

RESOLUTION 2023-205

**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 1836 Harrisburg Pike 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 1836 Harrisburg Pike, 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.

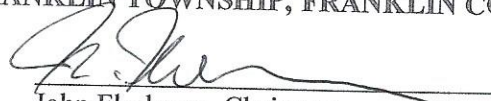
SECTION 2: The Board shall hold a hearing on November 2nd, 2023., at the Franklin Township Hall located at 2193 Frank Rd., Columbus, Ohio, to allow the owners and lienholders to be heard and to determine whether or not the Board shall remove, repair, or secure the building if the building is not removed, 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.

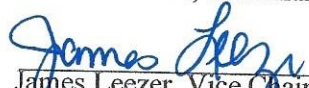
SECTION 3: If, after the hearing, the Board determines that it shall remove, repair, or secure the building, all expenses incurred in such work shall be paid out of the unappropriated monies in the Township's general fund and all such costs and expenses shall be reported to the Franklin County Auditor 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.

BOARD OF TRUSTEES, FRANKLIN TOWNSHIP, FRANKLIN COUNTY, OHIO

ATTEST:


John Fleshman, Chairman


James Leezer, Vice Chairman

Ralph Horn, Trustee


Linzie Justus
Franklin Township Fiscal Officer

FRANKLIN TOWNSHIP

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

September 21, 2023

Sadalan Abu & Rayyan Nadi Abu

Certified mail- return receipt requested
1188 Georgesville rd
Columbus Ohio 43228

Re: 1836 Harrisburg Pike, Franklin Township, Franklin County, Ohio 43223
Parcel no. 140-000523-00

Dear party in interest:

This letter is to notify you, as a party in interest to the property identified below, that the Franklin Township Fire Department Captain has declared that certain buildings or structures at 1836 Harrisburg Pike Parcel no. 140-000523-00 (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 above, pursuant to Ohio revised code 505.86(c).

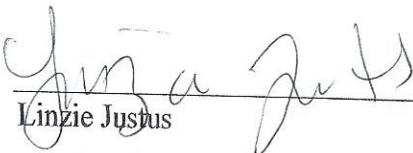
The board shall hold a hearing on 11/2/2023, at 12:00 pm, at the Franklin Township Hall located at 2193 Frank Rd., Columbus, Ohio, to allow the owners and lienholders to be heard and to determine whether or not the board shall remove, repair, or secure the building if the building is not removed, repaired, 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 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

Fiscal Officer


Linzie Justus

John Fleshman

James Leezer

Ralph Horn

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 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 as 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 1836 Harrisburg Pike (hereinafter the "Structure"). The Structure is located within the unincorporated area of Franklin Township.

3. The Structure is owned by Rayyan Nadi Abu and Sadalan Abu. On 9/20/2023, I inspected this property from the exterior of the structure. I could visually observe the interior of the home from the open rear door. I did not enter the structure, but the interior appears to be unkempt. Several of the windows have missing glass. Siding is missing from several sections of the exterior. There is also damage to the north side of the structure from an auto accident in which a vehicle crashed into the home.

4. Based upon complaints regarding the Structure received by Franklin Township on several past occasions, I viewed and inspected the Structure. It became apparent that the Structure was insecure, unsafe, and potentially structurally defective due to damage and neglect. As is evidenced by the photographs taken upon the inspection, the windows of the Structure are missing in several places, siding is missing from the exterior walls and increase the exposed components of the Structure. The area on the north side of the Structure may have had in structural integrity compromised due to the vehicle that crashed into it.

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 may lack structural integrity. The Structure being insecure and not protected from the elements increases the risks and safety of first responders and of persons and nearby property and otherwise constitutes a nuisance.

FURTHER, AFFIANT SAYETH NAUGHT

Capt. Todd Broecker

Sworn to before me and subscribed in my presence on
This 21 day of September, 2023

Nicole Randazzo



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

