



**Planning and Community  
Development Department**  
2880 International Circle  
Colorado Springs, Colorado 80910  
Phone: 719.520.6300  
Fax: 719.520.6695  
Website www.elpasoco.com

**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"/> Owner <input type="checkbox"/> Consultant <input type="checkbox"/> 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 Curtis \_\_\_\_\_ 3 Feb 20 \_\_\_\_\_  
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:

ECM standard 2.3.2 Design Standards by Functional Classification, Table 2.4, indicating 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. The high point of this vertical curve is located near the northeast corner of the property. The slope of this roadway is an average of just over 5% from the intersection of Baptist Road and Roller Coaster Road to the roadway high point to a slope of 4% from the high point to the north. Site distance shall be met with the proposed location of the driveway along Baptist Road, as set forth in the CDOT Roadway Design Guide. The top of the vertical curve is located within the tract of land being provided to El Paso County, and therefore no access can be located here. 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 requested.

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.

**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:

A deviation from ECM standard 2.3.2 Design Standards by Functional Classification, Table 2.4, indicating that access is not permitted on an arterial road. 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.

The intent of the ECM standard is to ensure a safe access, as well as a safe roadway conditions at the access location. The generalization that all arterial roads are less safe for access locations is not justifiable in this specific situation. We are proposing that it is less safe for an access to be provided along Roller Coaster Road, due to topographic concerns, then it would be to have access off Baptist Road, even though it is an arterial road.

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.

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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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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**

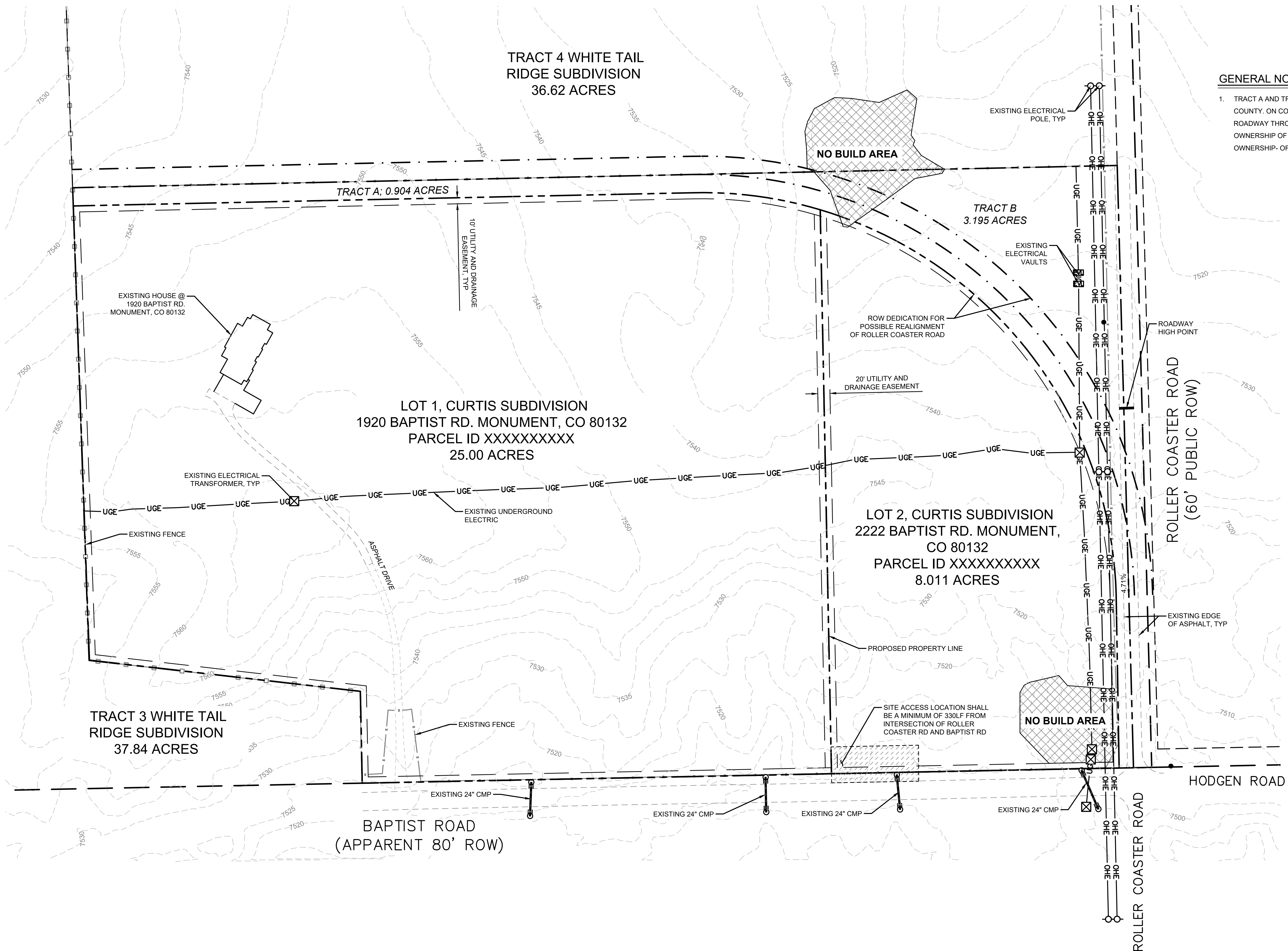
Whether a request for deviation is approved as proposed or with conditions, the approval is for project-specific use and shall not constitute a precedent or general deviation from these Standards.

## **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.

NO.	REVISIONS	BY	DATE

**FORSGREN Associates, Inc.**  
56 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

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