



Right-of-Way Access Order Violation for 800 Acton St

Appeals Hearing

*Planning & Development Department
El Paso County Public Works
August 12, 2024*

Subject Property: *800 Acton Street*

Property Owner: Mr. Isaac Rodarte

Commissioners Court Precinct: 3

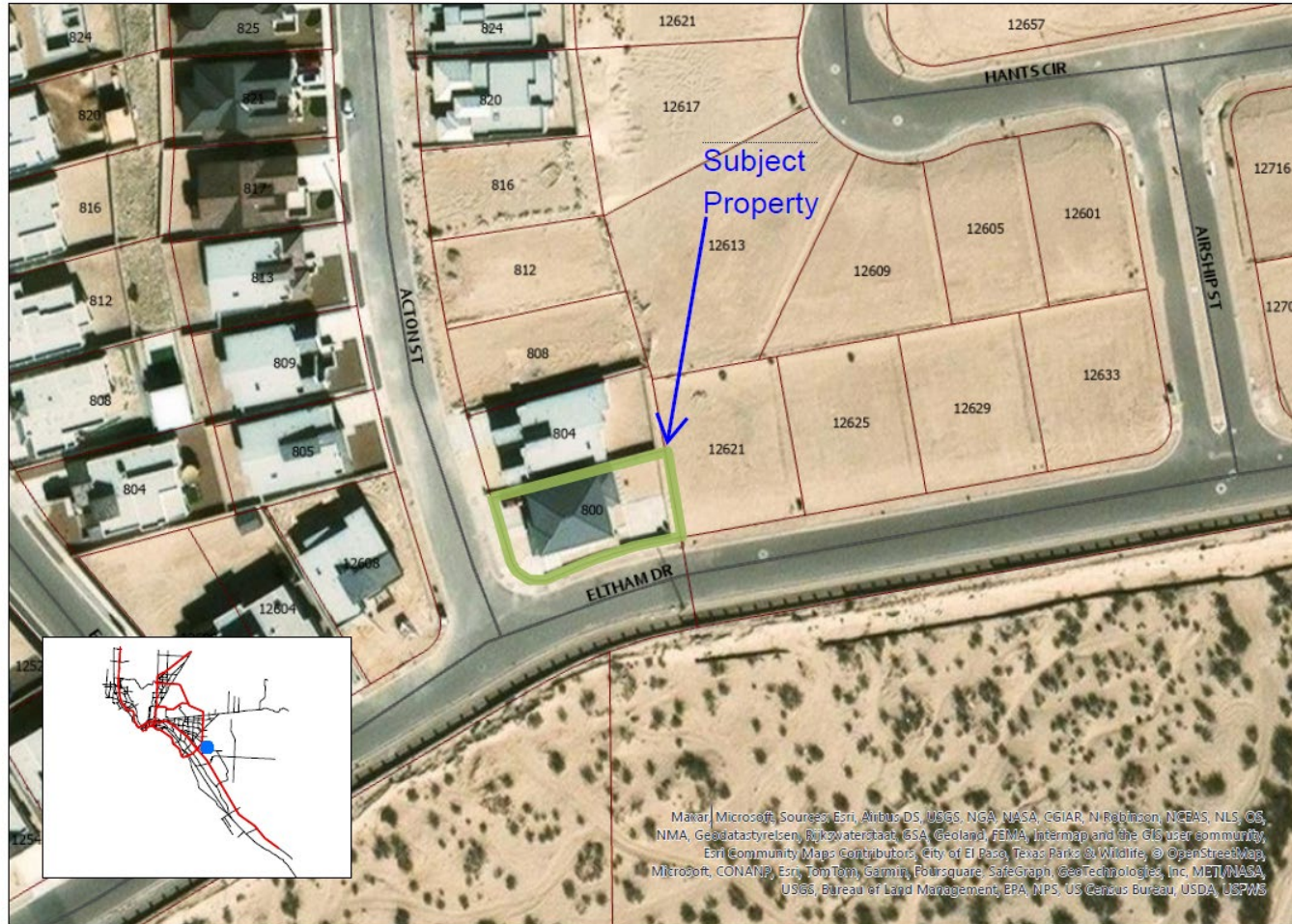
Community: Garden Park at Mission Ridge Unit 3

Major Intersection: 0.38 miles north-northeast of
Paseo Del Este Blvd & Mission Ridge Blvd

Location Map – 800 Acton Street



Location Map



Map data: Microsoft, Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N-Relief, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, BSA, Geoland, FEMA, Intermap and the GIS user community, Esri Community Maps Contributors, City of El Paso, Texas Parks & Wildlife, © OpenStreetMap contributors, Microsoft, CONANA, Esri, TomTom, Garmin, FourSquare, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA, USFWS

Background – 800 Acton Street

- Right-of-Way Access Management Policy & Procedure Order
 - Adopted December 20, 2021
 - Permit required to construct a driveway
 - County can restrict access if it is a threat to the health, safety and welfare of the community
- County Inspector noticed illegal driveway during the Subdivision Pre-Final Acceptance Walk Through.
- Field Investigation was performed by the County Inspector

800 Acton Street – Corner Driveway

■ Findings:

- Constructed without a permit
- Constructed at the center of the radius of the curb (corner of the street)
- Driveway is directed to street intersection
- Does not comply with Design Standards
 - City nor County standards allow driveway within the radius of curb on a corner lot
- Accessing the driveway at the street intersection poses a safety issue.
- TxDOT Access Management Manual - “proper access management assists in protecting the substantial public investment in transportation by preserving roadway efficiency and enhancing traffic safety, thus reducing the need for expensive improvements. Furthermore, access management can significantly reduce traffic accidents, personal injury, and property damage.”



Conflict Points at a T-intersection

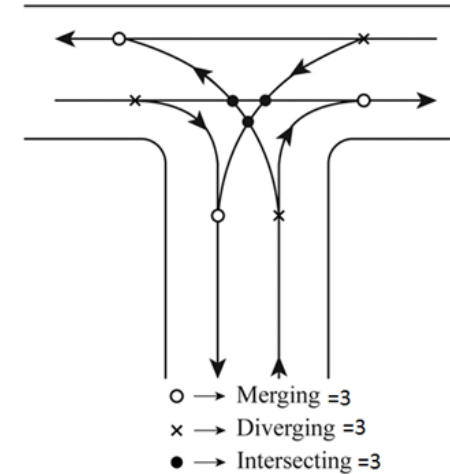


800 Acton St



Conflict points at an unsignalized T intersection.

Figure shows the possible conflict points at an unsignalized T intersection,



The 3 types of possible conflicts at an unsignalized T intersection are,

1. Merging conflict points —3
2. Diverging conflict points —3
3. Crossing conflict points —3

Figure (1) shows the different conflict points that exist at unsignalized T intersection. Here total 9 conflict points in this type of intersection of unsignalized. The number of possible conflict points at any intersection will depend on the turning movements of vehicles and the type of traffic control at the intersection.

*Traffic and Highway Engineering 5th Edition, Garber

Violation Determination – 800 Acton Street

- Planning and Development Dept. determined the driveway is in violation of the Right-of-Way Access Order
- Notice to Abandon the Unauthorized Point was sent to the property owner on April 23, 2024
- Property owner requested an appeal hearing
- Per the Order, Commissioners Court shall hear the appeal in an open meeting and make a determination if a violation exists and set mediation requirements, if any.





Questions and Recommendations

Planning & Development Department recommends property owner to remove the concrete driveway within the County right-of-way and restore to its original condition. Further, curb restoration method should be approved by the Department and require County inspections before and after pouring concrete. Department also recommends waiving any fees if restoration is completed within 45 days of this hearing date.