

**RESOLUTION 2023-083**  
**A RESOLUTION SETTING HEARING AND PROVIDING NOTICE CONCERNING AN**  
**UNSAFE BUILDING**

**PREAMBLE**

**WHEREAS**, the Franklin Township Building Department and Fire Department has found that certain buildings located at 1053 Brown Road Franklin Township, Franklin County, Ohio (the "property") to be structurally defective and unsafe; and

**WHEREAS**, pursuant to Ohio Revised Code Section 505.86, the Board of Trustees is authorized to remove, repair, or secure structurally defective and unsafe buildings if corrective measures are not taken within thirty (30) days after notice to the property's owners and lienholders of record; and

**WHEREAS**, in connection with proceedings pursuant to Section 505.86 of the Ohio Revised Code, the Board must also hold a due process hearing so that the property owners and lienholders may be heard; and

**WHEREAS**, it is in the best interest of the Township and its residents to proceed under Ohio Revised Code Section 505.86 in order to correct the structurally defective and unsafe condition of the property;

**RESOLUTION**

**NOW THEREFORE**, be it resolved by the Board of Trustees of Franklin Township, Franklin County, Ohio, that the following Resolution be, and it hereby is adopted:

**BE IT RESOLVED** that the Board hereby orders the following action in connection with certain buildings located at 1053 Brown Rd, Franklin Township, Franklin County, Ohio:

**SECTION 1:** As provided in Ohio Revised Code Section 505.86, the Board directs the Township's Administrator to obtain a title search of the Property and to notify the records owners and all lienholders of the Property that the building thereon has been found to be structurally defective and unsafe by the Franklin Township Fire Department and that the Building must be removed, repaired or secured, to the satisfaction of the Board or arrangements made to remove, repair or secure the Building within thirty (30) days from the receipt of the notice. The Board further authorizes the Administrator or designee to publish the notice once in a newspaper of general circulation in the township, in accordance with O.R.C 505.86

**SECTION 2:** The Board shall hold a hearing on July 13<sup>th</sup>, 2023., at the Franklin Township Hall located at 2193 Frank Rd., Columbus, Ohio, to allow the owners and lienholders to be heard and to determine whether or not the Board shall remove, repair, or secure the building if the Building is not removed, repaired, or secured, or arrangements made for such work, before the time set for the hearing. The Administrator is authorized and directed to notify the owners and lien holders of the date, time, place, and purpose of this hearing.


**SECTION 3:** If, after the hearing, the Board determines that it shall remove, repair, or secure the building, all expenses incurred in such work shall be paid out of the unappropriated monies in the Township's general fund and all such costs and expenses shall be reported to the Franklin County Auditor for entry upon the tax duplicate as a lien upon the property and for collection and reimbursement to the Township's general fund as provided in Ohio Revised Code Section 505.86.

This Resolution shall take effect and be in force from and after the date of enactment.

Attested: June 1<sup>st</sup>, 2023

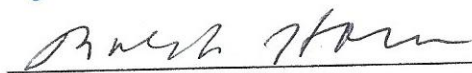
*Franklin Township Trustees*

Assistant Fiscal Officer

  
Robyn Watkins

  
John Fleshman

  
James Leezer

  
Ralph Horn

Adopted: June 1<sup>st</sup>, 2023

# FRANKLIN TOWNSHIP

## O.R.C. 505.86 PARTY IN INTEREST NOTIFICATION LETTER

June 1<sup>st</sup>, 2023

Resident

Charles and Deborah Rife

**Certified Mail, Return Receipt Requested**

1053 Brown Rd

RE: 1053 Brown Road, Franklin Township, Franklin County, Ohio 43223  
Parcel No. 140-000194-00 and 140-002966-00

Dear Party in Interest:

This letter is to notify you, as a party in interest to the property identified below, that the Franklin County Economic Development & Planning Department, the county agency responsible under ORC 3781 for enforcing building regulations, has declared that certain buildings or structures at the property 1053 Brown Road, Parcel No. 140-000194-00 and 140-002966-00 (hereinafter the "Property") are insecure, unsafe, or structurally defective. Specifically, the house has an unstable foundation, is open to the elements, and the outbuilding is neglected, unsafe, and damaged. Enclosed herein is the declaration Order.

As a party in interest of the Property, you are hereby being notified that it is the intention of the Board of Township Trustees of Franklin Township (the "Board"), pursuant to Ohio Revised Code 505.86, to demolish and remove the house & outbuilding located on the Property. The Resolution passed by the Franklin Township Board of Trustees declaring this intent to demolish and remove is enclosed.

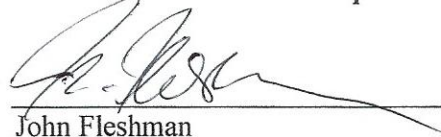
You are hereby notified that as a party in interest, you have the right to a hearing before the Board within thirty days of the date set forth above pursuant to Ohio Revised Code 505.86(C).

The Board shall hold a hearing on July 13, 2023, at 12:00 PM, at the Franklin Township Hall located at 2193 Frank Rd., Columbus, Ohio, to allow the owners and lienholders to be heard and to determine whether or not the Board shall remove, repair, or secure the building if the building is not removed, repaired, or secured, or arrangements made for such work, before the time set for the hearing.

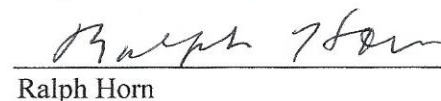
At any time, as a party in interest, you may enter into an agreement with the Board to perform the demolition and removal of the buildings or structures on the Property. However, if no hearing is requested or no agreement is reached, the Board will make an order to have the buildings or structures demolished and removed as indicated above. Any costs incurred by the Township will be certified to the County Auditor, assessed as a lien upon the property, and collected as other taxes. Alternatively, the Township may initiate a civil action against you for collection of the costs incurred.

If you have any questions or if you would like to discuss this matter, please do not hesitate to contact me. Your anticipated cooperation in this matter is greatly appreciated.

*Franklin Township Trustees*

  
John Fleshman

  
James Leezer

  
Ralph Horn

Assistant Fiscal Officer

  
Robyn Watkins

**AFFIDAVIT**

**STATE OF OHIO  
COUNTY OF FRANKLIN, SS:**

I, Fire Prevention Captain Todd Broecker, being first duly cautioned and sworn, depose and state upon personal knowledge that all of the following facts are true:

1. I am the Fire Prevention Captain of the Franklin Township Fire Department. I am a certified fire safety inspector pursuant to the provisions of §3737.34 of the Ohio Revised Code. Part of my responsibilities and that of a Fire Inspector include fire investigation, code enforcement and public education. Code enforcement includes fire safety inspections, life safety inspections and building plan reviews.

2. I am making this affidavit for the purpose of providing the Franklin Township Board of Trustees with evidence regarding the structural soundness and overall state of the residential structure located at 1053 Brown Rd (hereinafter the "Structure"). The Structure is located within the unincorporated area of Franklin Township.

3. The Structure is owned by Deborrah and Charles Rife. On or about 6/1/2023, I inspected this property from the exterior of the structure and was able to visually observe the interior of the home's bedroom and dining room through the missing windows, as well as the front entrance, and rear entrance.

4. Based upon numerous complaints regarding the Structure received by Franklin Township, on 6/1/2023, I viewed and inspected the Structure. It became readily apparent that the Structure is insecure, unsafe, and structurally defective due to extensive damage and neglect. As is evidenced by the photographs taken upon the inspection, the windows of the Structure are missing in several places and is exposed and lacks structural integrity; Areas of the ceiling that have fallen; and the Structure also contains an extraordinary amount of combustible material, rubbish, rags, waste, and flammable conditions.

5. It is my professional opinion, as Fire Prevention Captain of the Franklin Township Fire Department and as a Certified Fire Inspector, that the Structure, by virtue is exposed and lacks structural integrity; and the Structure also contains an extraordinary amount of combustible material, rubbish, rags, waste, and flammable conditions, is insecure, unsafe, and structurally defective, and endangers the safety of persons and nearby property and otherwise constitutes a nuisance.

6.

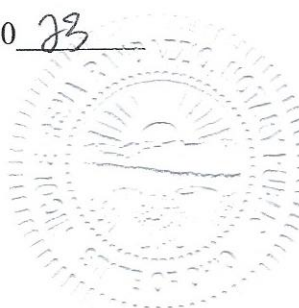
**FURTHER, AFFIANT SAYETH NAUGHT**

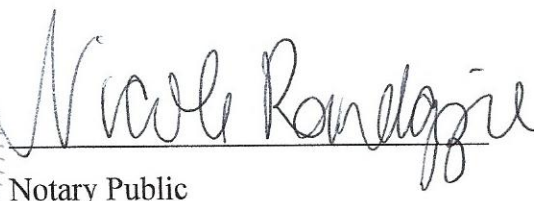


NICOLE RENA RANDAZZIO  
Notary Public, State of Ohio  
My Comm. Expires April 19, 2027

  
Fire Prevention Captain, Todd Broecker  
Franklin Township Fire Department

Sworn to before me and subscribed in my presence on  
this 1 day of June, 20 23



  
Notary Public