



City of Broken Arrow

Request for Action

File #: 19-793, Version: 1

**Broken Arrow City Council
Meeting of: 06-17-2019**

Title:

Consideration, discussion, and possible action regarding the Public Hearing Officer's decision on June 6, 2019 to declare 1907 West Pittsburg Place, Broken Arrow, Oklahoma 74012; Stacey Lynn Fifth Lot 8 Block 13, Tulsa County, as a public nuisance and authorization to abate the property; Case No. 19-1003329

Background:

On April 22, 2019, Code Enforcement opened a case for tall weeds at 1907 West Pittsburg Place. A courtesy letter was mailed to the property owner on April 23, 2019, advising of a possible violation for tall weeds. An inspection on May 2, 2019 showed the property to be in the following condition, which according to State Statute and City Ordinance meets the definition of a nuisance: the weeds and grass exceeded a height of 12 inches which conceals or invites deposits or accumulations of trash, or harbors or invites rodents or vermin.

A Notice to Abate a Nuisance was posted on the property and mailed certified to the property owner on May 2, 2019. The property owner filed an appeal for the Notice to Abate a Nuisance on May 10, 2019. A Notice of Public Hearing for Appeal was mailed to the property owner on May 14, 2019. The Public Hearing was held on June 6, 2019. The Hearing Officer Russell Gale denied the appeal. Ms. Gupta filed an appeal of the decision of Hearing Officer Russell Gale with the City Clerk on June 6, 2019. A hearing determination letter was mailed certified to Poonam Gupta on June 7th, 2019.

On June 11, 2019, a certified letter was sent to Ms. Gupta advising her that her appeal of Mr. Gale's decision would be heard by the City Council on June 17, 2019 at 6:30 pm in the Council Chambers located at City Hall.

City staff recommends the Council affirm the decision of the Hearing Officer and authorize staff to move forward with the abatement as previously approved by the Hearing Officer

Cost: \$0

Funding Source: None

Requested By: Larry R. Curtis, Acting Development Services Director

Approved By: City Manager Office

Attachments: Courtesy Letter
Notice to Abate
Appeal of Notice to Abate
Notice of Hearing on Appeal of Notice to Abate
Photographs
Hearing Officer Determination

Appeal of Hearing Officer Decision

Notice of Hearing on Appeal of Hearing Officer Decision

Recommendation:

Affirm the decision of the Hearing Officer and authorize staff to move forward with abatement as previously approved by the Hearing Officer