

Memorandum

TO: City Council
FROM: Niki Hill, AICP , Assistant Community Development Director
DATE: January 5, 2026
SUBJECT: Nuisance Abatement - 3204 West Owasso Blvd
ITEM NUMBER: 10.a
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

Background

The subject property has been the focus of multiple land use reviews and enforcement actions related to accessory structure regulations. The following timeline summarizes the key decisions, actions, and compliance efforts associated with the construction of a new home and garage and the continued nonconformity of an existing detached garage.

- **November 2023**
 - Property owners submitted residential design review and variance applications related to proposed construction on the property.
- **January 16, 2024**
 - City Council reviewed the Planning Commission's denial of a variance request for additional accessory structure square footage.
 - The variance request sought to allow the property owners to retain a 1,000 square foot detached garage while constructing a new 672 square foot attached garage.
 - City Council denied the variance, determining the request did not meet the practical difficulty criteria.
 - Property owners proceeded with construction of the new home and attached garage, subject to the condition that the detached garage would be modified to meet code compliance following completion of the new garage.
- **September 2024**

- Construction of the new home and attached garage was substantially completed.
- A building permit was issued to modify the detached garage to bring it into compliance.
- **March 2025**
 - City staff contacted the property owners after no progress had been made on the detached garage modifications.
 - Property owners cited hardships impacting their ability to proceed.
 - The City granted additional time for the owners to develop a plan to bring the property into compliance.
- **Spring/Summer 2025**
 - The permit to modify the detached garage expired.
 - No modifications were completed, and no new permit was obtained.
- **July 21, 2025**
 - City Council considered abatement of the noncompliant detached garage.
 - City Council granted a 60-day stay to allow the property owners to apply for a variance.
- **November 25, 2025**
 - The Planning Commission held a public hearing on the variance request and denied the request by a 5–1 vote, citing the inability to find practical difficulty.
- **December 15, 2025**
 - City Council heard the appeal of the Planning Commission’s variance denial and upheld the decision.

Listed below is the section of the code and the violations that have 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.

ATTACHMENTS

[Location Map - 3204 West Owasso](#)

[January 16 2024 City Council Minutes](#)

[Approved Building Permit Site Plan](#)

[3204 West Owasso Boulevard Abatement Packet](#)

[Draft Planning Commission Minutes - November 25, 2025](#)

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