



Planning and Community  
Development Department  
2880 International Circle  
Colorado Springs, Colorado 80910  
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## DEVIATION REQUEST AND DECISION FORM

Updated: 6/26/2019

### PROJECT INFORMATION

Project Name : Estates at Rolling Hills Ranch Filing 2

Schedule No.(s) : 4200000407 & 4200000401

Legal Description : See attached

### APPLICANT INFORMATION

Company : Tech Contractors

Name : Tom Kerby

☐ Owner ☒ Consultant ☐ Contractor

Mailing 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 : tom@meridianranch.com

Phone Number : 719.495.7444

FAX Number : n/a

Email Address : tom@meridianranch.com

### OWNER, APPLICANT, AND ENGINEER DECLARATION

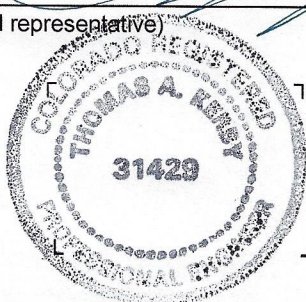
To the best of my knowledge, the information on this application and all additional or supplemental documentation is true, factual and complete. I am fully aware that any misrepresentation of any information on this application may be grounds for denial. I have familiarized myself with the rules, regulations 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

9 - 28 - 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 **2.3.8.A** of the Engineering Criteria Manual (ECM) is requested.

Identify the specific ECM standard which a deviation is requested:

Exceed the maximum length between of a cul-de-sac on an Urban Local street.

The request for a deviation is to allow the proposed 1,156-foot-long cul-de-sac on Crescent Creek Drive – a Local Low Volume street - at a location northwest of the intersection of Rex Rd and Estate Ridge Dr as shown on the plan and profile drawings.

State the reason for the requested deviation:

A belief the cul-de-sac provides a superior product that is desirable to the general public without sacrificing safety to the residents and users of the area. The attached letter from the Falcon Fire Protection District indicates that the local fire district believes the longer cul-de-sac does not create undue safety issues. Supportive of the request the Falcon Fire Department notes that the described area is not within the Districts wildland interface.

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

The requested cul-de-sac length is 1,156 feet, which is 406 feet longer than the ECM standard of 750 feet.

The Falcon Fire Protection District has provided a letter in support of this design alternative stating the district does not have any restricting regulation with regard to cul-de-sac lengths other than the requirement to have the necessary surface material and the means to turnaround that meets the county requirements.

## 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:

Several cul-de-sacs in the last few subdivisions have been deemed too long by this criterion. The ECM seems to indicate a safety concern from the perspective of the access by emergency services, in particular fire protection. However, the Falcon Fire Protection District has indicated in every case that approval of lengths exceeding 750 are acceptable if a proper surface is provided, the means of access and turnaround is sufficient and the location is not within the wildland fire interface. This project is not located within the wildland interface. The Falcon Fire Department further states the adopted 2009 Fire Code do not provide restrictions to lengths of cul-de-sacs.

## 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.

Homes on a cul-de-sac are desirable to most home purchasers, this design provides what the perspective purchaser is seeking without adversely impacting the public safety nor surrounding property. The proposed design in addition creates unique and desired community enclaves while also providing sufficient vehicular and pedestrian access to open space links.

The deviation will not adversely affect safety or operations.

The deviation will not adversely affect safety or operations; as mentioned above the Falcon Fire Protection District has no objections for this design so long as the roadway is built wide enough for their firefighting apparatus to traverse the length of the street and has sufficient space to turn around, and the project is not located within the wildland fire interface. The design provides both width and turn-around space. The Falcon Fire Protection District has no regulations limiting the length of a cul-de-sac, just additional provisions that certain lengths be approved and proper surfacing provided.

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, if the long cul-de-sac were not allowed, a street would be required to be added increasing 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 except the length of the cul-de-sac.

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 a long cul-de-sac, additional disturbance of the surrounding area for an additional roadway for the sole purpose of connecting to this cul-de-sac 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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KNOW ALL MEN BY THESE PRESENTS:

THAT GTL, INC. DBA GTL DEVELOPMENT, INC., THEODORE TCHANG, PRESIDENT AND MERIDIAN SERVICE METROPOLITAN DISTRICT BEING THE OWNERS OF THE FOLLOWING DESCRIBED TRACTS OF LAND:

A PARCEL OF LAND LOCATED IN A PORTIONS OF SECTION 19 AND 20,  
IN TOWNSHIP 12 SOUTH, RANGE 64 WEST OF THE 6TH PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEASTERN MOST CORNER OF TRACT B OF THE ESTATES AT ROLLING HILLS RANCH FILING NO. 1, RECORDED WITH RECEPTION NO. \_\_\_\_\_ IN THE RECORDS OF EL PASO COUNTY, POINT BEING ON THE NORTHEAST 1/4 OF SAID SECTION 19;

1. THENCE S89°18'07"E ALONG SAID SECTION 19 A DISTANCE OF 40.70 FEET TO THE NORTHWEST CORNER OF SAID SECTION 20;
2. THENCE S89°25'43"E, ALONG THE NORTHERN LINE OF SAID SECTION 20 A DISTANCE OF 2532.88 FEET;
3. THENCE S00°34'17"W A DISTANCE OF 340.00 FEET;
4. THENCE S06°47'53"E A DISTANCE OF 290.00 FEET;
5. THENCE S11°14'55"E A DISTANCE OF 525.00 FEET;
6. THENCE N82°33'58"W A DISTANCE OF 235.05 FEET;
7. THENCE S07°26'02"W A DISTANCE OF 480.00 FEET;
8. THENCE N82°33'58"W A DISTANCE OF 168.00 FEET;
9. THENCE S07°26'02"W A DISTANCE OF 60.00 FEET;
10. THENCE S52°26'02"W A DISTANCE OF 31.11 FEET;
11. THENCE S07°26'02"W A DISTANCE OF 336.00 FEET;
12. THENCE S37°33'58"E A DISTANCE OF 31.11 FEET;
13. THENCE S07°26'02"W A DISTANCE OF 60.00 FEET;
14. THENCE S52°26'02"W A DISTANCE OF 31.11 FEET;
15. THENCE S07°26'02"W A DISTANCE OF 196.00 FEET;
16. THENCE S37°33'58"E A DISTANCE OF 31.11 FEET;
17. THENCE S07°26'02"W A DISTANCE OF 80.00 FEET;
18. THENCE N82°33'58"W A DISTANCE OF 518.76 FEET TO A CURVE TO THE LEFT;
19. THENCE ON THE ARC OF SAID CURVE, HAVING A RADIUS OF 7440.00 FEET, A DELTA ANGLE OF 00°18'41", AN ARC LENGTH OF 40.44 FEET, WHOSE LONG CHORD BEARS N82°43'19"W A DISTANCE OF 40.44 FEET;
20. THENCE S51°52'47"W A DISTANCE OF 31.03 FEET;
21. THENCE N83°16'41"W A DISTANCE OF 60.00 FEET;
22. THENCE N38°26'09"W A DISTANCE OF 31.03 FEET TO A NON-TANGENT CURVE TO THE LEFT;
23. THENCE ON THE ARC OF SAID CURVE, HAVING A RADIUS OF 7440.00 FEET, A DELTA ANGLE OF 02°14'02", AN ARC LENGTH OF 290.08 FEET, WHOSE LONG CHORD BEARS N84°47'44"W A DISTANCE OF 290.06 FEET;
24. THENCE N85°54'45"W A DISTANCE OF 400.64 FEET TO A CURVE TO THE LEFT;
25. THENCE ON THE ARC OF SAID CURVE, HAVING A RADIUS OF 900.00 FEET, A DELTA ANGLE OF 06°09'39", AN ARC LENGTH OF 96.77 FEET, WHOSE LONG CHORD BEARS N88°59'34"W A DISTANCE OF 96.73 FEET;
26. THENCE S87°55'36"E A DISTANCE OF 348.00 FEET TO A POINT ON THE EASTERLY BOUNDARY OF SAID THE ESTATES AT ROLLING HILLS RANCH FILING NO. 1;

THE FOLLOWING FOURTEEN (14) COURSES ARE ON SAID BOUNDARY LINE:

27. THENCE N02°04'24"W A DISTANCE OF 100.00 FEET;
28. THENCE N47°04'24"W A DISTANCE OF 31.11 FEET;
29. THENCE N02°04'24"W A DISTANCE OF 45.00 FEET TO A CURVE TO THE RIGHT;
30. THENCE ON THE ARC OF SAID CURVE, HAVING A RADIUS OF 220.00 FEET, A DELTA ANGLE OF 40°46'08", AN ARC LENGTH OF 156.54 FEET, WHOSE LONG CHORD BEARS N18°18'40"E A DISTANCE OF 153.26 FEET;
31. THENCE N38°41'44"E A DISTANCE OF 231.44 FEET;
32. THENCE N51°18'16"W A DISTANCE OF 60.00 FEET;
33. THENCE S83°41'44"W A DISTANCE OF 31.11 FEET;
34. THENCE N51°18'16"W A DISTANCE OF 170.23 FEET;
35. THENCE N38°41'44"E A DISTANCE OF 150.00 FEET;
36. THENCE N00°00'00"E A DISTANCE OF 254.85 FEET;
37. THENCE N30°02'34"W A DISTANCE OF 180.68 FEET;
38. THENCE N35°00'00"W A DISTANCE OF 540.00 FEET;
39. THENCE N00°00'00"E A DISTANCE OF 232.89 FEET;
40. THENCE N00°00'00"E A DISTANCE OF 108.00 FEET;
41. THENCE N00°00'00"E A DISTANCE OF 332.03 FEET TO THE POINT OF BEGINNING.

THE ABOVE PARCEL OF LAND CONTAINS 117.211 ACRES, MORE OR LESS.

BEARINGS ARE BASED ON THE SOUTH LINE OF THE SW ¼ OF SECTION 29, TOWNSHIP 12 SOUTH, RANGE 64 WEST OF THE 6TH P.M., ASSUMED TO BEAR S89°25'42"E FROM THE SOUTHWEST CORNER OF SAID SECTION 29 (A STONE W/SCRIBED "X") TO THE SOUTH QUARTER CORNER OF SAID SECTION 29 (3.25" ALUM. CAP LS #30087).

# FALCON FIRE PROTECTION DISTRICT

7030 Old Meridian Road Falcon Colorado 80831

Business Number: 719-495-4050

Business Fax: 719-495-3112

[www.falconfirepd.org](http://www.falconfirepd.org)



September 29, 2020

Tom Kerby  
Meridian Ranch Development  
Falcon, CO

**RE: Estates at Rolling Hills Ranch Filing #2, cul-de-sac deviation fire review.**  
Deviation Request for dead in roads that is 1,156 feet in length.

Tom,

Falcon Fire Protection District (FFPD) has reviewed the proposed deviation request for The Estates at Rolling Hills Ranch Filing #2 on a dead-end road labeled as Crescent Drive totaling 1,156 feet in length and serving 22 single family residential lots. While this deviation request is not based on any Falcon Fire Departments adopted 2009 Fire Code requirements, assuming the surface material is constructed and maintained to county specifications, the dead end roads is provided with a means of turnaround meeting county requirements, the width of the proposed road remain as shown in the proposed design and, the road is not within the wildland interface, the Falcon Fire Department has no concerns with this deviation request assuming all other fire code requirements adopted by the Falcon Fire District are accepted.

If you have any questions please contact me at any of the above listed numbers.

Sincerely,

Trent Harwig  
Fire Chief  
Falcon Fire Department

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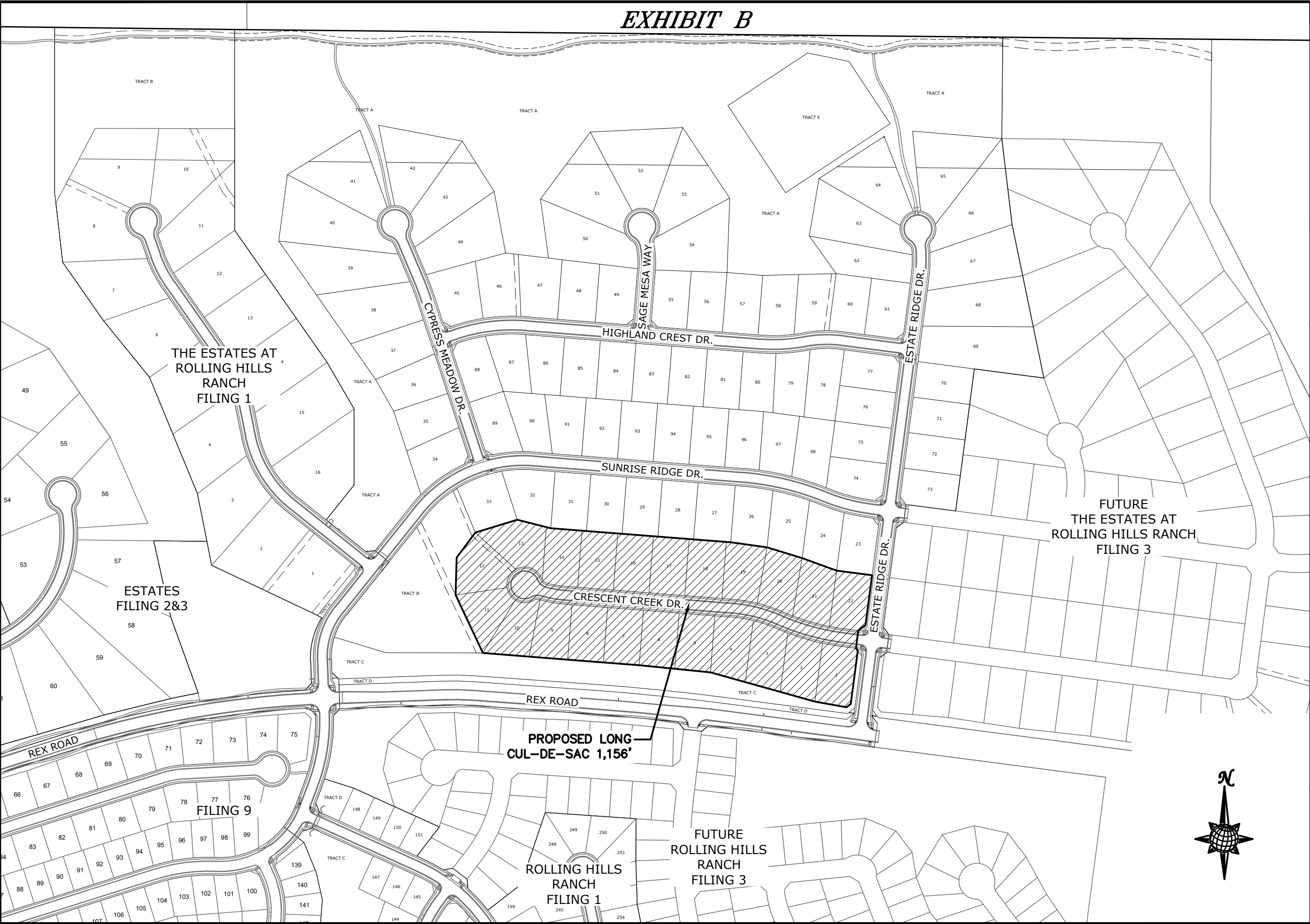


EXHIBIT B

|                      |                               |                   |  |   |
|----------------------|-------------------------------|-------------------|--|---|
| Scale<br><br>1"=300' | Drawn by<br>LCA               |                   | ESTATES AT ROLLING HILLS RANCH FILING 2<br><br>DEVIATION EXHIBIT<br><br>CUL-DE-SAC | TECH CONTRACTORS<br>11886 STAPLETON DRIVE<br>FALCON, CO 80831<br>TELEPHONE: 719.495.7444<br>FAX: 719.495.3349 |
|                      | Sheet Number<br><br>EXHIBIT B | Checked by<br>TAK |  |   |
| Date                 |                               |                   |  |   |
| SEPT 2020            |                               |                   |  |   |