



**Planning and Community  
Development Department**  
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## **DEVIATION REQUEST AND DECISION FORM**

Updated: 6/26/2019

### **PROJECT INFORMATION**

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Project Name : Apaloosa Drive ROW Vacation  
 Schedule No.(s) : 6313001002, 6313001003, 6313001004, 6313001005, 6313001006, 6313001007, 6313001010,  
 6313001011, 6313001012, 6313001013, 6313001014, 6313001060, 6313001061  
 Legal Description : Templeton Heights Subdivision Lots 5-17

**APPLICANT INFORMATION**

Company :  
 Name : Julie Michaud  
 Owner    Consultant    Contractor  
 Mailing Address : 5625 Apaloosa Drive  
 Colorado Springs, CO  
  
 Phone Number : 719-499-3892  
 FAX Number :  
 Email Address : jkmeshow@msn.com

**ENGINEER INFORMATION**

Company : Terra Nova Engineering, Inc.  
 Name : John Fornander  
 Colorado P.E. Number : 66415  
 Mailing Address : 721 S. 23<sup>rd</sup> Street  
 Colorado Springs, CO 80904  
  
 Phone Number : 719-635-6422  
 FAX Number : 719-635-6426  
 Email Address : john@tnesinc.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.

*Julie Michaud* \_\_\_\_\_ Date 5/14/2026  
 Signature of owner (or authorized representative)

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** is requested.

Identify the specific ECM standard which a deviation is requested:

**ECM 2.3.8.A Roadway Terminations**

Hammerhead turnarounds are not permitted as permanent roadway terminations.

State the reason for the requested deviation:

The reason for the requested deviation is that there will be a hammerhead turnaround installed in the proposed neighboring Summit View subdivision directly west of the proposed gate included with this project. Instead of placing a second turnaround at the proposed gate, it is proposed that the proposed hammerhead turnaround suffice as the roadway termination for the public portion of Apaloosa Drive. A second turnaround located immediately before the proposed gate would not work because it would be outside of the area being replatted. A second turnaround located immediately after the proposed gate would not be ideal because it would conflict with an existing culvert, driveway, and utility pole. Additionally, there is an existing turnaround located at the end of Apaloosa Drive.

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

The alternative to the deviation is to require a turnaround located immediately before or immediately after the proposed gate. For the reasons described above, that alternative is not ideal.

**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 proposed hammerhead turnaround provides an acceptable turnaround for the public portion of Apaloosa Drive before it reaches the proposed gate and will become a private road. A second turnaround located immediately after this turnaround will provide no benefit; It will only provide a hardship to homeowners in the Templeton Heights Subdivision community. There is another turnaround already in place at the end of Apaloosa Drive which will serve as the turnaround for the private portion of the road.

### 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 avoid the placement of a second consecutive turnaround placed on Apaloosa Drive which will provide no benefit to the public or surrounding properties. The proposed hammerhead turnaround in the Summit View subdivision will function appropriately as a turnaround for the public portion of Apaloosa Drive.

The deviation will not adversely affect safety or operations.

The placement of a second turnaround immediately after the hammerhead turnaround in the neighboring subdivision will not a benefit to the public and by not including that second turnaround, this deviation will not adversely affect safety or operations.

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

The removal of a turnaround will not cause maintenance or cost increases.

The deviation will not adversely affect aesthetic appearance.

The deviation will benefit the aesthetics of the of the area because it will not require existing land and vegetation to be torn up to provide an unnecessary turnaround at the proposed gate. Additionally, existing utilities will not need to be torn out and reinstalled.

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

This deviation meets the design intent and purpose of the ECM standards because there will still be an acceptable turnaround at the termination of the public portion of Apaloosa Drive. A second turnaround immediately after would not be useful.

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 will have no effect on the 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 2.3.8.A 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 2.3.8.A of the ECM is hereby denied.

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**ECM ADMINISTRATOR COMMENTS/CONDITIONS:**

Deviation is approved based on the construction of the hammerhead by the adjacent development within the City of Colorado Springs. Adequate turnaround provisions shall be provided should the hammerhead not be constructed.

## **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**

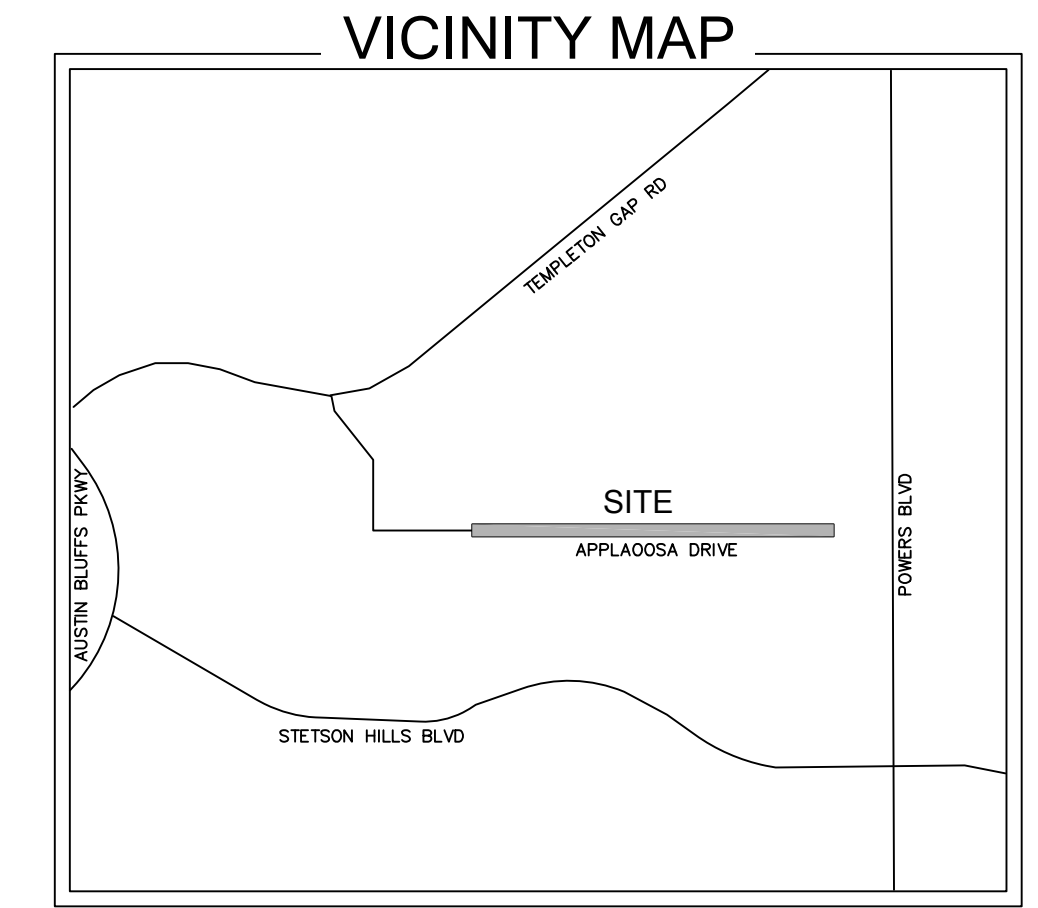
Whether a request for deviation is approved as proposed or with conditions, the approval is for project-specific use and shall not constitute a precedent or general deviation from these Standards.

## **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.

# RIGHT-OF-WAY VACATION PLAT APPALOOSA DRIVE VACATION

A VACATION OF A PORTION OF APPALOOSA DRIVE AS SHOWN IN TEMPLETON HEIGHTS SUBDIVISION, EL PASO COUNTY, COLORADO  
LOCATED IN A PORTION OF THE SOUTHEAST QUARTER OF SECTION 13,  
TOWNSHIP 13 SOUTH, RANGE 66 WEST OF THE 6TH P.M.,  
EL PASO COUNTY, COLORADO



**KNOW ALL MEN BY THESE PRESENTS:**

That the County of El Paso, State of Colorado, being the owner of the following described tract of land to wit:

**Legal Description:**

That portion of Appaloosa Drive laying east of a line drawn between the southwest corner of Lot 5 and the northwest corner of Lot 17, all in Templeton Heights Subdivision (Plat Book G-2, Page 20), El Paso County, Colorado

Containing a calculated area of 122,685 square feet (2.81646 acres), more or less.

**BOARD OF COUNTY COMMISSIONER'S CERTIFICATE**

This vacation plat was approved for filing by the El Paso County, Colorado

Board of County Commissioners on the \_\_\_\_\_ day of \_\_\_\_\_,

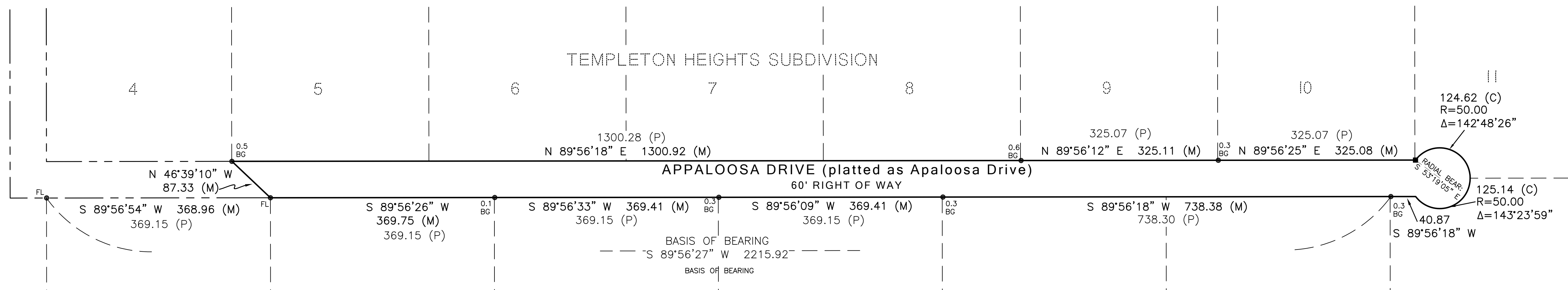
20\_\_\_\_.

Appaloosa Drive shown on the plat of Templeton Heights Subdivision recorded in the Office of the El Paso County Clerk and Recorder, Plat Book G-2, Page 20 is hereby

vacated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Chair, Board of County Commissioners      Date

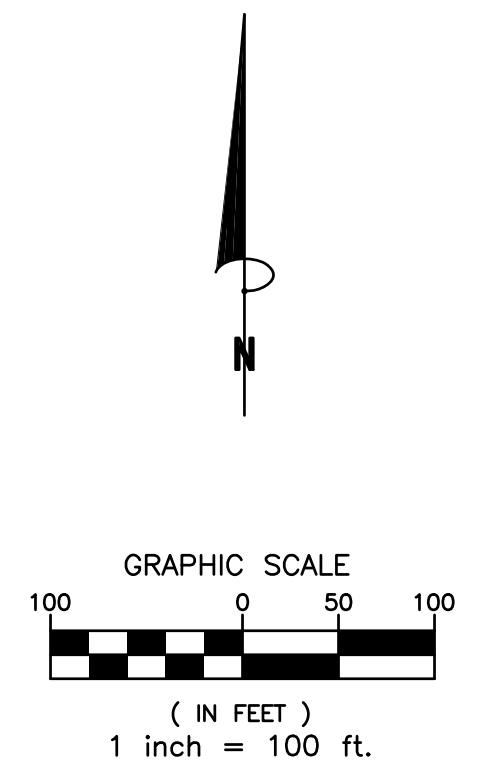
\_\_\_\_\_  
Planning and Community Development Director      Date



- SYMBOL LEGEND**
- FOUND 3/4" IRON PIPE, GRADE AS NOTED
  - FOUND 1" YELLOW PLASTIC CAP MARKED "PLS 18465" FLUSH WITH GROUND
  - (BG) BELOW GROUND
  - (FL) FLUSH WITH GROUND

**NOTES:**

- 1) (P) - Denotes platted distance.  
(M) - Denotes measured distance and/or bearing
- 2) This survey does not constitute a title search by Compass Surveying & Mapping, LLC to determine ownership or easements of record. Being public right-of-way, no research into easements or rights-of-way or record was performed.
- 3) Basis of bearings is the south line of Appaloosa Drive, monumented as shown and assumed to bear South 89 degrees 56 minutes 27 seconds West.
- 4) This property is located within Zone X (areas determined to be outside the 500-year floodplain) as established by FEMA per FIRM panel 08041C0536 G, effective date, December 7, 2018.
- 5) Notice: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown herein.
- 6) The lineal units used in this drawing are International feet.
- 7) The vacated portion of right-of-way will be subject to a Joint Access and Maintenance Agreement recorded at Reception No. \_\_\_\_\_
- 8) Fencing shall not prevent access to utility lines or conflict with utility equipment.
- 9) Owners will work with CSU Operations Maintenance regarding gate access, including to provide information regarding the gate locking mechanism.
- 10) The portion of Appaloosa Drive vacated by this plat will not be maintained by El Paso County.



**SURVEYOR'S CERTIFICATE:**

I Mark S. Johannes, a duly registered Professional Land Surveyor in the State of Colorado, do hereby certify that this plat truly and correctly represents the results of a survey made on date of survey, by me or under my direct supervision and that all monuments exist as shown herein; that mathematical closure errors are less than 1:10,000; and that said plat has been prepared in full compliance with all applicable laws of the State of Colorado dealing with monuments, subdivision, or surveying of land and all applicable provisions of the El Paso County Land Development Code.

This statement is neither a warranty nor guarantee, either expressed or implied.

I attest the above on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Mark S. Johannes  
Colorado Professional Land Surveyor #32439  
For and on behalf of Compass Surveying & Mapping, LLC

**RECORDING:**

STATE OF COLORADO }  
COUNTY OF EL PASO } SS  
I hereby certify that this instrument was filed for record in my office at \_\_\_\_\_ o'clock  
\_\_\_\_M., this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, A.D., and is duly recorded  
under Reception No. \_\_\_\_\_ of the records of El Paso County,  
Colorado.

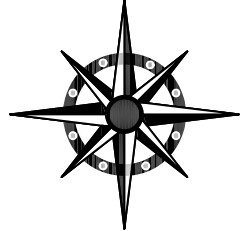
STEVE SCHLEIKER, RECORDER

BY: \_\_\_\_\_  
Deputy

SURCHARGE: \_\_\_\_\_

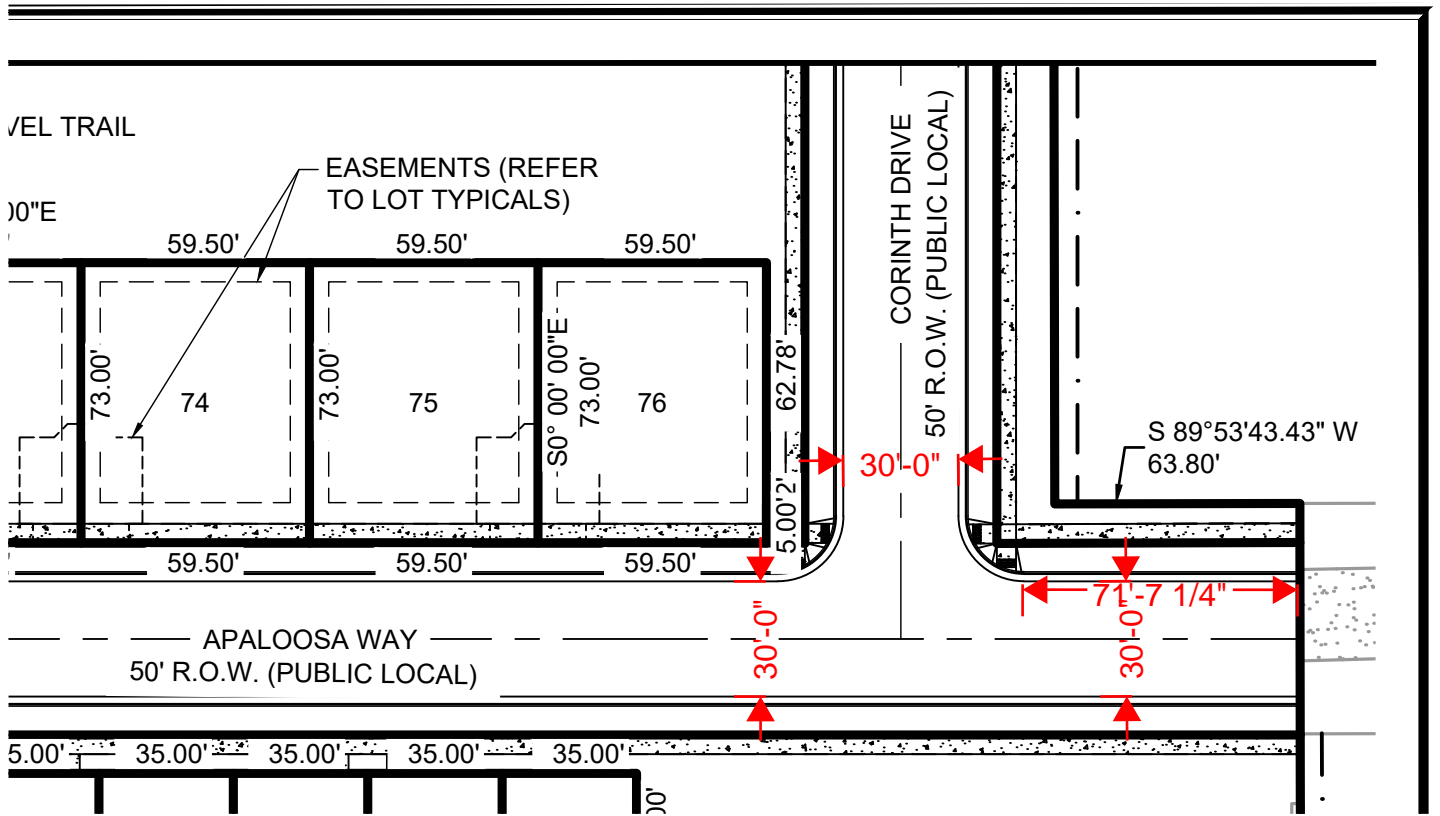
FEE: \_\_\_\_\_

**COMPASS SURVEYING & MAPPING, LLC**  
3253 WEST CAREFREE CIRCLE  
COLORADO SPRINGS, CO 80917  
719-354-4120  
WWW.CSAMLCC.COM  
INFO@SURVEYINGCOLORADO.COM



PCD FILE NO: V253

REVISIONS:	PROJECT NO.	25109
1 12/10/25 County comments.	DATE:	JULY 7, 2025
2 01/28/26 County comments.	DRAWN BY:	JMJ
3 03/03/26 County comments.	CHECKED BY:	MSJ
4 04/06/26 County comments.	SHEET:	1 OF 1
5 04/22/26 County comments.		



**From:** Steven D Smith <Steven.Smith@coloradosprings.gov>  
**Sent:** Thursday, April 2, 2026 10:36 AM  
**To:** john tnesinc.com  
**Subject:** RE: Apaloosa Drive hammerhead turnaround question

No. What is shown is acceptable for CSFD. I can't speak for City Traffic.

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**From:** john tnesinc.com <john@tnesinc.com>  
**Sent:** Thursday, April 2, 2026 9:46 AM  
**To:** Steven D Smith <Steven.Smith@coloradosprings.gov>  
**Subject:** RE: Apaloosa Drive hammerhead turnaround question

**CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!**

Yes! They just want to make sure that Fire will not require another turnaround immediately after the one on Apaloosa and Corinth.

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**From:** Steven D Smith <Steven.Smith@coloradosprings.gov>  
**Sent:** Thursday, April 2, 2026 9:15 AM  
**To:** john tnesinc.com <john@tnesinc.com>  
**Subject:** RE: Apaloosa Drive hammerhead turnaround question

The intersection of Apaloosa and Corinth, as shown, serves as a turnaround if needed. At least for the city. If you are saying that the county wants another hammerhead on the east of the short stub of Apaloosa, that isn't necessary for CSFD.

Do I understand that correctly now?

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**From:** john tnesinc.com <john@tnesinc.com>  
**Sent:** Thursday, April 2, 2026 8:58 AM  
**To:** Steven D Smith <Steven.Smith@coloradosprings.gov>  
**Subject:** RE: Apaloosa Drive hammerhead turnaround question

**CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!**

So they don't have a culdesac, but instead have a hammerhead turnaround. We would like to put a gate in directly east of that hammerhead and would like to NOT have to put in another turnaround immediately after the hammerhead they are building.

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**From:** Steven D Smith <Steven.Smith@coloradosprings.gov>  
**Sent:** Thursday, April 2, 2026 8:55 AM  
**To:** john tnesinc.com <john@tnesinc.com>  
**Subject:** RE: Apaloosa Drive hammerhead turnaround question

John,

I'm a little confused yes. I did the review on the Summit View DP. I don't recall a culdesac in that location. So I'm not sure what you are asking.

Smitty

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**From:** john tnesinc.com <[john@tnesinc.com](mailto:john@tnesinc.com)>  
**Sent:** Wednesday, April 1, 2026 4:42 PM  
**To:** Steven D Smith <[Steven.Smith@coloradosprings.gov](mailto:Steven.Smith@coloradosprings.gov)>  
**Subject:** Apaloosa Drive hammerhead turnaround question

**CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!**

Hi Steven, I have a question that I hope isn't too complicated. Attached above is the development plan for a subdivision going in next door to a road (Apaloosa Drive) that we are trying to make private. It is in the County, but I believe Colorado Springs Fire serves that area because it is enclosed within the city limits. The County is asking that we do a deviation request to allow us to use the Subdivision's proposed hammerhead turnaround instead of a cul-de-sac turnaround, but they want me to get the OK from Fire. I've attached a dimensioned exhibit of the hammerhead above as well. Would you be able to let me know if this will work for you or if I need to provide you with more information? Thanks!

John Fornander, PE  
Project Engineer  
Terra Nova Engineering, Inc.  
721 S. 23rd St.  
Colorado Springs, CO  
80904  
719-635-6422 phone