

## Procedures Manual

**Subject: DEVIATION REVIEW AND DECISION FORM**

Date Issued: 12/31/07  
Revision Issued: N/A  
Rescinded: N/A

### 1.1. PURPOSE

The purpose of this resource is to provide a form for documenting the findings and decision by the ECM Administrator concerning a deviation request.

### 1.2. BACKGROUND

A deviation is a critical aspect of the review process and needs to be documented to ensure that the deviations granted are applied to a specific development application in conformance with the criteria for approval and that the action is documented as such requests can point to potential needed revisions to the ECM.

### 1.3. APPLICABLE STATUTES AND REGULATIONS

Section 5.9 of the ECM establishes a mechanism whereby an engineering design standard can be modified when if strictly adhered to, would cause unnecessary hardship or unsafe design because of topographical or other conditions particular to the site, and that a departure may be made without destroying the intent of such provision.

### 1.4. APPLICABILITY

All provisions of the ECM are subject to deviation by the ECM Administrator provided that one of the following conditions is met:

- The ECM standard is inapplicable to a particular situation.
- Topography, right-of-way, or other geographical conditions or impediments impose an undue hardship on the applicant, and an equivalent alternative that can accomplish the same design objective is available and does not compromise public safety or accessibility.
- A change to a standard is required to address a specific design or construction problem, and if not modified, the standard will impose an undue hardship on the applicant with little or no material benefit to the public.

### 1.5. TECHNICAL GUIDANCE

The review shall ensure all criteria for approval are adequately considered and that justification for the deviation is properly documented.

### 1.6. RELATED PROCEDURES

#### 1.6.1. Governing Procedures

P-AR-063-07 Deviation

#### 1.6.2. Other Related Procedures

P-AR-012-07 Administrative Relief

**1.7. RESOURCE**

Attached is the Deviation Review and Decision Form that is used by the applicant/engineer for requesting and justifying a deviation. The form is reviewed by the ECM Administrator and approved or denied. The form is used to document the review and decision concerning a requested deviation. The request and decision concerning each deviation from a specific section of the ECM shall be recorded on a separate form.



Development Services  
 Department  
 2880 International Circle  
 Colorado Springs, Colorado  
 80910

Phone: 719.520.6300  
 Fax: 719.520.6695  
 Website www.elpasoco.com

## DEVIATION REVIEW AND DECISION FORM

Procedure # R-FM-051-07  
 Issue Date: 12/31/07  
 Revision Issued: 00/00/00

**DSD FILE NO.:**

--	--	--	--	--	--	--	--

**General Property Information:**

Address of Subject Property (Street Number/Name):  
 Tax Schedule ID(s) #:551408088, 5514400006, 5514400007, 5500000402

A PARCEL OF LAND BEING A PORTION OF THE SOUTHWEST QUARTER (SW 1/4) SECTION 13, AND OF THE EAST HALF, SOUTHEAST QUARTER (E 1/2, SE 1/4) SECTION 14, AND A REPLAT OF TRACT E OF "PIONEER LANDING AT LORSON RANCH FILING NO. 2" AS RECORDED UNDER RECEPTION NUMBER 217713888 IN THE RECORDS OF EL PASO COUNTY, COLORADO, ALL IN TOWNSHIP 15 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO.

BASIS OF BEARING: THE NORTH LINE OF THE SOUTHWEST QUARTER (SW 1/4) SECTION 13, TOWNSHIP 15 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, BEING MONUMENTED AT THE QUARTER CORNER COMMON TO SECTIONS 13 AND 14 WITH A 3" GALVANIZED H20 SCREW ON CAP AND AT THE NORTHEAST CORNER WITH A 3-1/4" ALUMINUM CAP STAMPED "PLS23044". SAID LINE IS ASSUMED TO BEAR N89°32'23"E A DISTANCE OF 2654.23 FEET.

BEGINNING AT THE QUARTER CORNER COMMON TO SECTIONS 13 AND 14; THENCE N89°32'23"E ALONG SAID NORTH LINE, A DISTANCE OF 1482.79 FEET; THENCE S00°28'00"E A DISTANCE OF 454.28 FEET; THENCE S02°33'09"E A DISTANCE OF 136.79 FEET; THENCE N87°26'51"E A DISTANCE OF 9.30 FEET; THENCE S02°33'09"E A DISTANCE OF 160.00 FEET TO THE NORTHERLY RIGHT-OF-WAY OF LAMPREY DRIVE, AS RECORDED IN "LORSON RANCH EAST FILING NO. 1" UNDER RECEPTION NUMBER \_\_\_\_\_ IN THE RECORDS OF EL PASO COUNTY, COLORADO;

THENCE ALONG THE BOUNDARY OF "LORSON RANCH EAST FILING NO. 1" THE FOLLOWING TWENTY-ONE (21) COURSES:

- THENCE S87°26'51"W A DISTANCE OF 111.93 FEET;
- THENCE N47°33'09"W A DISTANCE OF 18.48 FEET;
- THENCE N02°33'09"W A DISTANCE OF 16.93 FEET;
- THENCE S87°26'51"W A DISTANCE OF 50.00 FEET;
- THENCE S02°33'09"E A DISTANCE OF 19.24 FEET;
- THENCE S71°26'26"W A DISTANCE OF 46.20 FEET;

THENCE ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 595.00 FEET, A CENTRAL ANGLE OF 56°56'49" (THE CHORD OF WHICH BEARS S54°17'59"W A DISTANCE OF 567.33 FEET), AN ARC DISTANCE OF 591.38 FEET;  
THENCE S58°27'30"W A DISTANCE OF 33.75 FEET;  
THENCE S20°50'17"W A DISTANCE OF 50.00 FEET;  
THENCE S16°33'16"E A DISTANCE OF 33.97 FEET;  
THENCE ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 595.00 FEET, A CENTRAL ANGLE OF 16°13'33" (THE CHORD OF WHICH BEARS S07°42'45"W A DISTANCE OF 167.94 FEET), AN ARC DISTANCE OF 168.50 FEET;  
THENCE S00°24'02"E A DISTANCE OF 41.44 FEET;  
THENCE S04°23'45"W A DISTANCE OF 101.66 FEET;  
THENCE S00°24'02"E A DISTANCE OF 94.82 FEET;  
THENCE S52°37'06"W A DISTANCE OF 48.31 FEET;  
THENCE S89°35'58"W A DISTANCE OF 621.14 FEET;  
THENCE N00°06'29"W A DISTANCE OF 663.07 FEET;  
THENCE S89°54'29"W A DISTANCE OF 221.60 FEET;  
THENCE S49°33'34"W A DISTANCE OF 447.72 FEET;  
THENCE S03°27'32"W A DISTANCE OF 397.12 FEET;  
THENCE S89°35'58"W A DISTANCE OF 242.34 FEET TO THE SOUTHWEST CORNER OF TRACT E OF "PIONEER LANDING AT LORSON RANCH FILING NO. 2" AS RECORDED UNDER RECEPTION NUMBER 217713888 IN THE RECORDS OF EL PASO COUNTY, COLORADO;

THENCE ALONG THE WESTERLY BOUNDARY OF TRACT E, "PIONEER LANDING AT LORSON RANCH FILING NO. 2" THE FOLLOWING FOUR (4) COURSES:

THENCE N08°50'55"E A DISTANCE OF 436.63 FEET;  
THENCE N42°43'38"E A DISTANCE OF 313.14 FEET;  
THENCE N45°28'23"E A DISTANCE OF 55.11 FEET;  
THENCE N00°17'57"W A DISTANCE OF 939.46 FEET TO THE NORTH LINE OF SAID SOUTHEAST QUARTER SECTION 14;

THENCE N89°42'01"E ALONG SAID NORTH LINE 412.53 FEET TO POINT OF BEGINNING.

SAID PARCEL CONTAINS A CALCULATED AREA OF 2,346,401 S.F. (53.866 ACRES) MORE OR LESS.



**CHECK IF APPLICATION MEETS CRITERIA FOR CONSIDERATION**

**JUSTIFICATION**

The ECM standard is inapplicable to a particular situation.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Topography, right-of-way, or other geographical conditions or impediments impose an undue hardship on the applicant, and an equivalent alternative that can accomplish the same design objective is available and does not compromise public safety or accessibility.

Redirection of the runoff from this area to the on-site stormwater quality pond would result a long swale which would be difficult to maintain and would cross numerous lots. Raising the backyards would require significant amounts of fill.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

A change to a standard is required to address a specific design or construction problem, and if not modified, the standard will impose an undue hardship on the applicant with little or no material benefit to the public.

**If at least one of the criteria listed above is not met, this application for deviation cannot be considered.**

**Criteria for Approval:**

**PLEASE EXPLAIN HOW EACH OF THE FOLLOWING CRITERIA HAVE BEEN SATISFIED BY THIS REQUEST**

The request for a deviation is not based exclusively on financial considerations.	A swale would be difficult to maintain
The deviation will achieve the intended result with a comparable or superior design and quality of improvement.	Runoff will flow over a grass buffer located in Tract B which is an open space tract owned/maintained by Lorson Ranch Metro District. Runoff is from the backyards of Lots 15-45.
The deviation will not adversely affect safety or operations.	Allowing the flow to drain west to the creek will not affect safety or operations of the creek
The deviation will not adversely affect maintenance and its associated cost.	Maintenance will be less expensive
The deviation will not adversely affect aesthetic appearance.	The lots adjacent to the creek will be able to see the creek and open space better

**Owner, Applicant and Engineer Declaration:**

To the best of my knowledge, the information on this application and all additional or supplemental documentation is true, factual and complete. I am fully aware that any misrepresentation of any information on this application may be grounds for denial. I have familiarized myself with the rules, regulations and procedures with respect to preparing and filing this application. I also understand that an incorrect submittal will be cause to have the project removed from the agenda of the Planning Commission, Board of County Commissioners and/or Board of Adjustment or delay review, and that any approval of this application is based on the representations made in the application and may be revoked on any breach of representation or condition(s) of approval.

Signature of owner (or authorized representative) \_\_\_\_\_ Date 6/22/18

Signature of applicant (if different from owner) \_\_\_\_\_ Date \_\_\_\_\_

Signature of Engineer \_\_\_\_\_ Date \_\_\_\_\_

Engineer's Seal



**Review and Recommendation:**  
**APPROVED by the ECM Administrator**

Approved  
by Elizabeth Nijkamp  
El Paso County Planning and Community Development  
on behalf of Jennifer Irvine, County Engineer, ECM Administrator  
11/07/2018 1:19:00 PM

Date \_\_\_\_\_

This request has been determined to have met the criteria for approval. A deviation from Section 1.7.1.B of ECM is hereby granted based on the justification provided. Comments:  
The grass buffer must remain in place and be maintained by the Metro District in perpetuity.

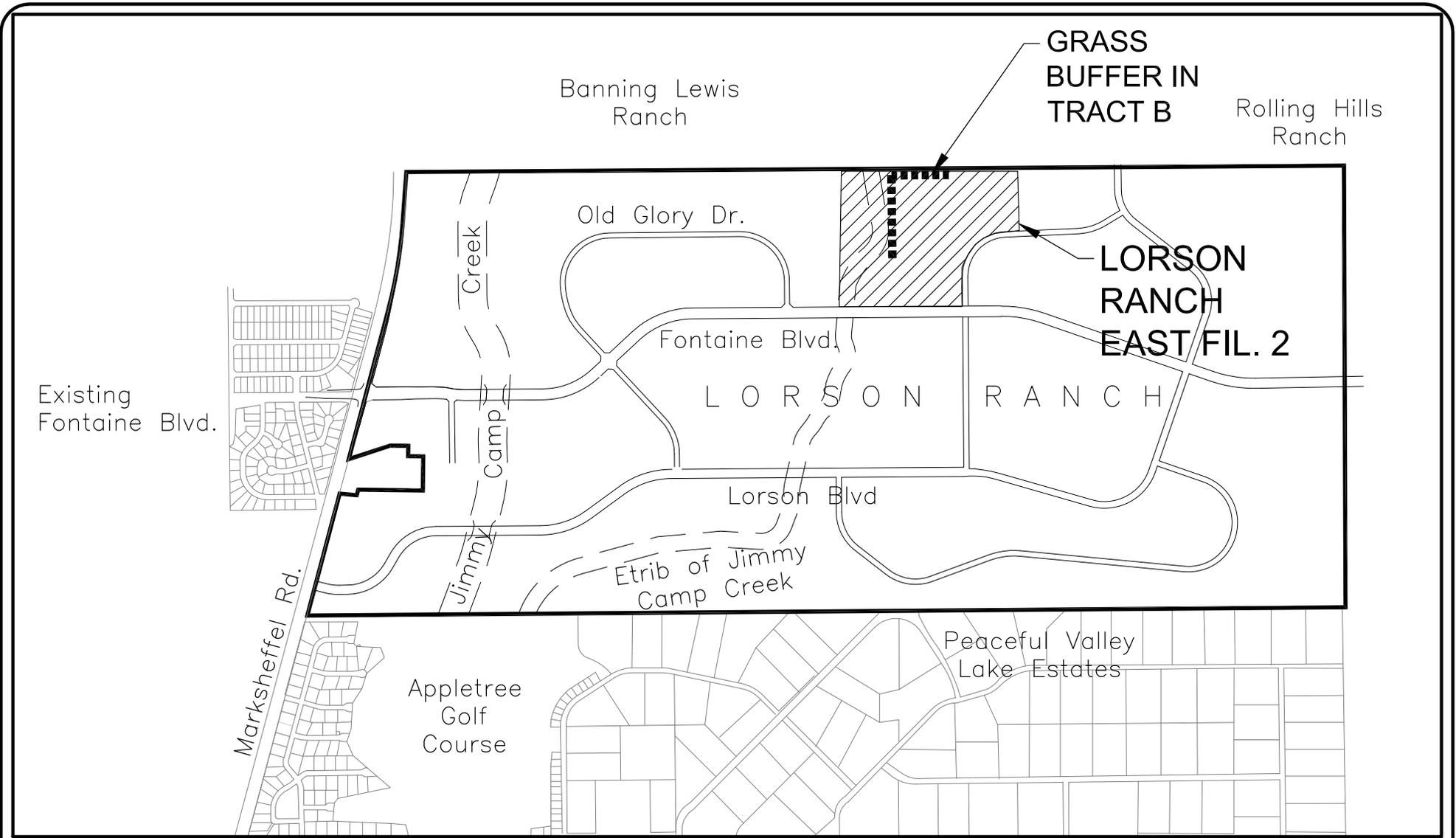
\_\_\_\_ Additional comments or information are attached.

**DENIED by the ECM Administrator**

Date \_\_\_\_\_

This request has been determined not to have met criteria for approval. A deviation from Section \_\_\_\_\_ of ECM is hereby denied. Comments:

\_\_\_\_ Additional comments or information are attached.



**VICINITY MAP**  
NO SCALE



**CORE**  
ENGINEERING GROUP

15004 1ST AVE. S.  
BURNSVILLE, MN 55306  
PH: 719.570.1100

CONTACT: RICHARD L. SCHINDLER, P.E.  
EMAIL: Rich@ceg1.com

**LORSON RANCH EAST FILING NO. 2**  
**GRASS BUFFER LOCATION**

SCALE:  
NTS

DATE:  
NOVEMBER 7, 2018

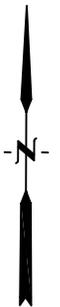
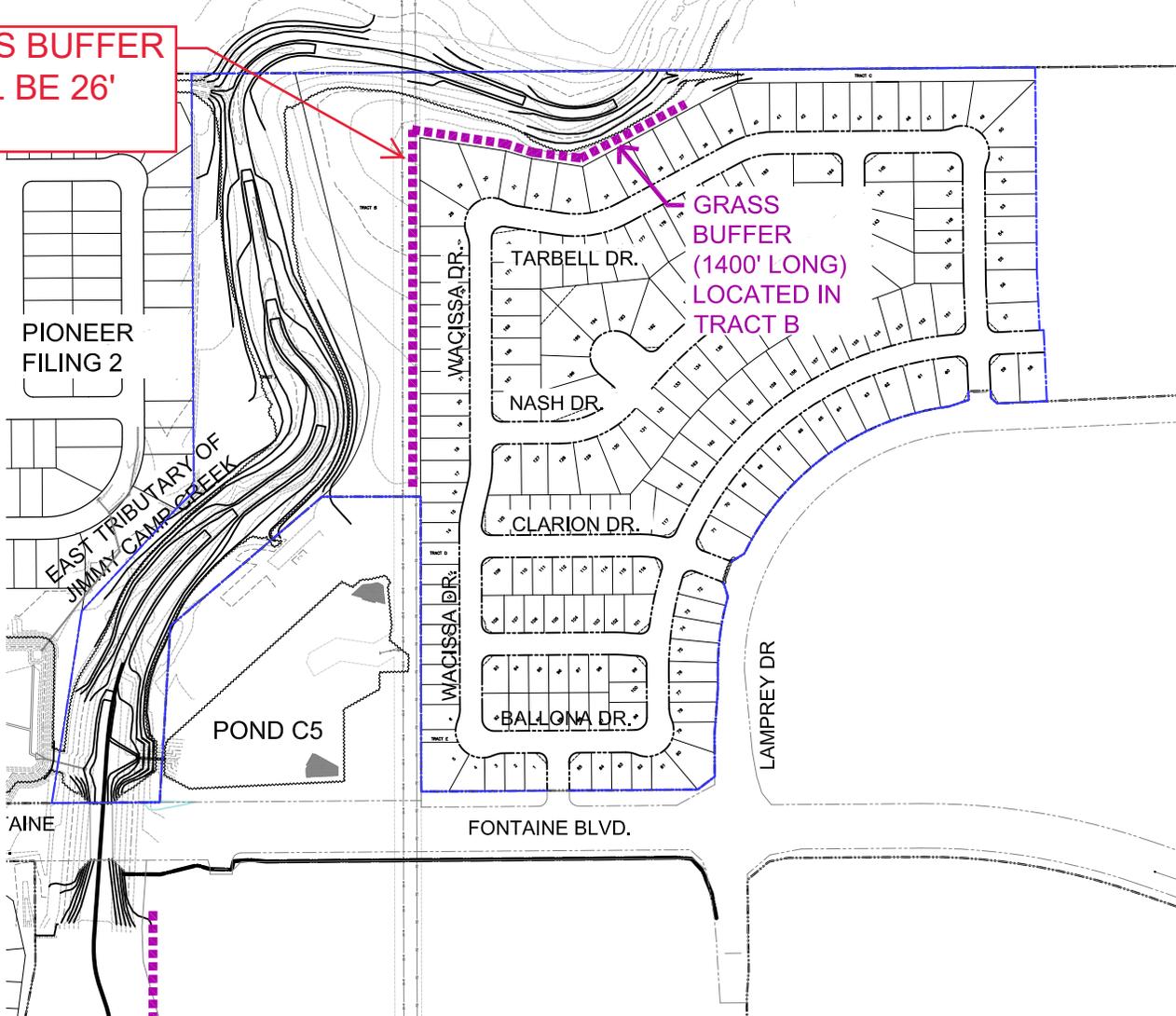
FIGURE NO.  
--

Exhibit B – Grass Buffer BMP Location

Tract B, Lorson Ranch East Filing No. 2

BANNING LEWIS RANCH (UNPLATTED)  
CITY OF COLORADO SPRINGS

GRASS BUFFER  
SHALL BE 26'  
WIDE



0 400 800



SCALE: 1" = 400'