



City of Phoenix

PLANNING & DEVELOPMENT DEPARTMENT

ABND 190054

Abandonment
Decision Appeal

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: Larry Trauscht /Applicant was Dennis Zwagerman

Address: 2045 West Buckeye Rd City: Phoenix State: AZ Zip: 8500

Phone: 602-253-7739 Email: ltrauscht@watertrucks.com

Affiliation: Property Owner adjacent to Proposed Abandonment, APN 105-06-045 See Attached Map

Appeal to City Council

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

Abandonment # **V-** 190054A Date Heard: November 7, 2019

Located at approximately: Yuma St. from 21st Drive to 21st Ave. and 21st Ave south of Yuma

Abandonment Hearing Officer: ☐ Approved ☒ Denied

Appealing Decision: Appealing Decision of Hearing Officer based on the fact that the parcel will not be landlocked when the Abandonment Occurs.

Appealing Stipulation: _____

Appealing Stipulation: _____

Appealing Stipulation: _____

----- Staff Use Only -----

Received By: [Signature] Receipt #: _____ Date: 11/21/19
Reviewed By: RINI Receipt #: _____ Date: _____

Fee Code PF ABNDAPPL Fee \$ 1050.00

Page 1 of 1

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 <http://phoenix.gov/pdd/licensetimes.html>. 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.



Purpose

These guidelines establish the fees for the abandonment of public rights-of-way and/or easements including multiple rights-of-way and/or easements being considered in one application. They also establish the process and fees for extending an abandonment approval if not finalized within the stipulated time period. These guidelines are based on the Phoenix City Code, Chapter 31, Article V – Abandonment of Public Rights-of-Way and Appendix A.2, Part 11 – Civil Engineering Abandonment Fees.

Abandonment Fees

The abandonment process involves either a formal or an informal method for considering the feasibility of removing the public rights-of-way and/or easements from city of Phoenix jurisdiction. Fees charged for all abandonment applications are based on the method used. Additional fees will be charged based on the complexity of multiple abandonment requests being considered in one application.

A. One Abandonment Request on an Application

Formal Requires a public hearing to vacate previously purchased or dedicated right-of-way, either in full or part, subject to relocating utilities or retaining utility easements.

Any street or alley	\$1,930
Individual single family residential parcel	\$1,075

Informal Abandonment of previously dedicated easement. No public hearing required to vacate all or part of the easement. \$875

Abandonment Consideration Fee

Non-single family zoned ROW	the greater of \$500 or Fair Market Value (FMV) ¹ of abandoned right-of-way
Single family residential zoned ROW	\$1per sq. ft. for 1 st 500 s.f., \$0.10 per s.f. thereafter; or FMV of abandoned right-of-way, as determined by City ²

Notes: ¹ If the area to be abandoned is within or adjacent to an established redevelopment area, consideration may be given in determining the FMV.

² For the area to be abandoned, consideration may be given to the transfer of ongoing property maintenance responsibilities in determining the Abandonment Consideration Fee.

B. Complex and Multiple Abandonment Requests on the Same Application

A "complexity fee" shall be charged at the time of application for the abandonment of each additional right-of-way or easement considered for multiple abandonments submitted for the same site. The complexity fee shall be charged in addition to the formal or informal application fee that is due.

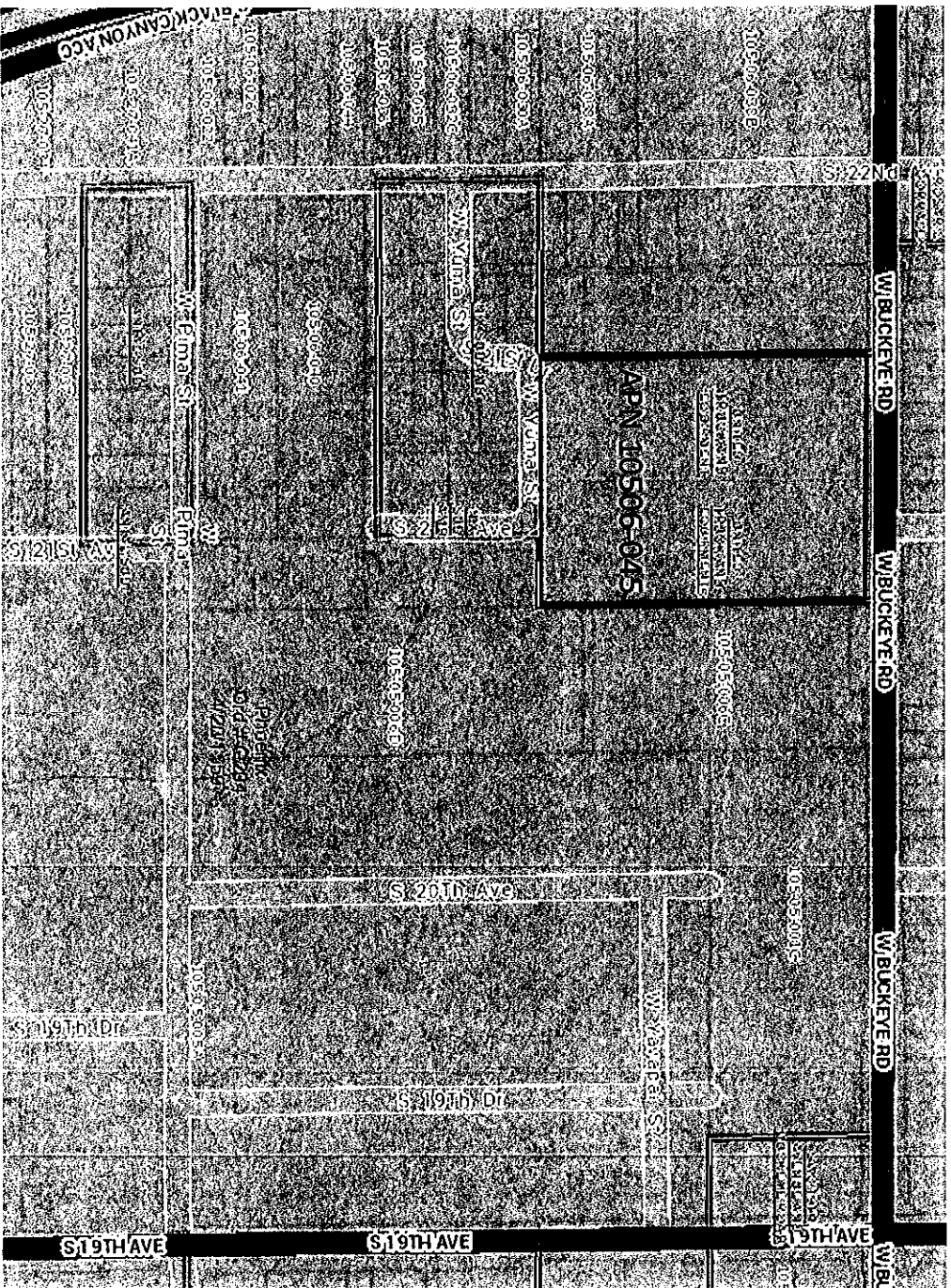
A complexity fee may also be added for extensive title and research as determined by the city of Phoenix Finance Department (Real Estate).

Multiple abandonment complexity fee	\$150 for each additional abandonment
Title and research complexity fee	\$150 per hour, minimum \$150 (1 hour), as determined by city Real Estate staff

If easements and/or rights-of-way are not connected, even on the same parcel, then separate application submittal fees will be assessed.

C. Appeal of Abandonment or Waiver to City Council \$1,050

Abandonment Appeal # V-190054A Context Map



November 21, 2019

13-46

COPY



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