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**DEVIATION REQUEST  
AND DECISION FORM IN  
ASSOCIATION WITH  
REQUEST FOR A PUD  
MODIFICATION FROM  
THE ECM**

Updated: 6/26/2019

Pursuant to the El Paso County Land Development Code, the Board of County Commissioners may approve as part of the Planned Unit Development (PUD) approval a Modification to the Engineering Criteria Manual standards provided the Board can make the findings listed Section 4.2.6.F.2.h of the Land Development Code:

The proposal provides for the general health, safety, and welfare of the citizens and at least one of the following benefits:

- Preservation of natural features;
- Provision of a more livable environment, such as the installment of street furniture, decorative street lighting or decorative paving materials;
- Provision of a more efficient pedestrian system;
- Provision of additional open space;
- Provision of other public amenities not otherwise required by the Code; or
- The proposed modification is granted in exchange for the open space and/or amenity designs provided in the PUD development plan and/or development guide.

The review and approval of this Deviation does not authorize construction of the requested improvements until and unless the Board of County Commissioners approves the Modifications in association with the Planned Unit Development request, the applicant has received approval of all associated engineering documents, the applicant has provided the necessary financial assurances, and a construction permit has been issued by the Planning and Community Development Department.

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**PROJECT INFORMATION**

Project Name : Rolling Hills Ranch PUD

Schedule No.(s) : 4200000401, 4200000402, &amp; 4200000407

Legal Description : See attached

**APPLICANT INFORMATION**

Company : Tech Contractors

Name : Tom Kerby

☐ Owner ☒ Consultant ☐ ContractorMailing Address : 11886 Stapleton Drive  
Falcon, CO 80831

Phone Number : 719.495.7444

FAX Number : n/a

Email Address : tom@meridianranch.com

**ENGINEER INFORMATION**

Company : Tech Contractors

Name : Tom Kerby

Colorado P.E. Number : 31429

Mailing Address : 11886 Stapleton Drive  
Falcon, CO 80831

Phone Number : 719.495.7444

FAX Number : n/a

Email Address : tom@meridianranch.com

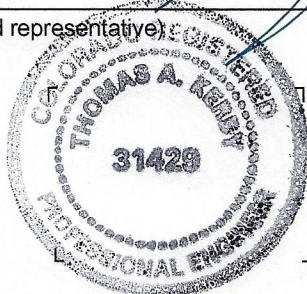
**OWNER, APPLICANT, AND ENGINEER DECLARATION**

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)

Date

7-15-2020

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 **4.4.5.E.** of the Engineering Criteria Manual (ECM) is requested.

Identify the specific ECM standard which a deviation is requested:

Type 3 Mailbox Placement

The request for a deviation is to allow vehicles to park within the clear zone when accessing the Type 3 Mailbox

State the reason for the requested deviation:

For aesthetics and consistency within Meridian Ranch, the request is to be allowed to place the Type 3 Mailbox in locations similar to the locations where these boxes have been placed since the beginning of the project. Historically, the mailbox locations have typically been located along the sides of residential lots and adjacent to open space at locations within local and local low volume street classifications where street parking is allowed and the Postal Service prefers and approves.

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

The proposed deviation will allow residents to pull up to the curb to retrieve their mail in a similar location and manner as any other resident would to park a vehicle along the residential street.

The Type 3 mailbox is to be located outside the clear zone and shall be located in such a place as to not block the line of sight.

## 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 regulation is illogical where street parking is allowed. Local and Local Low Volume streets allow for street parking of vehicles. It is illogical to require mailbox locations within a residential subdivision along a local or local low volume street to require a vehicle temporarily park outside the clear zone when parking near a mailbox kiosk when street parking within the clear zone is allowed everywhere else along the same street.

This standard requires additional unnecessary street width, curb and gutter and sidewalk be installed that will then need to be maintained by the County.

## 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 provide similar design and appearance as elsewhere within the Meridian Ranch development providing aesthetic continuity.

The deviation will not adversely affect safety or operations.

The deviation will not adversely affect safety or operations since the mailbox kiosks will be located outside the clear zone. Any vehicle that temporarily parks near the kiosk will park in a similar manner as any other vehicle along the same street in front of a residence.

The Type 3 mailbox is to be located outside the clear zone and shall be located in such a place as to not block the line of sight.

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

The deviation will not adversely affect maintenance and its associated costs, since in all other aspects, such as roadway width, slope, pavement type, turn around space, etc. meet El Paso County criteria. Since it meets all other criteria the impacts to maintenance is insignificant.

Conversely, providing the additional width to the street for a pullout to park would require additional maintenance and cost to the County.

The deviation will not adversely affect aesthetic appearance.

The deviation will not adversely affect the aesthetic appears of the project.

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

The deviation meets the design intent and purpose of the ECM standards by meeting all other aspects of the standards with respect to road design and safety.

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 meets the control measure requirements by leaving more area in its natural condition promotes more infiltration and less runoff. By allowing this provision, additional roadway for the sole purpose of providing an unnecessary paved pullout for temporary parking can be avoided.

**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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