



Planning and Community
Development Department
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Website www.elpasoco.com

DEVIATION REQUEST AND DECISION FORM

Updated: 6/26/2019

PROJECT INFORMATION

Project Name : The Clubhouse at Flying Horse North

Schedule No.(s) : 6136000006

Legal Description : THE ELY PORTION OF TR. K, FLYING HORSE NORTH FIL. NO. 1 DESC BY REC. NO. 223099750, LY
SLY OF LOTS 32 & 33, FLOYING HORSE NORTH FIL. NO. 1, WLY OF ALLEN RANCH RD, NLY & ELY
OF A TR. DESC BY REC. NO. 219118987

APPLICANT INFORMATION

Company : FLYING HORSE COUNTRY CLUB, LLC

Name : DREW BALSICK

☒ Owner ☐ Consultant ☐ Contractor

Mailing Address : 2138 FLYING HORSE CLUB DRIVE, COLORADO SPRINGS, CO 80921

Phone Number : (719) 785-3237

FAX Number : N/A

Email Address : DBALSICK@CLASSICHOMES.COM

ENGINEER INFORMATION

Company : HR GREEN DEVELOPMENT, LLC

Name : RICHARD LYON, PE

Colorado P.E. Number : 53921

Mailing Address : 1975 RESEARCH PKWY, STE 160

Phone Number : (719) 394-2435

FAX Number : N/A

Email Address : RICHIE.LYON @HRGREEN.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.



Signature of owner (or authorized representative)

7/7/2025

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 **Section 4.2, EDB, Design Procedure and Criteria, Note 8** of the Engineering Criteria Manual (ECM) is requested.

Identify the specific ECM standard which a deviation is requested:

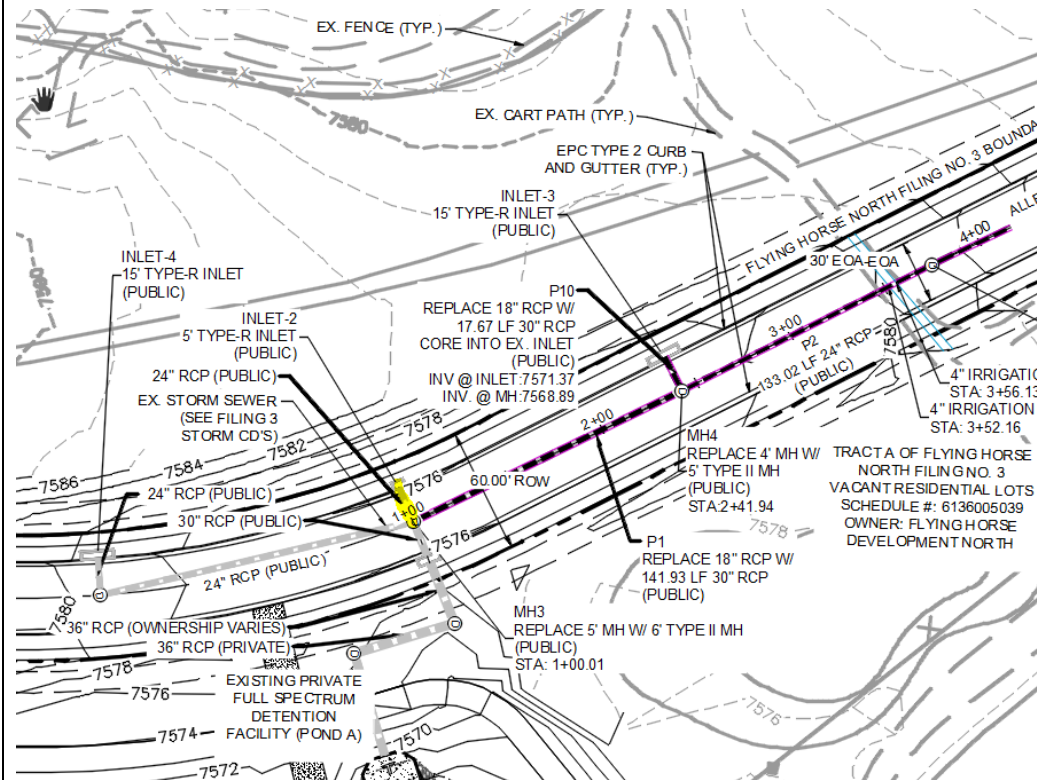
Deviation from the standards in 3.3.1.D of the Drainage Criteria Manual (DCM) is requested.

Minimum Gradient. The minimum gradient shall be 0.5% or a minimum velocity of 4 feet per second (fps) with the pipe flowing one quarter full. Storm sewer pipes shall be designed to flow full and free of pressure heads except for short runs where the grade changes and a small pressure head cannot be avoided. Where it is necessary to design for a pressure head, it shall be approved by the ECM Administrator and shall use pressure pipe with watertight joints with a 100-year service life.

State the reason for the requested deviation:

The 100-year velocity in existing Pipe 39 has decreased to ~1.8 feet per second due to upstream flow modifications, below the County's 3.0 feet per second minimum. This public section of pipe is located downstream of the Clubhouse development site, and directly upstream of the outfall into existing Pond A. Pond A is privately maintained by the Flying Horse HOA. This pipe is existing and velocity changes are due to modified flow interception of the storm system from the Clubhouse development.

Snip of plan sheet highlighting existing Pipe 39



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

The proposed alternative is to leave the pipe in place rather than replacing with a modified slope to achieve desirable velocity.

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:

The deviation is based on existing storm infrastructure that is negligibly impacted by new site development and would not warrant a rebuild from a design perspective. The effects of this velocity have been determined to be negligible since the pipe span is a short 17 feet compared to the overall system, and the upstream end of this pipe is an inlet. Turbulent inflow at the inlet during a varying magnitude of storm events is anticipated to provide means of natural cleansing within the pipe.

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 deviation will achieve a comparable design via thorough analysis of other self-cleansing mechanisms surrounding the pipe.

The deviation will not adversely affect safety or operations.

The deviation will have no impact on the overall safety or operations of the site. Safety is enhanced via reducing construction tasks.

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

Since it is anticipated that there will be turbulent inflow at the inlet and it is a short stretch of pipe, it is not anticipated that any additional sewer maintenance will be warranted since the pipe should self-clean even at a lower flow velocity. Visual inspection of the pipe can be practically performed.

The deviation will not adversely affect aesthetic appearance.

The deviation will have no impact on aesthetic appearance of the site.

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

Remaining standards pertaining to storm sewer design and functionality meet the intent and purpose outlined in the ECM Standards.

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.

The deviation does not impact requirements of Part I.E.3 and I.E.4 of El Paso County's MS4 Permit.

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.



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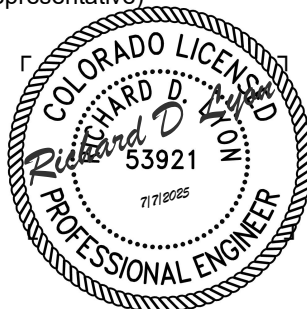


Signature of owner (or authorized representative)

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Date

Engineer's Seal, Signature
And Date of Signature



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

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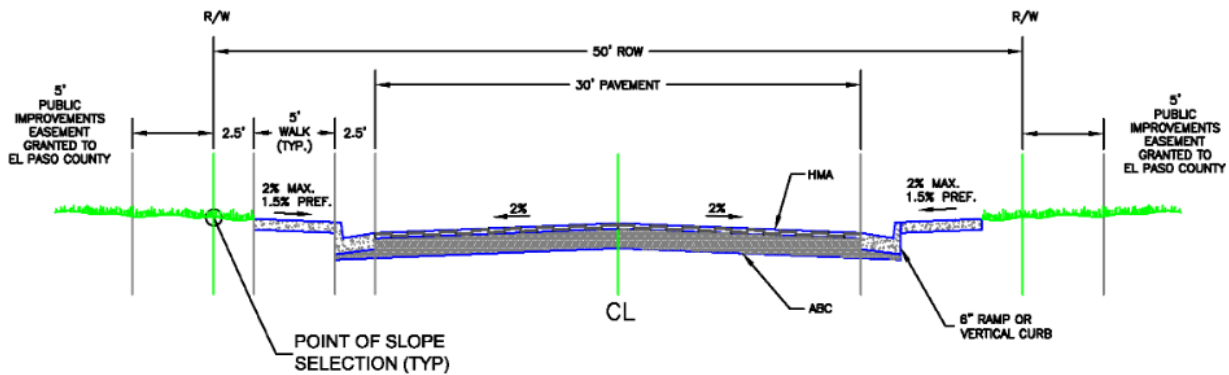
Deviation from the standards in Section 2.3.2 of the Engineering Criteria Manual (ECM) is requested.

2.3.2 Design Standards by Function Classification, Table 2-7

State the reason for the requested deviation:

The TIS estimates an ADT for the future developed condition for parcels that access/utilize Allen Ranch Road in this filing requires an urban section. A Typical Urban Residential Local roadway follows Standard Detail 2-2 which is a 50' ROW with a 30' paved section, concrete curb and gutter, and attached 5' sidewalk. The proposed modified section is deemed appropriate by the TIS to meet traffic criteria.

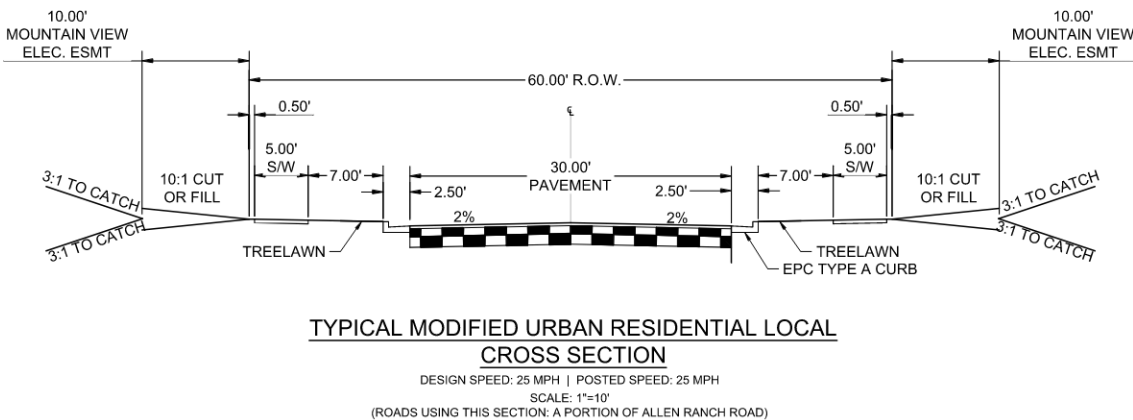
ECM Appendix F (Detail SD 2-2):



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

The proposed section is a 60' ROW with a 30' pavement section, concrete curb and gutter, 7' tree-lawn, and 5' detached sidewalk with MVEA easement on both sides just outside of the ROW section.

Proposed Modified Section:



LIMITS OF CONSIDERATION

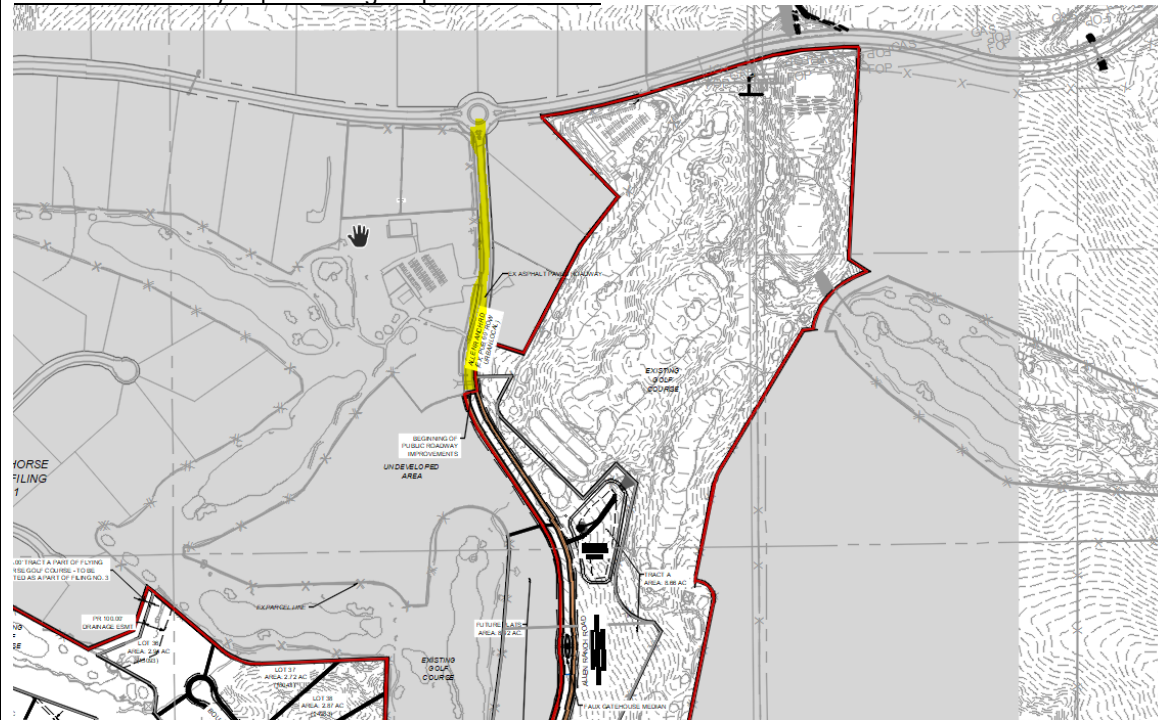
(At least one of the conditions listed below must be met for this deviation request to be considered.)

- ☐ 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:

This modified urban residential local cross section is proposed as a section that achieves the roadway design intent to accommodate the estimated traffic ADT count (165 VPD) in this stretch of roadway for the ultimate build out condition of Allen Ranch Road. The proposed modified section has been approved in other such rural developments that have mixed use areas that require urban sections with ADT counts that do not necessarily require a full collector roadway section of 36' pavement width (Flying Horse North Filing No. 3). This section keeps a consistent public ROW width as the roadway transitions from urban local to rural local within the development. This modification matches and is an extension of the deviation request issued with Filing No. 3 to the south of the proposed condition (reference below images for proposed deviation and location).

Section of Roadway Implementing Proposed Deviation:



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 deviation will achieve the intended result with a comparable design by meeting the roadway's traffic criteria and keeping a consistent pavement transition width and ROW width. There will not be a sudden widening from a 50' urban local ROW section to a 60' rural local ROW section and the proposed section allows for ease of transition from concrete curb and gutter to ditch sections.

The deviation will not adversely affect safety or operations.

The deviation will not adversely affect safety or operations as it meets traffic criteria and provides the necessary infrastructure for vehicular access, pedestrian access, and stormwater drainage.

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

The deviation will not adversely affect maintenance and its associated cost as it is not a significantly different section design from the standard. Maintenance and cost will not differ in any significant way as the HOA/Metro District will be responsible for the tree-lawn areas.

The deviation will not adversely affect aesthetic appearance.

The deviation will not adversely affect aesthetic appearance. The proposed modified section would have the appearance of a seamless transition between a future roadway improvement.

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

Remaining standards pertaining to roadway design and functionality meet the intent and purpose outlined in the ECM Standards.

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.

The deviation does not impact requirements of Part I.E.3 and I.E.4 of El Paso County's MS4 Permit.

REVIEW AND RECOMMENDATION:

Approved by the ECM Administrator

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