

Memorandum

TO: City Council
FROM: Niki Hill, AICP , Assistant Community Development Director
DATE: July 21, 2025
SUBJECT: Nuisance Abatement - 3204 West Owasso Blvd
ITEM NUMBER: 10.e
SECTION: GENERAL BUSINESS

REQUESTED MOTION

To adopt Resolution No. 25-51, approving the abatement of a public nuisance to correct a non-compliant garage on the property located at 3204 West Owasso Boulevard.

INTRODUCTION

The city council is being asked to order an abatement of a public nuisance on property located at 3204 West Owasso Boulevard. The council has the authority to declare and abate nuisances on private property that do not comply with the city's property maintenance standards.

DISCUSSION

On January, 16, 2024, the city council was asked to review the denial of a variance by the planning commission for additional accessory structure square footage so that the property owner's could keep a 1,000 square foot detached garage as well as build a new, 672 square foot attached garage. This variance was denied by the city council as they could not find that it met practical difficulty. The property owners moved forward with the new home and garage, including a condition that the detached garage must be modified to meet compliance once the new garage was finished.

The new home and garage were substantially completed in September of 2024 and a building permit was pulled to modify the detached garage. In March of 2025 contact was made with the property owner because there had been no progress on the modification of the detached garage. The property owner relayed there had been some hardships. The city gave the owners additional time to come up with a solution on bringing the property into compliance. This permit has since expired and there has been no progress on the homeowners coming up with a plan or the garage being modified towards compliance with a new permit.

Listed below is the section of the code and the violation that has been documented:

- City Code [Section 107-67](#) Detached Residential District Accessory buildings are subject to the maximum size and setback standards of Table 107-67. With an attached two car

garage, the property is limited to a detached accessory structure up to 440 square feet with a conditional use permit. The modification of the detached garage was a condition of approval for the new attached garage.

Section 22-24 - Abatement Procedure

The condition identified above is defined as a public nuisances in the City's Code.

Abatement notices are posted on the property or sent via mail to the property owner of record. The notice specifies that the nuisance must be corrected within five (5) working days, and if that nuisance remains, the city council will hold a hearing to order the abatement of the nuisance. The notice also identifies the time and date of the hearing scheduled before the city council. The property owner has the right to appear at the hearing.

If the council orders the abatement, the city will abate the nuisance and the cost of the abatement, including administrative costs, will be charged to the property owner and certified against the property for collection with taxes if the bill is not paid. Staff has prepared Resolution 25-51 ordering the abatement of the public nuisance conditions for consideration by the city council.

The Abatement Hearing Notice/Correction Notice has been mailed to the property owner, requiring the property be brought into compliance. If the abatement is ordered, the staff will work to correct the conditions. The cost of correcting the public nuisance condition will be recovered by the City either by a lien against the property, by obtaining a judgment against the owner, or by special assessment.

Included with this report is a resolution to order the abatement of the nuisance on the property at 3204 West Owasso Boulevard.

RECOMMENDATION

Staff recommends that the city council conduct the required hearing and adopt Resolution No. 25-51, approving the abatement of the nuisance at 3204 West Owasso Boulevard. The order specifies the corrections required to bring the property into compliance with the city's Property Maintenance Codes and would permit the city to abate the conditions. If the council approves the motion, staff will move forward with abatement of the nuisance conditions if they are not corrected within 30 Days.

ATTACHMENTS

[Location Map - 3204 West Owasso](#)

[3204 West Owasso Boulevard Abatement Packet](#)

[January 16 2024 City Council Minutes](#)

[Approved Building Permit Site Plan](#)

[Resolution 25-51 - Nuisance Abatement - 3204 West Owasso Boulevard](#)