

**Nuisance Abatement Board
844 N. Clinton Street
Defiance, Ohio 43512
Final Decision**

This hearing came to order on the 16th day of October, 2023 at 10:00 A.M. Present were Nuisance Abatement Board (“Board”) members Mark Froelich, Bart Scott, and Steve Hoffman. Also present were Christy Feeney, Rex Robison, Fire Chief Bill Wilkins, Fire Lieutenant Brandon Case, and Sean O’Donnell for the City of Defiance. A representative of property owner, Defiance Partners, LLC, was present with counsel, John Myers, Esq., after receiving notice. The representative(s)’ name was Holly Miranda. The City properly served all interested parties with the Demolition Notice of Violation in accordance with §1317.04(d) of the Codified Ordinances of the City of Defiance, Ohio.

Testimony was given and exhibits received regarding the real property located at **844 N. Clinton Street, Lots B-16, B-18, B-26, B-28, B-31, B-32, C-3, C-4, C-16, C-17, C-22, C-24, C-26, C-32, C-39, C-41, C-51, and C-53, Defiance, Ohio 43512.**

The Board took testimony that the parties had stipulated to a resolution. The parties agreed that the condition of the property is in violation of Sections 1317.01(a), (d), (e), (f), (g), (l), (t), (u), and (v) of the Codified Ordinances of the City of Defiance, Ohio. Specifically:

The structure is so out of repair and dilapidated that, if it were permitted to remain, would endanger the life, limb, or property of persons or property upon the public streets or public ways adjacent thereto by reason of the collapse of such building or structure or by the falling of objects therefrom;

Any accumulation of earth, rubbish or other materials which attract and propagate vermin, rodents, or insects that endanger the public health;

Any accumulation of rubbish, refuse or waste materials, including tires, that, by reason of its location and character, is unsightly and interferes with the reasonable enjoyment of property by neighbors, detrimentally affects property values in the surrounding neighborhood or community, or materially interferes with the prevention or suppression of fire upon the premises;

The structure on the property is so out of repair that it constitutes a fire hazard because of its condition;

There is accumulation in any structure or on any property of rubbish or other materials in an amount and in a condition that constitutes a fire hazard by reason of the likelihood of its catching on or communicating fire;

The structure is so out of repair and dilapidated that, due to lack of adequate maintenance or neglect, it is unsafe for occupancy, or endangers the public health, welfare, or safety of occupants, or causes such condition of blight that it materially interferes with the peaceful enjoyment and lawful use of owners or occupants of a proximate property;

The structure is in such a condition that violates any of the maintenance standards set forth in Sections 1339.01, 1339.02 or 1339.03 of the Defiance Codified Ordinances;

The structure is a “dangerous structure” as defined in Section 1339.04 of the Defiance Codified Ordinances; and

The structure is a dangerous structure, which, because of its condition, is unsafe, unsanitary or dangerous to the health, morals, safety, or general welfare of the people of the City.

The Board concurs that the foregoing conditions exist on the property.

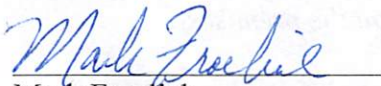
The Board also heard a stipulation that the parties agreed to demolish the manufactured homes on Lots B-16, B-18, B-26, B-28, B-31, B-32, C-3, C-4, C-16, C-17, C-22, C-24, C-26, C-32, C-39, C-41, and C-53. The Board accepts the recommendation of the parties and finds that these nuisances exist and that demolition of the mobile homes on these lots is required to satisfy the Nuisance Code. The owner of the subject property shall demolish the manufactured homes and remove any remnants thereof **no later than Monday, December 18, 2023.**

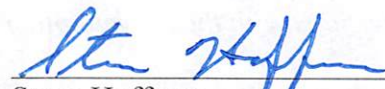
The parties requested and the Board agreed to allow the owner of the mobile home on Lot C-51 with additional time to rehabilitate the manufactured home to the satisfaction of the Fire Chief and Community Improvement Officer until **no later than Monday, December 18, 2023.** The Board will review the conditions of this lot at its scheduled meeting on December 18, 2023.

The Board, therefore, accepts the stipulated proposal of the parties. Should the nuisance conditions remain after Monday, December 18, 2023, the City Administrator, or his designee, is authorized to enter the property to abate the nuisance, including through demolition and removal.

Vote: 3-0 Affirmed.

Executed this 6th day of December, 2023.


Mark Froelich
Chairman


Steve Hoffman
Member


Bart Scott
Member