

Planning and Community
Development Department
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Colorado Springs, Colorado 80910
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Fax: 719.520.6695
Website www.elpasoco.com

DEVIATION REQUEST AND DECISION FORM

Updated: 6/26/2019

PROJECT INFORMATION

Project Name : Forest Heights Estates

Schedule No.(s) : 52090-00-050; 52090-00-120; 52090-00-121 (*Exhibit 1*)

Legal Description : FOREST HEIGHTS ESTATES
LEGAL DESCRIPTION

A Tract of land in the Southwest 1/4 of Section 9, Township 12 South, Range 65 West, of the 6th P.M. County of El Paso, State of Colorado, more specifically described as follows;
Commencing at the West 1/4 corner of Section 9,
Thence Along the North line of said Southwest 1/4, N89°55'03"E a distance of 1391.55 feet to the Point of Beginning of the parcel to be described hereby;
Thence continue along said North line, N89° 55'03"E a distance of 506.51 feet to the Northwest corner of that parcel described at Book 2318, Page 387, of the records of the El Paso County Clerk and Recorder;
Thence S00°03'25"W along the West line of said parcel a distance of 430.00 feet;
Thence N89°55'03"E parallel to said North line, a distance of 506.81 feet to the Northmost West line of the parcel described in Book 721, Page 970 of said records;
Thence S00°09'20"W a distance of 60.00 feet;
Thence S89°55'03"W along the line of said parcel 459.94 feet;
Thence S00°11'43"W along the West line of said parcel a distance of 829.70 feet;
Thence S89°54'44"W a distance of 1941.21 feet to a point on the East Right of Way line of Herring Road;
Thence N00°03'25"E" along said East line a distance of 327.80 feet to the South line of that parcel described in Book 2371 Page 388 of said records;
Thence N89°55'03"E along the South line of said parcel a distance of 434.00 feet;
Thence; N00°03'25"E along the East line of said parcel a distance of 501.84 feet to the South line of that parcel described in Book 2215 Page 559 of said records
Thence along said South line N89°55'03"E along said South line distance of 449.43 feet to the East line of said parcel;
Thence N00°03'25"E along said East line a distance of 60.00 feet;
Thence N89°55'03"E a distance of 506.51 feet,
Thence; N00°03'25"E a distance of 430.00 feet to the Point of Beginning, except that parcel described in Book 2645, Page 207.

EXCEPTION PARCEL: Book 2645, Page 207 of the records of El Paso County, Colorado
A tract of land in the Southwest 1/4 of Section 9, Township 12 South, Range 65 West of the 6th p.m. County of El Paso, State of Colorado more particularly described as follows;
Commencing at the West 1/4 corner of said Section 9,
Thence along the West line of Section 9, S00°03'25"W a distance of 490.00 feet;
Thence N89°55'03"E a distance of 1090.00 feet to the Point of Beginning of the tract described hereby;
Thence N89°55'03"E a distance of 610.00 feet;
Thence S00°03'25"W a distance of 325.00 feet;
Thence S89°55'03"W a distance of 610.00 feet;
Thence N00°03'25"E a distance of 325.00 feet to the Point of Beginning.
This description contains 34.528 acres (not including the exception parcel).

TRACT A

Tract in Northwest quarter of the Southwest quarter of Section 9, Township 12 South, Range 65 West, of the 6th P.M. County of El Paso, State of Colorado, described as follows:
Commencing at the West 1/4 corner of said Section 9, Thence along the west line of said Section 9 S00°03'25"W a distance of 430.00 feet;
Thence N89°55'03"E 30.00 feet to a point on the West Right of Way line of Herring Road and the Point Of Beginning (P.O.B.) of the Tract described hereby;
Thence N89°55'03"E a distance of 435.00 feet;
Thence S01°00'46"W a distance of 60.01 feet;

Thence S89°55'03"W a distance of 434.00 feet to a point on said West Right of Way line;
Thence N00°03'25"E a distance of 60.00 feet to the Point Of Beginning (POB).
Tract A contains 0.598 Acres, more or less.

THE TOTAL ACREAGE OF THIS SUBDIVISION PLAT IS 35.126 ACRES.

See Site Map (Exhibit 3), Plat Map (Exhibit 2)

APPLICANT INFORMATION

Company : NA

Name : Ms. Phyllis Dideau

☒ Owner ☐ Consultant ☐ Contractor

Mailing Address : 8250 Forest Heights Circle
Colorado Springs, Colorado 80908

Phone Number : 719-440-1949

FAX Number : none

Email Address : phyllis@pcisys.net

ENGINEER INFORMATION

Company : KCH Engineering Solutions, LLC

Name : Kenneth Harrison

Colorado P.E. Number: 0023635

Mailing Address : 5228 Cracker Barrel Circle
Colorado Springs, CO 80917

Phone Number : 719-246-4471

FAX Number : None

Email Address : ksharrison5228@msn.com

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 until corrections are made, 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.

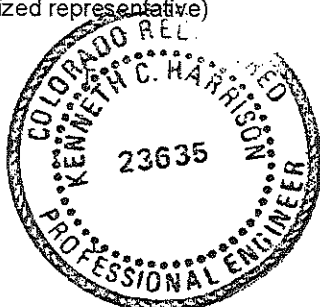
Kenneth Harrison

Signature of owner (or authorized representative)

8-28-20

Date

Engineer's Seal, Signature
And Date of Signature



DEVIATION REQUEST (Attach diagrams, figures, and other documentation to clarify request)

A deviation from the standards of or in Section 2.3.8.A Cul-de-sacs of the Engineering Criteria Manual (ECM) is requested.

Identify the specific ECM standard which a deviation is requested:

Section 2.3.8.A Cul-de-sacs

This Deviation Request is **ONLY** for the length of the cul-de-sac and not for the deviation from the approved typical roadway section. This will be addressed with another separate Deviation Request. The specific standard for the deviation for the cul-de-sac is as follows;

1. A maximum length of 1,600 feet for rural conditions.

State the reason for the requested deviation

Forest Heights Circle is approximately 2,400 feet in length. There is no feasible way in which to create a roadway with less length in order to meet El Paso County criteria since the road is a dead end. There is also no feasible means by which to construct another access point to a public road due to unavailable right of way (*Exhibit 1*)

As a result of the existing conditions, The Black Forest Fire Rescue Protection District (BFFD) outlined their requirement in a May 4, 2020 letter (*Exhibit 7*). The specifics are as follows;

"As the road length is approximately 2200 feet to the cul-de-sac, we will require a minimum of two turnouts along the main access roadway for emergency vehicle turnarounds. These turnouts should be spaced and located for the maximum efficiency and shall be no less than 30 feet in length and 1 foot deep."

Included is a 11 by 17 copy of the concept design for Forest Heights Circle indicating the location of these turnouts (*see Exhibit 5*).

Explain the proposed alternative and compare to the ECM standards (May provide applicable regional or national standards used as basis):

The physical dimensions of the proposed cul-de-sac meets the ECM. The approximate length of the cul-de-sac is 2,400 feet (*Exhibit 5*).

The length of the cul-de-sac is greater than the allowable according to the ECM criteria but meets the criteria acceptable to the Black Forest Rescue Protection District. See attached, May 4, 2020 letter from the "Office of the Fire Marshall, Black Forest Fire Rescue Protection District" (*Exhibit 7*).

1. All weather road
2. Diameter of the cul-de-sac = 100 feet
3. Two (2) turnouts will be constructed as shown on the Concept Design for Forest Heights Circle (*Exhibit 8*)

LIMITS OF CONSIDERATION

(At least one of the conditions listed below must be met for this deviation request to be considered.)

- ☒ The ECM standard is inapplicable to the particular situation.
- ☒ Topography, right-of-way, or other geographical conditions or impediments impose an undue hardship 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.

Provide justification:

1. The existing road is a private road and has been in service since the 1970s. The roadway is to remain private and will have a Maintenance Agreement for the maintenance of the road (*Exhibit 8*).
2. It is not feasible to modify the existing road to meet current ECM Criteria since the necessary right of way to do so is not available.

CRITERIA FOR APPROVAL

Per ECM section 5.8.7 the request for a deviation may be considered if the request is not based exclusively on financial considerations. The deviation must not be detrimental to public safety or surrounding property. The applicant must include supporting information demonstrating compliance with all of the following criteria:

The deviation will achieve the intended result with a comparable or superior design and quality of improvement.

The cul-de-sac is to be constructed to the requirements of the Black Forest Fire Department which are basically the same as El Paso County's standards. The proposed improvements are to include the following:

1. Increased diameter of the existing cul-de-sac
2. Improved drainage around the perimeter of the existing cul-de-sac
3. Improved erosion control around the perimeter of the existing cul-de-sac

Specific dimensions of the cul-de-sac are not shown on the Concept Design (*Exhibit 5*) since it was decided to utilize the "Design Build" concept to construction road. It is understood that approved construction plans are not required since the road will remain private and therefore not owned and maintained by El Paso County.

The deviation will not adversely affect safety or operations.

The existing roadway has been in service since the 1970s and has no proven to be unsafe. The cul-de-sac will be improved to meet the requirements of the Fire Department which are very similar to those of EPC. Vehicle speeds in the cul-de-sac are to be between 15 mph and 25 mph as well.

The deviation will not adversely affect maintenance and its associated cost.

The deviation will greatly improve access for maintenance vehicles since the diameter will be increased and the drainage around the cul-de-sac will be improved. The cost for the maintenance will not change either and may even be decreased. Re-grading the cul-de-sac to a cross slope of 4% and the installation of borrow ditches will also reduce the occurrence of potholing and base course failure.

The deviation will not adversely affect aesthetic appearance.

The deviation will greatly increase the aesthetic appearance of the area. The existing cul-de-sac is irregular with problems associated with the drainage. The proposed improvements will widen the diameter and install drainage improvements to prevent the water from entering the roadway and to direct it to an appropriate outfall.

The deviation meets the design intent and purpose of the ECM standards.

The deviation meets the design intent of the ECM standards except for the length of the roadway.

The deviation meets the control measure requirements of Part I.E.3 and Part I.E.4 of the County's MS4 permit, as applicable.

Temporary erosion control improvements are to be installed in order to help control the erosion until seed has had a chance to become established. The location of the proposed erosion control measures are shown on the Grading and Erosion Control plan (*Exhibit 6*). The erosion control measures include the following:

1. Erosion control logs
2. Staked hay bales.
3. Erosion control fabric
4. Seeding and mulching.

Examples of the erosion control facilities, *Exhibit 6*, are included in this Deviation Request.

REVIEW AND RECOMMENDATION:

Approved by the ECM Administrator

This request has been determined to have met the criteria for approval. A deviation from Section _____ of the ECM is hereby granted based on the justification provided.

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Denied by the ECM Administrator

This request has been determined not to have met criteria for approval. A deviation from Section _____ of the ECM is hereby denied.

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ECM ADMINISTRATOR COMMENTS/CONDITIONS:

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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. 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.

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 5.8 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. LIMITS OF APPROVAL

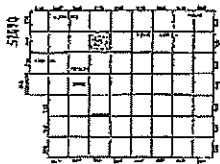
Whether a request for deviation is approved as proposed or with conditions, the approval is for project-specific use and shall not constitute a precedent or general deviation from these Standards.

1.7. REVIEW FEES

A Deviation Review Fee shall be paid in full at the time of submission of a request for deviation. The fee for Deviation Review shall be as determined by resolution of the BoCC.

EXHIBITS

1. COUNTY ASSESSOR MAPS



EL PASO COUNTY

1	2	3	4	5	6
7	8	9	10	11	12
13	14	15	16	17	18
19	20	21	22	23	24
25	26	27	28	29	30
31	32	33	34	35	36

ONE TOWNSHIP

ASSESSOR



El Paso County
Colorado



Rectangular Survey of One Section



December 30, 2017

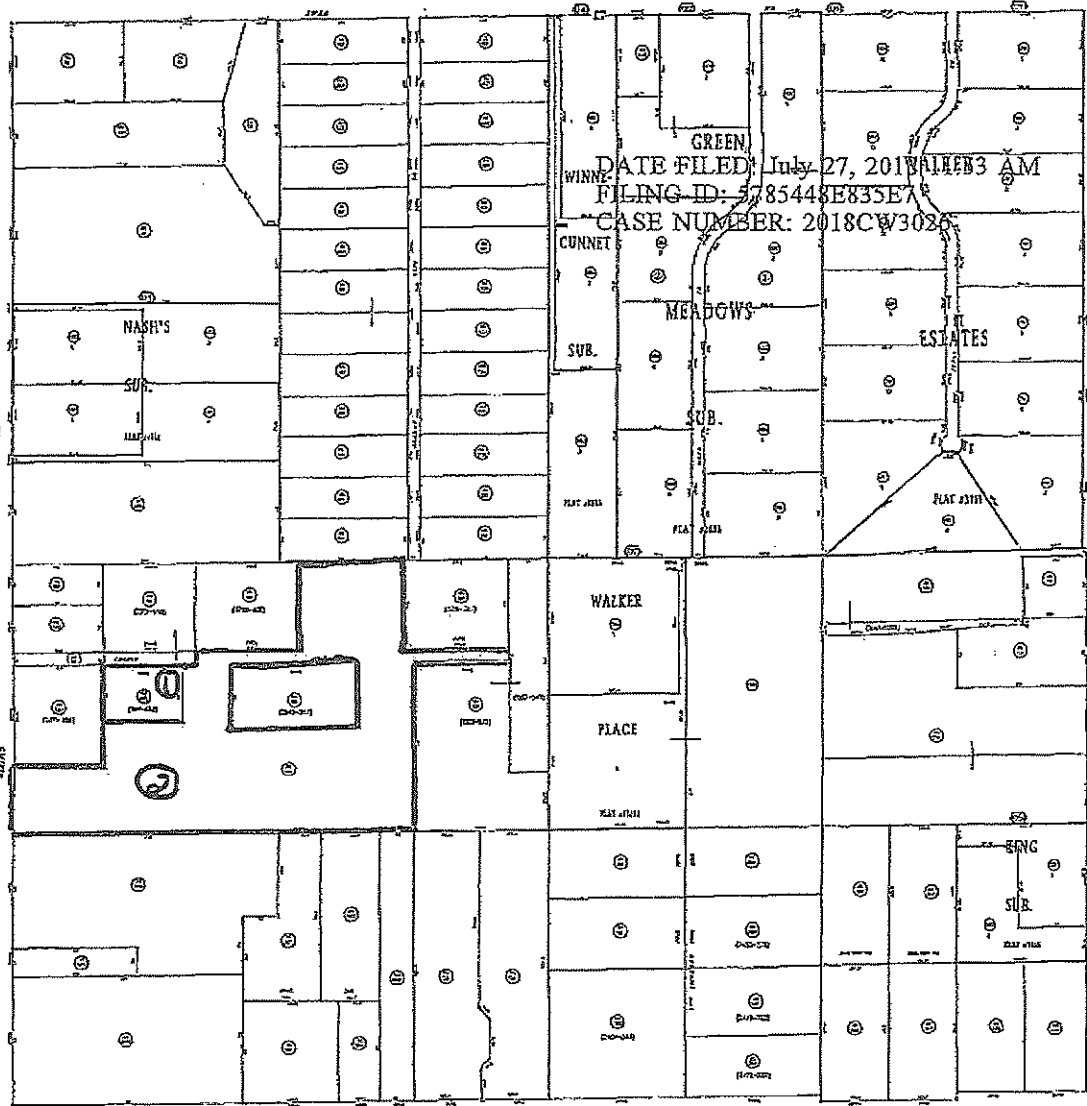


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52090



ADJOINING 52080

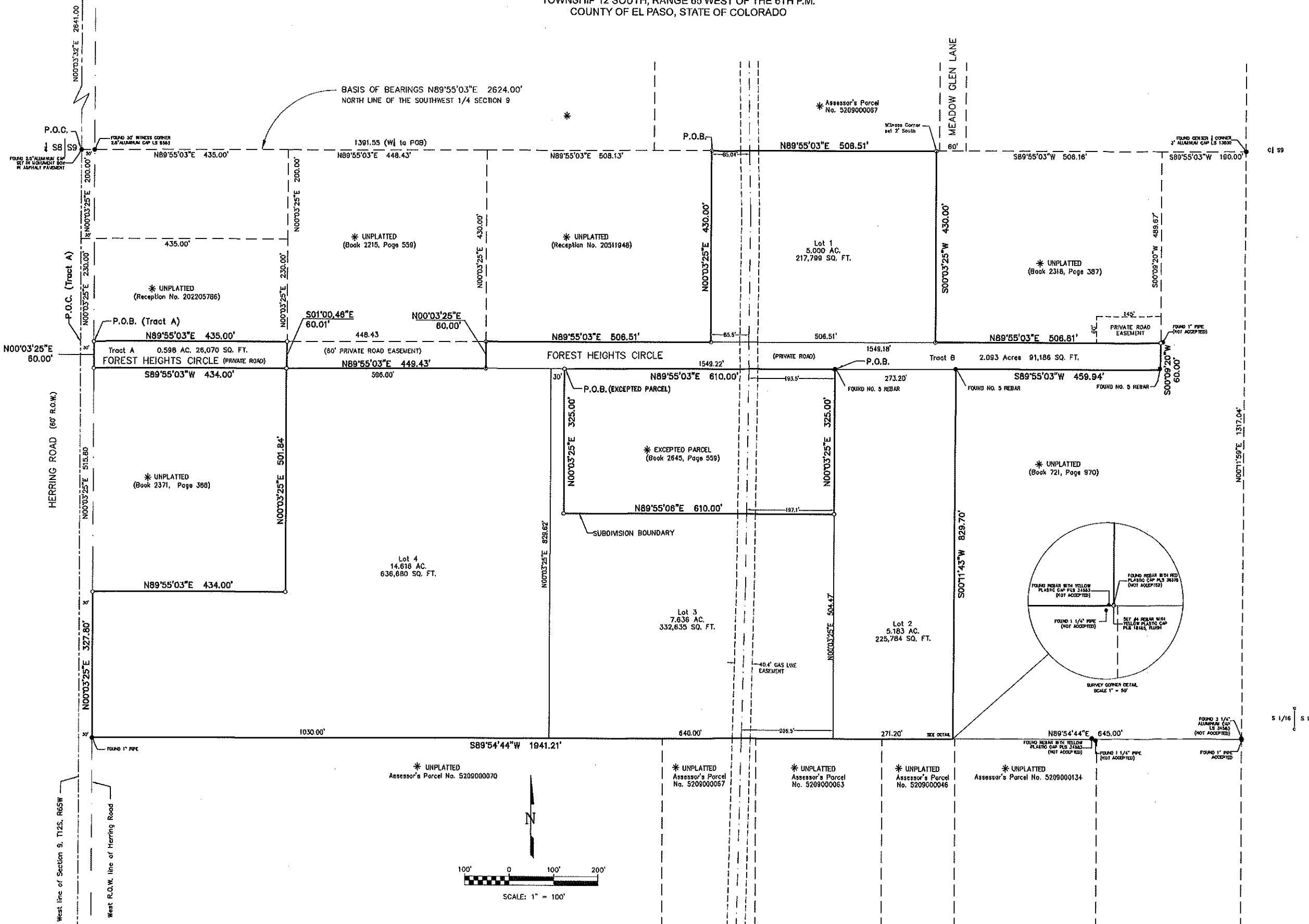
52090

- ① Parcel 1
- ② Parcel 2

2. PLAT MAP

FOREST HEIGHTS ESTATES

FINAL PLAT
PART OF THE SOUTHWEST 1/4 OF SECTION 9
TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH P.M.
COUNTY OF EL PASO, STATE OF COLORADO



NOTICE
According to Colorado law
you must commence any
action to set aside or
correct this plat within
three years after you first
discover such defect. In no
event may any action based
on this notice be commenced
more than ten years from the
date of the certification.

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BEFORE YOU DIG CALL 811 LOCATES
FOR GAS, WATER, SINK, SEWER
AND CABLES

REVISIONS		By	Date
No.	Description		

H Scale:	1"=100'	N/A
V Scale:	N/A	N/A
Designed By:	N/A	JLG
Drawn By:	N/A	DLK
Checked By:	N/A	DLK
Date:	5/1/2020	

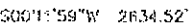
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PLANNING • SURVEYING
www.ldc-inc.com • TEL: (719) 528-6139 • FAX: (719) 528-6949
3838 MARLEND ROAD • COLORADO SPRINGS, CO 80909

FOREST HEIGHTS ESTATES
FINAL PLAT
PART OF SW 1/4, SEC. 9, T12S, R65W, 6TH P.M.
COUNTY OF EL PASO, STATE OF COLORADO

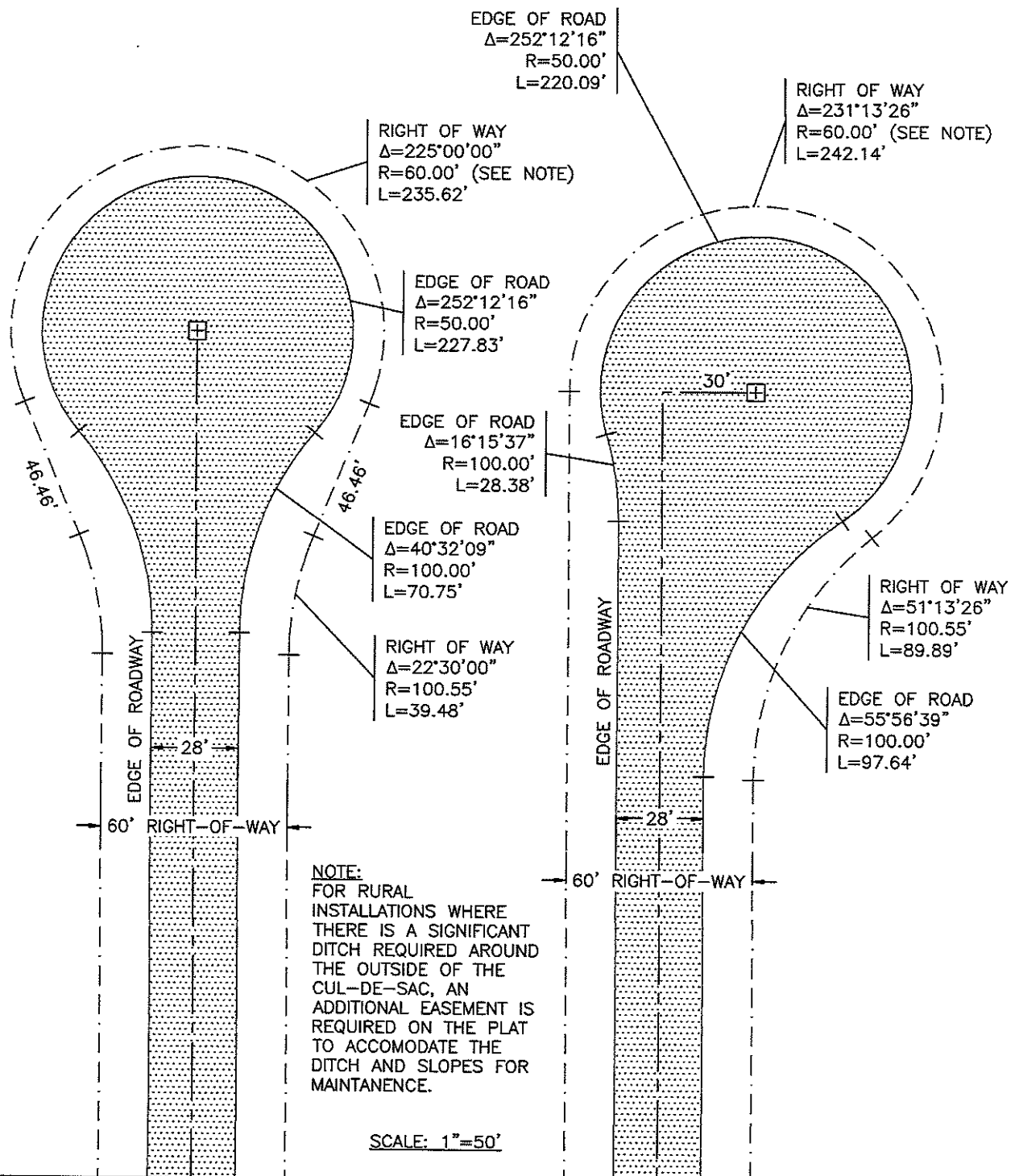
Project No.: 18070
Sheet: 2 of 2

3. SITE MAPS

D.D.L.E.A.U SUBDIVISION



4. EL PASO COUNTY CRITERIA



1/1/08

DATE APPROVED:

John A. McCarty

DEPARTMENT OF TRANSPORTATION

Rural Cul-De-Sac Details

Standard Drawing

REVISION DATE:

12/8/15

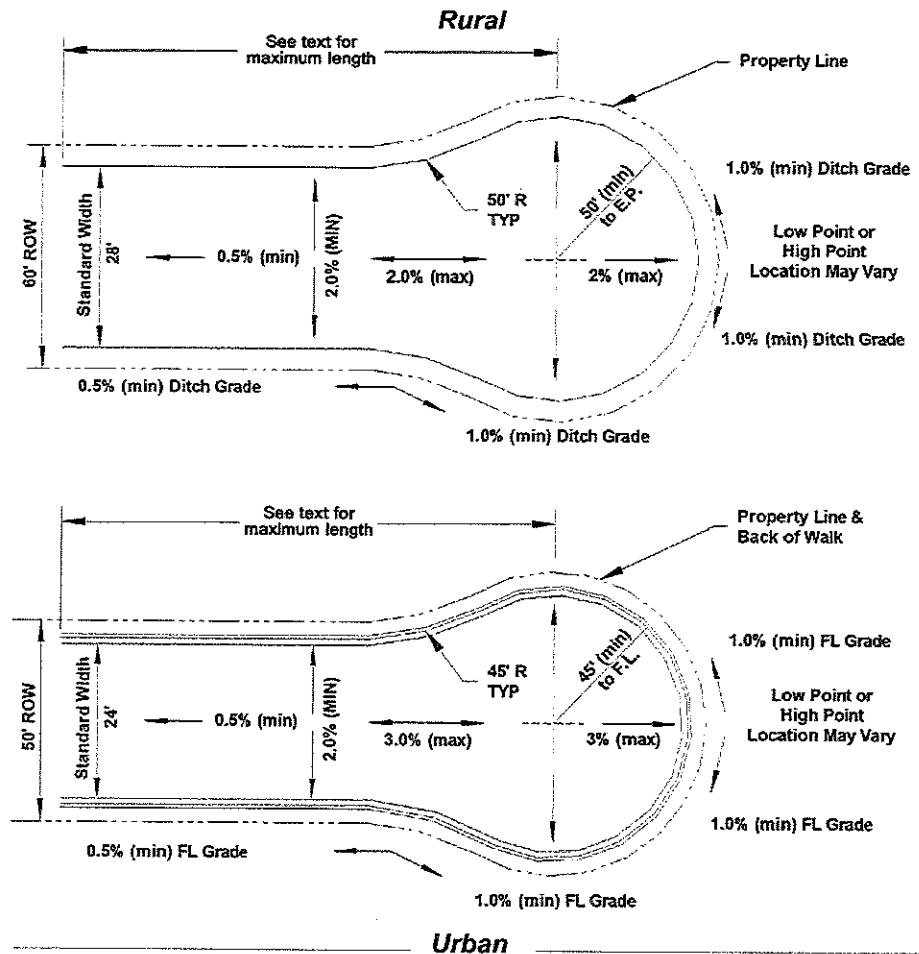
FILE NAME:

SD_2-76



intersection with the divided 4 lane roadway regardless of the length of the terminated divided 4 lane roadway. In all other cases, the length of the cul-de-sac or terminated road shall be measured from the point at which the road providing access to a site begins.

Figure 2-31. Typical Cul-de-Sac Requirements (Urban and Rural)

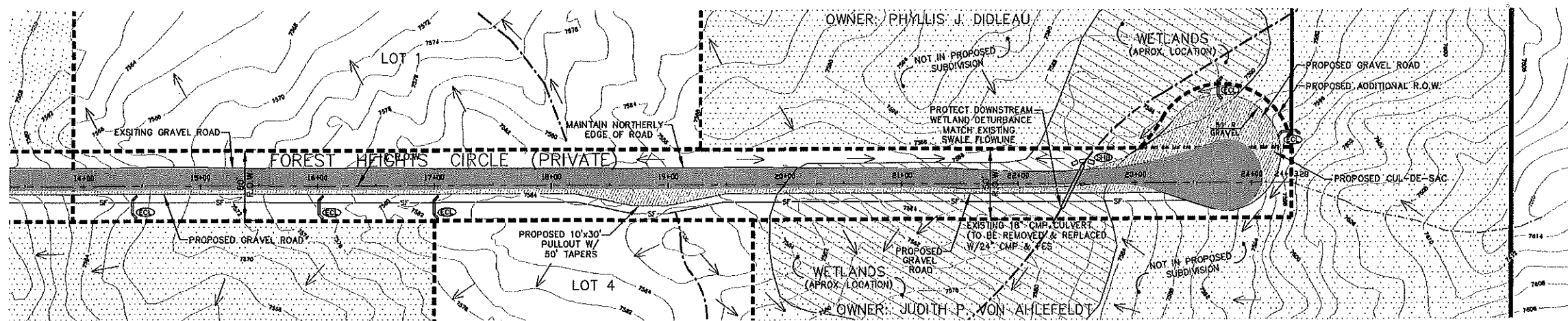
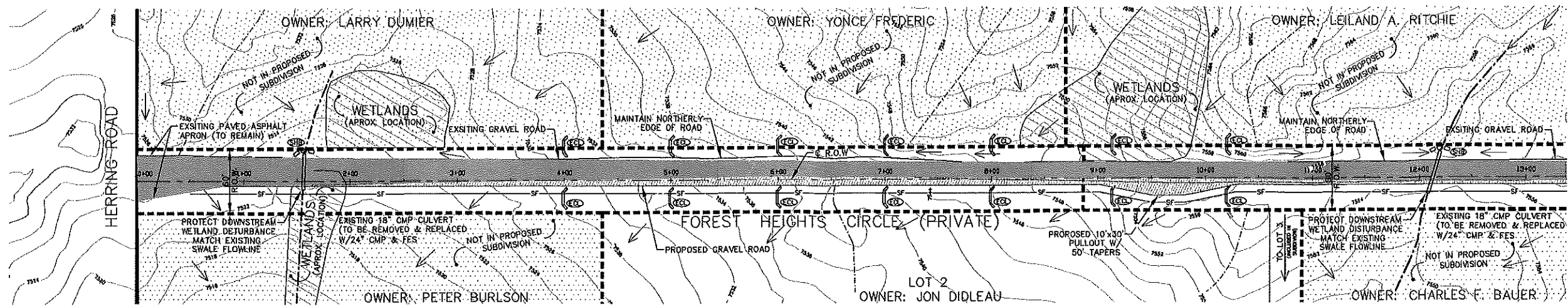


B. Eyebrows

Eyebrows shall be permitted only on local roadways in conformance with Figure 2-32. The location of the eyebrow shall be in conformance with spacing requirements presented in Table 2-4 through Table 2-26.

5. CONCEPT DESIGN ROADWAY PLAN AND PROFILE

FOREST HEIGHTS SUBDIVISION
STORM WATER MANAGEMENT / GRADING AND EROSION CONTROL PLAN
SCALE: 1" = 50'

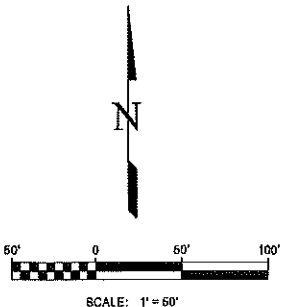


LEGEND:

- R.O.W. BOUNDARY
- CENTER LINE OF R.O.W.
- PROPOSED GRAVEL ROAD ADDITIONAL
- EXISTING GRAVEL ROAD
- EXISTING WETLANDS (APPROX. LOCATION ONLY)
- EXISTING LOTS NOT IN SUBDIVISION
- CONTOURS (2 FOOT INTERVALS)
- DIRECTION OF FLOW
- EXISTING SWALE CENTERLINE
- RIDGE LINE

LEGEND (MP IMPROVEMENTS):

- SILT FENCE
- STAKE HAY BALES (SHB)
- STAKE EROSION CONTROL (TEMP) (ECL)



According to Colorado law, you must commence any survey within three years after you first discover such defect in the survey or be commenced more than three years after the date of the certification shown hereon.

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A SERVICE PROVIDED BY THE COLORADO UTILITIES BOARD FOR LOCATING AND IDENTIFYING GAS, ELECTRIC, WATER AND SEWER LINES.

REVISIONS	
No.	Description

H Scale: 1" = 50'
V Scale: N/A
Designed By: R.H.
Drawn By: T.L.C.
Checked By: R.H.
Date: 8/4/2020

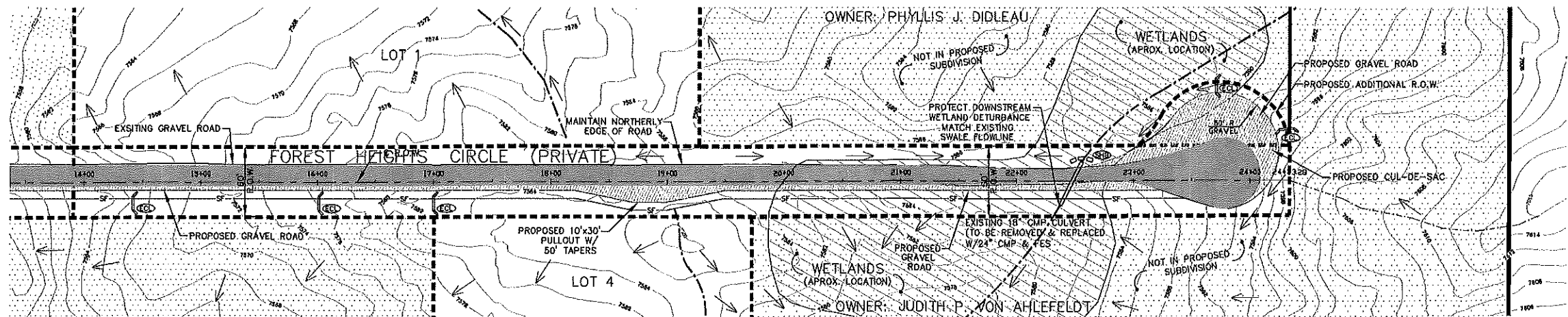
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FOREST HEIGHTS SUBDIVISION
STORM WATER MANAGEMENT/
GRADING AND EROSION CONTROL PLAN


Project No.: 18070
Sheet: 1 of 1

6. GRADING AND EROSION CONTROL PLAN/ EROSION CONTROL EXHIBITS

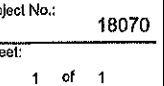
SCALE: 1" = 50'



—SF— -- SILT FENCE

 -- STAKE HAY BALES (SHB)

 -- STAKE EROSION CONTROL (TEMP) (EC)



1. Check Dam (CD)

1. DESCRIPTION:

Check Dams (also referred to as a ditch check) are temporary control structures that can be constructed from rock, silt berms, or erosion logs. Check Dams can be installed across natural or constructed, and temporary or permanent, drainage ditches. They are intended to reduce the velocity of concentrated flows and reduce erosion potential within the ditch.

2. CONTROL MEASURE USES

- ☒ Erosion Control
- ☒ Sediment Control
- ☐ Site/Materials Management

3. RELEVANT SPECIFICATION SECTIONS

Section 208 - Erosion Control

- a) 208.02.(e)/(f) - Materials
- b) 208.05.(g)/(h) - Construction BMPS
- c) 208.11 - Method of Measurement
- d) 208.12 - Basis of Payment

4. RELEVANT M-STANDARD DETAILS

M-208-1, Sheet 11 of 11 (Rock Check Dam)

M-208-1, Sheet 6 of 11 (Drainage Ditch Applications)

5. BASIS OF PAYMENT

Pay item	Description	Pay Unit
208-00041	Rock Check Dam	EACH
208-00004	Silt Berm	LF

6. APPLICATIONS

- Used to intercept and filter concentrated flows and dissipate erosive energy.
- Used to intercept flows along drainage ditches or channels prior to seeding and during establishment of seeded areas.
- Erosion Logs may be used to temporarily construct Check Dam control measures. Refer to the Erosion Logs fact sheet (No. 17) for more information.



Rock check dam along lined drainage ditch

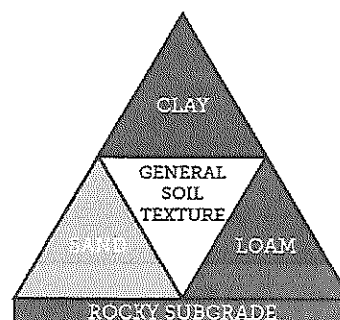
7. LIMITATIONS

- Use only in open channels that receive runoff from an area 10 acres or less.
- Use only in constructed drainage channels and ditches, never in natural live streams.
- For temporary use only, not to be used as primary sediment capture structures.
- For use in unvegetated channels only, not for use in wetland areas or areas where vegetation has been established as they will damage the existing vegetation.

8. CONTROL MEASURE SOILS TRIANGLE

SOIL TEXTURE AND SUBGRADE CONDITIONS

- APPROPRIATE
- SOMEWHAT APPROPRIATE
- NOT APPROPRIATE



20. Silt Fence (SF)



COLORADO
Department of Transportation

1. DESCRIPTION:

Silt Fence is a temporary, entrenched sediment barrier made from woven geotextile fabric (in some cases with wire backing) and stretched across supporting wooden posts. It is used to intercept stormwater runoff containing sediment loads. Silt Fence is intended to allow sediment in surface runoff to settle before runoff leaves the project site.

2. CONTROL MEASURE USES

- ☐ Erosion Control
- ☒ Sediment Control
- ☐ Site/Materials Management

3. RELEVANT SPECIFICATION SECTIONS

Section 208 - Erosion Control

- a) 208.02.(b) - Materials
- b) 208.05.(c) - Construction of Control Measures
- c) 208.11 - Method of Measurement
- d) 208.12 - Basis of Payment

4. RELEVANT M-STANDARD DETAILS

M-208-1, Sheet 3 of 11 (Toe of Slope Protection Applications)

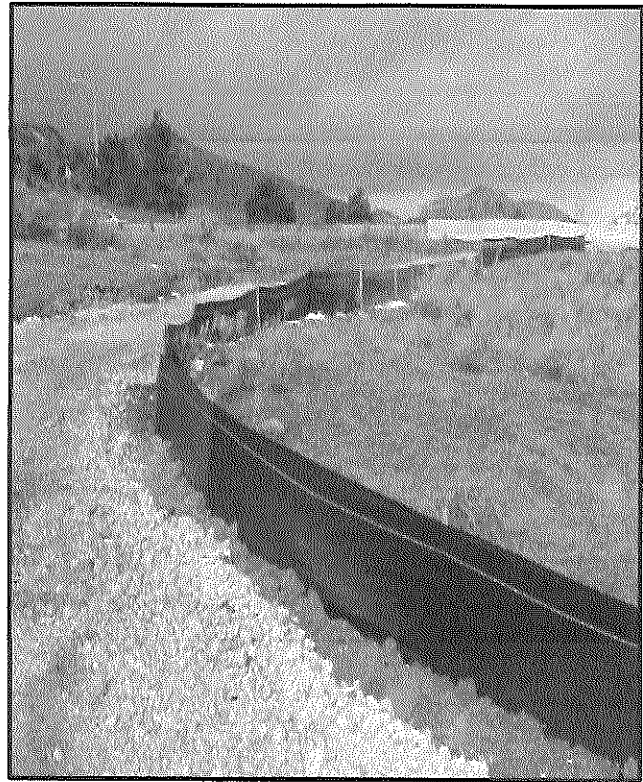
M-208-1, Sheet 8 of 11 (Silt Fence Applications)

5. BASIS OF PAYMENT

Pay item	Description	Pay Unit
208-00020	Silt Fence	LF
208-00021	Silt Fence (Reinforced)	LF

6. APPLICATIONS

- Downgradient of a disturbed area
- Along the perimeter of receiving waters (e.g. streams, ponds, and wetlands)
- Along the perimeter of a construction site (for example, staging area, and stabilized construction roads)
- Around temporary stockpiles
- At the toe of fill of exposed and erodible soils.



Silt fence along perimeter of stabilized construction road

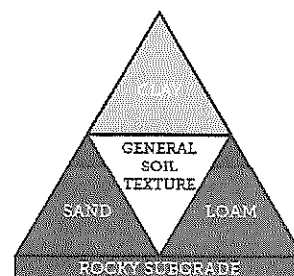
7. LIMITATIONS

- Not for intercepting concentrated flows (streams, channels, drainage paths).
- Limit use to drainage basin areas of 0.25 acres or less.
- Not suitable for mid-slope protection on slopes steeper than 4H:1V.
- Not suitable as flow diversion.
- Not suitable for areas where continuous ponding occurs.

8. CONTROL MEASURE SOILS TRIANGLE

SOIL TEXTURE AND SUBGRADE CONDITIONS

- APPROPRIATE
- ▨ SOMEWHAT APPROPRIATE
- NOT APPROPRIATE



17. Erosion Logs (EL)



COLORADO
Department of Transportation

1. DESCRIPTION:

Erosion Logs are temporary control measures consisting of a bound cylindrical bundle of a combination of excelsior, straw, coconut fibers, wood chips, or compost and anchored to the ground with wooden stakes. It is used to reduce flow velocities, capture sediment and release runoff as sheet flow over stabilized areas.

2. CONTROL MEASURE USES

- ☒ Erosion Control
- ☒ Sediment Control
- ☐ Site/Materials Management

3. RELEVANT SPECIFICATION SECTIONS

Section 208 - Erosion Control

- a) 208.02 (h) - Materials – Erosion Logs
- b) 208.05 (I) - Construction BMPs
- c) 208.11 - Method of Measurement
- d) 208.12 - Basis of Payment

4. RELEVANT M-STANDARD DETAILS

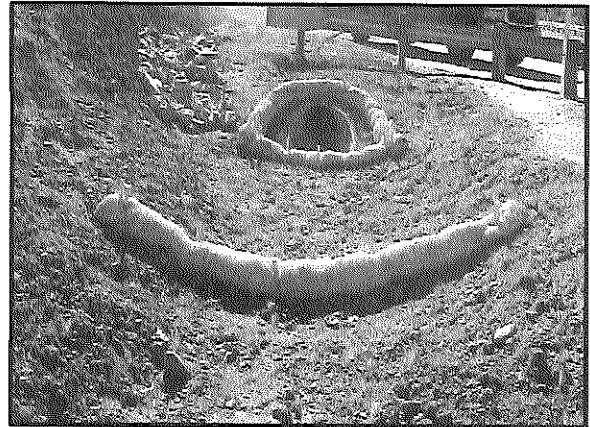
M-208-1, Sheet 2 of 11 (Erosion Log Applications)

M-208-1, Sheet 3 of 11 (Toe of Slope Protection Applications)

M-208-1, Sheet 6 of 11 (Erosion Log Installations)

5. BASIS OF PAYMENT

Pay Item	Description	Pay Unit
208-00012	Erosion Log Type 1 (9 inch)	LF
208-00002	Erosion Log Type 1 (12 inch)	LF
208-00013	Erosion Log Type 1 (20 Inch)	LF
208-00007	Erosion Log Type 2 (8 Inch)	LF
208-00008	Erosion Log Type 2 (12 Inch)	LF
208-00009	Erosion Log Type 2 (18 Inch)	LF
208-00022	Erosion Log Type 3 (9 Inch)	LF
208-00023	Erosion Log Type 3 (12 Inch)	LF
208-00024	Erosion Log Type 3 (20 Inch)	LF
208-00026	Coir Roll	LF



Erosion Logs along construction access road

6. APPLICATIONS

- Use to intercept surface runoff, reduce flow velocities, and capture sediment.
- Where long slopes are present and at grade breaks, use Erosion Logs to prevent formation of concentrated flow paths.
- Upgradient of stormwater inlets, use Erosion Logs to filter sediment and capture debris.
- When vegetation hasn't established, use Erosion Logs as check dams in small drainage ditches.
- Use as perimeter control for stockpiles locations.

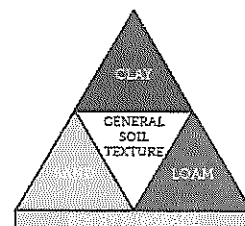
7. LIMITATIONS

- In ditches where continuous flows are expected, avoid using Erosion Logs
- Do not use below the ordinary high-water mark for stream applications.
- Can be dislodged after a storm event if appropriate anchoring is not provided.
- Only use as a temporary measure as bounding net is biodegradable and will release contents when degraded.

8. CONTROL MEASURE SOILS TRIANGLE

SOIL TEXTURE AND
SUBGRADE CONDITIONS

- APPROPRIATE
- ▨ SOMEWHAT APPROPRIATE
- NOT APPROPRIATE



16. Erosion Bales (EB)



COLORADO
Department of Transportation

1. DESCRIPTION:

Erosion Bales are temporary sediment control structures consisting of a row of entrenched and anchored weed free straw or hay bales.

2. CONTROL MEASURE USES

- ☐ Erosion Control
- ☒ Sediment Control
- ☒ Site/Materials Management

3. RELEVANT SPECIFICATION SECTIONS

Section 208 - Erosion Control

- a) 208.02.(a) - Materials
- b) 208.12 - Basis of Payment

4. RELEVANT M-STANDARD DETAILS

M-208-1, Sheet 10 of 11 (Erosion Bale Applications)

5. BASIS OF PAYMENT

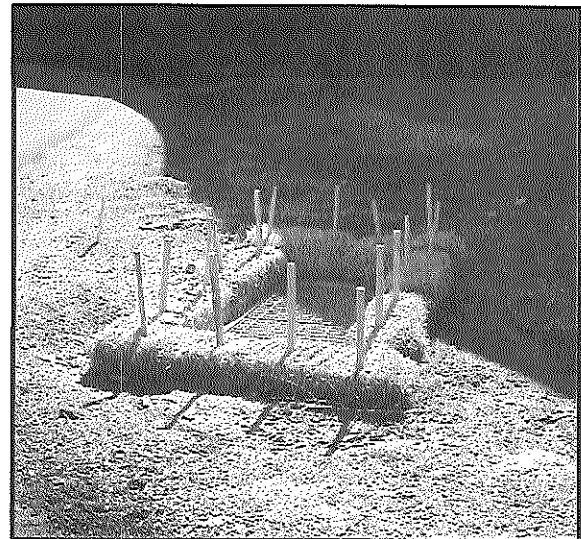
Pay item	Description	Pay Unit
208-00011	Erosion Bales (Weed Free)	EACH

6. APPLICATIONS

- Install along toe of fill areas to use as temporary filters.
- Use to intercept runoff from ditches, swales, and sump areas.
- Use for Temporary Storm Drain Inlet Protection devices.

7. LIMITATIONS

- May be installed in constructed ditches but not in live channels.
- When these structures are used, a secondary sediment control measure must be installed.
- Effectiveness is reduced after 3 months of use.

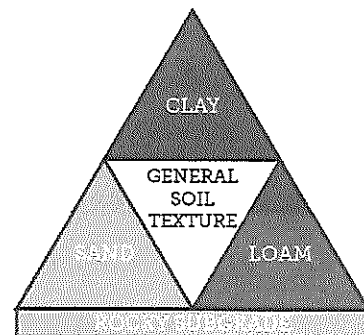


Erosion Bales installation around area inlets

8. CONTROL MEASURE SOILS TRIANGLE

SOIL TEXTURE AND SUBGRADE CONDITIONS

- APPROPRIATE
- SOMEWHAT APPROPRIATE
- NOT APPROPRIATE



2. Mulching, Agricultural Straw or Hay, and Mulch Tackifier (MU)



COLORADO
Department of Transportation

1. DESCRIPTION:

Mulching is a temporary control measure used for interim and permanent stabilization that consists of mechanically placing a uniform layer of agricultural straw or hay mulch that is crimped in and sprayed with tackifiers over disturbed construction areas. It protects disturbed areas immediately after seeding from the forces of rainfall impacts; it also increases infiltration. Mulching assists with germination success of seeded areas by conserving moisture and protecting against temperature extremes until permanent vegetation is established.



Straw Mulching on disturbed side slope

2. CONTROL MEASURE OBJECTIVES

- ☒ Erosion Control
- ☐ Sediment Control
- ☐ Site/Materials Management

3. RELEVANT SPECIFICATION SECTIONS

Section 213 - Mulching

- a) 213.02.(a)/(c)/(f) - Materials
- b) 213.03.(a)/(d)/(g) - Construction Requirements
- c) 213.04 - Method of Measurement
- d) 213.05 - Basis of Payment

4. RELEVANT M-STANDARD DETAILS

Section not applicable for this control measure.

7. LIMITATIONS

- Material availability can impact feasibility of this control measure.
- Potential for introduction of weeds and other non-native plant materials.
- Potentially costlier due to increased labor requirements
- Permanent stabilization strategies for slope applications steeper than 2.5H:1V should consider Soil Retention Blanket or Mulching (Hydraulically applied)

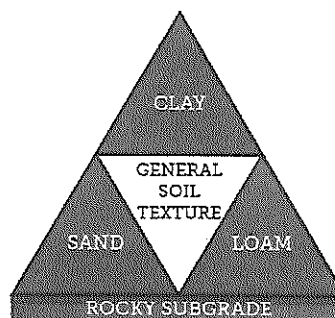
5. BASIS OF PAYMENT

Pay item	Description	Pay Unit
213-00002	Mulching (Weed Free Hay)	ACRE
213-00004	Mulching (Weed Free Straw)	ACRE
213-00061	Mulch Tackifier	LB

8. SOILS TRIANGLE

SOIL TEXTURE AND SUBGRADE CONDITIONS

- APPROPRIATE
- ▨ SOMEWHAT APPROPRIATE
- NOT APPROPRIATE



6. APPLICATIONS

- Use in conjunction with seeding to protect and stabilize disturbed soil.
- Use to cover disturbed areas for extended periods of time as a stabilization strategy.

7. BLACK FOREST FIRE RESCUE PROTECTION DISTRICT LETTER



Black Forest Fire Rescue Protection District
11445 Teachout Road
Colorado Springs, Colorado 80908
Ph-719.495.4300
Fax 719.495.7504
Web- www.bffire.org

"Always Ready, Always Forward, Always Learning."

Office of the Fire Marshal

Thursday, August 27, 2020

Dear Ms. Didleau

Thank you for reaching out to me regarding your future road needs for the Forest Heights Estates sub-division. Per our current code Black Forest Fire Rescue is requiring the following Fire Access to your sub.

1. **403.3 Fire apparatus access road. (2006 WUI code)**When required, fire apparatus access roads shall be all-weather roads with a minimum width of 20 feet (6096 mm) and a clear height of 13 feet 6 inches (4115 mm); shall be designed to accommodate the loads (75,000lbs) and turning radii for fire apparatus; and have a gradient negotiable by the specific fire apparatus normally used at that location within the jurisdiction. Dead-end roads in excess of 150 feet (45 720 mm) in length shall be provided with turnarounds as approved by the code official. An all-weather road surface shall be any surface material acceptable to the code official that would normally allow the passage of emergency service vehicle.
2. Per 2015 IFC (amended), sec D103.4. Requirements for Dead-End Fire Apparatus Access Roads we are requiring a minimum of an 80-foot diameter cul-de-sac with curb and gutter or a 100-foot diameter cul-de-sac without curb and gutter.
3. As the road length is approximately 2200 ft to cul-de-sac, we will require a minimum of two turnouts along the main access roadway for emergency vehicle turnarounds. These turnouts should be spaced and located for maximum efficiency and shall be no less than 30 ft in length and 10 ft deep.

As you begin development of your project please be advised that your project, if 5 or more homes, will require a firefighting water supply source which is generally a water cistern located with the project and accessible to all fire apparatus or departments working in our district. This information is found in the NFPA sec 1142 (Standard on Water Supplies for suburban and Rural Fire Fighting) chapters 7 & 8. I will be happy to sit down and go over these requirements with you as you progress in your project.

Thank you,

A handwritten signature in black ink that reads "James Rebitski".

James Rebitski
Deputy Fire Chief

"Serving the citizens of Black Forest since 1945"

8. MAINTENANCE AGREEMENT

ACCESS EASEMENT GRANT AND MAINTENANCE DECLARATION AND AGREEMENT
FOREST HEIGHTS CIRCLE

THIS ACCESS EASEMENT GRANT AND MAINTENANCE DECLARATION AND AGREEMENT, dated for reference this _____ day of _____, 2020, (Agreement) is made between Phyllis Didleau, Jon P. Didleaux, Lielani A Ritchie, Judith P Von Ahlefeldt, Charles F. Bauer and Shirley L. Bauer, Frederick J. Yonce and Judith P. Von Ahlefeldt (each individually an "Owner" and collectively the "Owners").

RECITALS:

- A. Phyllis Didleau is the owner of the real property situated in the County of El Paso, State of Colorado described on Exhibit A (Assessor Parcel # 5209000121) and the real property situated in El Paso County State of Colorado described on Exhibit A-1 (Assessor Parcel 5209000081).
- B. Phyllis Didleau and Jon Didleaux are the owners of real property situated in the County of El Paso, State of Colorado described on Exhibit B (Assessor Parcel # 5209000120).
- C. Jon P Didleaux is the owner of the real property situated in the County of El Paso, State of Colorado described on Exhibit C (Assessor Parcel # 5209000050).
- D. Lielani A Ritchie is the owner of the real estate situated in the County of El Paso, State of Colorado described on Exhibit D (Assessor Parcel # 5209000103).
- E. Charles, F. Bauer and Shirley L Bauer are the owners of the real property situated in the County of El Paso, State of Colorado described on Exhibit E (Assessor Parcel # 5209000100).
- F. Frederick J. Yonce is the owner of the real property situated in the County of El Paso, State of Colorado described on Exhibit F (Assessor Parcel # 509000119).
- G. Judith P. Von Ahlefeldt is the owner of the real property situated in the County of El Paso, State of Colorado described on Exhibit G.
- H. The Owners wish to establish a private right of way and road across the following described real estate owned by some of them. The real estate over which is the private right of way and road is legally described in Exhibit H (the "Private Road Land"). The Owners who own a portion of the Private Road Land are sometimes referred to herein as "Grantors."
- I. The Owners understand that El Paso County does not maintain private roads such as the one subject to this Agreement.
- J. The Owners wish to provide for and set forth their understandings and agreement with respect to use and maintenance of the private road and improvements thereon.
- K. Some of the Owners are processing the subdivision of their land through the subdivision regulations of El Paso County and desire to have this Agreement meet the requirements of El Paso County for County approval of such subdivision.

NOW THEREFORE, in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the following grants, agreement, covenants, declaration and restrictions are made:

1. Grant of Easement. Each of the Grantors hereby grants to each Owner and their successors and assigns, a nonexclusive easement for access, utilities and drainage for the benefit of each such Owner's respective parcel described above across the Private Road Land.
2. Use of the Owners' Real Estate. Use of the Private Road Land by the Owners is not confined to the present configuration of their respective properties, and the Owners or their successors may subdivide, reconfigure, construct improvements on or otherwise modify or use their property. However, the Owners agree to construct no fences or place any other obstructions on their respective properties in a manner which would prevent, or reasonably impede, vehicle or personnel travel, utility access or drainage across the Private Road Land. Otherwise, the respective Owners each shall have full use and occupancy of their respective real estate which is subject to the easement set forth above.
3. Maintenance of the Private Road. As a general standard, the Owners agree that they shall provide maintenance sufficient to provide reasonable access for emergency vehicles. The Owners agree to share the cost and expense of maintaining the improvements on the Private Road Land in good operating condition and to share equally the cost and expense of affecting any repair to said Improvements accruing from and after the date of this Agreement. For purposes of this cost sharing, each Owner shall pay a share for each residential dwelling unit on such Owner's real estate. For example, if there are seven parcels of real estate, and five residences (whether occupied or not), each Owner with a residence on such Owner's property shall pay one fifth (1/5th) of the cost of maintaining the improvements for each such residence on such Owner's property.
4. Maintenance Process. The Owners agree that unless Owners of the real estate with 60% of the dwelling units appoint a different Administrator, Jon P. Didleaux shall be the Administrator of this Agreement. Whenever in the opinion of the Administrator the road requires such maintenance, on behalf of the Owners the Administrator shall order and arrange for sufficient maintenance meet the standard above and to enable the Owners to use the roadway. Such maintenance shall include snow removal, grading, re-gravelling, cleaning culverts, weed treatment, tree and debris removal, and any other maintenance generally desired by Owners. The Administrator shall either (i) pay for such maintenance directly and be reimbursed by each Owner according to each Owner's proportionate share, or (ii) arrange to have each Owner directly pay the proportionate cost of such maintenance, or (iii) use some combination of the foregoing. To the extent the Administrator pays for any Owner's share, the Administrator shall have a lien on each such Owner's respective real estate as set forth above until such Owner's share is paid in full with interest accruing on any unpaid amount at the rate of 10% per annum simple interest and the Administrator shall be entitled to recover the costs of enforcing such lien and collecting such amount, including reasonable legal fees, expert witness fees and costs. The Administrator may refuse to order such maintenance until there is, in the Administrator's opinion, sufficient commitment or actual payment to reimburse the Administrator and pay for such maintenance. Unless otherwise agreed by Owners of the real estate with 60% of the dwelling units, the Administrator shall serve without compensation.

5. Binding Agreement. This Agreement shall be binding upon the undersigned Owners, and their respective successors, assigns, and personal representatives. This Agreement may not be revoked without the written unanimous consent of the affected Owners. This Agreement shall be recorded in the land records of the Office of the Clerk and Recorder of El Paso County, Colorado, and shall be a covenant running with the lands of the Owners as those lands are described herein above, and shall be enforceable by the Owners' successors and assigns and personal representatives. Any persons or other entities who acquire title to the Owners' property hereinabove described, whether by purchase or otherwise, shall be subject to the provisions of this Agreement to the same extent as if such parties had been signatory to this Agreement.

OWNERS:

STATE OF COLORADO

)

) ss.

COUNTY OF EL PASO

)

This instrument was acknowledged before me on _____, by
_____.

[Seal]

_____, Notary Public

My commission expires: _____