

## 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Rescinded: N/A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  
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80910**

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## DEVIATION REVIEW AND DECISION FORM

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

**DSD FILE NO.:**

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**General Property Information:**

Address of Subject Property (Street Number/Name):

Tax Schedule ID(s) #:5523100003, 5523100002, 5500000269, 5500000402, 5500000404, 5514400007, 5514408092, 5513301001, 5500000403

A PARCEL OF LAND IN THE SOUTHWEST QUARTER (SW 1/4) SECTION 13, AND IN THE SOUTHEAST QUARTER (SE 1/4) SECTION 14, AND IN THE NORTHEAST QUARTER (NE 1/4) SECTION 23, AND IN THE NORTHWEST QUARTER (NW 1/4) SECTION 24, TOWNSHIP 15 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF "THE MEADOWS AT LORSON RANCH FILING NO. 3" AS RECORDED UNDER RECEPTION NO. 213713396 IN THE EL PASO COUNTY, COLORADO RECORDS;

THENCE ALONG THE EASTERLY AND NORTHERLY LINES THEREOF THE FOLLOWING FOURTEEN (14) COURSES;

- (1) THENCE N16°02'05"E A DISTANCE OF 99.98 FEET;
- (2) THENCE N27°12'00"E A DISTANCE OF 50.51 FEET;
- (3) THENCE N04°51'02"E A DISTANCE OF 216.25 FEET;
- (4) THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 269.76 FEET, A CENTRAL ANGLE OF 64°17'38", (THE CHORD OF WHICH BEARS N34°59'15"E, 287.07 FEET), AN ARC DISTANCE OF 302.71 FEET;
- (5) THENCE ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 30.49 FEET, A CENTRAL ANGLE OF 56°05'16", (THE CHORD OF WHICH BEARS N38°38'30"E, 28.67 FEET), AN ARC DISTANCE OF 29.85 FEET;
- (6) THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 349.56 FEET, A CENTRAL ANGLE OF 44°40'09", (THE CHORD OF WHICH BEARS N41°02'29"E, 265.68 FEET), AN ARC DISTANCE OF 272.52 FEET;
- (7) THENCE N44°09'22"E A DISTANCE OF 20.09 FEET;
- (8) THENCE N44°09'22"E A DISTANCE OF 174.77 FEET;
- (9) THENCE N00°18'56"E A DISTANCE OF 51.25 FEET;
- (10) THENCE N54°40'55"W A DISTANCE OF 36.93 FEET;
- (11) THENCE N20°11'44"E A DISTANCE OF 214.88 FEET;
- (12) THENCE N10°51'52"E A DISTANCE OF 291.59 FEET;
- (13) THENCE N00°23'56"W A DISTANCE OF 232.80 FEET;
- (14) THENCE S89°36'04"W A DISTANCE OF 492.30 FEET;

THENCE N00°23'26"W A DISTANCE OF 15.00 FEET TO THE SOUTHWEST CORNER OF TRACT I "PIONEER LANDING AT LORSON RANCH FILING NO. 2" AS RECORDED UNDER RECEPTION NO. 217713888 IN THE EL PASO COUNTY, COLORADO

RECORDS;

THENCE N00°23'26"W ALONG THE WESTERLY LINE THEREOF 115.00 FEET TO THE SOUTHWEST CORNER OF TRACT B, "PIONEER LANDING AT LORSON RANCH FILING NO. 2";

THENCE N89°36'04"E ALONG THE SOUTH LINES OF TRACTS B, A AND E "PIONEER LANDING AT LORSON RANCH FILING NO. 2" A DISTANCE OF 774.00 FEET;

THENCE N03°27'30"E ALONG THE EASTERLY LINE OF TRACT E, "PIONEER LANDING AT LORSON RANCH FILING NO. 2" A DISTANCE OF 397.10 FEET;

THENCE N49°33'31"E ALONG SAID EASTERLY LINE OF TRACT E, 447.73 FEET;

THENCE N89°54'29"E A DISTANCE OF 221.61 FEET;

THENCE S00°06'29"E A DISTANCE OF 663.09 FEET TO THE NORTH LINE OF AFORESAID TRACT I, "PIONEER LANDING AT LORSON RANCH FILING NO. 2";

THENCE N89°35'55"E ALONG THE NORTH LINE THEREOF 621.20 FEET;

THENCE N52°37'06"E A DISTANCE OF 48.23 FEET;

THENCE N00°24'02"W A DISTANCE OF 94.82 FEET;

THENCE N04°23'45"E A DISTANCE OF 101.66 FEET;

THENCE N00°24'02"W A DISTANCE OF 41.44 FEET;

THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 595.00 FEET, A CENTRAL ANGLE OF 16°13'33", (THE CHORD OF WHICH BEARS N07°42'45"E, 167.94 FEET), AN ARC DISTANCE OF 168.50 FEET;

THENCE N16°33'16"W A DISTANCE OF 33.97 FEET;

THENCE N20°50'17"E A DISTANCE OF 50.00 FEET;

THENCE N58°27'30"E A DISTANCE OF 33.75 FEET;

THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 595.00 FEET, A CENTRAL ANGLE OF 56°56'49", (THE CHORD OF WHICH BEARS N54°17'59"E, 567.33 FEET), AN ARC DISTANCE OF 591.38 FEET;

THENCE N71°26'26"E A DISTANCE OF 46.20 FEET;

THENCE N02°33'09"W A DISTANCE OF 19.24 FEET;

THENCE N87°26'51"E A DISTANCE OF 50.00 FEET;

THENCE S02°33'09"E A DISTANCE OF 16.93 FEET;

THENCE S47°33'09"E A DISTANCE OF 18.48 FEET;

THENCE N87°26'51"E A DISTANCE OF 466.93 FEET;

THENCE N42°26'51"E A DISTANCE OF 28.28 FEET;

THENCE N02°33'09"W A DISTANCE OF 14.59 FEET;

THENCE N87°26'51"E A DISTANCE OF 50.00 FEET;

THENCE S02°33'09"E A DISTANCE OF 34.59 FEET;

THENCE N87°26'51"E A DISTANCE OF 15.33 FEET;

THENCE S02°33'09"E A DISTANCE OF 60.00 FEET TO THE NORTHERLY EXTENSION OF THE EAST LINE OF TRACT J, "PIONEER LANDING AT LORSON RANCH FILING NO. 2";

THENCE S00°00'00"E ALONG SAID EAST LINE IN PART A DISTANCE OF 440.98 FEET;

THENCE S43°26'12"E A DISTANCE OF 336.42 FEET TO THE NORTHEASTERLY LINE OF SAID TRACT J;

THENCE S58°24'10"E ALONG SAID NORTHEASTERLY LINE 314.29 FEET TO THE MOST EASTERLY CORNER THEREOF;

THENCE S38°22'35"W ALONG THE EAST LINE OF TRACT J A DISTANCE OF 345.18 FEET;  
THENCE CONTINUING ALONG SAID EAST LINE, S18°59'47"W A DISTANCE OF 99.98 FEET TO THE SOUTHEAST CORNER THEREOF;  
THENCE N70°06'29"W ALONG THE SOUTH LINE OF TRACT J IN PART, 73.84 FEET;  
THENCE S64°26'39"W A DISTANCE OF 28.50 FEET;  
THENCE N70°01'19"W A DISTANCE OF 50.01 FEET;  
THENCE N71°00'13"W A DISTANCE OF 377.73 FEET;  
THENCE ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 1431.92 FEET, A CENTRAL ANGLE OF 19°23'49", (THE CHORD OF WHICH BEARS N80°42'07"W, 483.46 FEET), AN ARC DISTANCE OF 485.78 FEET;  
THENCE S89°35'42"W A DISTANCE OF 299.85 FEET;  
THENCE S79°04'57"W A DISTANCE OF 43.45 FEET;  
THENCE S49°44'55"W A DISTANCE OF 63.21 FEET;  
THENCE S00°42'26"E A DISTANCE OF 206.57 FEET;  
THENCE S03°59'22"W A DISTANCE OF 60.18 FEET;  
THENCE S00°24'02"E A DISTANCE OF 309.91 FEET;  
THENCE S38°57'34"E A DISTANCE OF 32.09 FEET;  
THENCE S00°23'49"E A DISTANCE OF 50.00 FEET;  
THENCE S37°56'32"W A DISTANCE OF 32.24 FEET;  
THENCE S00°24'02"E A DISTANCE OF 339.68 FEET;  
THENCE S39°00'02"E A DISTANCE OF 32.06 FEET;  
THENCE S00°24'02"E A DISTANCE OF 50.00 FEET;  
THENCE S38°14'24"W A DISTANCE OF 32.03 FEET;  
THENCE S00°24'02"E A DISTANCE OF 589.10 FEET;  
THENCE S33°38'32"E A DISTANCE OF 36.48 FEET;  
THENCE N89°35'58"E A DISTANCE OF 64.05 FEET;  
THENCE S38°22'41"W A DISTANCE OF 95.57 FEET;  
THENCE S89°35'58"W A DISTANCE OF 554.18 FEET;  
THENCE S50°57'37"W A DISTANCE OF 32.03 FEET;  
THENCE S89°35'57"W A DISTANCE OF 50.00 FEET;  
THENCE N52°06'10"W A DISTANCE OF 32.27 FEET;  
THENCE S89°35'58"W A DISTANCE OF 924.41 FEET;  
THENCE S51°38'32"W A DISTANCE OF 49.80 FEET;  
THENCE S00°24'02"E A DISTANCE OF 41.57 FEET;  
THENCE S89°35'58"W A DISTANCE OF 60.00 FEET;  
THENCE N00°24'02"W A DISTANCE OF 38.12 FEET;  
THENCE N47°05'26"W A DISTANCE OF 38.23 FEET;  
THENCE S89°36'04"W A DISTANCE OF 125.90 FEET;  
THENCE N86°49'21"W A DISTANCE OF 128.25 FEET;  
THENCE S89°36'04"W A DISTANCE OF 232.72 FEET;  
THENCE S89°36'04"W A DISTANCE OF 460.85 FEET;  
THENCE S51°59'20"W A DISTANCE OF 29.49 FEET;  
THENCE S89°36'04"W A DISTANCE OF 60.00 FEET;  
THENCE N45°23'56"W A DISTANCE OF 14.14 FEET;

THENCE S89°36'04"W A DISTANCE OF 14.74 FEET;  
THENCE N00°23'56"W A DISTANCE OF 80.00 FEET TO THE SOUTH LINE OF LOT 138,  
"THE MEADOWS AT LORSON RANCH FILING NO. 3";  
THENCE N89°36'04"E ALONG THE SOUTH LINE THEREOF AND ALONG THE SOUTH  
LINE OF 60 FOOT WIDE STINGRAY LANE AND ALONG THE SOUTH LINE OF TRACT  
A AND TRACT C, A DISTANCE OF 568.94 FEET TO THE POINT OF BEGINNING.  
SAID PARCEL CONTAINS A CALCULATED AREA OF 126.254 ACRES MORE OR LESS.

PREPARED BY:

VERNON P. TAYLOR, COLORADO PLS NO. 25966  
FOR AND ON BEHALF OF M&S CIVIL CONSULTANTS, INC.  
20 BOULDER CRESCENT, SUITE 110  
COLORADO SPRINGS, COLORADO 80901  
719-955-5485

Subdivision or Project Name:  
Lorson Ranch East Filing No. 1

west

East Trib.

Section of ECM from Which Deviation is Sought: ECM Section I.7.1.B - WQ provided for entire site  
Specific Criteria from Which a Deviation is Sought: Requirement to provide WQ treatment for the entire site  
Proposed Nature and Extent of Deviation: Allow 1.58% (2.0ac of 126.25ac) of the site located adjacent to Jimmy Camp Creek to flow east directly to the creek without treatment for WQ. This area is only from backyards and flows over an open space tract prior to entering the East Tributary of Jimmy Camp Creek.

**Applicant Information:**

Applicant: Lorson, LLC Email Address: jmark@landhuisco.com  
Applicant is:  Owner  Consultant  Contractor  
Mailing Address: 212 N. Wahsatch Avenue, Suite 301, Colorado Springs State: CO Postal Code: 80903  
Telephone Number: 719-635-3200 Fax Number: \_\_\_\_\_

**Engineer Information:**

Engineer: Richard Schindler, P.E. Email Address: rich@ceg1.com  
Company Name: Core Engineering Group, LLC  
Mailing Address: 15004 1st Avenue S, Burnsville State: MN Postal Code: 55306  
Registration Number: 33997 State of Registration: Colorado  
Telephone Number: 719-659-7800 Fax Number: \_\_\_\_\_

East Trib.

**Explanation of Request (Attached diagrams, figures and other documentation to clarify request):**

Section of ECM from Which Deviation is Sought: ECM Section I.7.1.B  
Specific Criteria from Which a Deviation is Sought: Requirement to provide WQ treatment for the entire site  
Proposed Nature and Extent of Deviation: Allow 1.58% (2.0ac of 126.25ac) of the site located adjacent to Jimmy Camp Creek to flow east directly to the creek without treatment for WQ. This area is only from backyards and flows over an open space tract prior to entering the East Tributary of Jimmy Camp Creek.

west

Reason for the Requested Deviation: 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.

Comparison of Proposed Deviation to ECM Standard: Only a small portion of backyards will flow to the creek. No street runoff flows to the creek directly.

Applicable Regional or National Standards used as Basis: There are no standards that apply.

**Application Consideration:**

**CHECK IF APPLICATION MEETS CRITERIA FOR CONSIDERATION**

The ECM standard is inapplicable to a particular situation.

**JUSTIFICATION**

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

X 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 an open space tract which will ~~act~~ similar to a grass buffer

The deviation will not adversely affect safety or operations.

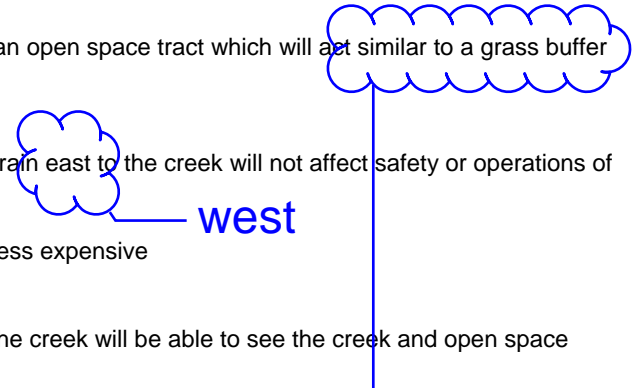
Allowing the flow to drain east to the creek will not affect safety or operations of the creek

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



**A grass buffer with easement was used on Carriage Meadows North. Is that not proposed here?**

**Provide diagram, lot numbers, etc.**



**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
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Signature of applicant (if different from owner)	Date
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Signature of Engineer	Date
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Engineer's Seal

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

Date \_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_ 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.

# Markup Summary

dsdrice (7)



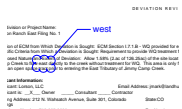
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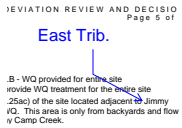
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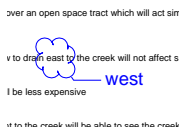
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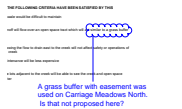
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A grass buffer with easement was used on Carriage Meadows North. Is that not proposed here?

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Provide diagram, lot numbers, etc.