



Department of Public Works
2880 International Circle
Colorado Springs, Colorado 80910
Phone: 719.520.6300
Website: www.elpasoco.com

DEVIATION REQUEST AND DECISION FORM

Updated: 6/23/2026

PROJECT INFORMATION

Project Name : FLYING HORSE FILING NO. 9

Schedule No.(s) : 6136000008, 6136004042, 6136000009, 6136005039

Legal Description : FLYING HORSE FILING NO. 9

APPLICANT INFORMATION

Company : PRI #2, LLC.

Name : DREW BALSICK

☒ Owner ☐ Consultant ☐ Contractor

Mailing Address : 6835 CORPORATE DRIVE, STE. 200
COLORADO SPRINGS, COLORADO 80919

Phone Number : 719-592-9333

FAX Number : -

Email Address : DBALSICK@FHDEV.COM

ENGINEER INFORMATION

Company : HR GREEN DEVELOPMENT, LLC.

Name : RICHARD LYON

Colorado P.E. Number : 53921

Mailing Address : 1975 RESEARCH PARKWAY, STE. 160
COLORADO SPRINGS, COLORADO 80920

Phone Number : 719-318-0871

FAX Number : -

Email Address : RICHIE.LYON@HRGREEN.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)

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:

2.3.2 Design Standards by Function Classification, Table 2-7

By typical standards, the low ADT of this roadway that services five (5) lots (Lots 2-6) can be accommodated with a low density or standard rural local residential roadway section. Requested for Filing No. 9 is a modified urban local residential section.

A typical urban residential local roadway follows Standard Detail 2-2 which is a 50' ROW with a 30' paved section, concrete curb and gutter, and attached 5' sidewalk. The proposed modified section in the Construction Drawings for Filing No. 9 is sufficient for the anticipated ADT as laid out in the Traffic Impact study. Proposed is a section of 60' ROW with a 30' pavement section and concrete curb and gutter with the requisite MVEA electric utility easement and bench.

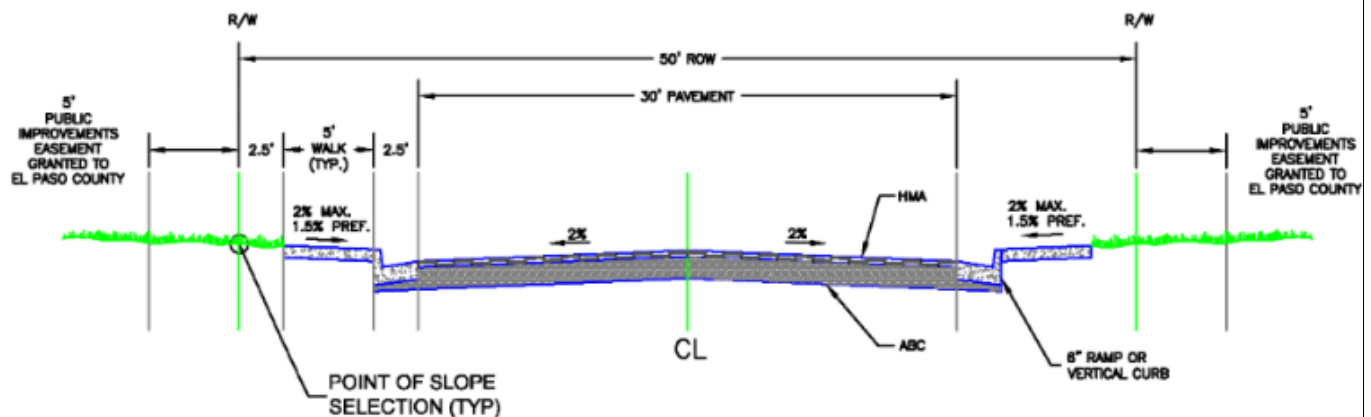
State the reason for the requested deviation:

A previously approved Filing No. 3 deviation allowed for a modified urban local residential section for Allen Ranch Road between Old Stagecoach Road and Filing No. 3 residential estate lots adjacent to the golf course area of Flying Horse North. This approved and constructed section included a curb and gutter section with sidewalk and no rural ditch section with the anticipation of increased traffic counts due to potential future commercial development. Since that time, the area of Filing No. 9 is no longer to be commercial property, however, with a new permanent Golf Clubhouse use and limited horizontal and vertical space for a 60' ROW through the Filing No. 9 residential estate lot area, it is requested that a matching modified urban local residential section be allowed to match the existing Allen Ranch Road section and to reduce disturbance area to fit the 2.5 acre estate lots.

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

The alternative design of a modified urban local residential section matches the 60' rural local residential section in order to match all other existing rights-of-way throughout the subdivision. By comparison, the section would remove the roadside ditches which extent beyond the right-of-way and into private lots within an easement, and are replaced with curb and gutter and benched sides of the roadway. The curb and gutter allows for concentrated stormwater flow within the road section and use of storm infrastructure in the roadway to drain and convey stormwater as planned.

Detail SD_2-2:



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 modified urban local residential section is justified by a need for roadway consistency for aesthetics, function, and maintenance. Continuation of the urban local residential section already constructed for Allen Ranch Road would keep with the maintenance plan for the County in this area and avoid a break in section and maintenance crew scheduling and use within a small proximity area. The aesthetics of an urban section throughout the Golf and Clubhouse area within Filing No. 9 would be consistent with the roadway of Allen Ranch Road that it intersects with and would avoid transitions between curb and gutter to ditch sections. For function, the Filing No. 9 area is highly sloped and limited in horizontal space to accommodate 2.5 acre estate lots and implementation of a modified urban local residential section allows for a smaller roadway corridor that can daylight to existing grades within the surrounding Tract areas that area established golf course to preferably not be disturbed for development of Filing No. 9. A rural section requires extensive ditch widths and daylighting on both sides of the right-of-way and would create disturbance well within Tract K established golf course areas and within private lots at 3:1 slopes that would be difficult for future lot development to overlot grade and construct safe driveway access to adjacent lots coming off of the roadway within Filing No. 9.

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 deviation will achieve the intended result with a comparable design by meeting the roadway's traffic criteria and keeping a consistent pavement transition with and ROW width with Allen Ranch Road. There will not be sudden widening from a 50' urban local ROW section to a 60' rural local ROW section which also requires transitions from concrete curb and gutter to ditch sections.

The deviation will not adversely affect safety or operations.

The deviation will not adversely affect safety or operations as it meets traffic criteria and provides the necessary infrastructure for vehicular access and stormwater drainage. Safety for fire access is increased with an established concrete curb and gutter section and no roadside ditches which can be a safety concern for vehicles, especially in the winter when visibility is low or snow accumulation within ditches does not properly show the topography of the off-road areas.

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

The deviation will not adversely affect maintenance and its associated cost. The proposed urban section would keep with the maintenance already established for Allen Ranch Road. Implementation of an urban section for this Filing No. 9 roadway would keep the maintenance requirements consistent.

The deviation will not adversely affect aesthetic appearance.

The deviation will not adversely affect aesthetic appearance and would keep a consistent section with concrete curb and gutter which would increase aesthetics.

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

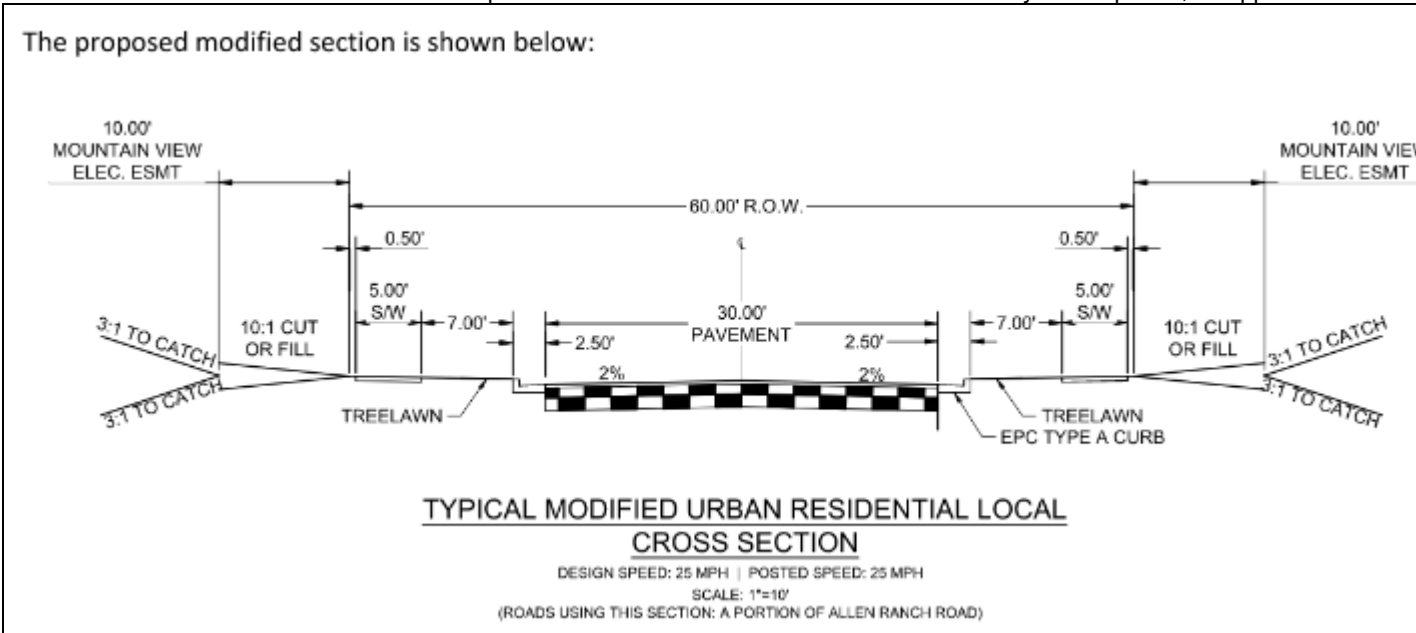
The deviation meets the design intent and purpose of the ECM standards by meeting traffic criteria, stormwater drainage criteria, and allows for vehicular, pedestrian, and safe golf cart use.

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 deviation meets the County's MS4 permit by way of stormwater management and existing water quality and detention infrastructure within the subdivision that is used to satisfy the permit requirements for this filing, as described in the FDR.

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 proposed modified section is shown below:



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.