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## DEVIATION REQUEST AND DECISION FORM

Updated: 6/26/2019

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### PROJECT INFORMATION

Project Name : Eagleview Subdivision  
Schedule No.(s) : 5226000001), 5226000001)  
Legal Description : N2NW4 EX WLY 620.0 FT SEC 26-12-65,S2NW4 EX WLY 620.0 FT SEC 26-12-65

### APPLICANT INFORMATION

Company : PT Eagleview LLC  
Name : Joseph W. Desjardin, PE  
☒ Owner ☐ Consultant ☐ Contractor  
Mailing Address : 1864 Woodmoor Drive, Suite 100  
Monument, CO 80132  
Phone Number : 719-476-0800  
FAX Number : N/A  
Email Address : JDesJardin@proterraco.com

### ENGINEER INFORMATION

Company : LSC Transportation Consultants, Inc.  
Name : Jeffrey C. Hodsdon  
Colorado P.E. Number : 31684  
Mailing Address : 2504 E. Pikes Peak Ave, Suite 304  
Colorado Springs, CO 80909  
Phone Number : 719-633-2868  
FAX Number : 719-633-5430  
Email Address : jeff@LSCtrans.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.

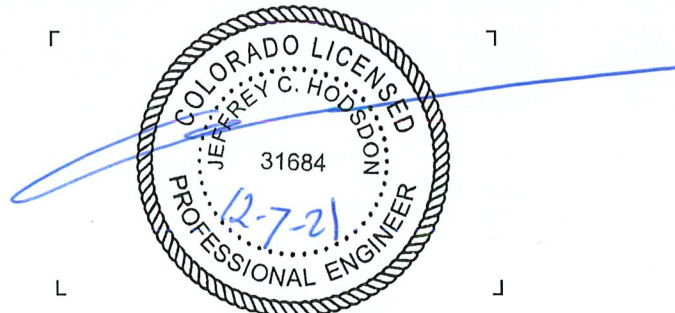
✓ *Joseph W. Desjardin*

*12/06/2021*

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)

A deviation from the standards of or in Sections **2.3.2 and 2.2.4.A.5** of the Engineering Criteria Manual (ECM) is requested.

Identify the specific ECM standard which a deviation is requested:

2.2.4.A.5. Roadway Functional Classifications and Urban/Rural Designations - Rural Minor Collector (including Figure 2-7 Typical Rural Minor Collector Cross Section)

2.3.2 Design Standards by Functional Classification

Table 2-5: Roadway Design Standards for Rural Collectors and Locals  
Criteria for a Rural Minor Collector Roadway – Design ADT

State the reason for the requested deviation:

The ADT at the north end of Raygor Road is likely within the range of a Rural Minor Collector, currently, even prior to the additional trips estimated for this subdivision. The current Raygor Road ROW and cross section do not meet the ECM standard for a rural minor collector, therefore a deviation is required.

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

The proposed alternative is to keep Raygor Road at the current 24-foot wide paved cross section ("unimproved roadway"). The right of way is generally 60-feet. By comparison, the ECM standard Rural Minor Collector cross section has 80-feet of right of way with a 32-foot paved width and 2-foot gravel shoulders (plus roadside ditch sections). The ECM standard pavement section is 3 inches of asphalt over 6 inches of base.

**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:

The project would add 358 vehicles per day, which would represent a 38-percent increase over the estimated current baseline volume (just south of Burgess).

As the current Raygor Road ROW is 60 feet, the Minor Collector cross section would not fit within the existing ROW. The applicant does not control the properties adjacent to Raygor Road.

**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 project is projected to increase traffic on the existing roadway by 38 percent just south of Burgess.
- The posted speed limit at 35 mph is consistent with the ECM standard speed limit for a Rural Minor Collector.

The deviation will not adversely affect safety or operations.

- The roadway has a straight alignment
- The existing roadway being narrower than the standard for a rural Minor Collector will likely keep speeds lower than if the roadway were widened. There are numerous driveways and road connections along Raygor.

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

- The 24-foot asphalt width would not result in an increase in the required width of pavement to maintain. The current pavement section could be verified to determine if additional depth of asphalt would be needed as a result of the added trips on the roadway. Aside from development- and home-construction-related traffic, most trips would be passenger vehicles, which have a relatively low impact on pavement with low additional trip counts. Trucks such as residential trash service vehicles would likely already be using Raygor Road to service other homes in the area.

The deviation will not adversely affect aesthetic appearance.

- The aesthetic appearance will not be adversely affected, rather the deviation would result in significantly better aesthetic appearance than a resulting road built to a Rural Minor Collector standards, as the amount of grading and disturbance of the topography and trees would result in significantly higher impact.

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

- Raygor Road cannot be upgraded to the Minor Collector standard as ROW is not available.

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.

**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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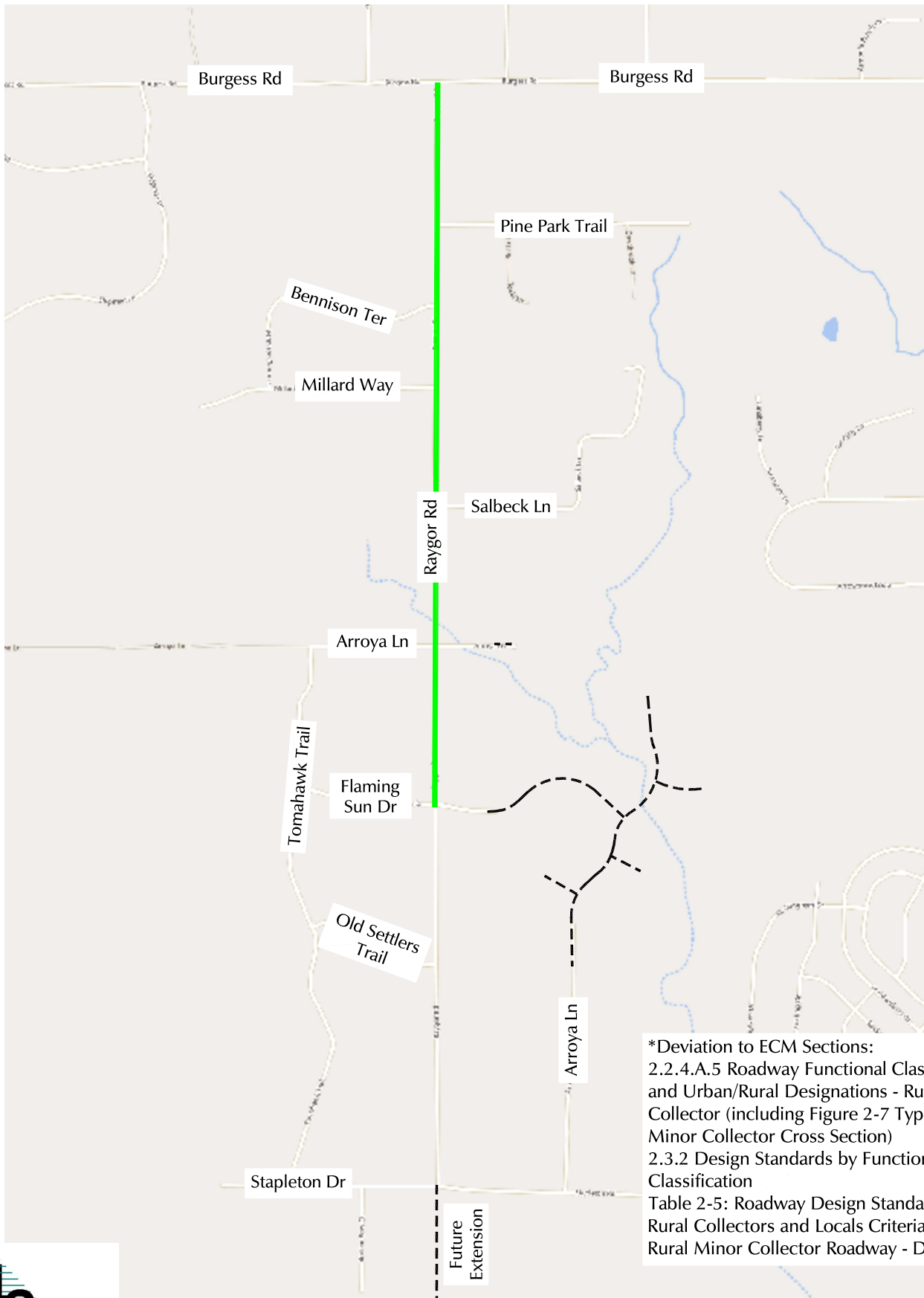
# Deviation Exhibit

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Not to  
scale



\*Deviation to ECM Sections:  
2.2.4.A.5 Roadway Functional Classifications  
and Urban/Rural Designations - Rural Minor  
Collector (including Figure 2-7 Typical Rural  
Minor Collector Cross Section)  
2.3.2 Design Standards by Functional  
Classification  
Table 2-5: Roadway Design Standards for  
Rural Collectors and Locals Criteria for a  
Rural Minor Collector Roadway - Design ADT

Exhibit 1

Deviation No. 3\*

Eagleview Subdivision (LSC# S214750)



Section of Raygor for which Deviation #3 is requested