



**City of Phoenix**

Planning and Development Department

**CONDITIONAL APPROVAL – ABND 230008**

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 Alyssa Neitzel at 602-534-7321** for questions and notification of your completion of the stipulations.

Upon completion of the stipulations your request will be scheduled 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 June 8, 2025**), 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

June 8, 2023

Abandonment Staff Report: **ABND 230008**

Project# **15-673**

Quarter Section: **18-39**

District: **6**

<b><u>Location:</u></b>	East Camelback Road and North 49 <sup>th</sup> Place
<b><u>Applicant:</u></b>	Phoenix Permit Service, LLC
<b><u>Request:</u></b>	To abandon the south forty-feet of right-of-way along Camelback Road for the entire length of the parcel 172-20-013A.
<b><u>Purpose of request:</u></b>	The applicant states this portion of right-of-way has not been used and Camelback is improved, adjacent neighbors have successfully abandoned their portion, this property owner would like to do the same, this will put the right-of-way into alignment along the south side of Camelback Road.
<b><u>Hearing date:</u></b>	<b>June 8, 2023</b>



### **Hearing Summary**

Mr. Christopher DePerro, the Abandonment Hearing Officer calls the meeting to order on June 8, 2023.

Ms. Danielle Bohannon, acting Abandonment Coordinator, introduced abandonment ABND 230008 and read the case into the record by stating the applicant, location, and purpose of the request, as well as City staff research.

Mr. DePerro then started the discussion by asking the applicant if they would like to add any additional comments regarding the abandonment request.

Ms. Leodra Bowdell, applicant expands on request to be in alignment with neighbors to the West as those were approved previously. Also, to incorporate the area the city no longer uses back into ownership of the property owners.

Mr. Joshua Rogers, Streets Transportation Department Representative explains requirements pertaining to right-of-way and ten-foot sidewalk easement.

Mr. DePerro asks if there are any other attendees interested in speaking about this request.

Mr. Farzin Boudi, property owner, agrees with request and thanks everyone for their work.

Mr. DePerro goes over stipulations with applicant and any edits needed per this request.

Ms. Bowdell agrees with said stipulations and states that they are not contingent upon any construction within the abandonment area.

Mr. DePerro explains the consideration fee and requesting the legal as the only requirements for the abandonment request to move forward.

The Hearing Officer grants conditional approval for abandonment 230008 subject to stipulations in staff report.

### **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 40 feet of the Camelback Road monument line may be abandoned.
4. A 10' Sidewalk Easement shall be retained along the southern side of Camelback Road.
5. 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: 8/1/2023

REPORT SUBMITTED BY: Paulina Hernandez, Abandonment Secretary

cc: Applicant/Representative, Phoenix Permit Service, LLC  
Christopher DePerro, Abandonment Hearing Officer