



**Planning and Community  
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**DEVIATION REQUEST  
AND DECISION FORM**

Updated: 6/26/2019

**PROJECT INFORMATION**

Project Name : Winsome  
 Schedule No.(s) : 5100000493  
 Legal Description : Section 24, the south ¼ of Section 13, and the west ½ of section 19, Township 11 South, Range 65 West in El Paso County, Colorado

**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@proterrace.com

**ENGINEER INFORMATION**

Company : The Vertex Companies Inc.  
 Name : Lance Vandemark Colorado P.E. Number : 43911  
 Mailing Address : 2420 W. 26<sup>th</sup> Ave., Suite 100-D  
 Denver, CO 80211  
 Phone Number : (303)623-9116  
 FAX Number :  
 Email Address : jpriddy@vertexeng.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.

*Joseph W. DesJardin*

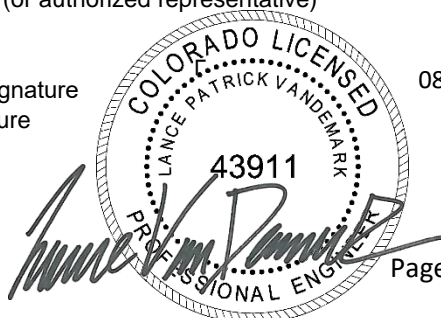
*8/25/2020*

Signature of owner (or authorized representative)

Date

Engineer's Seal, Signature  
And Date of Signature

08/25/2020



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

A deviation from the standards of or in Section 4.4.**5.E** of the Engineering Criteria Manual (ECM) is requested.

Identify the specific ECM standard which a deviation is requested:

Requesting deviation from the ECM section 4.4.5.E. which specifies that type 3 mailboxes and the pullout for the mailboxes shall be located within the right-of-way. Applicant is requesting that the mailboxes and pullout be placed just outside of the ROW with access from an adjacent parking lot. See attached exhibit.

State the reason for the requested deviation:

The proposed location, identified on the approved Winsome Preliminary Plan (SP-18-006), provides a safe and convenient pull off for residents and postal carriers. This location coincides with a trailhead parking lot, and is centrally located within the Winsome trail network, for those who wish to pick up their mail on-foot.

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

The proposed alternative provides access to the mail kiosk via an adjacent parking lot that runs parallel to the right of 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:

The central location of the trailhead parking lot makes for an ideal location for the mail kiosk. The applicant is requesting a change in the standard to take advantage this optimal location.

**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 results of having the mail kiosk accessible for residents and postal carriers, while also taking advantage of parking spaces that in case there is a que for the mailbox. This is also a hub for the trail system for people who wish to retrieve their mail on foot.

The deviation will not adversely affect safety or operations.

This will be a safer option as it is further removed from the ROW and traffic.

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

It will be the same from a cost and maintenance perspective as if it was located within the ROW.

The deviation will not adversely affect aesthetic appearance.

The deviation will have no bearing on the aesthetic appearance.

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

The deviation does meet the design intent and purposes of the ECM. Instead of providing a pullout within the ROW the parking lot drive aisle will function as the pull out.

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, as applicable.

**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**

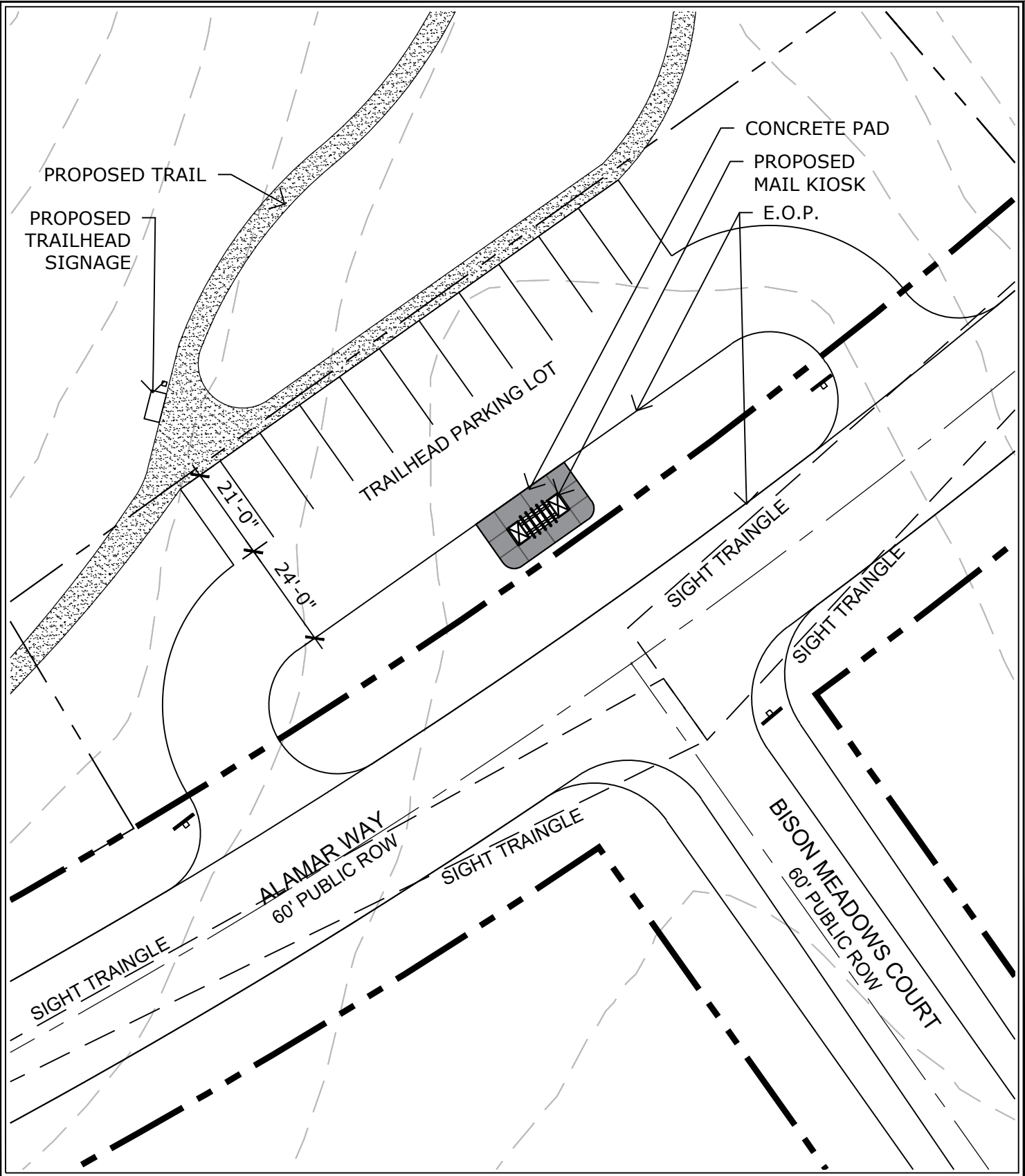
The review shall ensure all criteria for approval are adequately considered and that justification for the deviation is properly documented.

## **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.



# Winsome Mail Kiosk

DATE: 8-11-2020

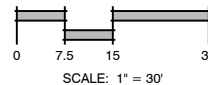
ISSUED FOR: Deviation Request

DRAWN BY: JBS

DWG. REF.:

SCALE:

DWG. #:



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