



City of Phoenix

Planning and Development Department

CONDITIONAL APPROVAL – V190051A

Your abandonment request was granted **CONDITIONAL APPROVAL** by **Christopher DePerro, Abandonment Hearing Officer**.

This request will NOT be completed until all the stipulations have been met and this request is formally adopted by City Council. It is the **APPLICANT'S RESPONSIBILITY** to ensure that all stipulations are satisfied. **Please contact Robert Martinez at (602) 495-0156** for questions and notification of your completion of the stipulations.

Upon completion of the stipulations Robert Martinez will schedule your request for City Council action.

If the stipulations of abandonment are not completed within **two years** from the date of your conditional approval (**your expiration date is August 29, 2021**), this request will then expire. At that time a new submittal will be required along with the required payment for the abandonment process. A one time, **one-year** extension can be requested prior to the expiration date, with applicable extension fee due.



City of Phoenix

Planning and Development Department

August 29, 2019
Abandonment Staff Report: **V190051A**
Project# **01-21368**
Quarter Section: **16-40**

Location: 4037 North 54th Place

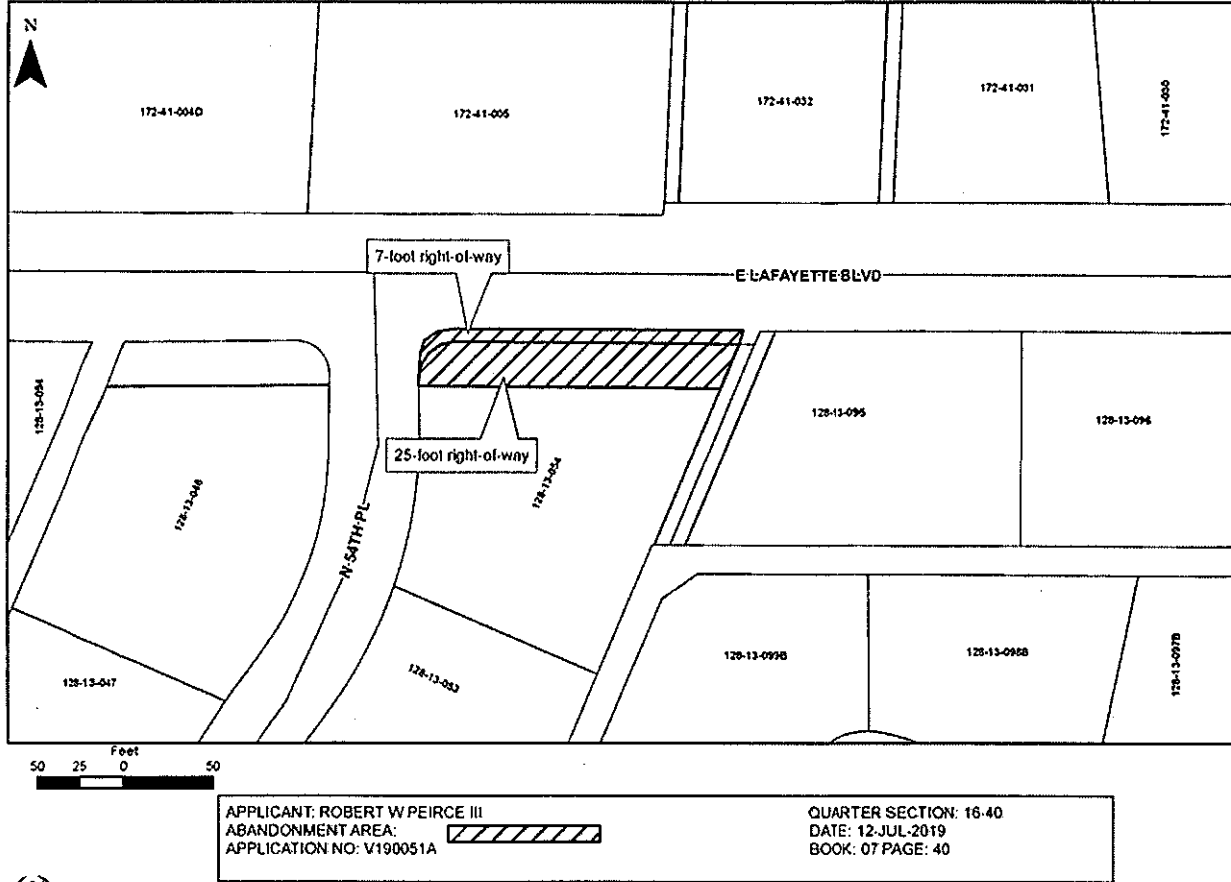
Applicant: Robert W. Peirce, III

Request to abandon: To abandon 25' and 7' right-of-way easements on north border of property adjacent to Lafayette Boulevard.

Purpose of request: The applicant states: They would like to add on to the north end of their house and plan on landscaping the area that remains up to Lafayette Boulevard.

Hearing date: **August 29, 2019**

Attachment A - Map



Hearing Summary

Ms. Rocio Iniguez, the Abandonment Coordinator, read the abandonment request, purpose and staff research into the record.

Mr. Christopher DePerro, the Hearing Officer asked the applicant if he would like to explain the abandonment request.

Mr. Robert W. Peirce, III, the applicant stated he would like to push the property line out, clean up the landscaping on Lafayette Boulevard to prevent the late-night dumping from landscapers and to eliminate the trash that gathers there.

Mr. DePerro then reviewed the drafted stipulations from the Preliminary Abandonment Staff Report with Mr. Peirce.

Mr. Peirce request if stipulation number 7 could be changed from one year to two years.

Mr. DePerro moved forward with revising stipulation number 7 to two years.

The Hearing Officer granted a conditional approval with revised stipulations.

Stipulations of Conditional Approval

The request of abandonment, is conditionally approved by the Abandonment Hearing Officer. The following stipulations will need to be met:

1. Either a or b shall be complied with:
 - a. All utilities shall be relocated to locations approved by each affected utility company. All work is to be done by each affected utility company at no expense to the affected utility company.
 - b. All right-of-way shall be retained as a public utilities easement with 24-hour vehicle maintenance access.
2. Consideration which provides a public benefit to the City is required in accordance with City Code Art. 5, Sec. 31-64 and Ordinance G-5332. Cost for abandoned Right-of-Way adjacent to property not zoned single family residential will be \$500 OR Fair Market Value whichever is greater. Cost for property zoned single family residential is \$1.00 a square foot for the first 500 square feet, \$0.10 a square foot thereafter; OR Fair Market Value at the option of the Planning and Development Director or designee. The applicant shall submit calculation and fee to Planning and Development Department. The applicant shall request a selection of approved appraisers from the current list maintained by the Real Estate division of the Finance Department.
3. No right-of-way within 33 feet of the Lafayette Boulevard monument line may be abandoned.
4. No right-of-way within 25 feet of the 54th Place monument line may be abandoned.
5. A 20-foot right-of-way radius shall be retained at the southeast corner of 54th Place and Lafayette Boulevard.
6. Extend existing 8-foot Public Utility Easement along proposed abandoned right-of-way.
7. All stipulations must be completed within **two years** from the Abandonment Hearing Officer's decision.

This conditional approval has been reviewed and approved by the Abandonment Hearing Officer.

Hearing Officer Signature:  Date: 10.28.19

REPORT SUBMITTED BY: Alyssa Villarreal, Abandonment Secretary

cc: Applicant/Representative, Robert W. Peirce, III
Christopher DePerro, Abandonment Hearing Officer