Department of Public Works
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DEVIATION REQUEST AND DECISION FORM

Updated: 6/23/2026

PROJECT INFORMATION

PCD File No. _____

Project Name :	Church at Bent Grass Meadows
Schedule No.(s) :	5301000026, 5301000033
Legal Description :	**TR IN S2NE4 SEC 1-13-65 DESC AS FOLS: COM AT NE COR S2 SEC 1, TH S00<00'06"W 621.14 FT, N89<52'03"W 360.22 FOR POB,TH CONT N89<52'03"W 300.0 FT, N00<02'26"E 300.0 FT, S89<52'03"E 300.0 FT, S00<02'26"W 300.0 FT TO POB** **TR IN S2NE4 SEC 1-13-65 DESC AS FOLS: BEG AT NE COR OF SD SEC 1'S S2NE4, TH S 00<00'06" W 621.14 FT TO A PT ON THE N LN OF THE S 40.0 FT OF THE N2S2NE4, TH N 89<52'03" W 660.31 FT, N 00<02'26" E 620.73 FT, S 89<54'10" E 659.89 FT TO POB, EX THAT PT CONV BY REC #210085395 & 211037677**

APPLICANT INFORMATION

Company :	FAL Realty, LLC.
Name :	
	☒ Owner ☐ Consultant ☐ Contractor
Mailing Address :	211 N Robinson, Two Leadership Square 8th Floor, Oklahoma City, OK 73102
Phone Number :	(405) 216-7042
FAX Number :	N/A
Email Address :	info@seed.services

ENGINEER INFORMATION

Company :	HR Green Development, LLC		
Name :	Richie Lyon, PE	Colorado P.E. Number :	53921
Mailing Address :	1975 Research Pkwy, Suite 160, Colorado Springs, CO 80920		
Phone Number :	(719) 394-2435		
FAX Number :	N/A		
Email Address :	richie.lyon@hrgreen.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

Engineer's Seal, Signature
And Date of Signature

DEVIATION REQUEST (Attach diagrams, figures, and other documentation to clarify request)

PCD File No. _____

A deviation from the standards of or in Section **2.3.E.2** of the Engineering Criteria Manual (ECM) is requested.

Identify the specific ECM standard which a deviation is requested:

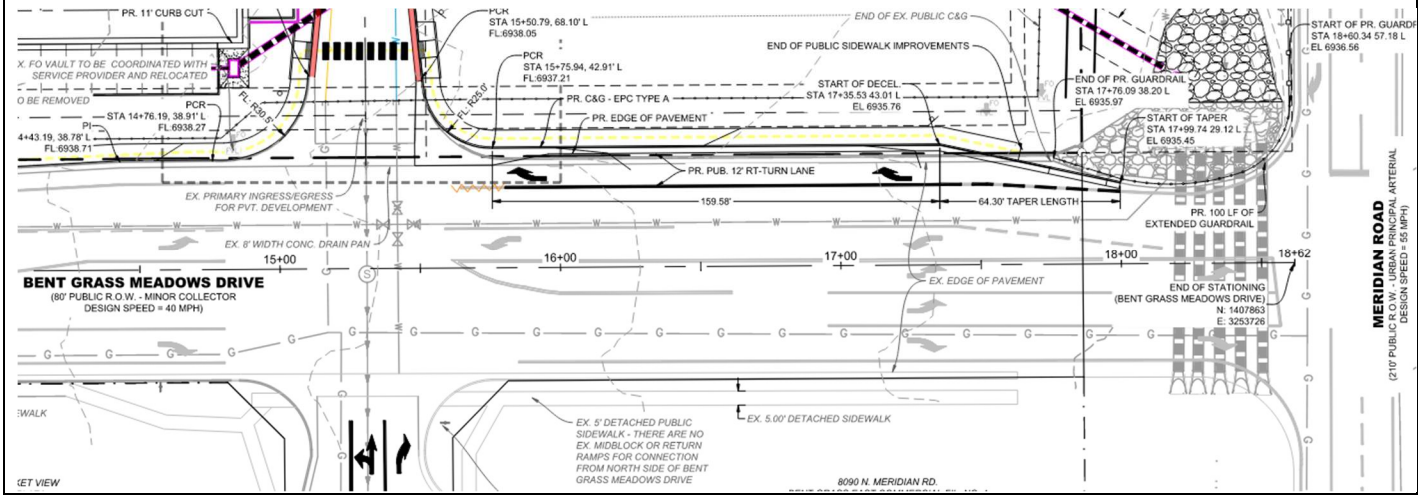
The proposed approach taper length (64') for the westbound right turn lane into the main entrance is shorter than specified in ECM 2.3.E.2 for design speed of 40 mph (160').

State the reason for the requested deviation:

Existing drainage infrastructure in the right of way (culvert pipes which direct flow south under Bent Grass Meadows) prevents further widening of the roadway, and proximity to the Meridian Road right of way prevents taper length from meeting ECM standards.

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

The proposed alternative is a 64' taper length as opposed to the 160' per the ECM standards. This length maintains the existing footprint of the existing drainage infrastructure.



PCD File No. _____

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:

Proximity to the Merdian Road roadway and drainage infrastructure within the right of way prevents the proposed taper length from meeting ECM standards.

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 achieve the intended result of minimizing impact to the existing public infrastructure.

The deviation will not adversely affect safety or operations.

The shortened taper length will not adversely affect safety or operations as the taper starts immediately after a turning west onto Bent Grass Meadows Drive and vehicles are likely to be traveling at low speeds.

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

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

The deviation will not adversely affect aesthetic appearance.

The deviation will not adversely affect aesthetic appearance.

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

The deviation meets the design intent and purpose of the ECM standards. There is no westbound through traffic on Bent Grass Meadows towards main site entrance, and so vehicles are likely to traveling at low speed due to recently completing a turning maneuver from Merdian Road.

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 does not impact requirements of Part I.E.3 and I.E.4 of El Paso County's MS4 Permit.

PCD File No. _____

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.E.2 of the ECM is hereby granted based on the justification provided.

Denied by the ECM Administrator
This request has been determined not to have met criteria for approval. A deviation from Section 2.3.E.2 of the ECM is hereby denied.

ECM ADMINISTRATOR COMMENTS/CONDITIONS:

PCD File No. _____

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.