

Hearing 22-007

October 11, 2022

**BEFORE THE
FRANKLIN COUNTY DISTRICT BOARD OF HEALTH
COLUMBUS, OHIO**

In the matter of:

The Real Property known as:
5311 Riverside Drive
Columbus, Ohio 43214
Tax District #254, Parcel ID #151839
Sharon Township

FINDINGS AND ORDERS

WHEREAS, John T. Winborne ("Property Owner"), is listed as the owner of record for 5311 Riverside Drive; Columbus, Ohio 43214 (Sharon Township, Tax District #254, Parcel ID #151839) ("Property") by the Franklin County Auditor;

WHEREAS, John T. Winborne was notified of this hearing on September 21, 2022 and a copy of the notice of hearing was posted at the Property;

WHEREAS, the following evidence was presented and fully incorporated into the hearing before the Franklin County Board of Health ("Board") on October 11, 2022:

The following documentation is attached:

- Initial Complaint
- Inspection Reports/documentation
- Violation Summary
- Board of Health Hearing Notice
- Photos

Date	Action
06/09/2022	Initial Complaint Received
06/13/2022	First Observation – Solid Waste – Inoperable Vehicles - Photos
07/08/2022	Received call from Power of Attorney – Deadline extension permitted
08/12/2022	Inspection – No Change, appears as if someone is living in the RV - Photos
08/26/2022	Inspection – No Change – Left Door Tag - Photos

WHEREAS, Ohio Revised Code 3707.01 (B) states: “The board of health of a ... general health district shall abate and remove all nuisances within its jurisdiction. It may, by order, compel the owners, agents, assignees, occupants, or tenants of any lot, property, building, or structure to abate and remove any nuisance therein, and prosecute such persons for neglect or refusal to obey such orders”;

WHEREAS, the Board heard testimony from Jeff Gibbs, Environmental Health Division Manager. Jeff Gibbs presented the matter to the Board and recommended that the Board declare the conditions at the Property to constitute a nuisance subject to abatement; and

WHEREAS, the owner and/or occupant of the Property, were/were not present, and were/were not represented by counsel.

WHEREFORE, based upon the evidence submitted and admitted into the record:

THE BOARD OF HEALTH HEREBY DECLARES AND ORDERS:

1. That the conditions at the property located at 5311 Riverside Drive; Columbus, Ohio 43214 (Sharon Township, Tax District #254, Parcel ID #151839) constitute a nuisance;
2. That the Property Owners, agents, assignees, occupants, or tenants ("Specific Persons"), as identified above, of the Property shall abate and remove the nuisance conditions within thirty (30) days and specifically: remove and properly dispose of solid waste, construction debris, junk and garbage from the Property to a license disposal facility; secure the residence; repair and secure or demolish the shed; destroy and remove weeds; and repair all dilapidated structures;
3. If this Order is neglected or disregarded, in whole or in part, the board may elect any of the administrative remedies available pursuant to Ohio Revised Code section 3707.02 or refer the matter to the Franklin County Prosecuting Attorney to file a request for injunctive relief in the Franklin County Municipal Court, Environmental Division and to request that any costs of the abatement shall be assessed as liens against the Property;
4. This Order shall be in full force and effect from and immediately upon its adoption and shall, consistent with Ohio Revised Code Section 3707.54 only apply to the Specific Persons; and
5. This Order may be appealed pursuant to Ohio Revised Code Chapter 2506 by filing a notice of appeal within 30 days with Franklin County Public Health and the Franklin County Court of Common Pleas. In addition, the Franklin County Municipal Court, Environmental Division, may have jurisdiction for such an appeal, pursuant to R.C. 1901.181. This notification does not in any way preclude Franklin County Public Health from arguing any jurisdictional matters.

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IT IS SO ORDERED.

Franklin County Board of Health
Board Members
