



City of Broken Arrow

Request for Action

File #: 20-1183, **Version:** 1

Broken Arrow City Council
Meeting of: 11-17-2020

Title:

Consideration, discussion, and possible action on an appeal to the Hearing Officers decision declaring 520 West Detroit Street, Broken Arrow, Oklahoma 74012; Lots 15 & 16, Block 23, Broken Arrow - Original Town, Tulsa County; as a dilapidated structure and a public nuisance and authorization to demolish the property. Violations: Title 11 O.S. § 22-111 and § 22-112; City Nuisance Code 15-1 C.15 and 15-4 and 15-1 D.10 a & b

Background:

The house located at 520 West Detroit Street was damaged by a fire on April 26, 2018, after an incident on the property in which Broken Arrow Police Department were called to the scene. During the Fire Departments response to extinguish the fire, the house also suffered water damage. I spoke with the occupant Joey Brashears and told him he needed a plan to make repairs. Mr. Brashears indicated he needed time to figure out what he was going to do with the structure. The City has successfully worked with Mr. Brashears over the years when there were other issues on the property. Upon re-inspection of the property no repairs had been made, at the property. The only improvement that had been made was a large tarp over the hole in the roof. On November 26, 2019, Mr. Brashears obtained a remodel permit, but he never called in for any inspections. On April 24, 2020, the permit expired because of time limits and not calling for any inspections. The only work that had been done was installing another tarp over the hole in the roof. On June 25, 2020, after inspection of the property, a case was opened by Code Enforcement and a Notice to Abate a Public Nuisance was posted on the property and sent to the property owner of record with a Public Hearing date set for the August 6, 2020. Mr. Brashears was present at this meeting and blamed the Broken Arrow Police Department for his situation. He told us that he was going to receive help from FEMA and the Methodist Church. The Hearing Officer continued the case until the Public Hearing on September 3, 2020, to allow Mr. Brashears time to make substantial improvements to the property. At the Public Hearing on September 3, 2020, this case was heard again by the Hearing Officer. Mr. Brashears did not attend the hearing. Code Enforcement reported, upon reinspection of the property no improvements had been made at that time. Hearing Officer Russell Gale declared the house to be a dilapidated structure and signed the order for demolition. Mr. Brashears filed an appeal with the City Clerk on September 14, 2020, appealing the Hearing Officer's decision.

Cost: \$0

Funding Source: None

Requested By: Larry R. Curtis, Community Development Director

Approved By: City Manager Office

Attachments: Notice to Abate a Nuisance Public Hearing
Order of Abatement
Photographs Building Permit Legal

Notice of Appeal

Minutes from August 6, 2020 Public Hearing

Minutes from September 3, 2020 Public Hearing

Recommendation:

Recommend the appeal be denied and the Public Hearing Officer's decision be upheld.