

Procedures Manual

Subject: DEVIATION REVIEW AND DECISION FORM

Page 1 of 5

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Rescinded: N/A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 5.8 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. 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.



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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): Judge Orr and Stapleton Road Northeast corner

Tax Schedule ID(s) #: 42000-00-405

Legal Description of Property: THE SOUTH HALF OF THE SOUTHWEST QUARTER AND THE WEST 528 FEET OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER SECTION 34, TOWNSHIP 12 S, R26W OF THE WEST PM, EL PASO COUNTY, COLORADO EXCEPTING THEREFROM THOSE PARCELS CONVEYED TO EL PASO COUNTY RECORDED APRIL 28, 2016 UNDER REC 215041107 AND 215041108.

Subdivision or Project Name:

PETE LIEN & SONS BATCH PLANT -
UNPLATTED

Update to Table 2-4 and 2.2.4.A.2

Section of ECM from Which Deviation is Sought: Table 2-6 and ECM Section 2.2.4.B.2

Specific Criteria from Which a Deviation is Sought: Direct Parcel Access

No direct parcel access

Proposed Nature and Extent of Deviation: Direct Access to Stapleton Drive – Principal Arterial

Allow direct parcel access to Stapleton Drive - Principal Arterial

Applicant Information:

Applicant: PETE LIEN AND SONS, INC.

Applicant is: ☒ Owner ☐ Consultant ☐ Contractor

Mailing Address: PO BOX 440 RAPID CITY

Telephone Number: 605-342-7224

State: SD Postal Code: 57702

Fax Number: 605-342-6979

Email Address: DWiebers@petelien.com

Engineer Information:

Engineer: Ann T.

Bowers

Email Address:

a.bowers@fehrrandpeers.com

Company Name: Fehr & Peers

Mailing Address: 518 17th Street, Suite 1100, Denver

State: CO

Postal Code: 80202

Registration Number: 31955

State of Registration: CO

Telephone Number: 720-539-7230

Fax Number: N/A

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

Section of ECM from Which Deviation is Sought: Table 2-6 and Section

2.2.4.B.2

Specific Criteria from Which a Deviation is Sought: Direct access to Principal Arterial

Proposed Nature and Extent of Deviation: Direct Access

provide an exhibit of the project area highlighting the access location.

El Paso County Procedures Manual

Procedure # R-FM-051-07

Issue Date: 12/31/07

Revision Issued: 00/00/00

fill in response to these two sections.

Reason for the Requested Deviation: ___ Due to wetlands adjacent to Judge Orr Road, Access cannot be obtained without significant hardship___

Comparison of Proposed Deviation to ECM Standard: _____

Applicable Regional or National Standards used as Basis: _____

Application Consideration:

CHECK IF APPLICATION MEETS CRITERIA FOR CONSIDERATION

☒ The ECM standard is inapplicable to a particular situation.

uncheck or provide a justification

☒ 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.

Current flood zone maps identify 100 year and 500 year areas along the Judge Orr frontage. Further wetlands studies identified wetlands on the eastern half of the parcel plus burrowing owl habitat within the wetlands

include an exhibit showing wetlands and flood plain

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.

Cost is not a factor in making this request, given that the length of connecting driveways and public road improvements would be similar for either Judge Orr or Stapleton.

The deviation will achieve the intended result with a comparable or superior design and quality of improvement.

___ With recommended auxiliary lane implementation on Stapleton Drive, the access will meet CDOT criteria for access to this type of facility.

The deviation will not adversely affect safety or operations.

___ With recommended auxiliary lane implementation on Stapleton Drive, the access will meet CDOT criteria for access to this type of facility.

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

___ Correct

The deviation will not adversely affect aesthetic appearance.

___ Correct

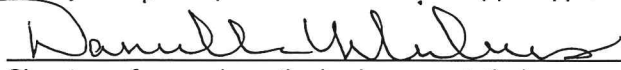
explain how the criteria is satisfied by the request.

As part of your justification, explain that the proposed access is located in an established permanent access easement (attach a copy of the easement).

Update the TIS to also discuss this.

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)

6/20/19

Date

Signature of applicant (if different from owner)



Date

6/20/2019

Signature of Engineer

Date

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

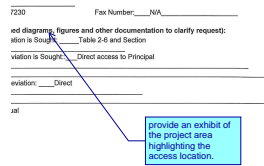
Date

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.

Haul Route_v2-redline.pdf Markup Summary

dsdlaforce (14)



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Page Label: 3
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provide an exhibit of the project area highlighting the access location.

and other doc
Table 2-6 and S
Direct access to

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Explanation of
Section of EC
2.2.4.B.2
Specific Criter
Arterial

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in other documentation
Table 2-6 and Section
Direct access to Principal

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Table 2-6 and S
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____Table 2-6 and ECM Section

_____ Direct Parcel

No direct parcel access.

of Access to Stapleton Drive – Principal

Email Address: DWiebers@petelin.com

State: SD Postal Code: 57702
Fax Number: 605-342-8879

tion: Direct Access to Stapleton Drive – Principal

IC. **Arterial.** Email Address: DWiebers@pete
onsultant _____ Contractor
CITY _____ State: SD

Color: 

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11: _____ Table 2-6 and ECM Section

right: _____ Direct Parcel

Direct Access to Stapleton Drive – Principal

Status:

Comparison of Proposed Deviation to ECM Standard:

Applicable Regional or National Standards used as Basis:

Application Considerations

uncheck or provide	Justification
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CHECK IF APPLICATION MEETS THE FOLLOWING CRITERIA:

CONSIDERATION
x The ECM standard is inapplicable

x Topography, right-of-way, or other geographical

Current food zone maps

and does not compromise public safety or accessibility.

Date: 7/1/

include an exhibit

include an exhibit

include an exhibit

include an exhibit

Date: 7/1/

As part of your justification, explain that the proposed access is located in an established permanent access easement (attach a copy of the easement).
Update the TIS to also discuss this.

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As part of your justification, explain that the proposed access is located in an established permanent access easement (attach a copy of the easement).

Update the TIS to also discuss this.

fill in response to these two sections.

DEVIATION REVIEW

Reason for the Requested Deviation: _____ Due to wetlands adjacent to Judge On Road, Access has significant impacts.

Comparison of Proposed Deviation to ECM Standard: _____

Applicable Regional or National Standards used as Basis: _____

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fill in response to these two sections.

Stapleton.

_____. With recommended auxiliary lane implementation on Stapleton Drive, the access will meet CDOT criteria for access to this type of facility.

_____. With recommended auxiliary lane implementation on Stapleton Drive, the access will meet CDOT criteria for access to this type of facility.

_____. Correct

_____. Correct

explain how the criteria is satisfied by the request.

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explain how the criteria is satisfied by the request.