

RESOLUTION NO. 2025 - 055

A RESOLUTION AUTHORIZING THE REMOVAL, REPAIR, OR SECURANCE OF UNSECURE AND/OR UNSAFE BUILDINGS AT 4412 E. GALBRAITH ROAD, SYCAMORE TOWNSHIP, OH 45236

WHEREAS, pursuant to Ohio Revised Code Section 505.86, a Board of Trustees may provide for the removal, repair, or securance of buildings or other structures in the Township that have been declared unsecure, unsafe, or structurally defective by the Sycamore Township Fire Department or by the Hamilton County Building Department or other authority responsible under Chapter 3781 of the Revised Code for the enforcement of building regulations or the performance of building inspections in the township, and;

WHEREAS, the Sycamore Township Planning & Zoning Department and the Sycamore Township Fire Department, have received complaints regarding, and have subsequently investigated the conditions present on, the following property: (See Exhibit "A")

Address

Auditor's Parcel ID # (PIN)

4412 E. GALBRAITH ROAD, 45236

060002020034

and have determined that the structures situated thereon to be unsafe, unsecured, and structurally defective, to such an extent as to represent a direct and real threat to the public health and safety, thereby constituting a nuisance as documented in photographic evidence identified as Exhibit "A" as an attachment to this Resolution, and;

WHEREAS, the Sycamore Township Fire Department (Exhibit "B"), has determined that the structures and conditions present on the aforementioned property are unsafe and structurally defective, and a danger human life and the public welfare, and;

WHEREAS, the owner(s) of record of the aforementioned property have elected not to pursue removal of the unsafe and structurally defective structures;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Sycamore Township, State of Ohio, by authority of Section 505.86 of the Ohio Revised Code, as amended, that:

SECTION 1.

The structures located at 4412 E. Galbraith Road, Sycamore Township OH 45236 - 060002020034, are hereby determined to be unsafe, unsecure, and structurally defective, thereby constituting a direct threat to the public health & safety and requiring removal pursuant to Section 505.86 of the Ohio Revised Code.

SECTION 2.

The Board of Trustees of Sycamore Township hereby declares its intention to make entry onto the property identified herein for the purposes of taking any and all actions necessary to secure the unsafe structures and remove the direct threat to the public health, safety and welfare situated therein, pursuant to Section 505.86 of the Ohio Revised Code.

SECTION 3.

The Board of Trustees of Sycamore Township hereby gives notice to all "parties in interest" as further defined in ORC 505.86, that the securance or removal of said structures will occur at least thirty (30) days after the date upon which the Board of Trustees of Sycamore Township gives notice by certified mail, return receipt requested, to each party in interest of its intention with respect to the removal, repair, or securance of an insecure, unsafe, or structurally defective or unfit building or other structure.

SECTION 4.

The Board of Trustees of Sycamore Township hereby directs notice to any parties in interest also be published in the Enquirer, a newspaper of general circulation within Sycamore Township.

SECTION 5.

Pursuant to ORC 505.86(C)(1), any and all parties in interest are hereby notified that each party in interest is entitled to a hearing if the party in interest requests a hearing in writing within twenty days after the date of mailing of this notice. The written request for a hearing shall be made to the Township Fiscal Officer.

SECTION 6.

Pursuant to ORC 505.86(C)(2), if a party in interest timely requests a hearing, the Board of Trustees of Sycamore Township shall set the date, time, and place for the hearing and notify the party in interest by certified mail, return receipt requested. The date set for the hearing shall be within fifteen days, but not earlier than seven days, after the party in interest has requested a hearing, unless otherwise agreed to by both the board and the party in interest. The hearing shall be recorded by stenographic or electronic means.

SECTION 7.

If a party in interest requests a hearing pursuant to ORC 505.86(C)(3), the Board of Trustees of Sycamore Township shall make an order deciding the matter not later than thirty days after said hearing. The order may dismiss the matter or direct the removal, repair, or securance of the building or other structure. At any time, a party in interest may consent to any such order.

SECTION 8.

Pursuant to ORC 505.86(C)(4), a party in interest who requests and participates in a hearing, and who is adversely affected by the order of the board, may appeal the order under Section 2506.01 of the Ohio Revised Code.

SECTION 9.

If no hearing is requested by a party in interest pursuant to ORC 505.86(C)(3), the Board of Trustees of Sycamore Township issues an order thirty (30) days from the date of mailing notice of the adoption of this Resolution. This order directs the removal, repair, or securance of the building or other structures. At any time, a party in interest may consent to this order.

SECTION 10.

The cost of the securance of the structures and all associated site restoration work shall be assessed to the parcel or parcels of record and the county auditor shall place the costs upon the tax duplicate as certified by the Sycamore Township Fiscal Officer. The costs are a lien upon such lands from and after the date of entry. The costs shall be collected as other taxes and returned to the township general fund.

SECTION 11.

The Township Administrator, or appointed representative, is hereby authorized by the Board of Trustees of Sycamore Township to execute any agreement between a party in interest and the Board of Trustees of Sycamore Township to perform the removal, repair, or securance of the insecure, unsafe, or structurally defective or unfit building or other structure as otherwise permitted pursuant to Section 505.86 of the Ohio Revised Code.

SECTION 12.

That this Board hereby finds and determines that all formal actions relative to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 13.

The Board hereby dispenses 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 14.

This resolution is hereby declared to be an emergency measure, pursuant to R.C. 504.11, necessary for the immediate preservation of the public peace, health, safety, and welfare of the residents of Sycamore Township.


VOTE RECORD:

Mr. Kellums Aye Ms. Schwegmann Aye Mr. Weidman Aye

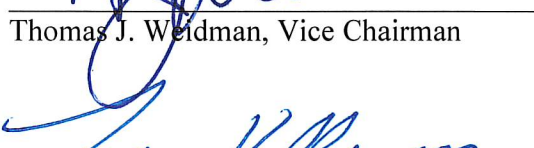
PASSED at the meeting of the Board of Trustees this 1st day of July, 2025.



Tracy Schwegmann, Chairman



Thomas J. Weidman, Vice Chairman

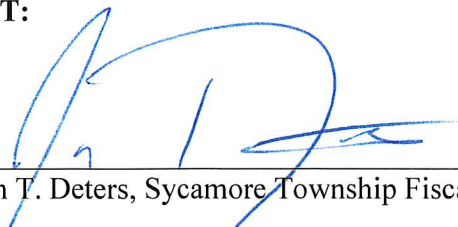


Tracy Kellums, Trustee

AUTHENTICATION

This is to certify that this Resolution was duly passed, and filed with the Sycamore Township Fiscal Officer, this 1st day of July, 2025.

ATTEST:




Jonathan T. Deters, Sycamore Township Fiscal Officer

APPROVED AS TO FORM:




Lawrence E. Barbieri, Township Law Director


(Exhibit "A")



Property Report

Owner: RUSH D TODD TR
Address: 4412 E GALBRAITH RD
Jurisdiction: Sycamore Township
Parcel Id: 060002020034
Zoning: C - Single Family

Tax Map 

Print 

Mailing Address

CURRENS MARGARET
4412 E GALBRAITH RD
CINCINNATI OH 45236

Owner Address

RUSH D TODD TR
123 BOGGS LN
CINCINNATI OH 45246

Districts

School Code Name	DEER PARK CSD
Tax District	25
Appraisal Area Name	SYCAMORE 17
Jurisdiction	Sycamore Township

Tax Summary

Delinquent Taxes	1046.58
Taxes Paid	\$1760.68
Annual Taxes	\$3513.8
Land Use Class	510



(Exhibit "B")

Sycamore Township Unsafe Structure / Conditions Report



Inspection Date / Time

6/16/2025 9:32:41 AM

Parcel ID

600-0202-0034-00

Address

4412 E. Galbraith Rd

Safety Hazard Scale 1=Minumum

8

Case Number

2-2025

Building need repaired ☐ Yes Repair by: _____

Building need razed ☐ Yes Razed by: _____

Overall structural integrity

Resolution Completed

Building currently under repair

No

By whom: _____

n/a

Nuisance Property

Yes

Inspector
DOUG MORATH

Inspector Title
Fire Marshall

Department
Fire

Property Owner
Rush D Todd TR

Address
4412 E. Galbraith Rd

Occupied By
n/a

Property Owner Address
123 Boggs Ln Cincinnati, Oh

Owner Phone
n/a

Contact Person
n/a

Phone Number
n/a

Building Inspection

Building Livable ☐ No

Is there running water ☐ No

Signs of water leaks or floods ☐ Yes

Chimney falling ☐ No

Defective wiring/electric ☐ Unkn

HVAC working properly ☐ N/A

Signs of natural gas leaks ☐ No

Signs of broken pipes ☐ No

Floor problems (Sagging, Holes) ☐ Unkn

Signs of walls / ceiling cracks ☐ Yes

Any broken windows / doors ☐ No

Signs of fire / smoke damage ☐ No

Signs of roof damage / holes ☐ Yes

Signs of cave-ins / walls leaning ☐ Yes

Building Secure ☐ Unkn

Other Contributing Issues

Signs of rats, mice, vermin ☐ Yes

Signs of roaches, insects, bugs ☐ Yes

Mold present ☐ Unkn

Peeling paint / plaster ☐ Yes

Signs of lead paint ☐ Unkn

Signs of asbestos ☐ Unkn

Bad ventilation present ☐ Unkn

Excessive garbage / clutter ☐ Yes

Smell of fumes ☐ Unkn

Crime / illegal activity ☐ Unkn

Storage of flammable materials ☐ Unkn

Storage of hazardous materials ☐ Unkn

Building Dynamics/ Citations

Neighborhood

Residential

Building use

Resident

Number of stories

1

Number of square foot

n/a

Construction type

Wood Frame

Basement present

None

Roof construction

Asphalt Shingles

Floor construction

Concrete

Need Boarded Up

Unkn

Referred to Building Dept.

Yes

Date

6/16/2025

Citation Issued

Date



Sycamore Township Unsafe Structure / Conditions Report



Citation Number _____

Fire Code references

(a) 110.1.1 Unsafe conditions. Structures or existing equipment that are or hereafter become unsafe or deficient because of inadequate means of egress or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or which involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. A vacant structure that is not secured against unauthorized entry as required by paragraph (K)(311) of rule 1301:7-7-03 of the Administrative Code shall be deemed unsafe.

(i) If the fire code official finds an unsafe condition as described in this paragraph that is especially liable to fire or endangers life or other buildings or property, such fire code official shall issue a citation and order that the responsible person take all necessary remedial actions as required by section 3737.41 of the Revised Code.

(ii) If the fire code official finds an unsafe condition as described in this paragraph that violates specific provisions of this code, such fire code official shall take such enforcement actions as provided for in this rule including but not limited to, the issuance of a citation pursuant to section 3737.42 of the Revised Code.



Sycamore Township Unsafe Structure / Conditions Report



Comments

The detached garage has a few large holes in the roof allowing water and animals to get inside. The North/west corner has large cracks with about a 1-inch gap close to the chimney. Unknown if the structure is rotted due to the roof having large holes. It also has over growth over the garage and around 3 sides. It in my opinion this garage is unsecured from the elements and animals and is unsafe from anyone around the building due to the large wall cracks very close the the chimney.

I recommend getting it repaired ASAP or raised if funding is not available.

Right of Entry

Owner / Occupant Name

Signature

Date

Photos

