

Procedures Manual

Subject: DEVIATION REVIEW AND DECISION FORM

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Rescinded: N/A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 5.9 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): Silverado Hill Loop, Drover Canyon Lane
 Tax Schedule ID(s) #: 35000-00-082
 Legal Description of Property: Silverado Ranch

Subdivision or Project Name:
 Silverado Ranch

Section of ECM from Which Deviation is Sought: Section 2.2.7.B
 Specific Criteria from Which a Deviation is Sought: Road Paving Policy
 Proposed Nature and Extent of Deviation: Phasing of Paving - Utilize gravel paving instead of asphalt for subdivision roads during initial phase of development (10 lots in Filing No. 1)

Applicant Information:

Applicant: Silverado Ranch, Inc. (Mr. Stan Searle) Email Address: stansearle@gmail.com
 Applicant is: X Owner _____ Consultant _____ Contractor
 Mailing Address: 2500 E. Highway 105, Monument, CO State: CO Postal Code: 80132
 Telephone Number: (719) 481-9100 Fax Number:

Engineer Information:

Engineer: John P. Schwab, P.E. Email Address: john@jpsengr.com
 Company Name: JPS Engineering, Inc.
 Mailing Address: 19 E. Willamette Avenue State: CO Postal Code: 80903
 Registration Number: CO# 29891 State of Registration: CO
 Telephone Number: (719)-477-9429 Fax Number: (719)-471-0766

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

Section of ECM from Which Deviation is Sought: Section 2.2.7.B
 Specific Criteria from Which a Deviation is Sought: Road Paving Policy
 Proposed Nature and Extent of Deviation: Phasing of Paving - Utilize gravel paving instead of asphalt for subdivision roads during initial phase of development (10 lots in Filing No. 1).
 Reason for the Requested Deviation: Silverado Ranch is a rural residential subdivision, and Filing No. 1 is limited to 10 lots. Gravel roads are reasonable and consistent with ECM Standards based on the ADT being less than 200 for Filing No. 1, and connection to an existing gravel road (Drennan Road) during Filing No. 1.
 Comparison of Proposed Deviation to ECM Standard: ECM Section 2.2.7.B.1 states that "new roadways shall be paved if it connects to an existing roadway that is paved." However, Section 2.2.7.B.1 also states that new roadways are not required to be paved where the new roadway has a projected ADT of less than 200 and the new road connects to an existing gravel road. Silverado Ranch Filing No. 1 includes one access road (Drover Canyon Lane) connecting to an existing gravel road (Drennan Road). The Silverado Ranch PUD includes one future access road (Mill Iron Lane) connecting to an existing asphalt road (Peyton Highway).
 Applicable Regional or National Standards used as Basis: N/A

Application Consideration:

CHECK IF APPLICATION MEETS CRITERIA FOR CONSIDERATION

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.

If at least one of the criteria listed above is not met, this application for deviation cannot be considered.

JUSTIFICATION

The County has directed the applicant to process a deviation for "phasing of paving," recognizing that the approved Silverado Ranch PUD includes an asphalt paved road section, and ultimate development of the site will require asphalt paving per ECM standards. The proposed gravel paving of Filing No. 1 is consistent with ECM Section 2.2.7.B.1 which states that new roadways are not required to be paved where the new roadway has a projected ADT of less than 200 and the new road connects to an existing gravel road.

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.	Silverado Ranch is a proposed rural residential community, and Filing No. 1 gravel roads will conform to County standards for gravel public roads.
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The deviation will achieve the intended result with a comparable or superior design and quality of improvement.	The proposed gravel paving will provide a comparable quality of roadway improvements, which logically matches the rural nature of the surrounding area. Gravel roads will be constructed to County standards for gravel roadways.
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The deviation will not adversely affect safety or operations.	The proposed gravel paving is consistent with the condition of the existing public road along the north boundary of the project (Drennan Road). The proposed gravel road conditions would be expected to encourage slower traffic and enhance safety within the development.
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The deviation will not adversely affect maintenance and its associated cost.	El Paso County currently maintains the existing gravel road surface of Drennan Road and the majority of nearby public roads, so gravel paving would not require the County to mobilize different maintenance equipment for this subdivision.
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The deviation will not adversely affect aesthetic appearance.	The proposed gravel paving of Filing No. 1 will not adversely affect aesthetic appearance, and gravel roads will be more consistent with the existing surrounding rural roadways.
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Owner, Applicant and Engineer Declaration:

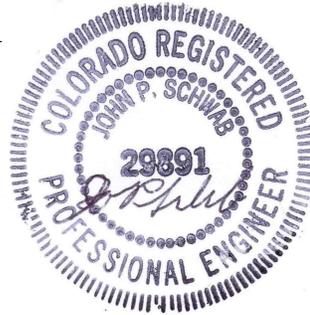
To the best of my knowledge, the information on this application and all additional or supplemental documentation is true, factual and complete. I am fully aware that any misrepresentation of any information on this application may be grounds for denial. I have familiarized myself with the rules, regulations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

Signature of applicant (if different from owner) _____ Date _____

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.