



Planning and Community
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DEVIATION REQUEST AND DECISION FORM

Updated: 6/26/2019

The deviation request will be reviewed by the ECM Administrator. If any additional comments are made by the ECM Administrator they will be made available. Please be aware that submittal of a deviation request does not imply that it will be approved.

PROJECT INFORMATION

Project Name : Ellicott Sand and Gravel Special Use
Schedule No.(s) : 2400000276
Legal Description : NW4, N2NE4 L/4MR SEC 21-14-62, TOG WITH S2SE4, S2N2SE4, SE4SW4 SEC 20-14-62, S2S2NE4 SEC 21-14-62, NE4, N2SE4 SEC 29-14-62 TOG WITH ALL WITH MR SEC 28-14-62, NW4NW4 SEC 33-14-62 TOG WITH TRACT IN S2 OF SEC 32-14-62 AS FOLS COM AT E4 COR OF SD SEC 32, TH N 89<44'25" W ON E-2 C/L OF SD SEC 1438.64 FT FOR POB, TH CONT ON SAME COURSE 1211.19 FT, S 44<44'56" E 798.16 FT, S 89<46'00" E 968.03 FT, TH N 45<16'30" E 800.42 FT TO POB, TOG WITH TRACT IN S2 SEC 32-14-62 DESC AS FOLS: COM AT E4 COR OF SEC 32, TH N 89<44'25" W ON E-2 CENTER LN SEC 32 1438.64 FT, TH S 45<16'30" W 800.42 FT, N 89<46'00" W 968.03 FT, N 44<44'56" W 798.16 FT, N 89<52'03" W 436.09 FT, S 00<10'46" E 597.81 FT, TH ALG ARC OF CUR TO R HAVING A RAD OF 50.00 FT A C/A OF 66<25'19" FOR AN ARC LENGTH OF 57.96 FT WHICH CHORD BEARS S 33<11'37" E 55.06 FT, S 89<3'35" E 3940.46 FT, N 00<05'11" E 659.88 FT TO POB, TOG WITH S2SE4 EX R/W FOR INGRESS & EGRESS OVER WLY 40.00 FT THEREOF SEC 29-14-62 W/MR, TOG WITH TRACT IN W2 SEC 33-14-62 DESC AS FOLS: BEG AT THE SW COR OF SD SEC 33, TH N 00<00'59" E 2659.75 FT TO THE NW COR SW4 SEC 33, TH N 00<00'00" W ALG THE W LN 1330.41 FT TO THE NW COR SW4NW4 SEC 33, TH N 89<53'14" E 1307.12 FT TO THE NE COR SW4NW4 OF SD SEC 33 59.52 FT, TH S 02<52'04" E 12.54 FT, S 18<49'49" W 4205.36 FT TO A PT ON THE S LN OF THE SW4 OF SD SEC 33, TH S 89<46'12" W ALG S LN 10.67 FT TO POB, EX FOR NE4NE4 SEC 29

APPLICANT INFORMATION

Company : Ellicott Sand & Gravel LLC
Name : Christine Wilson, c/o Bruce Humphries
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ENGINEER INFORMATION

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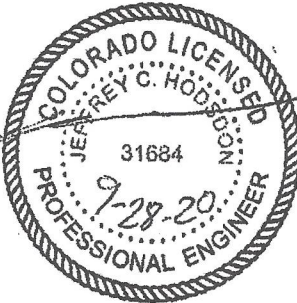
OWNER, APPLICANT, AND ENGINEER DECLARATION

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)

9-29-2020
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 Sections 2.2.4.A.4 and 2.3.2 of the Engineering Criteria Manual (ECM) is requested. The request is for a full-movement access to Sanborn Road one-quarter mile west of Baggett Road. Please refer to the attached exhibit. This is an interim access for Stage I of the sand and gravel operation and could be reevaluated with the next SUP review.

Identify the specific ECM standard which a deviation is requested:

2.2.4.A.4 Roadway Functional Classifications and Urban/Rural Designations: Rural Major Collector
"No full movement access is permitted where the local roadways can be expected to provide access."

2.3.2 Design Standards by Functional Classification
Table 2-5: Roadway Design Standards for Rural Collectors and Locals
Criteria for a Rural Major Collector Roadway: No access permitted

Standard 2.3.2 does not permit access on Rural Major Collector roadways. This standard is reflected in ECM Table 2-5 (Roadway Design Standards for Rural Collectors and Locals).

State the reason for the requested deviation:

Access is needed for the Ellicott Sand & Gravel Special Use Permit application and this deviation would allow for the access to be located 1/4-mile west of the intersection of Sanborn Road/Baggett Road. The proposed access point to Sanborn Road is a limited tenure access and will need to be reevaluated in approximately 5 years when this Special Use Permit expires and requires renewal. Although the property has frontage on Baggett Road, the initial area of material extraction (Stage I) is north of Sanborn and west of Black Squirrel Creek. Access to Sanborn is the only option without crossing Black Squirrel Creek (See attached exhibit).

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

The standard indicates "no full movement access is permitted where the local roadways can be expected to provide access (See Figure 2-6). Where no local public roadway can provide access, temporary direct parcel or partial turn movement access may be permitted, provided the design meets requirements presented in these Standards."

The request would be for access at the ¼-mile point, west of the intersection of Sanborn Road/Baggett Road. Although a private access is requested, the access point would meet the public road intersection spacing of one-quarter mile for Rural Major Collector roadways.

The access would be designed to accommodate the design vehicle (multi-unit trucks). Should any auxiliary turn lanes at the access become necessary, they would be installed.

Criteria for driveways in ECM Section 2.4.1 access criteria would be met (refer to the section below "The deviation will not adversely affect safety or operations" for additional details.

Short Term

Although classified as a Rural Major Collector, the roadway is gravel and the existing daily traffic volume of about 100 vehicles per day (vpd) on Sanborn Road is significantly below the ECM's design ADT for Rural Major Collectors (3,000 vpd).

Long Term

The projected long-term (1,494 vpd) daily traffic volumes (MTCP volume projection). However, it is most likely that the SUP and access to Sanborn could be reevaluated prior to 2040 with traffic data at that time. Traffic volume growth at a rate calculated based on the high MTCP 2040 volume for the next five or ten years is unlikely.

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:

Access is needed for the Ellicott Sand & Gravel Special Use Permit application. Although the property has frontage on Baggett Road, the initial area of material extraction (Stage I) is north of Sanborn and west of Black Squirrel Creek. Access to Sanborn is the only option without the need to cross Black Squirrel Creek (See attached exhibit).

A partial turn access will not work because **full-movement** access is needed to allow trucks to exit left out of the site onto Sanborn Road in order to follow the requested haul route and avoid school and development areas within the Ellicott area to the west.

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 request would be for access at the ¼-mile point west of the intersection of Sanborn Road/Baggett Road. Although a private access is requested, the access point would meet the public road intersection spacing of one-quarter mile for Rural Major Collector roadways.

Criteria for driveways in ECM Section 2.4.1 access criteria would be met (refer to the section below "The deviation will not adversely affect safety or operations" for additional details.

The deviation will not adversely affect safety or operations.

The request would be for access at the ¼-mile point west of the intersection of Sanborn Road/Baggett Road. Although a private access is requested, the access point would meet the public road intersection spacing of one-quarter mile for Rural Major Collector roadways.

ECM Section 2.4.1 access criteria states the following five access design guidelines:

Adequate Spacing

The ECM indicates that accesses shall be separated by a distance equal to the entering sight-distance values in Table 2-35. Based on a posted speed limit of 45 mph, the prescribed spacing would be 765 feet. The proposed distance between the site access point and its nearest intersection is 1,320 feet, which exceeds the 765-foot sight distance requirement for multi-unit trucks.

Proper Alignments

All proposed site access points should be aligned at 90 degrees to the adjacent roadway centerline. The adjacent roadway grades are essentially level. Vertical alignment criteria in ECM Section 2.4.1.C.2 shall be met for the driveway. The access point is shown to intersect Sanborn Road at 90 degrees.

Clear Sight Distances

Sanborn Road has a straight horizontal alignment with no significant vertical curvature that would limit access sight distance. Site improvements, such as signs, on-street parking, and landscaping, should not impede the required sight-distance lines of sight. Based on a posted speed limit of 45 mph, the prescribed spacing would be 765 feet, a distance that is met at the proposed access.

Coordinated Widths with Its Intended Use

The ECM requires a minimum 25-foot width for a commercial access point on a Non-Residential Collector roadway. The site access drive (30 feet wide) would meet this criterion. The driveway radii will be designed for the design vehicle based on AutoTurn truck-turning templates of the design vehicle (WB-62 multi-unit trucks).

Clearances from Intersection

Access to commercial or industrial parcels fronting Non-Residential Collector roadways shall be located a minimum of 115-480 feet from the point of curvature or point of tangency of the curb line at the intersection, depending on the sight distance and location with respect to the intersection, intersection control, and posted speed. In all cases, a minimum corner clearance of 50 feet shall be provided. This is a minor intersection with low through volumes and low turning volumes to/from Sanborn Road. The proposed distance between the site access point and its nearest intersection (1,320 feet) would meet these requirements.

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

The **spacing** will not affect the maintenance cost as the spacing will not negatively affect the ability for snowplow and maintenance vehicles to maintain Sanborn Road.

you are requesting a deviation to allow access. The spacing of the proposed access is part of your justification. Please revise to indicate the "access" instead of "spacing".

The deviation will not adversely affect aesthetic appearance.

The **spacing** will not affect the aesthetics. The **spacing** is not short to the extent that affects the general appearance of the road corridor. The **spacing** will avoid hidden intersections, and avoid disturbing wetlands and wildlife habitat.

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

Although classified as a Rural Major Collector, Sanborn Road carries volumes far below the design ADT of this roadway classification.

Access to Sanborn is needed to service Stage I of the gravel operation to avoid the need to cross Black Squirrel Creek. A partial turn access will not work because full-movement access is needed to allow trucks to follow the requested haul route and avoid school and development areas within the Ellicott area to the west.

The request would be for access at the ¼-mile point, west of the intersection of Sanborn Road/Baggett Road. Although a private access is requested, the access point would meet the public road intersection spacing of one-quarter mile for Rural Major Collector roadways.

The proposed site access would also meet all five access design guidelines stated in ECM Section 2.4.1.

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 requested deviation meets control measure requirements of Part I.E.3 and Part I.E.4 of the MS4 Permit. Grading and Erosion Control Plans and SWMP Report will provide protection of existing conditions and erosion control measures per standards.



Please identify that these will be provided with the subsequent land use application (i.e. site development plan)

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:

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.

Figures



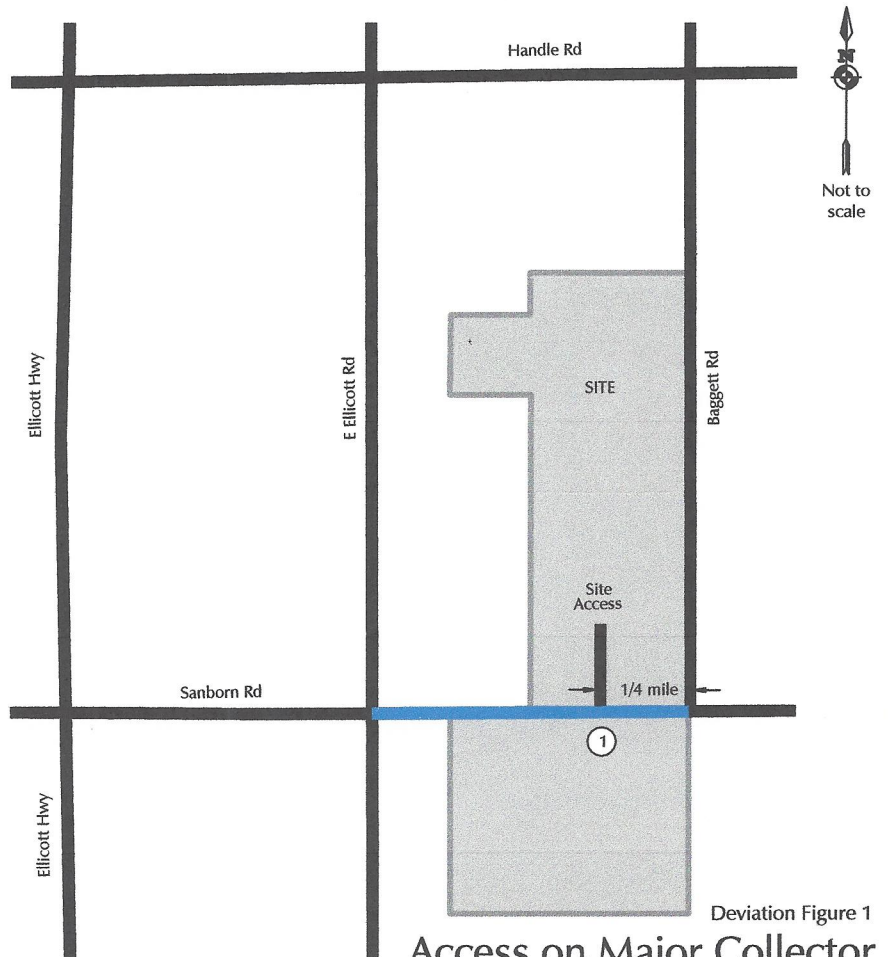
Deviation Request #

①

ECM Sections 2.2.4.A.4 and 2.3.2
(Full-Movement Access to a Rural Major Collector)

Existing roadway

Roadway segment for which deviation is requested



Deviation Figure 1
Access on Major Collector

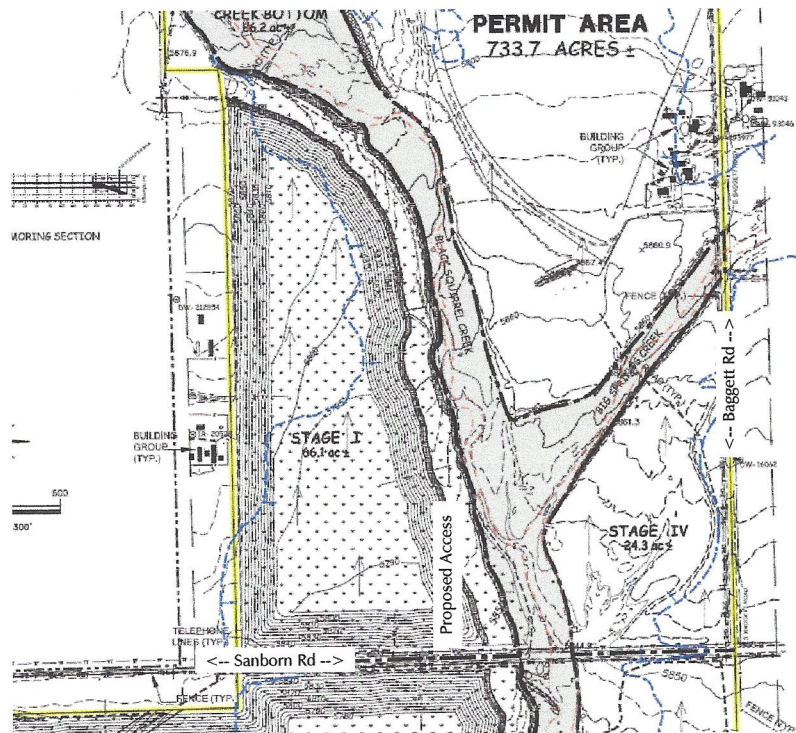
Ellicott Sand + Gravel (LSC# 194980)

Deviation Request #

- ① ECM Sections 2.2.4.A.4 and 2.3.2
(Full-Movement Access to a Rural Major Collector)

Existing roadway
Roadway segment for which deviation is requested

Note: Without the deviation for Stage I, the applicant would be required to cross Black Squirrel Creek in order to access Baggett Road



Not to scale

Deviation Figure 2
Access on Major Collector
Ellicott Sand + Gravel (LSC# 194980)