



Planning and Community  
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## DEVIATION REQUEST AND DECISION FORM

Updated: 6/26/2019

### PROJECT INFORMATION

Project Name : Homestead North at Sterling Ranch Filing No. 1  
 Schedule No.(s) : 5228000030  
 Legal Description : See Exhibit B – Legal Description

### APPLICANT INFORMATION

Company : SR Land, LLC.  
 Name : Jim Morley  
 Owner  Consultant  Contractor  
 Mailing Address : 20 Boulder Crescent, Suite 102, COLORADO SPRINGS, COLORADO, 80903  
  
 Phone Number : (719) 491-3024  
 FAX Number : N/A  
 Email Address : Jmorley3870@aol.com

### ENGINEER INFORMATION

Company : JR ENGINEERING  
 Name : MIKE BRAMLETT Colorado P.E. Number : 32314  
 Mailing Address : 5475 TECH CENTER DRIVE, SUITE 235, COLORADO SPRINGS, COLORADO 80919  
  
 Phone Number : 719-593-2593  
 FAX Number : N/A  
 Email Address : MBRAMLETT@JRENGINEERING.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.

*Jim Morley*  
 Signature of owner (or authorized representative)

9/9/2022  
 Date

Engineer's Seal, Signature  
 And Date of Signature

*Mike Bramlett*



**DEVIATION REQUEST (Attach diagrams, figures, and other documentation to clarify request)**

A deviation from the standards of or in Section **ECM section 2.5.2 Pedestrian Facilities** of the Engineering Criteria Manual (ECM) is requested for the Jane Kirkman / Texas Jack T Intersection accessible curb ramp layout.

**Identify the specific ECM standard which a deviation is requested:**

ECM Section 2.5.2.C.3 Accessible Curb Ramps at "T" intersections. All "T" intersections shall have a minimum of four curb ramps as shown in Figure 2-26 (Exhibit A)

**State the reason for the requested deviation:**

The south flowline slope of Jane Kirkman will exceed the accessible ramp cross slope standard of 2%.

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

See Exhibit A for a sketch of the proposed accessible ramp layout of for Jane Kirkman Drive and Texas Jack Drive.

To accommodate accessible access from north to south, ramps and a crosswalk will be placed across Texas Jack both north and south of Jane Kirkman Drive. There is also an accessible ramp and crosswalk crossing Jane Kirkman approximately 200 feet west near Vollmer Road.

**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:

To provide a north-south accessible ramp/crosswalk at this intersection would require other a deviation of other ECM criteria. Given that a north-south accessible Jane Kirkman ramp/crosswalk is available approximately 200 feet west and east-west ramp/crosswalks are provided both north and south of the intersection, the deviation is justifiable.

**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.**

This request is not based on financial considerations. The proposed ramp/crosswalk layout provides adequate accessible pedestrian access.

**The deviation will not adversely affect safety or operations.**

The deviation will not adversely affect safety or operations.

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

Maintenance of the El Paso County roadways will not be impacted.

**The deviation will not adversely affect aesthetic appearance.**

Aesthetic appearance of the subdivision is not compromised by granting this deviation.

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

Yes, the deviation meets the design intent and purpose of the ECM standards and is a balance of the various ECM standards for roadway geometry and pedestrian access.

**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.**

Yes, the deviation meets the control measure requirements of Part I.E.3 and Part I.E.4 of the County's MS4 permit, this project is proposing Water Quality facilities as required by the criteria.

**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.

Γ 7

L J

**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.

Figure 2-35. Sidewalk Clearances

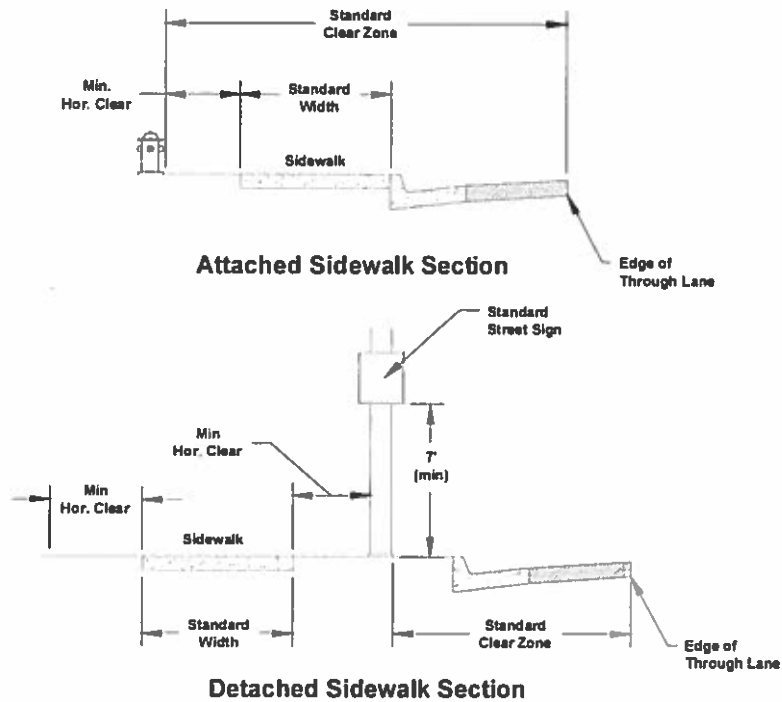


Figure 2-36. Access Ramp Locations at "T" Intersections

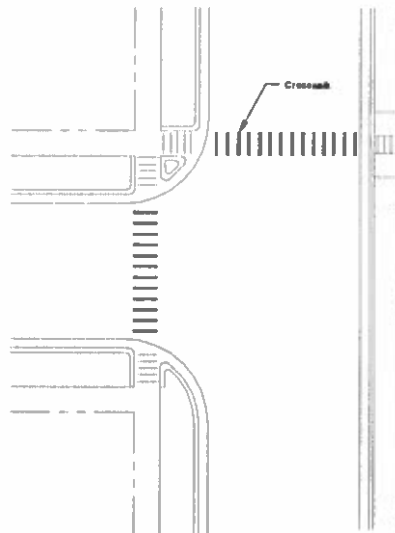


Exhibit A - ECM Fig 2-36

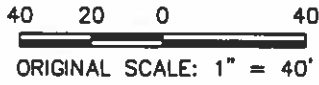
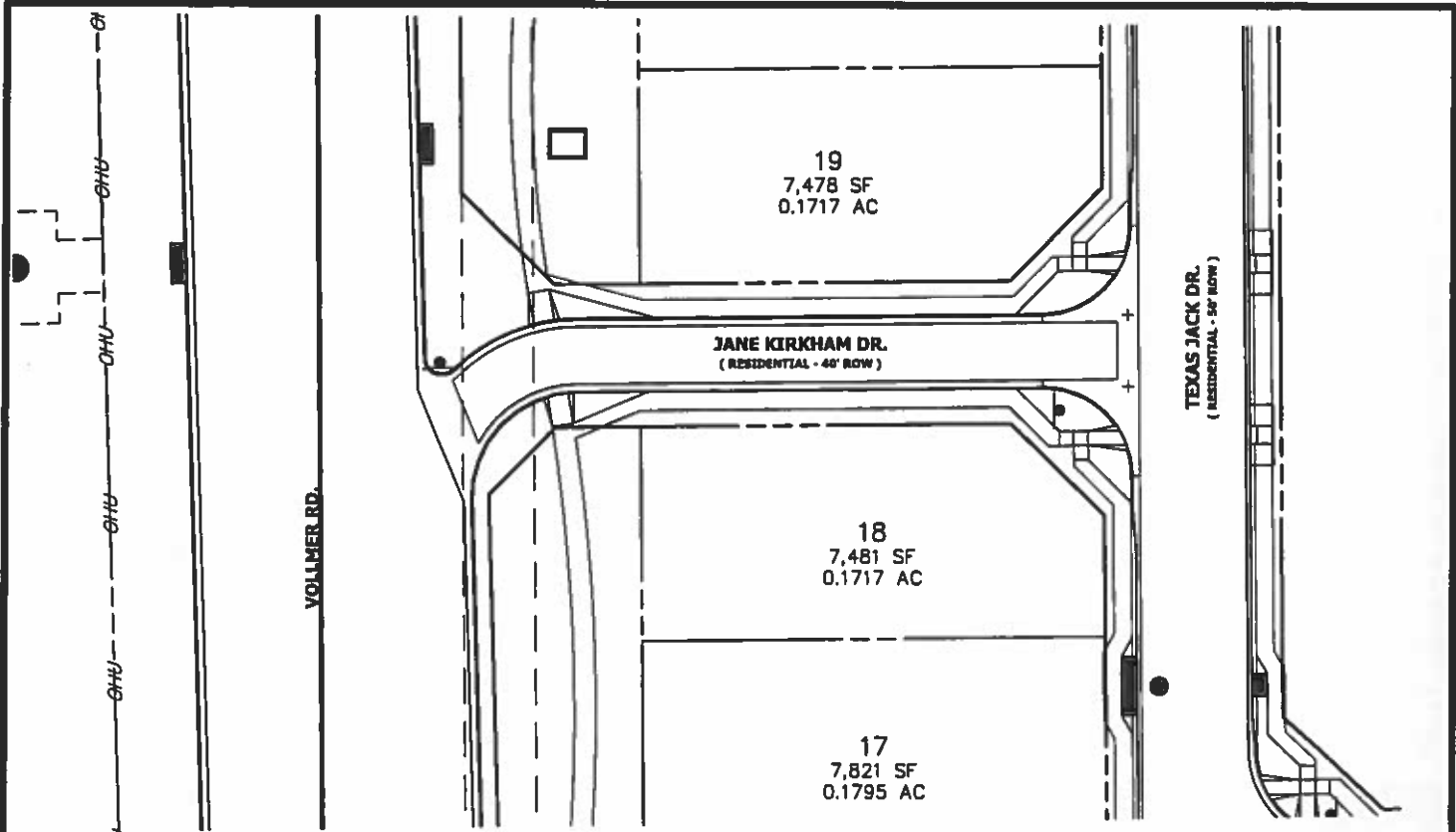


EXHIBIT B  
 JANE KIRKHAM DR. DEVIATION  
 JOB NO. 25188.01  
 09/08/2022  
 SHEET 1 OF 1


**J-R ENGINEERING**  
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