

**FAIRFIELD TOWNSHIP
RESOLUTION NO. 24-101**

**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

- 6460 Osage Dr- **Vegetation, Junk and Debris**
- 6151 Hollyberry Ln- **Vegetation, Fence**
- 448 Fernway Dr- **Parking of Vehicles**
- Gilmore Rd- Menards **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.


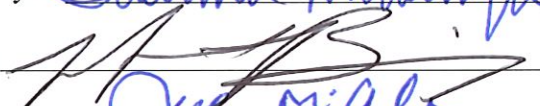
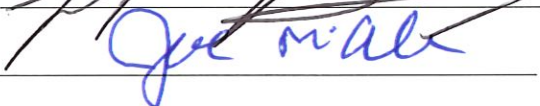
SECTION 5: That it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in meetings open to the public, in compliance with all legal requirements including §121.22 of the Ohio Revised Code.

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: July 9, 2024

Board of Trustees

Vote of Trustees

Shannon Hartkemeyer:		<u>yes</u>
Michael Berding:		<u>yes</u>
Joe McAbee:		<u>yes</u>

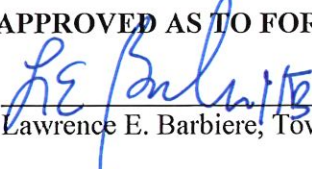
AUTHENTICATION

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 July, 2024.

ATTEST:


Shelly Schultz, Fairfield Township Fiscal Officer

APPROVED AS TO FORM:


Lawrence E. Barbieri, Township Assistant Law Director



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

Case Date:	6/13/2024	Courtesy Notice Date:	6/13/2024
Fairfield Twp Violation #	24-100	NOV Issue Date:	6/21/2024
Address of Violation:	6460 OSAGE DR	Final NOV Issue Date:	
Complainant Name:			
Description:	Pile of sod sitting in grass, pool pump has been on, junk everywhere, weeds everywhere		
Disposition:	Send to Trustees		
Assigned to:			

Property

Parcel #	Address	Owner Name
A0300064000009	6460 OSAGE DR	THEOBALD,KATHY M

Violations



Code: 240. Failure to Obtain a Zoning Permit or Final Inspection Certificate.

Status: In Violation

Failure to obtain a zoning permit or final inspection certificate shall be a punishable violation of 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.

Henry Surt

6/13/2024

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: 24-100

Date: 6/21/2024

Property Owner: THEOBALD, KATHY M
6460 OSAGE DR
FAIRFIELD TOWNSHIP, OH 45011

Address in Violation: 6460 OSAGE DR
FAIRFIELD TOWNSHIP, OH 45011

Parcel ID: A0300064000009

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 6460 OSAGE DR.

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



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: 24-100

Date: 6/13/2024

Property Owner: THEOBALD, KATHY M
6460 OSAGE DR
FAIRFIELD TOWNSHIP, OH 45011

Parcel ID: A0300064000009

Property in Violation: 6460 OSAGE DR
FAIRFIELD TOWNSHIP, OH 45011

This Courtesy Notice is being sent to you in regards to your property at 6460 OSAGE DR. In accordance to the Fairfield Township Zoning Resolution, your property violates section(s):

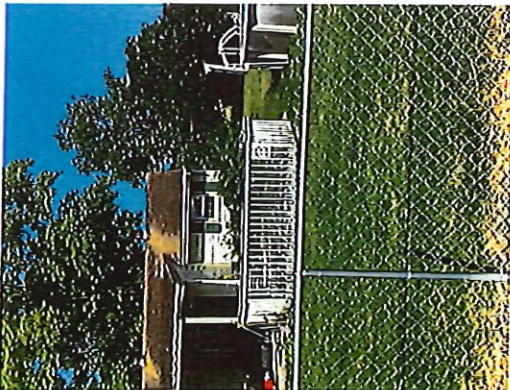
Code: 534 High grass

Status: In Violation

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

Required Actions:

Comments/Notes: Mound of sod sitting in middle of the yard
Weeds climbing up the side of house



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: On both front and back porches

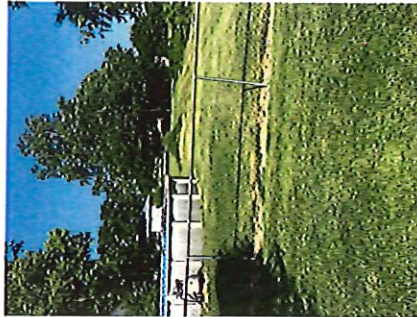
Code: 534 High grass

Status: In Violation

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

Date: 6/13/2024 10:38:00 AM

Required Actions:



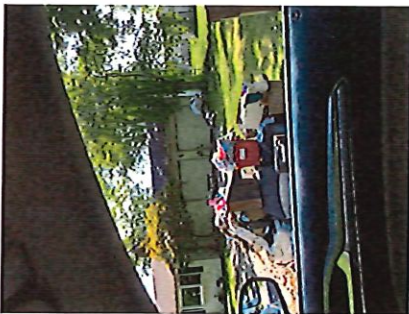
Code: 533 Junk

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: 6/13/2024 10:38:00 AM

Required Actions:



Code: 240. Failure to Obtain a Zoning Permit or Final Inspection Certificate.

Status: In Violation

Failure to obtain a zoning permit or final inspection certificate shall be a punishable violation of this Resolution.

Date: 6/13/2024 10:39:00 AM

Required Actions:



Notes



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

Case Date:	6/7/2024	Courtesy Notice Date:	
Fairfield Twp Violation #	24-096	NOV Issue Date:	6/11/2024
Address of Violation:	6151 HOLLYBERRY LN	Final NOV Issue Date:	
Complainant Name:	Gayla Epure		
Description:	Repeat violation no courtesy sent		
Disposition:	Send to Trustees		
Assigned to:	Nick Armstrong		

Property

Parcel #	Address	Owner Name
A0300099000104	6151 HOLLYBERRY LN	TOLLEY, TAMMY L

Violations

Code: 712. Fences as Accessory Uses. **Status:** In Violation

712. Fences as Accessory Uses. Fences are permitted as accessory uses in all districts provided they are not located within any street right-of-way or within the front yard. On corner lots, shall not project beyond the minimum front yard setback requirement. It is the responsibility of the property owner to maintain the fence in a safe manner in good condition in compliance with Section 518. 1. All fence construction shall require a Zoning Certificate issued from the Fairfield Township Planning and Zoning Department prior to the start of said construction. 2. Fences in residential districts are limited to a maximum of 6 feet and a minimum of 4 feet in height. 3. No fences in residential districts shall be made or constructed with barbed, electric, or any other material or configuration designed to cause any degree of harm. 4. Fences in non-residential districts shall be limited to a maximum of 8 feet and a minimum of 4 feet in height. 99 5. Persons or entities in non-residential and non-agriculturally zoned areas seeking to make or construct a fence barbed, electric, or any other material or configuration designed to cause any degree of harm or discomfort to any living thing must acquire approval from the Board of Zoning Appeals prior to construction.

Date: 6/7/2024 3:27:00 PM

Required Actions: Property owner to maintain the fence in a safe manner in good condition in compliance with Section 518. 1.

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: 6/7/2024 3:27:00 PM

Required Actions: Back of property High Grass
 Fence is in disrepair





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: 24-096

Date: 6/11/2024

Property Owner: TOLLEY, TAMMY L
6151 HOLLYBERRY LN
FAIRFIELD TOWNSHIP, OH 45011

Address in Violation: 6151 HOLLYBERRY LN
FAIRFIELD TOWNSHIP, OH 45011

Parcel ID: A0300099000104

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 6151 HOLLYBERRY LN.

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

Code: 712. Fences as Accessory Uses.

Status: In Violation

712. Fences as Accessory Uses. Fences are permitted as accessory uses in all districts provided they are not located within any street right-of-way or within the front yard. On corner lots, shall not project beyond the minimum front yard setback requirement. It is the responsibility of the property owner to maintain the fence in a safe manner in good condition in compliance with Section 518. 1. All fence construction shall require a Zoning Certificate issued from the Fairfield Township Planning and Zoning Department prior to the start of said construction. 2. Fences in residential districts are limited to a maximum of 6 feet and a minimum of 4 feet in height. 3. No fences in residential districts shall be made or constructed with barbed, electric, or any other material or configuration designed to cause any degree of harm. 4. Fences in non-residential districts shall be limited to a maximum of 8 feet and a minimum of 4 feet in height. 99 5. Persons or entities in non-residential and non-agriculturally zoned areas seeking to make or construct a fence barbed, electric, or any other material or configuration designed to cause any degree of harm or discomfort to any living thing must acquire approval from the Board of Zoning Appeals prior to construction.

Required Actions: Property owner to maintain the fence in a safe manner in good condition in compliance with Section 518. 1.

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: Back of property High Grass
Fence is in disrepair

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.

6/11/2024

Date



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

Case Date:	4/16/2024	Courtesy Notice Date:	5/30/2024
Fairfield Twp Violation #	24-038	NOV Issue Date:	6/10/2024
Address of Violation:	448 FERNWAY DR FAIRFIELD TOWNSHIP OH 45011	Final NOV Issue Date:	
Complainant Name:	Joe' Wood		
Description:	There is a disabled truck under a tarp on the North side of the house in the dirt and a huge RV that sits in the driveway. These are both very unsightly and affects the overall appearance and value of the neighborhood.		
Disposition:	Send to Trustees		
Assigned to:	Nick Armstrong		

Property

Parcel #	Address	Owner Name
A0300063000054	448 FERNWAY DR FAIRFIELD TOWNSHIP OH 45011	OLDSON,ZACHARY B

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: 5/30/2024 1:31:00 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: 5/30/2024 1:42:00 PM

Required Actions:



Notes

Date: 6/4/2024

By: Nick Armstrong

Note: 1(515)573-0254

Camper was unaware it wasn't allowed in driveway

Will find storage

The truck we will get it running in the driveway.



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: 24-038

Date: 5/30/2024

Property Owner: OLDSO, ZACHARY B
448 FERNWAY DR
FAIRFIELD TOWNSHIP, OH 45011

Parcel ID: A0300063000054

Property in Violation: 448 FERNWAY DR FAIRFIELD TOWNSHIP OH 45011
, OH 45011

This Courtesy Notice is being sent to you in regards to your property at 448 FERNWAY DR FAIRFIELD TOWNSHIP OH 45011. In accordance to the Fairfield Township Zoning Resolution, your property violates section(s):

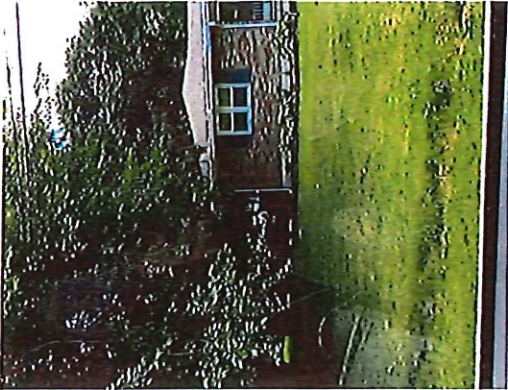
Code: 532.1 Parking of Vehicles

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:

Comments/Notes: Truck parked on lawn



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: R.V. Parked in front of yard, less tan 50 feet from street



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.



5/30/2024
_____ 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: 24-038

Date: 6/10/2024

Property Owner: OLDSOON, ZACHARY B
448 FERNWAY DR
FAIRFIELD TOWNSHIP, OH 45011

Address in Violation: 448 FERNWAY DR FAIRFIELD TOWNSHIP OH 45011 Parcel ID: A0300063000054
, OH 45011

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 448 FERNWAY DR FAIRFIELD TOWNSHIP OH 45011.

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



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

Case Date:	5/2/2024	Courtesy Notice Date:	
Fairfield Twp Violation #	24-055	NOV Issue Date:	5/2/2024
Address of Violation:	GILMORE RD	Final NOV Issue Date:	
Complainant Name:			
Description:			
Disposition:	Send to Trustees		
Assigned to:	Nick Armstrong		

Property

Parcel #	Address	Owner Name
A0300025000086	GILMORE RD	LORVEN MENARDS 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: 5/2/2024 11:15:00 AM

Required Actions:

Notes

Date: 7/8/2024 **By:** Nick Armstrong

Note: Emailed Haley Meyer and Harry Roa

hrao@evoketechnologies.com

on 5/2/2024, No response nor action taken

elevate to resolution to have Township maintain the vegetation



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: 24-055

Date: 5/2/2024

Property Owner: LORVEN MENARDS LLC
7106 CORPORATE WAY
DAYTON, OH 45459

Address in Violation: GILMORE RD
FAIRFIELD TOWNSHIP, OH 45011

Parcel ID: A0300025000086

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

Thank you in advance for your cooperation.

