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DEVIATION REQUEST AND DECISION FORM

Updated: 6/26/2019

PROJECT INFORMATION

Project Name : RETREAT AT TIMBERRIDGE FILING NO. 2
Schedule No.(s) : 52273-00-001, 52272-00-001, 52280-00-032, 52270-00-001
Legal Description : SEE ATTACHED

APPLICANT INFORMATION

Company : TIMBERRIDGE DEVELOPMENT GROUP, LLC
Name :
 Owner Consultant Contractor
Mailing Address : 2138 FLYING HORSE CLUB DR.
COLORADO SRINGS, CO 80921

Phone Number : 719-592-9333
FAX Number :
Email Address : LMORELAND@CLASSICHOMES.COM

ENGINEER INFORMATION

Company : CLASSIC CONSULTING
Name : MARC A. WHORTON, P.E.
Colorado P.E. Number : 37155
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COLORADO SPRINGS, CO 80903

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Email Address : MWHORTON@CLASSICCONSULTING.NET



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)

3/18/2022
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 **CHAPTER 3.3.1.J.8** of the Engineering Criteria Manual (ECM) is requested.

Identify the specific ECM standard which a deviation is requested:

MAXIMUM VELOCITY IN STORM SEWER SHALL BE 18 FPS.

State the reason for the requested deviation:

AN ISOLATED PORTION OF THE PROPOSED STORM SEWER SYSTEM HAS A VELOCITY THAT EXCEEDS 18 FPS. THE SLOPE OF THIS STRETCH OF THE ROADWAY IS 5.0% AND THUS CREATES THE HIGHER VELOCITY IN THE STORM SYSTEM. WE HAVE MINIMIZED THE SLOPE OF THE STORM DESIGN TO THE GREATEST EXTENT POSSIBLE WITHOUT MAKING THE SYSTEM EXCESSIVELY DEEP AND THEN AFFECTING OTHER UTILITIES AND FUTURE MAINTENANCE.

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

THE PROPOSED ALTERNATIVE THAT HAS BEEN ACCEPTED IN THE PAST FOR SIMILAR SITUATIONS IS TO SPECIFY A HIGHER CLASS OF PIPE. WE HAVE PROPOSED THIS IN THIS CASE AND ARE SPECIFYING CLASS IV RCP FOR THIS PORTION OF THE STORM SYSTEM.

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:

THIS PORTION OF THE PROPOSED DEVELOPMENT HAS A ROAD GRADE OF 5.0%. THE STORM SYSTEM DESIGN EVEN AT 4.09% SLOPE CREATES THE HIGHER VELOCITY.

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 HIGHER CLASS PIPE PLANNED WILL CONTINUE TO ADEQUATELY CONVEY THE DEVELOPED FLOWS.

The deviation will not adversely affect safety or operations.

THE HIGHER CLASS PIPE DESIGN FURTHER PROTECTS THE STORM SYSTEM AND DOES NOT AFFECT SAFETY OR OPERATIONS OF THE SYSTEM.

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

THE PROPOSED DESIGN WILL NOT AFFECT MAINTENANCE OR ASSOCIATED COST
OTHER THAN POSSIBLE FUTURE REPLACEMENT COST AFTER EXPECTED DESIGN LIFE

The deviation will not adversely affect aesthetic appearance.

NO DIFFERENCE IN AESTHETICS AS THE PIPE IS BURIED.

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

THE PROPOSED UPGRADE IN PIPE CLASS SEEMS TO MEET THE INTENT AND PURPOSE OF THE ECM STDS.

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.

THIS REQUEST HAS NO BEARING ON THE COUNTY'S MS4 PERMIT.
MS4 PERMIT REQUIREMENTS WILL BE MET REGARDLESS OF THIS PIPE DESIGN

REVIEW AND RECOMMENDATION:

Approved by the ECM Administrator

This request has been determined to have met the criteria for approval. A deviation from Section 3.3.1.J.8 of the ECM is hereby granted based on the justification provided.

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APPROVED
Engineering Department

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**EPC Planning & Community
Development Department**

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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:

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.