



**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 : PPR2167  
 Schedule No.(s) : 5312111006  
 Legal Description : Lot 1, Block 1, Johnsons Vacation, El Paso County

**APPLICANT INFORMATION**

Company : Drexel, Barrell & Co.  
 Name : Kate Varnum  
 Owner  Consultant  Contractor  
 Mailing Address : 3 South 7th Street, Colorado Springs, CO 80905  
  
 Phone Number : (719) 260-0887  
 FAX Number :  
 Email Address : kvarnum@drexelbarrell.com

**ENGINEER INFORMATION**

Company : Drexel, Barrell & Co.  
 Name : Kate Varnum Colorado P.E. Number : 53459  
 Mailing Address : 3 South 7th Street Colorado Springs, CO 80905  
  
 Phone Number : (719) 260-0887  
 FAX Number :  
 Email Address : kvarnum@drexelbarrell.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.

*[Handwritten Signature]*

06/20/2023

Signature of owner (or authorized representative)

Date

Engineer's Seal, Signature  
And Date of Signature



6/20/2023

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

A deviation from the standards of or in **Section 4.2.2 Use of Right-of-Way**, and **Appendix K.1.2 Pavement Cutting** of the Engineering Criteria Manual (ECM) is requested,

Identify the specific ECM standard which a deviation is requested:

The El Paso County Engineering Criteria Manual - Section 4.2.2.B Use of Right-of-Way Policy states that when roadway construction is completed, utility and facility placement shall not disturb the roadway surfaces, except for an emergency repair. Jacking or boring under the surface will be required for new utility placement in hard surfaced roadways. In addition, Appendix K.1.2 Pavement Cutting states that no pavements cuts will be permitted in pavements less than three years old.

State the reason for the requested deviation:

This deviation from criteria is requested to allow for the proposed utility service and fire hydrant lateral connections to the utility mains in Old Meridian Road, to serve the proposed development on the east side of the Old Meridian Road and Chicago Avenue intersection.

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

Alternative utility routing outside of the Old Meridian Road right-of-way is not available.

**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 existing utility mains (water and wastewater) are within the Old Meridian Road right-of-way. In order to provide utility service connections for the proposed development, the utility trenches in Old Meridian Road will need to be cut open and repaved.

**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 removed asphalt will be sawcut, removed and replaced in kind at the section and quality of the existing condition. The roadway cut will be minimized to the best extent possible.

The deviation will not adversely affect safety or operations.

This deviation will provide for an open trench utility installation in Old Meridian Road. Proper traffic control measures will be required and acceptable asphalt replacement and restriping upon completion. Safety or operations will not be affected.

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

Maintenance and its associated cost will not be affected as long as the installation closely follows County criteria.

The deviation will not adversely affect aesthetic appearance.

The asphalt and striping will be replaced in kind in order to minimize any impact to aesthetic appearance.

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

The design intent is met by this deviation. There is no alternative option for utility installation other than to tap the mains in Old Meridian 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.

N/A

**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

Γ

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

Γ

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.