

Minutes Excerpt
Advisory Traffic & Safety Board
Regular Meeting of July 13, 2004

3. TRAFFIC CONTROL ORDERS

a. 2004-0575 “No Parking” Sign Removals- PK-57.1

Mr. Shumejko explained the matter was due to a request from a homeowner at 22 Texas. This homeowner called the City and requested that the “No Parking” signs along Texas just north of Walton be removed. The property owner said that based upon discussions with the previous property owner, the reason the road was posted “No Parking” was because the house had previously been used as a group home and caused parking problems with the adjacent property. Cars were being parked too close to the intersection, limiting visibility and creating confusion. Mr. Shumejko stated the Engineering Department had verified with the Building Department that the house had a new owner and was no longer being used as a group home. The “No Parking” signs became an issue when the new owner had guests over, and the two cars that were parked in front of their house were ticketed. The homeowner requested that the City rescind the original Traffic Control Order (TCO) since conditions have changed.

Mr. Colling asked if there was documentation that the original reason the “No Parking” signs were installed was because of the group home use. Mr. Shumejko referred to the minutes included in the packet from the November 11, 1997 Advisory Traffic and Safety Board Meeting, specifically the section titled “Parking Prohibition, Texas, Hitchman’s Haven Estates, Section 8.”

Mr. Colling opined that the condition for the signs no longer existed, and that the substantial rights of the homeowner took precedence. He suggested that the TCO be rescinded.

Mr. Zendel referred to the minutes in which it stated parking on the street caused problems for emergency vehicles, and wanted to know if that condition had changed. Mr. Colling said with a different use there would not be the same volume of cars. There would be no more problem than in any other subdivision with the occasional party that caused a large number of vehicles to be parked on the street. Mr. Shumejko offered that it would be no different than any other intersection in the area.

Mr. Zendel said he was a little confused on process, and questioned whether the Board was to approve the removal of the signs or just to confirm their removal was allowed. Mr. Colling said this was a request to rescind PK-57.1, and Mr. Shumejko added it was to approve their removal. Mr. Zendel said he had driven by the house before the meeting and found that the signs were no longer there. Mr. Shumejko said he would verify that with the City’s Sign Shop. Mr. Colling explained the City Traffic Engineer could remove or install signs within the City at any time, however without the approval of the Board

and confirmation by City Council, within 90 days a sign so installed must be removed. If the sign had been removed, without approval it would have to be replaced within the 90-day period.

Mr. Moore referenced page four, paragraph four of the May 11, 2004 Advisory Traffic and Safety Board minutes included in the packet which stated "Whereas, said Traffic Control Order shall not be effective after the expiration of ninety (90) days from the day of issuance, except upon approval by this Council."

Mr. Colling asked if there were any more comments or questions. Hearing none, he asked if someone would like to propose a motion.

MOTION by Mr. Moore, seconded by Mr. Blackstone, to remove "No Parking" Sign - PK-57.1.

Ayes: Colling, Blackstone, Moore

Nays: Zendel

Absent: Buiteweg, Hunter, Brown

MOTION PASSED