



**Special Meeting of the Board of Trustees
September 26, 2017**

- 1. Opening of Meeting - 4:30 PM**
- 2. New Business**

Planning and Zoning

- a. Approval of Nuisance Resolution..... Action
- b. Authority to Accept Grant.....Action

Adjournment

Resolution – 43-17

COLERAIN

NEW BUSINESS

Department: Department of Planning & Zoning

Department Head: Jenna M. LeCount, AICP

Planning & Zoning

a. Approval of Resolution Declaring Nuisance and Ordering Abatement

Recommend approval of Resolution to remove uncontrolled vegetation and/or refuse at the listed properties.

Rationale:

This resolution is recommended to allow the Township to access and abate properties with Ohio Revised Code nuisance violations.

b. Request for Approval to accept grant for demolition of 9924 Loralinda

Request for approval to accept a grant up to \$10,000 in value from Hamilton County Planning + Development

Rationale:

The property located at 9924 Loralinda Drive was found to be structurally deteriorating, uninhabitable, unsafe and insecure in a memorandum from the Colerain Township Fire Department on December 12, 2016. This property was deemed an attractive nuisance that was negatively impacting adjacent properties at a June 13, 2017 Colerain Township Board of Trustees meeting. At that time, a Final Resolution for Demolition (26-17) of the Property at 9924 Loralinda Drive was signed by the Board of Trustees. The Staff of Colerain Township has collaborated with the Hamilton County Planning + Development Office to apply for a grant using Community Development Block Grant funds to assist in the demolition of this property. Staff is requesting permission to accept up to \$10,000.00 from Hamilton County to mitigate the cost associated with the demolition of this blighted property.

The Board of Trustees of Colerain Township, County of Hamilton, State of Ohio, met in regular session at _____ p.m., on the 26th day of September, 2017 at the Colerain Township Administration Building, 4200 Springdale Road, Cincinnati, Ohio 45251, with the following members present:

Michael Inderhees, Greg Insko, Jeffrey F. Ritter

Mr. _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. _____ - 17

RESOLUTION DECLARING NUISANCE AND ORDERING ABATEMENT

WHEREAS Uncontrolled vegetation and/or refuse and debris were reported and determined to exist at the properties listed below:

| <u>Address</u> | <u>Book-Page-Parcel No.</u> |
|------------------|-----------------------------|
| 9852 Capstan | 510-0111-0095* |
| 8301 Coghill | 510-0091-0148 |
| 3360 Deshler | 510-0102-0187* |
| 5698 Dunlap | 510-0270-0107* |
| 9809 Dunraven | 510-0041-0211* |
| 10680 Gloria | 510-0032-0300 |
| 43320 Greenbush | 510-0093-0129 |
| 11604 Greenhaven | 510-0024-0298* |
| 8345 Haskell | 510-0061-0249 |
| 9831 Loralinda | 510-0041-0016 |
| 3159 Niagara | 510-0052-0396 |
| 3360 Niagara | 510-0102-0037* |
| 9616 Marino | 510-0052-0291 |
| 9919 Marino | 510-0041-0041* |
| 3264 Struble | 510-0123-0073* |
| 8476 Sunlight | 510-0063-0291* |
| 8585 Sunlight | 510-0063-0254 |

WHEREAS 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, the Board of Trustees shall notify the owner of the land and any holders of liens of record upon the land; and

WHEREAS 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; therefore

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Colerain Township, Hamilton County, Ohio, as follows:

1. That this Board specifically finds and hereby determines that the 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;
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 Inspector 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;
3. 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 an open meeting of this Board, and that all deliberations of this Board and any of its committees that resulted in such formal action were taken in meetings open to the public, in compliance with all legal requirements including §121.22 of the Ohio Revised Code; and
4. That the Board by a majority vote hereby dispenses with the requirement that this Resolution be read on two separate days and hereby authorizes the adoption of the Resolution upon its first reading.
5. That this Resolution shall be effective at the earliest date allowed by law.

Mr. _____ seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Mr. Inderhees _____, Mr. Insco _____, Mr. Ritter _____

ADOPTED this 26th day of September, 2017.

BOARD OF TRUSTEES:

Michael Inderhees, Trustee

Greg Insco, Trustee

Jeffrey Ritter, Trustee

ATTEST:

Heather E. Harlow,
Colerain Township Fiscal Officer
Resolution prepared by and approved as to form:

Lawrence E. Barbieri,
5300 Socialville Foster Rd., Suite 200
Mason, OH 45040 (513) 583-4200
Colerain Township Law Director

AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Colerain Township Fiscal Officer this 26th day of September, 2017.

Heather E. Harlow
Colerain Township Fiscal Officer