



Development Services Department  
2880 International Circle  
Colorado Springs, Colorado 80910

**DEVIATION REVIEW  
AND DECISION FORM**

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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): 4507 SILVER NELL DR COLORADO SPRINGS CO 80908-5307

Tax Schedule ID(s) #: 6100000463

Legal Description of Property: SW4NE4NE4 & NW4SE4NE4 & E2SW4NE4 SEC 23-11-66, EX 60.00 FT R/W TO COUNTY ALG ALL SEC LNS

Subdivision or Project Name: Settlers View

Section of ECM from Which Deviation is Sought: Section 2.3.8.A Roadway Terminations - Cul-de-Sacs  
Specific Criteria from Which a Deviation is Sought: Maximum Length of Cul-de-Sac - rural conditions

Proposed Nature and Extent of Deviation: Silver Nell Drive would have an interim/temporary cul-de-sac length of approximately 5,355 feet (from the Stepler Road intersection) with the extension south into this subdivision. This length would exceed the maximum cul-de-sac length of 1,600 feet specified for rural roads in the ECM. Thirty-two total lots with a minimum lot size of 2.5 acres would access this cul-de-sac (14 lots within this proposed subdivision, plus the 18 lots currently accessed from Silver Nell Drive (most within the Grandview Subdivision). However, only 30 of the 32 should be counted against the maximum allowable as the Land Development Code indicates, "A corner lot is not counted in the maximum number of lots on a dead-end road when the fire department determines that adequate emergency access is provided to the corner lot by an alternative road." Two of the lots would have emergency access onto Stepler Road -- the adjoining non-cul-de-sac roadway. The proposed length of Silver Nell Drive would result as this parcel currently has no other access until Settlers Ranch Road is extended through to the east to Stepler Road. Should the development of the Abert Ranch subdivision occur prior to the extension of Settlers Ranch Road, a secondary, emergency-vehicle-only access to Stepler Road would also be available via a temporary access easement to Stepler Road through Abert Ranch lots 9 and 10. Once the permanent second access via Settlers Ranch Road is established, the temporary, emergency-vehicle-only access through Abert Ranch subdivision to Stepler Road would be removed.

Reason for the Requested Deviation: The end of Silver Nell Drive is the only available access for this parcel until Settlers Ranch Road is extended to the east or until the proposed Abert Ranch subdivision is developed. With the development of Abert Ranch, a secondary, emergency-vehicle-only access to Stepler Road would also be available via a temporary access easement to Stepler Road through Abert Ranch lots 9 and 10. Once the permanent second access via Settlers Ranch Road is established, the temporary, emergency-vehicle-only access through Abert Ranch subdivision to Stepler Road would be removed.

**Applicant Information:**

Applicant: Hannigan & Associates Email Address: hannigan.and.assoc@gmail.com  
Applicant is:  Owner  Consultant  Contractor  
Mailing Address: 19360 Spring Valley Road Monument State: CO Postal Code: 80132  
Telephone Number: 719-481-8292 Fax Number: 481-9071

Review and Recommendation:

APPROVED by the ECM Administrator

Date 28 FEBRUARY 2018

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:

APPROVED WITH FOLLOWING CONDITIONS:

1. APPROVAL OF FIRE DISTRICT (TRI-LAKES/MONUMENT)
2. APPROVAL IS CONDITIONAL OF EPC BOCC APPROVAL + RECORDING OF FUTURE FINAL PLAT & PRELIMINARY PLAT (SP-17-000). IF FINAL PLAT IS NOT APPROVED & RECORDED, THE DEVIATION IS ~~VOID~~ VOID.

Additional comments or information are attached.

3. ONCE PERMANENT SECOND ACCESS IS ESTABLISHED THE TEMPORARY ACCESS DENIED by the ECM Administrator SHALL BE REMOVED BY THE SUBDIVIDER.

Date

This request has been determined not to have met criteria for approval. A deviation from Section of ECM is hereby denied. Comments:

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\_\_\_\_ Additional comments or information are attached.

**Engineer Information:**

Engineer: Jeffrey C. Hodsdon, P.E., PTOE

Email Address: jeff@lscstrans.com

Company Name: LSC Transportation Consultants, Inc.

Mailing Address: 545 E Pikes Peak Ave. Suite 210 Col. Springs

State: CO Postal Code: 80903

Registration Number: 31684

State of Registration: Colorado

Telephone Number: (719) 633-2868

Fax Number: (719) 633-5430

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

Section of ECM from Which Deviation is Sought: Section 2.3.8.A. Cul-de-Sacs

Specific Criteria from Which a Deviation is Sought: Maximum Length of Cul-de-Sac

Proposed Nature and Extent of Deviation: Silver Nell Drive would have an interim/temporary cul-de-sac length of approximately 5,355 feet (from the Stepler Road intersection) with the extension south into this subdivision. This length would exceed the maximum cul-de-sac length of 1,600 feet specified for rural roads in the ECM. Thirty-two total lots with a minimum lot size of 2.5 acres would access this cul-de-sac (14 lots within this proposed subdivision, plus the 18 lots currently accessed from Silver Nell Drive (most within the Grandview Subdivision). However, only 30 of the 32 should be counted against the maximum allowable as the Land Development Code indicates, "A corner lot is not counted in the maximum number of lots on a dead-end road when the fire department determines that adequate emergency access is provided to the corner lot by an alternative road." Two of the lots would have emergency access onto Stepler Road -- the adjoining non-cul-de-sac roadway. The proposed length of Silver Nell Drive would result as this parcel currently has no other access until Settlers Ranch Road is extended through to the east to Stepler Road. Should the development of the Abert Ranch subdivision occur prior to the extension of Settlers Ranch Road, a secondary, emergency-vehicle-only access to Stepler Road would also be available via a temporary access easement to Stepler Road through Abert Ranch lots 9 and 10. Once the permanent second access via Settlers Ranch Road is established, the temporary, emergency-vehicle-only access through Abert Ranch subdivision to Stepler Road would be removed.

Reason for the Requested Deviation: The end of Silver Nell Drive is the only available access for this parcel until Settlers Ranch Road is extended to the east or until the proposed Abert Ranch subdivision is developed. With the development of Abert Ranch, a secondary, emergency-vehicle-only access to Stepler Road would also be available via a temporary access easement to Stepler Road through Abert Ranch lots 9 and 10. Once the permanent second access via Settlers Ranch Road is established, the temporary, emergency-vehicle-only access through Abert Ranch subdivision to Stepler Road would be removed.

Comparison of Proposed Deviation to ECM Standard: Proposed interim maximum cul-de-sac length of 5,355 feet would exceed ECM standard of 1,600 by approximately 3,755 feet. The current length of the Grandview cul-de-sac is about 4,200 feet.

Applicable Regional or National Standards used as Basis:

**Application Consideration:**

**CHECK IF APPLICATION MEETS CRITERIA FOR CONSIDERATION**

**JUSTIFICATION**

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.

Silver Nell Drive would be an interim cul-de-sac as this parcel currently has no other access until Settlers Ranch Road is extended through to the east to Stepler Road.

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

El Paso County Procedures Manual

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**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.

The Settlers View Subdivision is a proposed rural residential subdivision with 2.5-acre lot sizes, and the proposed interim length of cul-de-sac is needed for site access until Settlers Ranch Road is extended through to the east to Stepler Road.

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

The proposed roadway will meet County standards for rural residential roads. Also, please refer to the attached letter from the fire marshal. The letter indicates that Silver Nell Drive must conform to the requirements identified.

The deviation will not adversely affect safety or operations.

The number of lots planned to be served by this cul-de-sac would be 32, resulting in a daily traffic volume of about 300 trips per day on the west end of the interim non-through street. This is a reasonable volume. Regarding emergency services, please refer to attached letter from the fire district. The fire district would be the authority on the ability to provide emergency services to residents on the proposed cul-de-sac. Please refer to the attached letter from the fire marshal. The letter indicates that Silver Nell Drive must conform to the requirements identified. There is an existing cul-de-sac at the end of Silver Nell Drive that could remain in place in the interim to be utilized as an emergency vehicle turnaround at what would be about 4,200 feet from the start of the non-through-street (at the Silver Nell intersection with Stepler). Also, two of the 32 lots on this cul-de-sac would have emergency access onto adjoining Stepler Road -- the non-cul-de-sac roadway such as corner lots would have side-frontage on Stepler Road.

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

The deviation will not affect maintenance as the street will be built to County standards and a standard cul-de-sac bulb will be constructed.

The deviation will not adversely affect aesthetic appearance.

The deviation will not affect aesthetic appearance as the subdivision street infrastructure will be built to County standards.

**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.

J.W. Hannigan 03-01-18  
Signature of owner (or authorized representative) Date

J.W. Hannigan 03-01-18  
Signature of applicant (if different from owner) Date

[Signature] 11/27/17  
Signature of Engineer Date

Engineer's Seal

