



**Planning and Community  
Development Department**  
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# DEVIATION REQUEST AND DECISION FORM

Updated: 6/26/2019

## PROJECT INFORMATION

Project Name :	Tanja Curtis Minor Subdivision
Schedule No.(s) :	6100000519
Legal Description :	Lot 2 in Curtis Subdivision Filing No. 1

## APPLICANT INFORMATION

Company :	1920 E Baptist Rd LLC		
Name :	Barry Curtis		
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Owner	Consultant	Contractor
Mailing Address :	1920 E Baptist Rd Monument, CO 80132		
Phone Number :	719-331-0159		
FAX Number :			
Email Address :	Curtis3197@msn.com		

## ENGINEER INFORMATION

Company :	Forsgren Associates, Inc	Colorado P.E. Number :	51257
Name :	Conner Burba		
Mailing Address :	56 Inverness Dr E Ste 112 Englewood, CO 80112		
Phone Number :	720-214-5884		
FAX Number :			
Email Address :	cburba@forsgren.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.

Barry & Tanja Curtis  
Signature of owner (or authorized representative)

8 Aug 19  
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 N/A of the Engineering Criteria Manual (ECM) is requested.

Identify the specific ECM standard which a deviation is requested:

No specific ECM standard relates to the deviation request. El Paso County Planning directly requested a deviation request be submitted for a designation of access location at the property in question.

The ECM standard is 2.3.2 Design Standards by Functional Classification, Table 2-4 which indicates that access is not permitted on an arterial road.

State the reason for the requested deviation:

Currently, a new access off Baptist Road has been deemed unacceptable at the property in question. In order to gain access to the property without having an access off Baptist Road, there would have to be one along Roller Coaster Road, where the speed limit is 50 mph and there is a large vertical curve in the road near the property, which causes a dangerous blind spot. For safety reasons, approval for an access off Baptist Road at least 330 feet from the intersection of E Baptist Road and Roller Coaster Road is request.

what is the % slope at this location of the road?  
where is the high point located? will site distance not be met if the driveway is located on Baptist road? Please include these items in the text and show them on the attached exhibit.

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

It is proposed that an access to proposed Lot 2 in Curtis Subdivision Filing No. 1 be constructed a minimum of 330 feet from the intersection of Baptist Road and Roller Coaster Road. Currently, El Paso County does not allow additional access points off Baptist Road at this location. However, there is a serious safety concern with the alternative, possible access location off Roller Coaster Road. Not only is the speed limit lower along Baptist Road (40 mph in this area compared to 50 mph along Roller Coaster Road), but there are no dramatic vertical curves in the road causing blind spots. In addition, the access will not be too close to an intersection and will be placed a minimum of 330 feet from Baptist and Roller Coaster Road. This will lead to a much safer situation for not only the owners of Lot 2 in Curtis Subdivision Filing No.1, but also other drivers on the road.

Please update the justification per the comment on the previous page

**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:

No specific ECM standard relates to the deviation request. El Paso County Planning directly requested a deviation request be submitted for a designation of access location at the property in question. The topography of the area in question creates a safety concern along Roller Coaster Road, as an access along this roadway would be near a dramatic vertical curve. This blind spot imposes an undue hardship on not only the Owner's of the property, but to individuals driving along this roadway.

**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, as a more safe access will still be provided to the parcel.

The deviation will not adversely affect safety or operations.

The deviation will not adversely affect safety or operations. The intent of the deviation is to provide a much safer access to the parcel of land.

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

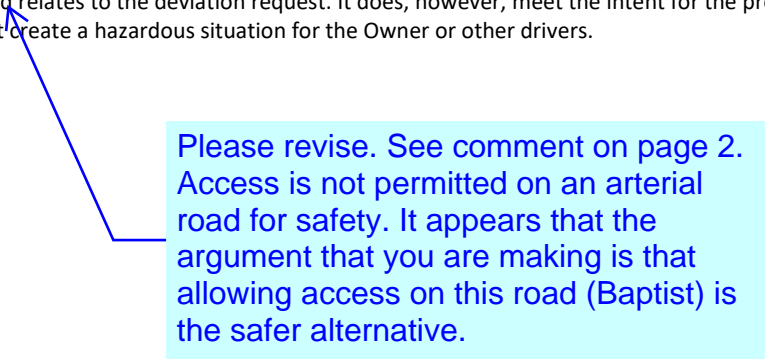
The deviation will not adversely affect maintenance and its associated cost, as there is not an additional access, but merely an access in a different location.

The deviation will not adversely affect aesthetic appearance.

The deviation will provide an access on Baptist Rd, instead of Roller Coaster Rd. The access will likely be gravel and will not create an aesthetically displeasing look to Baptist Rd.

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

No specific ECM standard relates to the deviation request. It does, however, meet the intent for the property in which there is an access for the Owner that does not create a hazardous situation for the Owner or other drivers.



Please revise. See comment on page 2. Access is not permitted on an arterial road for safety. It appears that the argument that you are making is that allowing access on this road (Baptist) is the safer alternative.

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 site is not within the County's MS4 Permit Area, therefore this is not 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.

Γ 7

L J

**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**

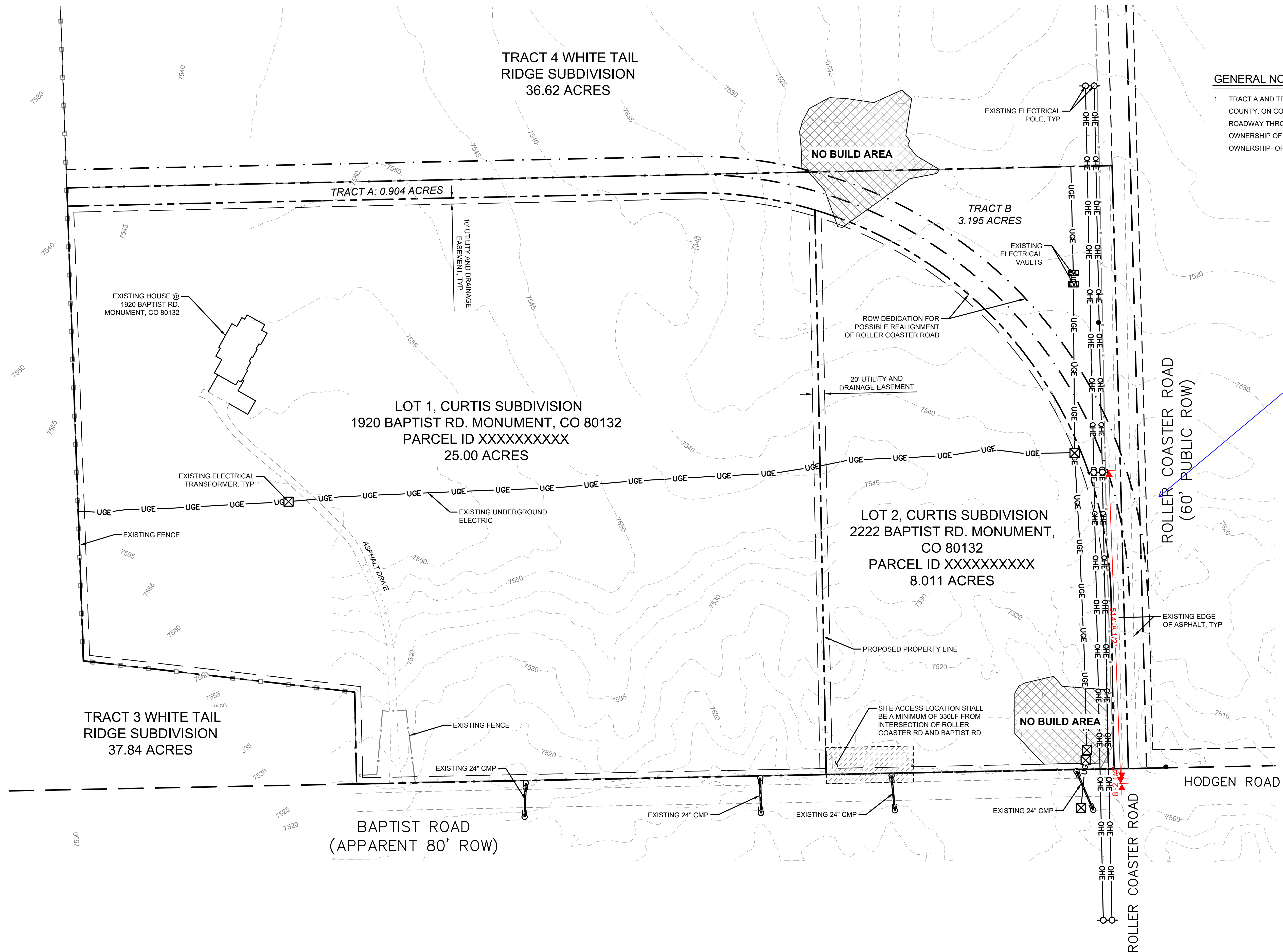
Whether a request for deviation is approved as proposed or with conditions, the approval is for project-specific use and shall not constitute a precedent or general deviation from these Standards.

## **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.

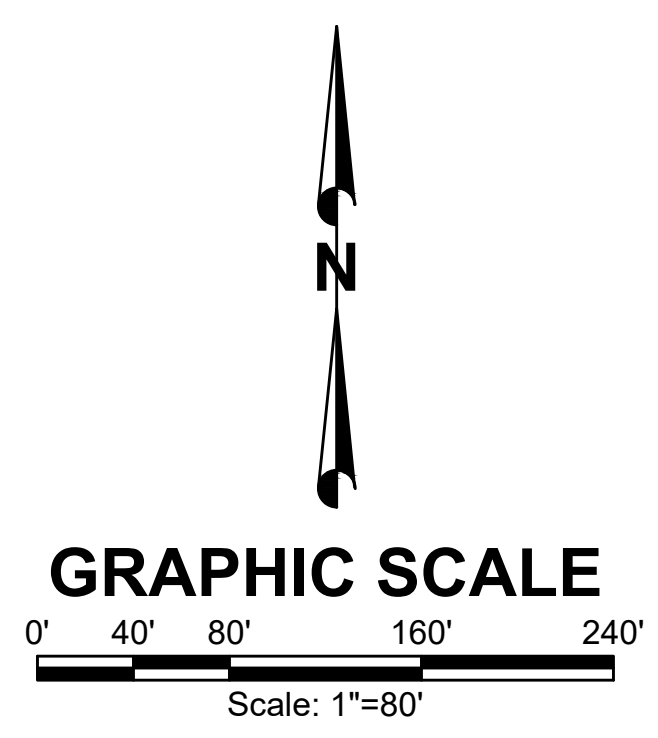
# CURTIS 2-LOT SUBDIVISION

SITE DEVELOPMENT PLANS  
1920 E BAPTIST RD. MONUMENT, CO 80132



- GENERAL NOTES:**
- TRACT A AND TRACT B SHALL BE OWNED AND MAINTAINED BY EL PASO COUNTY. ON CONDITION THAT EL PASO COUNTY COMES TO DECISION THAT A ROADWAY THROUGH TRACT A AND TRACT B WILL NOT BE CONSTRUCTED, OWNERSHIP OF TRACT A SHALL BE GIVEN TO OWNER OF LOT 1 AND OWNERSHIP OF TRACT B SHALL BE GIVEN TO OWNER OF LOT 2.

Please identify the top of the vertical curve on this exhibit. If the driveway is located at the top of this hill will it meet site distance criteria?



NO.	REVISIONS	BY	DATE

**FORSGREN Associates, Inc.**  
550 Inverness Drive East, Suite 112, Englewood, CO 80112  
PH: 720.214.5884 FAX: 720.000.0000

PROJECT NO.	04-18-0026
DRAWN	C. BURBA
DESIGNED	C. BURBA
APPROVED	C. BURBA
DATE	J. MOORE

**OWNER**  
TANJA AND BARRY CURTIS  
MONUMENT, CO

**2-LOT MINOR SUBDIVISION**  
**DEVELOPMENT PLAN**

SHEET NO:  
**C-01**  
DATE:  
06/25/19  
PAGE NO:  
1 OF 1