



Planning and Community
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DEVIATION REQUEST AND DECISION FORM

Updated: 6/26/2019

PROJECT INFORMATION

Project Name :	Monument Ridge East Filing No. 1	SF2514
Schedule No.(s) :	7102200006, 7102200008, 7102200010, 7102200013, 7102201001 7102201014	
Legal Description:	See attached	

APPLICANT INFORMATION

Company :	Monument Ridge East, LLC		
Name :	Donald Cannella, Manager		
	☒ Owner	☐ Consultant	☐ Contractor
Mailing Address :	6275 Lake Shore Ct. Colorado Springs, CO 80915		
Phone Number :	(719) 491-4442		
FAX Number :			
Email Address :	donald.cannella@gmail.com		

ENGINEER INFORMATION

Company :	Whitehead Engineering, LLC	
Name :	David J Whitehead	Colorado P.E. Number : 25118
Mailing Address :	18 Pacifica Cir, Hot Springs Village, AR 71909	
Phone Number :	(719) 237 4411	
FAX Number :		
Email Address :	david@whiteheadengineering.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.

Donald Cannella

Signature of owner (or authorized representative)

07/20/2026

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 **2.5.2.B** **Pedestrian Street Crossings (Crosswalks)** of the Engineering Criteria Manual (ECM) is requested.

Identify the specific ECM standard which a deviation is requested:

Section 6.3.2. Pedestrian Street Crossings (Crosswalks) This section of the current code identifies the location and need for a crosswalk and associated appurtenances, including Ramps.

This request is also for not providing sidewalk on both sides of Misty Acres between County Line & Snowy Top, which is required per ECM Section 2.5.2.B

State the reason for the requested deviation:

This deviation is requested at the Proposed intersection of Misty Acres Blvd and County Line Rd. County Line Rd currently has no pedestrian walkways along its entire length. None are proposed as a part of the intersection improvements. This deviation will allow for no sidewalk on Misty Acres Blvd north of Misty Acres Blvd and Snowy Top Rd intersection. This request was discussed with EPC staff. Staff recommended submitting this request.

Delete these sentences

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

This still provides a crossing at a stop-controlled intersection. There are sidewalks in all direction except north to the intersection of Misty Acres Blvd and County Lone Rd where there are no existing or proposed pedestrian facilities. See Attached Plan and Profile Sheet.

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:

Pedestrian Crossing of Misty Acres Blvd from one side to the other without being forced into the CDOT controlled Right of Way where there are no existing or proposed pedestrian facilities. The justification is a pedestrian safety issue.

Add explanation how this is a safety issue.

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.

This request is specifically for the health, safety and welfare of the public.

Add explanation of this statement.

The deviation will not adversely affect safety or operations.

The deviation will not adversely impact operations. The deviation will improve pedestrian safety.

State how safety is improved.

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

The deviation will not adversely affect maintenance of Misty Acres Blvd or the associated cost.

The deviation will not adversely affect aesthetic appearance.

No change to aesthetic appearance will occur

There will be a change to appearance, so there will be no sidewalks along Misty Acres, where normally one would expect to see sidewalks. Please add additional context to this response.

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

This deviation meets the design intent of Section 6.3 of the Engineering Criteria Manual.

Is not meeting intent of Section 2.5.2.B.3. Please address that as well. Include supporting information on how it is meeting Section 6.3.

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.

This deviation does not impact the MS4 permit requirements.

Expand on response, such as this has no impacts to stormwater quality and all MS4 requirements are still being met with the construction of proposed ponds.

Fill these in with the 2 sections of the ECM

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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.

LEGAL DESCRIPTION

MONUMENT RIDGE EAST FILING NO. 1

A TRACT OF LAND LYING IN THE WEST 1/2 OF SECTION 2, AND THE WEST 1/2 OF SECTION 11 TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE 6TH P.M., EL PASO COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH WEST SECTION CORNER OF SAID SECTION 2 WHENCE THE WEST 1/4 CORNER OF SAID SECTION 2 BEARS SOUTH $00^{\circ}06'21''$ EAST, A DISTANCE OF 2767.12 FEET:

THENCE NORTH $89^{\circ}46'22''$ EAST, A DISTANCE OF 1918.34 FEET;

THENCE SOUTH $00^{\circ}13'38''$ EAST, A DISTANCE OF 186.22 FEET TO THE TRUE POINT OF BEGINNING:

THENCE FROM THE POINT OF BEGINNING NORTH $89^{\circ}46'22''$ EAST, A DISTANCE OF 82.81 FEET:

THENCE NORTH $30^{\circ}14'22''$ EAST, A DISTANCE OF 106.84 FEET;

THENCE NORTH $89^{\circ}36'57''$ EAST, A DISTANCE OF 259.32 FEET TO THE NORTHWEST CORNER OF THE RIGHT OF WAY OF PARCEL GRANTED TO EL PASO COUNTY FOR COUNTY ROAD UNDER THE RECEPTION NUMBER 214002145 OF THE RECORDS OF EL PASO COUNTY, COLORADO;

THENCE FOLLOWING SAID RIGHT OF WAY, THE FOLLOWING 5 COURSES:

- 1) THENCE SOUTH $00^{\circ}19'37''$ EAST, A DISTANCE OF 11.75 FEET;
- 2) THENCE SOUTH $89^{\circ}17'54''$ EAST, A DISTANCE OF 182.88 FEET;
- 3) THENCE NORTH $84^{\circ}31'33''$ EAST, A DISTANCE OF 3.14 FEET;
- 4) THENCE SOUTH $89^{\circ}40'13''$ EAST, A DISTANCE OF 87.26 FEET;
- 5) THENCE SOUTH $88^{\circ}20'10''$ EAST, A DISTANCE OF 154.53 FEET TO THE WESTERLY RIGHT OF WAY LINE OF THE 60 FEET WIDE DOEWOOD DRIVE AS DEDICATED IN HEIGHTS FILING TWO AS RECORDED IN PLAT BOOK E-5 AT PAGE 228 UNDER RECEPTION NUMBER 2287623 OF THE RECORDS OF EL PASO COUNTY;

THENCE SOUTH 00° 41'56" WEST, ALONG THE WESTERLY RIGHT OF WAY OF SAID
DOEWOOD DRIVE, A DISTANCE OF 249.69 FEET, TO THE NORTHEAST CORNER OF LOT 10
OF SAID HEIGHTS FILING TWO;

THENCE SOUTH 89° 50'30" WEST, A DISTANCE OF 129.42 FEET TO THE NORTHWEST
CORNER OF SAID LOT 10;

THENCE SOUTH 15° 46'00" WEST, A DISTANCE OF 1267.84 FEET ALONG THE WESTERLY
LINE OF SAID HEIGHTS FILING TWO, TO THE SOUTHEAST CORNER HEIGHTS FILING 1 AS
RECORDED IN PLAT BOOK E-5 PAGE 167 RECORDS OF EL PASO COUNTY;

THENCE NORTH 89° 15'42" WEST, ALONG THE SOUTH LINE OF SAID "HEIGHTS FILING 1, A
DISTANCE OF 487.45 FEET, TO THE NORTHWEST CORNER OF LOT 27 OF MISTY ACRES
FILING 1AS RECORDED UNDER RECEPTION NUMBER 205190028 RECORDS OF EL PASO
COUNTY;

THENCE THE FOLLOWING 4 COURSES ALONG THE EASTERLY LINE OF SAID LOT 27;

- 1) THENCE SOUTH 14° 00'25" WEST, A DISTANCE OF 242.35 FEET;
- 2) THENCE SOUTH 11° 49'44" EAST, A DISTANCE OF 121.06 FEET;
- 3) THENCE SOUTH 59° 49'44" EAST, A DISTANCE OF 49.90 FEET;
- 4) THENCE SOUTH 30° 35'19" WEST, A DISTANCE OF 224.59 FEET;

THENCE NORTH 15°34'40" WEST, ALONG THE EASETRLY RIGHT OF WAY LINE OF MISTY
ACRES BOULEVARD AS RECORDED IN MISTY ACRES FILING 1 UNDER RECEPTION
NUMBER 205190028 RECORDS OF EL PASO COUNTY RECORDERS OFFICE;

THENCE SOUTH 74° 25'30" WEST, A DISTANCE OF 80.00 FEET TO THE WESTERLY RIGHT OF
WAY LINE OF MISTY ACRES BOULEVARD AS RECORDED IN RECEPTION NUMBER
205190028 RECORDS OF EL PASO COUNTY;

THENCE THE FOLLOWING 4 COURSES ALONG SAID WESTERLY RIGHT OF WAY LINE OF
SAID MISTY ACRES BOULEVARD;

- 1) THENCE SOUTH 15° 34'30" EAST, A DISTANCE OF 375.61 FEET;
- 2) THENCE ALONG A CURVE TO THE RIGHT WITH A LENGTH OF 264.52 FEET, A
RADIUS OF 521.00 FEET, WITH A CHORD DISTANCE OF 261.68 FEET AND A CHORD
BEARING OF SOUTH 01° 01'49" EAST;
- 3) THENCE SOUTH 13° 30'52" WEST, A DISTANCE OF 382.56 FEET;

4) THENCE ALONG A CURVE TO THE RIGHT WITH A LENGTH OF 248.06 FEET, A RADIUS OF 650.71 FEET, WITH A CHORD DISTANCE OF 246.56 FEET AND A CHORD BEARING OF SOUTH 24° 26'06" WEST;

THENCE SOUTH 89° 49'59" WEST, A DISTANCE OF 221.85 FEET, ALONG THE NORTH LINE OF A DEED AS RECORDED UNDER RECEPTION NUMBER 220189049 RECORDS OF EL PASO COUNTY;

THENCE NORTH 00° 47'39" EAST, A DISTANCE OF 443.01 FEET;

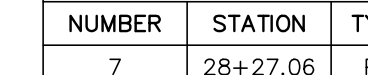
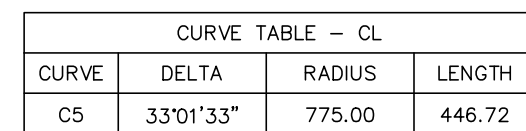
THENCE NORTH 89° 06'43" WEST, A DISTANCE OF 394.96 FEET, TO THE EASTERLY RIGHT OF WAY OF MONUMENT HILL ROAD RECORDED UNDER RECEPTION NUMBER 218052925 RECORDS OF EL PASO COUNTY;

THENCE ALONG SAID EASTERLY RIGHT OF WAY OF SAID MONUMENT HILL ROAD THE FOLLOWING 7 COURSES;

- 1) THENCE NORTH 07° 26'20" EAST, A DISTANCE OF 1273.66 FEET;
- 2) THENCE NORTH 07° 25'02" EAST, A DISTANCE OF 733.89 FEET;
- 3) THENCE NORTH 29° 57'52" EAST, A DISTANCE OF 675.33 FEET;
- 4) THENCE NORTH 89° 46'22" EAST, A DISTANCE OF 417.09 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PARCEL CONVEYED TO WOODMOOR WATER AND SANITATION DISTRICT FOR THE CRYSTAL CREEK LIFT STATION BY DEED RECORDED NOVEMBER 30, 1998 AT RECEPTION NO. 98175218 OF THE RECORDS OF EL PASO COUNTY, COLORADO; EXCEPTING DEED RECORDED NOVEMBER 29, 2010 AT RECEPTION NO. 210120918 AND JANUARY 9, 2014 AT RECEPTION NO. 214002145 AND FURTHER EXCEPTING ANY PORTION WITHIN THE RIGHT OF WAY OF COUNTY LINE ROAD OR INTERSTATE HIGHWAY 25, AND FURTHER EXCEPTING THAT PORTION DEDICATED AS DOEWOOD DRIVE IN "HEIGHTS FILING TWO" AS RECORDED IN PLAT BOOK E-5 AT PAGE 228 UNDER RECEPTION NO. 2287623 OF THE RECORDS OF EL PASO COUNTY, COLORADO.

SAID PARCEL CONTAINS 66.12 ACRES MORE OR LESS.



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| DESIGNED BY: | MGP | DRAWN BY: | MGP |
| SCALE: | 1" = 50' | DATE: | 04/08/2 |
| JOB NUMBER | | SHEET | |
| 24-001 | | 11 OF 29 | |