



In accordance with Section 31-70, Article V of the City Code, the decision of the Abandonment Hearing Officer regarding the abandonment of public rights-of way may be appealed. Any decision of the Abandonment Hearing Officer shall be considered final unless a person aggrieved thereby, files a written Notice of Abandonment Appeal with the Planning & Development Department within fifteen calendar days after the decision is made. The completed abandonment appeal form and filing fee* must be submitted to the Planning & Development Department, Check-In/Information Counter, located at 200 West Washington Street, 2nd floor, Phoenix, Arizona 85003.

*All fees are pursuant to the current Fee Schedule contained in Appendix A.2. of the Phoenix City Code.

Appellant's Name: Brandon Treger
Address: 3816 n 54th ct City: Phoenix State: AZ Zip: 85018
Phone: 602-388-9444 Email: brandontreger12@Gmail.com
Affiliation: owner/applicant on behalf of 11 adjacent to alley neighbors in support of abandonment

Appeal to City Council

Be specific as to what you are appealing. Include the rationale for your appeal. Attachments may be included.

Abandonment # ABND 250040 Date Heard: 12/11/2025

Located at approximately: Hidden Village 17 Lots 1-11 & Hidden Village 6 Lots 266-270 alleyway abandonment - 54th Ct and Lafayette

Abandonment Hearing Officer: [] Approved [x] Denied

Appealing Decision: Denial based on claim from neighbor that the alleyway is necessary for access

Appealing Stipulation:

Appealing Stipulation:

Appealing Stipulation:

Staff Use Only

Received By: Receipt #: Date:
Reviewed By: Receipt #: Date:

An applicant may receive a clarification from the city of its interpretation or application of a statute, ordinance, code or authorized substantive policy statement. To request clarification or to obtain further information on the application process and applicable review time frames, please call 602-262-7811 or visit our website at Licensing Time Frames | City of Phoenix. This publication can be made available in alternate formats (Braille, large print, or digital media) upon request. Contact Planning & Development at (602) 262-7811 voice or (602) 534-5500 TTY.

Brandon Treger
3816 N 54th
Phoenix, AZ 85018
Brandontreger12@gmail.com
Date: December 24, 2025

City of Phoenix Planning and Development Department
Attn: Abandonment Coordinator, Dru Maynus
200 W. Washington St., 3rd Floor
Phoenix, AZ 85003

Re: Appeal of Abandonment Hearing Officer Denial – Case No. ABND 250040
Alley Abandonment in Hidden Village Seventeen Subdivision

Dear Abandonment Coordinator;

I am writing to formally appeal the decision of Abandonment Hearing Officer David Neal, at the hearing held on December 11, 2025, denying my application for abandonment of approximately 17,784 square feet of alley located south of Lafayette Boulevard and west of North 54th Court, between Lots 1–11 in the Hidden Village Seventeen residential subdivision (Project #94-0006661, Quarter Section 16-40, District 6).

The Hearing Officer's denial was based on testimony from two residents claiming continued use of the alley, leading to the conclusion that it remains necessary for public use under Phoenix City Code Chapter 31, Article V, Section 31-64. However, the evidence does not support this finding, as the alley is no longer necessary for public use as a roadway and serves no essential access or connectivity function. The petition submitted with the application demonstrates supermajority support from over two-thirds of abutting residential property owners, exceeding the threshold for consideration.

The opposition testimony does not establish necessity:

1. One opponent claimed occasional use for parking when their daughter visits. However, this property has direct access via the cul-de-sac on 54th Court, rendering alley use unnecessary. Notably, this opponent previously abandoned their own alley branch without issue, depicted as the red highlight on Exhibit 1, and their guesthouse predates that abandonment, confirming no prior reliance on the alley for access and enjoyment of their guest home. Further, if their argument were to hold any weight, then they abandoned their alley serving only four homes, built into said alley to prevent future use, and then intended on preventing the rest of the neighborhood on abandoning their alleys so that they could use the greater alley in perpetuity for only their own benefit despite what is best for the neighborhood.
2. The second opponent cited use for landscaping cleanup, potential future garage access, irrigators, and sewer/water cleanouts. Landscaping maintenance can continue without the alley's public status, as access to rear yards remains available from front streets or side yards. Future garage plans are speculative and cannot justify denying a current application that meets code

criteria. This opponent also previously abandoned their adjacent alley, as depicted in the red highlight on Exhibit 1, now is inconsistently opposing ours. Flood irrigators hold prescriptive easements under Arizona law, predating the subdivision plats and persisting independently of abandonment. Sewer and water services will be fully preserved through a recorded Public Utility Easement (PUE) over the entire alley, granting 24/7, 365-day access to the City and all utilities, including stipulations for no permanent structures and removable fencing only. Thus, access to all utilities remain.

Important to note that both opponents built into their abandoned alley so the alley cannot be used in the future, and important to note that said alley they built into could have granted them the access that they would have needed to get a vehicle to the rear of their yards.

No property loses essential access; all retain full street-side entry from Lafayette Boulevard or 54th Court and Way. The alley's abandonment aligns with Section 31-64, as it is not required for public roadway purposes and poses no safety or connectivity risks. City departments like PDD Traffic, Streetlights, Solid Waste, Water Services (with stipulations), and Civil Review issued a recommended condition of approval or had no concerns, subject to standard conditions we agree to meet, prior to the hearing officer's denial.

Regarding utility objections:

- SRP's concern about maintenance vehicle access can be addressed by installing gates locked with an SRP lock for 24/7 access, we commit to coordinating directly with SRP Customer Service at 602-236-8888 to resolve this. The Public Utility Easement already accomplishes this.
- Cox and CenturyLink/Lumen require protection in place or relocation at applicant cost, which we accept.
- Southwest Gas and APS had no conflicts or involvement.

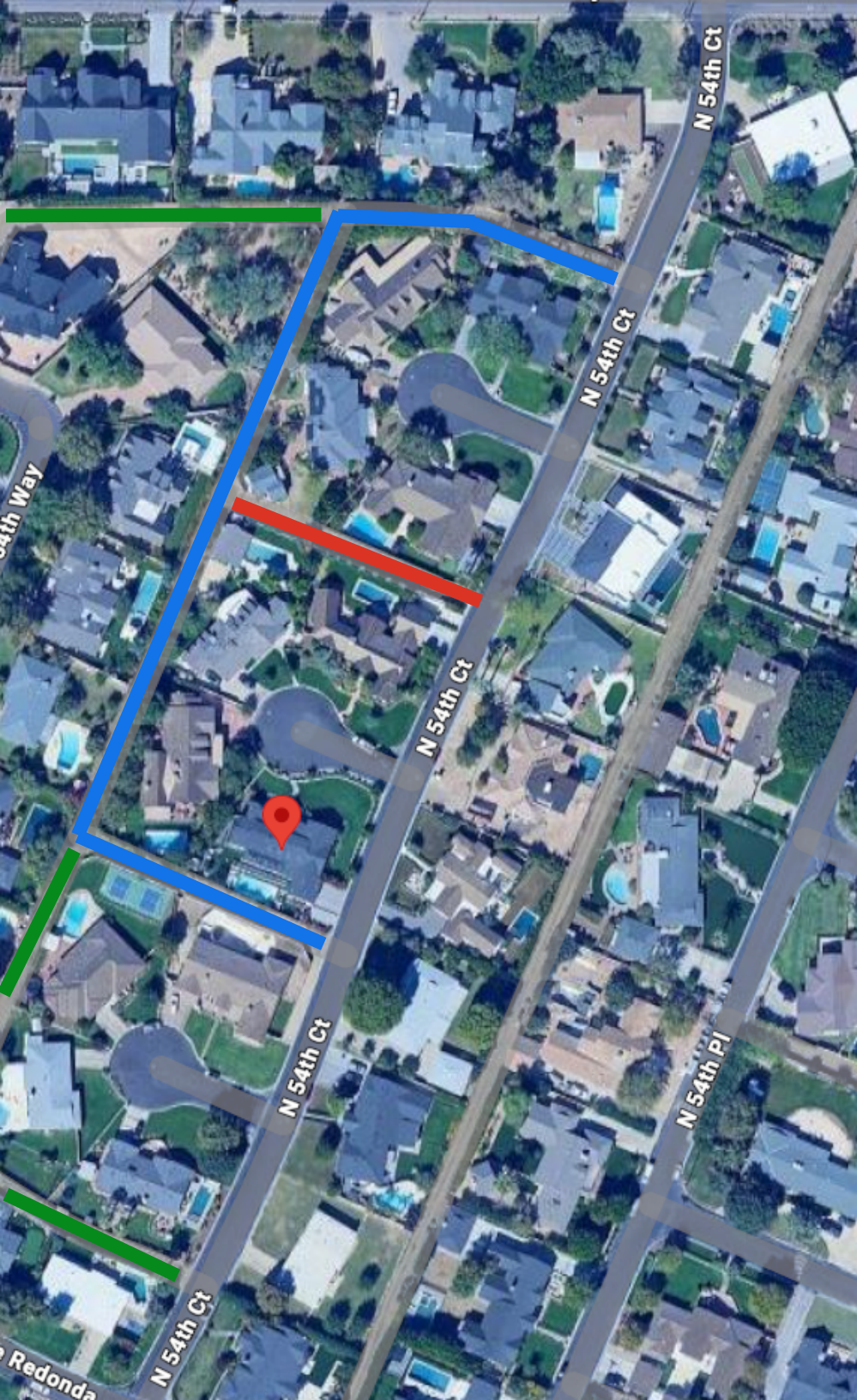
I would also like to point out that in the event a removable gate is installed and access requested from a neighbor, I am almost certain neighbors would accommodate and do the neighborly thing and allow access.

This abandonment would revert the land evenly to abutting owners, strengthening neighborhood security and property values without impeding public interests. I request that the City Council overturn the denial and approve the application, with the stipulations noted in the staff report, including no abandonment within 25 feet of the 54th Court monument line, closing entrances if required, and retaining the drainage easement (RES 21999).

Thank you for your attention to this appeal. I am available to provide additional information or attend the Council hearing. Please contact me at brandontreger12@gmail.com

Sincerely,

Brandon Treger
Applicant



54th Way

N 54th Ct

N 54th Ct

N 54th Ct

N 54th Ct

N 54th Pl

N 54th Ct

Redonda