property violates 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:

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.

4/13/2023



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

Case Date:	4/13/2023	Courtesy Notice Date:	4/13/2023
Fairfield Twp Violation #	23-051	NOV Issue Date:	4/26/2023
Address of Violation:	4128 BAYBERRY CT	Final NOV Issue Date:	
Complainant Name:	ELSASSER DIANE E		
Description:	Commercial vehicle parking Vehicle parking on non paved surface		
Disposition:	Issued NOV		
Assigned to:	Nick Armstrong		

Property

Parcel #	Address	Owner Name
A0300075000031	4128 BAYBERRY CT	DEARTH,ROBINSON TERESA L AND ROBINSON ROBINSON GILBE

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: 4/13/2023 9:46:00 AM

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: 4/13/2023 9:46:00 AM

Required Actions: Commercial vehicle and equipment on property
vehicles parked on dirt



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: 23-051

Date: 4/26/2023

Property Owner: DEARTH, ROBINSON TERESA L AND ROBINSON
ROBINSON GILBE
4128 BAYBERRY CT
FAIRFIELD TOWNSHIP, OH 45011

Address in Violation: 4128 BAYBERRY CT
FAIRFIELD TOWNSHIP, OH 45011

Parcel ID: A0300075000031

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 4128 BAYBERRY 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:

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: Commercial vehicle and equipment on property
vehicles parked on dirt

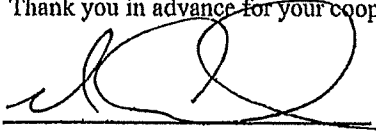
Comments/Notes:



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 series of loops and a long horizontal stroke at the end, positioned above a solid horizontal line.

4/26/2023

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: 23-051

Date: 4/13/2023

Property Owner: DEARTH, ROBINSON TERESA L AND
ROBINSON ROBINSON GILBE
4128 BAYBERRY CT
FAIRFIELD TOWNSHIP, OH 45011

Parcel ID: A0300075000031

Property in Violation: 4128 BAYBERRY CT
FAIRFIELD TOWNSHIP, OH 45011

This Courtesy Notice is being sent to you in regards to your property at 4128 BAYBERRY CT. In accordance to the Fairfield Township Zoning Resolution, your property violates 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:

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: Commercial vehicle and equipment on property
vehicles parked on dirt

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.



_____ 4/13/2023

Date



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

Case Date:	4/10/2023	Courtesy Notice Date:	
Fairfield Twp Violation #	23-038	NOV Issue Date:	4/10/2023
Address of Violation:	3511 LIBERTY BELL DR	Final NOV Issue Date:	
Complainant Name:	annonomous		
Description:	Junk and debris Repeat Violation		
Disposition:	Send to Trustees		
Assigned to:	Nick Armstrong		

Property

Parcel #	Address	Owner Name
A0300074000044	3511 LIBERTY BELL DR	BRASHEAR,MARY E

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: 4/10/2023 9:13:00 AM

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: 4/10/2023 9:13:00 AM

Required Actions: Junk and Debris in front of the house and in the backyard need to be removed.



Notes

Date: 4/10/2023 By: Nick Armstrong
Note: chrisowens5335@gmail.com

Called about debris in the backyard, sent photo.



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: 23-038

Date: 4/10/2023

Property Owner: BRASHEAR, MARY E
8800 GREENBUSH RD
SOMERVILLE, OH 45064

Address in Violation: 3511 LIBERTY BELL DR
FAIRFIELD TOWNSHIP, OH 45011

Parcel ID: A0300074000044

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 3511 LIBERTY BELL 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: 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: Junk and Debris in front of the house and in the backyard need to be removed.

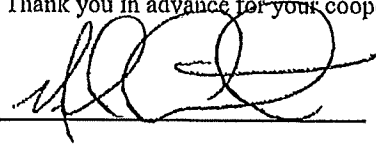
Comments/Notes:



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 several loops and a long horizontal stroke, positioned above a solid horizontal line.

4/10/2023

Date





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

Case Date:	4/13/2023	Courtesy Notice Date:	
Fairfield Twp Violation #	23-049	NOV Issue Date:	4/13/2023
Address of Violation:	5435 WESLEY WAY	Final NOV Issue Date:	
Complainant Name:			
Description:	Inoperable vehicles junk tire storage		
Disposition:	Send to Trustees		
Assigned to:	Nick Armstrong		

Property

Parcel #	Address	Owner Name
A0300111000016	5435 WESLEY WAY	MORRELL PROPERTIES LLC

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: 4/13/2023 9:36:00 AM

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: 4/13/2023 9:36:00 AM

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: 4/13/2023 9:36:00 AM

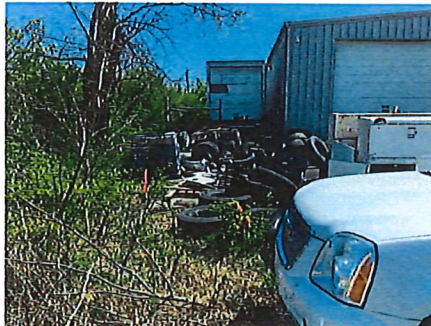
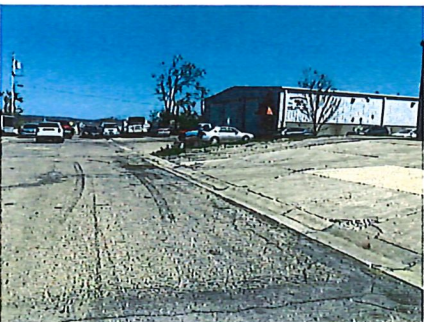
Required Actions:

Code:

Status: In Violation

Date: 4/13/2023 9:36:00 AM

Required Actions:



Notes

Date: 4/24/2023

By: Chuck Goins

Note: Spoke to Derek Lombard. He is the manager of repair shop/towing company. I explained to him again that no inoperable vehicles are permitted to be parked outside of the buildings or outside of the fenced in rear area. During the conversation he agreed that the vehicles on the other side of Wesley Way along the road towards Tonya Trail are associated with the business. I went over requirements for storage of inoperable vehicles. I went over concerns associated with the storage of tires on the property, along with all of the junk and debris that is piled up around the property.

Spoke with Richard Demarco, the owner of Redemption Towing. 513 320 7930

I explained the violations as described above. I informed him of concerns associated with the tire and chemicals on the property. I also informed him that we will be following up on the progress of the property weekly and expect to see progress.

Note: Spoke with Mr. Morrell, the owner of the Wesley Way properties. I explained the violations associated with the properties. I informed him that we have been working with Derek Lombard and that they have made a little progress to the violations and that they still have a lot of work left to do to gain compliance. I informed him that the towing business appears to be a salvage yard and they vehicles are being stored in front of businesses along Wesley Way towards Tonya Trail. I explained my concern about the storage of tires and chemicals on the property and that the EPA may need to be notified.

Mr. Morrell stated that we wants to work together to help the business owner gain compliance.



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: 23-049

Date: 4/13/2023

Property Owner: MORRELL PROPERTIES LLC
4142 FENTON RD
HAMILTON, OH 45013

Address in Violation: 5435 WESLEY WAY
HAMILTON, OH 45011

Parcel ID: A0300111000016

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 5435 WESLEY WAY.

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:

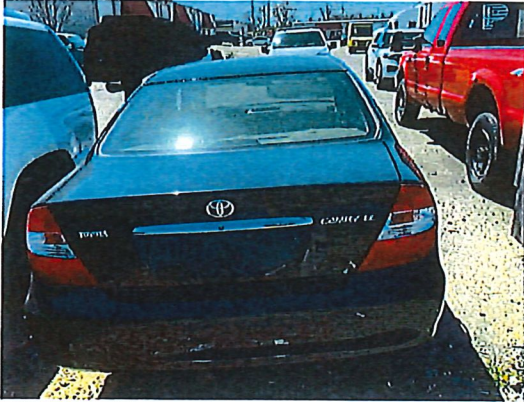
Code: 532.3 Licencing of Vehicles/Trailers

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:

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:

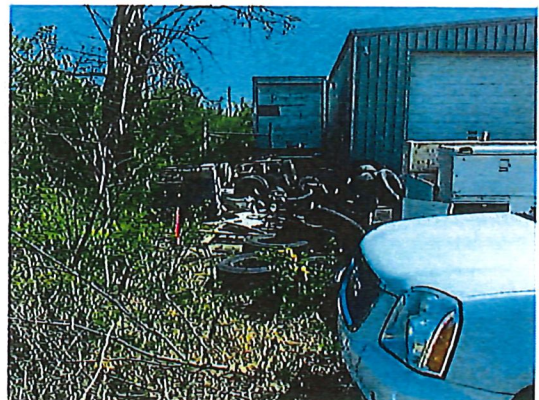
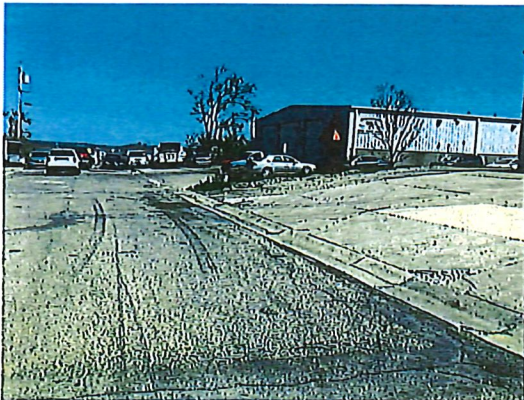
Comments/Notes:

Code:

Status: In Violation

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 blue ink.



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

Case Date:	4/11/2023	Courtesy Notice Date:	4/11/2023
Fairfield Twp Violation #	23-041	NOV Issue Date:	4/11/2023
Address of Violation:	7595 WINKLER DR	Final NOV Issue Date:	
Complainant Name:	Marshal McVey		
Description:	Repeat violation 713 Pool in disrepair Vegetation, weeds around pool		
Disposition:	Send to Trustees		
Assigned to:	Nick Armstrong		

Property

Parcel #	Address	Owner Name
A0300105000036	7595 WINKLER DR	MCDANIEL,LEONARD

Violations

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.

Date: 4/11/2023 11:35:00 AM

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: 4/11/2023 11:36:00 AM

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: 4/11/2023 11:36:00 AM

Required Actions: Vegetation around pool
pool not being maintained as stated in 713, cause potential for rodents
Shed in disrepair, safety concern



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: 23-041

Date: 4/11/2023

Property Owner: MCDANIEL, LEONARD
7595 WINKLER DR
FAIRFIELD TOWNSHIP, OH 45011

Address in Violation: 7595 WINKLER DR
FAIRFIELD TOWNSHIP, OH 45011

Parcel ID: A0300105000036

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 7595 WINKLER DR.

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.

Required Actions:

Comments/Notes:

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:

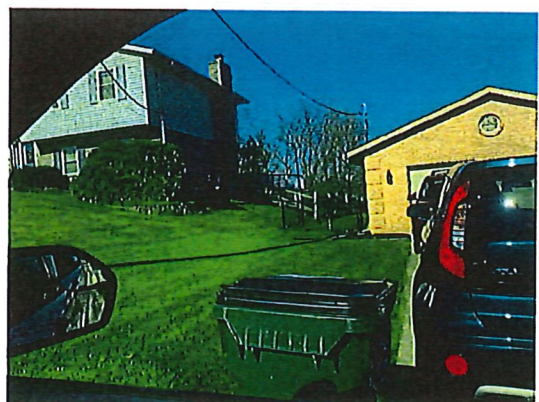
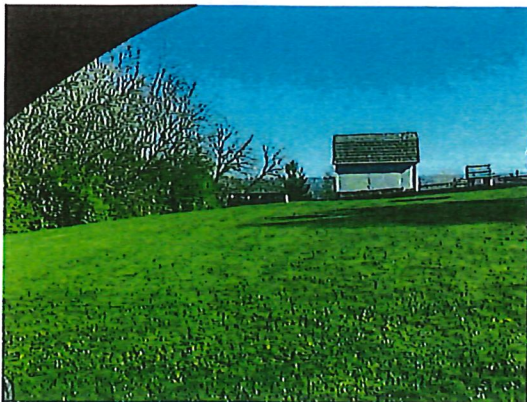
Code: 720. Objectionable, Noxious, or Dangerous Uses, Practices or Conditions.

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.

Required Actions: Vegetation around pool
pool not being maintained as stated in 713, cause potential for rodents
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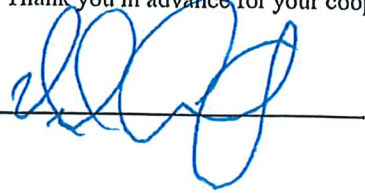
Comments/Notes:



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 blue ink, consisting of several loops and a long horizontal stroke, positioned over a horizontal line.

4/11/2023
Date