



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

Updated: 6/26/2019

PROJECT INFORMATION

Project Name : Town of Monument 2MG Water Tank & Pipeline
 Schedule No.(s) :
 Legal Description : LOT 6 FOREST VIEW ESTATES IV.

APPLICANT INFORMATION

Company : Town of Monument
 Name : Tom Tharnish
 Owner Consultant Contractor
 Mailing Address : 645 Beacon Lite Road
 Monument, CO 80132
 Phone Number : (719) 884-8039
 FAX Number :
 Email Address : ttharnish@tomgov.org

ENGINEER INFORMATION

Company : Forsgren Associates
 Name : James Adams, PE Colorado P.E. Number : 38375
 Mailing Address : 56 Inverness Drive East, Suite 112
 Englewood, CO 80112
 Phone Number : (720) 214-5884
 FAX Number :
 Email Address : jadams@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.

James Adams _____ 3/4/2022
 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 **Appendix K.1.2** of the Engineering Criteria Manual (ECM) is requested.

Identify the specific ECM standard which a deviation is requested:

No pavement cuts will be permitted in pavements less than three years old. There are 4 locations along Red Rock Ranch Road that will require road cuts in the pavement for pipeline installation.

State the reason for the requested deviation:

At certain points along the Red Rock Ranch Road corridor, there are numerous utilities located outside the road pavement in the road shoulder with no room for additional utilities. Consequently, the shoulder areas cannot accommodate the proposed pipelines and they must be in the road pavement at these locations. There are 4 such locations along Red Rock Ranch Road.

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

The ECM requires repair and patching of the utility trench after installation. The proposed alternative will be a 2-inch mill and overlay from edge of pavement to edge of pavement, 10-feet beyond the road cut in these locations. The mill & overlay will go 20-feet beyond the road cut on either side for the perpendicular crossing.

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:

There is no room for additional utilities outside the pavement in 4 locations along the road.

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 proposed alternative will be a 2-inch mill and overlay from edge of pavement to edge of pavement, 10-feet beyond the road cut in these locations. This will leave no sign of patching in the pavement, and a new roadway surface that is equal to or superior to the existing condition.

The deviation will not adversely affect safety or operations.

It will not adversely affect safety or operations.

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

It will not adversely affect maintenance and its associated cost.

The deviation will not adversely affect aesthetic appearance.

It will not adversely affect aesthetic appearance.

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

It meets the design intent and purpose of the ECM standards.

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

REVIEW AND RECOMMENDATION:

Approved by the ECM Administrator

This request has been determined to have met the criteria for approval. A deviation from Section K.1.2 of the ECM is hereby granted based on the justification provided.

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APPROVED
Engineering Department

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**EPC Planning & Community
Development Department**

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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.