



Planning and Community
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DEVIATION REQUEST AND DECISION FORM

Updated: 6/26/2019

PROJECT INFORMATION

Acceleration Lane

Project Name : Winsome Filing No 1
Schedule No.(s) : Existing Right of Way
Legal Description : Same

APPLICANT INFORMATION

Company : Winsome LLC
Name : Joe DesJardin
☒ Owner ☐ Consultant ☐ Contractor
Mailing Address : 1864 Woodmoor Drive, Suite 100, Monument, CO 80132

Phone Number : 719 476 0800
FAX Number :
Email Address : jdesjardin@proterraco.com

ENGINEER INFORMATION

Company : Monument Hill CM LLC
Name : Joseph W. DesJardin, PE
Mailing Address : 1864 Woodmoor Drive, Suite 100, Monument, CO 80132

Phone Number : 719 476 0800
FAX Number :
Email Address : jdesjardin@proterraco.com
Colorado P.E. Number : 24207

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

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

A deviation from the standards of or in **Table 2-4** of the Engineering Criteria Manual (ECM) is requested.

Identify the specific ECM standard which a deviation is requested:

- **Table 2-4 Roadway Design Standards for Rural Minor Arterials specifies lane width of 12 feet and paved shoulder width of 8 feet.**

State the reason for the requested deviation:

- Existing conditions (Power Poles) do not allow full width improvements

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

- The alternative is to allow 11 feet acceleration lane with a 2 feet paved shoulder for the west bound acceleration lane from the intersection of Hodgen Road and Winsome Way.

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:

- 4 overhead power poles exist north of Hodgen Road, parallel to the proposed acceleration lane.

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 power poles are an existing condition

The deviation will not adversely affect safety or operations.

- The acceleration lane begins from a stopped configuration at the intersection of Hodgen Road and Winsome Way. The proposed acceleration lane is in addition to the existing redirected 12 feet through lane. Traffic will safely navigate the proposed 11 feet acceleration lane and 2 feet paved shoulder while they accelerate to a safe merging speed.

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

- The proposed 11 feet acceleration lane and 2 feet paved shoulder is not as wide as a standard 12 feet lane and 8 feet shoulder resulting in easier maintenance at a lower cost.

The deviation will not adversely affect aesthetic appearance.

- The proposed 11 feet acceleration lane and 2 feet paved shoulder is not as wide as a standard 12 feet lane and 8 feet shoulder resulting in less impact to the aesthetic appearance of the proposed improvement.

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

- The decreased width of acceleration lane from 12' to 11' and decreased paved shoulder width from 8' to 2' only exists as an auxiliary lane for a short distance (624 feet).

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 11 feet acceleration lane and 2 feet paved shoulder will have 65% less impervious surface than the standard 12 feet lane and 8 feet paved shoulder. The adjacent ground gently slopes to the north where existing vegetation will provide runoff reduction to mitigate the additional percent impervious. Runoff sheet flows to the north where it is crossed under Clove Hitch Court in a culvert discharging to Water Quality Pond 2.

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:

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.