

AGENDA ITEM COVER SHEET



Trustee Meeting Date:	Agenda Item Type:
September 22, 2026	Business Item
Submitted By:	
Jeff Uckotter, Director of Community Development	

Motion:
Motion to approve Resolution 28-2026 authorizing the acceptance of the proposed agreed entry resolving the West Chester Township Board of Trustees case involving property at 8468 Cox Road; Butler County Court of Common Pleas Case No. CV 2026 03 0581

Background:
The Township has dealt with nuisance conditions and repeated violations of its Zoning Resolution and Property Maintenance Code at the property located at 8468 Cox Road. The Property has been in violation of the Township's Zoning Resolution due to vehicles being parked on the lawn or in other areas of the Property not designated for parking, the Property being used for outdoor storage, the Property being used to store commercial vehicles not otherwise permitted by the Zoning Resolution, and the exterior storage of miscellaneous trash, debris, and junk on the Property. The Township's primary goal in the Zoning Case is to obtain and maintain compliance with the Zoning Resolution at the Property.

Finance	Budgeted Item:	N/A;		
	CIP #:			
	TIF Info:			
	Purchase Req. #:		Total Encumbrance:	\$.00

RESOLUTION NO. _____

**RESOLUTION AUTHORIZING THE ACCEPTANCE OF THE
PROPOSED AGREED ENTRY RESOLVING THE WEST CHESTER
TOWNSHIP BOARD OF TRUSTEE’S CASE INVOLVING THE
PROPERTY AT 8468 COX ROAD, WEST CHESTER, OHIO 45069**

WHEREAS, the Township has dealt with nuisance conditions and repeated violations of its Zoning Resolution and Property Maintenance Code at the property located at 8468 Cox Road, West Chester, Ohio 45069 (the “Property”);

WHEREAS, the Property has been in violation of the Township’s Zoning Resolution due to vehicles being parked on the lawn or in other areas of the Property not designated for parking, the Property being used for outdoor storage, the Property being used to store commercial vehicles not otherwise permitted by the Zoning Resolution, and the exterior storage of miscellaneous trash, debris, and junk on the Property;

WHEREAS, the Township filed a case for injunctive relief to prevent further violations and to abate the nuisance conditions under Butler County Court of Common Pleas Case Number CV 2026 03 0581 (the “Zoning Case”);

WHEREAS, since filing the Zoning Case the owner has abated the nuisance conditions on the Property;

WHEREAS, the Township’s primary goal in the Zoning Case is to abate the nuisance conditions and obtain and maintain compliance with the Zoning Resolution and Property Maintenance Code at the Property;

WHEREAS, the Board of Trustees has determined that it is in the best interests of the public health, safety, and welfare to enter into the Agreed Entry, attached as Exhibit A, as a resolution to the Township’s claims in the Zoning Case;

NOW THEREFORE, BE IT RESOLVED that on the basis of the above actions and findings, the West Chester Township Board of Trustees:

SECTION 1. That the Board of Trustees does hereby authorize the Township’s legal counsel to sign the Agreed Entry in substantially the same or similar form as the attached Exhibit A, on behalf of the Township, and to sign any other documents necessary to effectuate the settlement, and to sign any documents necessary to enforce this Agreed Entry in the future.

Adopted this XX day of XX, 2026.

Ann Becker, Chair

Yes/No

ATTEST:

Lee Wong, Vice Chair

Yes/No

Bruce Jones, Fiscal Officer

Amanda Ortiz, Trustee

Yes/No

APPROVED AS TO FORM:

Scott D. Phillips, Law Director

EXHIBIT A

**IN THE COURT OF COMMON PLEAS
BUTLER COUNTY, OHIO**

**THE BOARD OF TRUSTEES OF
WEST CHESTER TOWNSHIP,
BUTLER COUNTY, OHIO**

: Case No. CV 2026 03 0581
:
:

Plaintiff,	:	Judge: Greg S. Stephens
	:	
v.	:	AGREED ENTRY
JAMES M. HALL	:	
	:	
Defendant.	:	

Now comes Plaintiff, the Board of Trustees of West Chester Township (herein after the “Township”), and Defendant, James M. Hall (“Defendant”), and agree to the following relief as a complete and final resolution of the Township’s Complaint against Defendant.

1. Township and Defendant, having had the opportunity to consult with legal counsel, knowingly and voluntarily agree to the following as his, her, or its free act.
2. The Township and Defendant voluntarily submit to the Court’s jurisdiction.
3. James M. Hall is the owner and is in control of the real property located at 8468 Cox Road, West Chester, Ohio 45069, Butler County Auditor’s Parcel No. M5620-068-000-005 (the “Property”).
4. The Property is zoned R-1A, Suburban Residence District, under the Township’s Zoning Resolution.
5. The Township has alleged that the Property has been in violation of the Township’s Zoning Resolution due to vehicles being parked on the lawn or in other areas of the Property not designated for parking, the Property being used for outdoor storage, the Property being used to store commercial vehicles not otherwise permitted by the Zoning Resolution, and the exterior storage of miscellaneous trash, debris, and junk on the Property.
6. Defendant has remedied these alleged violations since the filing of this action and the Township has inspected, and is satisfied with the condition of the Property

7. Pursuant to R.C. 519.24, Defendant is permanently enjoined from violating, or permitting violations of, the Township's Zoning Resolution at the Property. Specifically, Defendant is permanently enjoined from:
 - a. Parking or storing commercial vehicles, not otherwise permitted by the Township's Zoning Resolution, including, but not limited to, dump trucks, box trucks, and semi-trailers, at the Property;
 - b. Use or permitted use of the Property for outdoor storage;
 - c. Parking or storing vehicles, not otherwise permitted by the Township's Zoning Resolution, on the lawn or in other areas of the Property not designated for parking; and
 - d. Storing, keeping, or otherwise permitting, inoperable vehicles, discarded furniture, appliances, trash, debris, and other miscellaneous junk materials from remaining on the premises outside of an enclosed structure for more than seven (7) days on the Property.
8. Violations of this Agreed Entry shall be punishable by fines in accordance with R.C. 519.99.
9. The Court retains jurisdiction to enforce the terms of this Agreed Entry.
10. This judgment is a final appealable order and there is no just cause for delay.
11. The clerk is hereby directed to enter this judgment upon the journal. Within three (3) days of this entry upon the journal, the clerk is hereby directed to serve upon the parties notice of this judgment and its date of entry in the journal in the manner prescribed by Civ. Rule 5(B) and note such service in the appearance docket.

IT IS SO ORDERED.

Date

Judge Greg S. Stephens

Agreed:

West Chester Township Board of Trustees

Jonathan E. Roach (0092498)
Counsel for West Chester Township Board of Trustees

James M. Hall

Defendant

0091532.0315629 4912-4497-7869v1