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## DEVIATION REQUEST AND DECISION FORM

Updated: 6/26/2019

### PROJECT INFORMATION

Project Name : Grandwood Ranch  
Schedule No.(s) : 6119000003  
Legal Description : S2N2, EX PT TO HIGBY RD CONV BY REC# 205092691 W/MR SEC 19-11-66

### APPLICANT INFORMATION

Company : Grandwood Enterprises  
Name : Bill Herebic  
☒ Owner ☐ Consultant ☐ Contractor  
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### ENGINEER INFORMATION

Company : Matrix Design Group  
Name : Gregory Shaner Colorado P.E. Number : 36307  
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Phone Number : 719.575.0100  
FAX Number :  
Email Address : Gregory.Shaner@Matrixdesigngroup.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)

6-26-2020  
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 Section **2.3.2** of the Engineering Criteria Manual (ECM) is requested.

Identify the specific ECM standard which a deviation is requested:

Section 2.3.2 Design Standards by Functional Classification – Table 2-5 Roadway Design Standards for Rural Collectors and Locals for the Major Rural Collector design criteria

State the reason for the requested deviation:

It is proposed to extend the existing collector, Furrow Road, through the Grandwood Ranch development and connect to the existing major arterial, Higby Road, consistent with the 2016 Major Transportation Corridor Plan Update. Due to existing steep and varying terrain directly south of the intersection between Furrow Road and Minglewood Trail, retaining walls are required to make the Furrow Road extension and to avoid disturbance within Lot 52 and Lot 4 of the Timberview Subdivision Filing No. 2.

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

To allow room for construction of retaining walls and grading operations, a modified major rural collector section is being proposed for the extents of improvements within the existing Timberview Subdivision Filing No. 2. The proposed section replaces the typical roadside swale with curb and gutter to properly convey stormwater runoff and to allow feasible space for retaining wall construction without disturbing adjacent property owners and retain as much existing vegetation as possible. Curb and gutter will also serve as protection against erosion at the base of the retaining walls. Once the Furrow Road extension reaches the Grandwood Ranch development site, the standard EPC Major Rural Collector section will be assumed for the remainder of the roadway extension.

## 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:

Existing steep and varying terrain results in extensive grading to tie-back to existing grade. Retaining walls must be constructed to make the Furrow Road extension and to avoid disturbance of existing and occupied lots within the Timberview Subdivision Filing No. 2. The proposed curb and gutter will reduce the roadway section by 10' on each side of the road, allowing sufficient room for retaining wall construction including tie-backs and grading. Curb and gutter will also serve as protection against erosion at the base of the retaining walls. The proposed section is similar to the County's Urban Residential Collector section.

## 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 use of curb and gutter adjacent to existing property owners will provide protection for said property owners while properly conveying existing and future traffic volumes and properly convey stormwater runoff into the Grandwood Ranch development. The proposed section is similar to the County's Urban Residential Collector section and exceeds requirements for proposed improvements. Retaining walls have been placed outside of required clear zones per County criteria.

The deviation will not adversely affect safety or operations.

The requested deviation will have no adverse effects on safety and/or operations. The proposed curb and gutter will provide a safety barrier between vehicles traveling through Furrow Road and the required retaining walls. A clear zone of 14-foot is maintained through the proposed curb and gutter section, consistent with the typical County's urban collector section. The proposed retaining wall is proposed to run parallel with Furrow Road from Minglewood Trail to the Site's property line. The proposed retaining wall will transition out before reaching the property to allow the transition to the rural collector section and 20-foot clear zone.

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

The requested deviation will have no adverse affects on maintenance and its associated costs. Retaining walls will be owned and maintained by the owner's association.

The deviation will not adversely affect aesthetic appearance.

The requested deviation will have no adverse affects on aesthetic appearance. The addition of decorative retaining wall will create an appealing monument for exiting and entering Grandwood Ranch and Timberview Subdivision.

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

The requested deviation meets the design intent and purpose listed within the ECM standards. The proposed alternative section provides adequate road section that meets ECM standards for a collector with curb and gutter. The proposed section provides adequate roadway for projected traffic counts. The proposed retaining walls to make the roadway connection provide protection against adjacent property owners.

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 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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### **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.



GRANDWOOD RANCH - FURROW ROAD  
DEVIATION REQUEST EXHIBIT

