



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

Updated: 6/26/2019

**PROJECT INFORMATION**

Project Name : Joyful View Subdivision  
 Schedule No.(s) : 3300000466 & 3300000467  
 Legal Description : Unplatted

**APPLICANT INFORMATION**

Company : HR Green  
 Name : Colleen Monahan, P.E.  
 Owner  Consultant  Contractor  
 Mailing Address : 1975 Research Parkway, Suite 160 Colorado Springs, CO 80920  
  
 Phone Number : 719-394-2433  
 FAX Number :  
 Email Address : cmonahan@hrgreen.com

**ENGINEER INFORMATION**

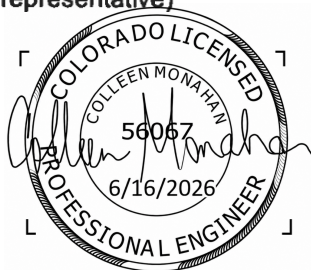
Company : HR Green  
 Name : Colleen Monahan, P.E. Colorado P.E. Number : 56067  
 Mailing Address : 1975 Research Parkway, Suite 160 Colorado Springs, CO 80920  
  
 Phone Number : 719-394-2433  
 FAX Number :  
 Email Address : cmonahan@hrgreen.com

**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.

  
 Signature of owner (or authorized representative) 6.9.2026  
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 **2.3.8A** of the Engineering Criteria Manual (ECM) is requested.

Identify the specific ECM standard which a deviation is requested:

Section 2.3.8A Cul-de-sacs states that cul-de-sacs shall have a maximum length of 1,600 feet for rural conditions

State the reason for the requested deviation:

A deviation from the criteria is requested since this a private gravel cul-de-sac that will service only nine single family residences with a total length of 2,776 to the intersection of N. Peyton Highway.

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

Section 2.3.8A Cul-de-Sacs states that cul-de-sacs shall have a maximum length of 1,600 feet for rural conditions. The actual length of the cul-de-sac from N. Peyton Highway is 2,776 feet (1,161 feet along Joyful View Road and 1,615 along Ellas Way), which is 1,176 feet beyond the 1,600-foot maximum length. See attached Exhibit A showing the cul-de-sac road and the proposed length.

**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 extended length of the cul-de-sac is necessary to access the proposed lots due to the proximity of lots in relation to the public right-of-way. The risk will be reduced with Fire Department turn around at a location about 1,200 feet from the public right-of-way at N. Peyton Highway along Joyful View Road, a 110' x 65' Travel/Utility Easement fire department pull off area 890 feet past that on Ellas Way, and then a cul-de-sac at the end of the 1,615-foot Ellas Way. Additionally a cistern will be provided in the 110' x 65' Travel/Utility Easement on Ellas Way.

**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 additional length will result in a comparable design and therefore follows the intent of the design.

The deviation will not adversely affect safety or operations.

The deviation will not adversely affect safety or operations by providing an additional turnaround point, pull-off area easement, and cul-de-sac turnaround.

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

The deviation will not adversely affect maintenance and its associated cost since this is a private roadway and will not be maintained by the County. Future development of the undeveloped lots to the east will need to coordinate approvals through EPC for roadway access and possible improvements to Joyful View Road at that time if they decide to move forward with development.

The deviation will not adversely affect aesthetic appearance.

The deviation will not adversely affect aesthetic appearance. The private road will be a gravel road which will subject to a maintenance agreement and all covenants and restrictions contained therein, so that adverse aesthetics are not achieved.

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

The deviation meets the design intent and purpose of the ECM standards to provide access to lots that does not affect safety, operations, maintenance or cost.

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 deviation does not change how the standards 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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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.

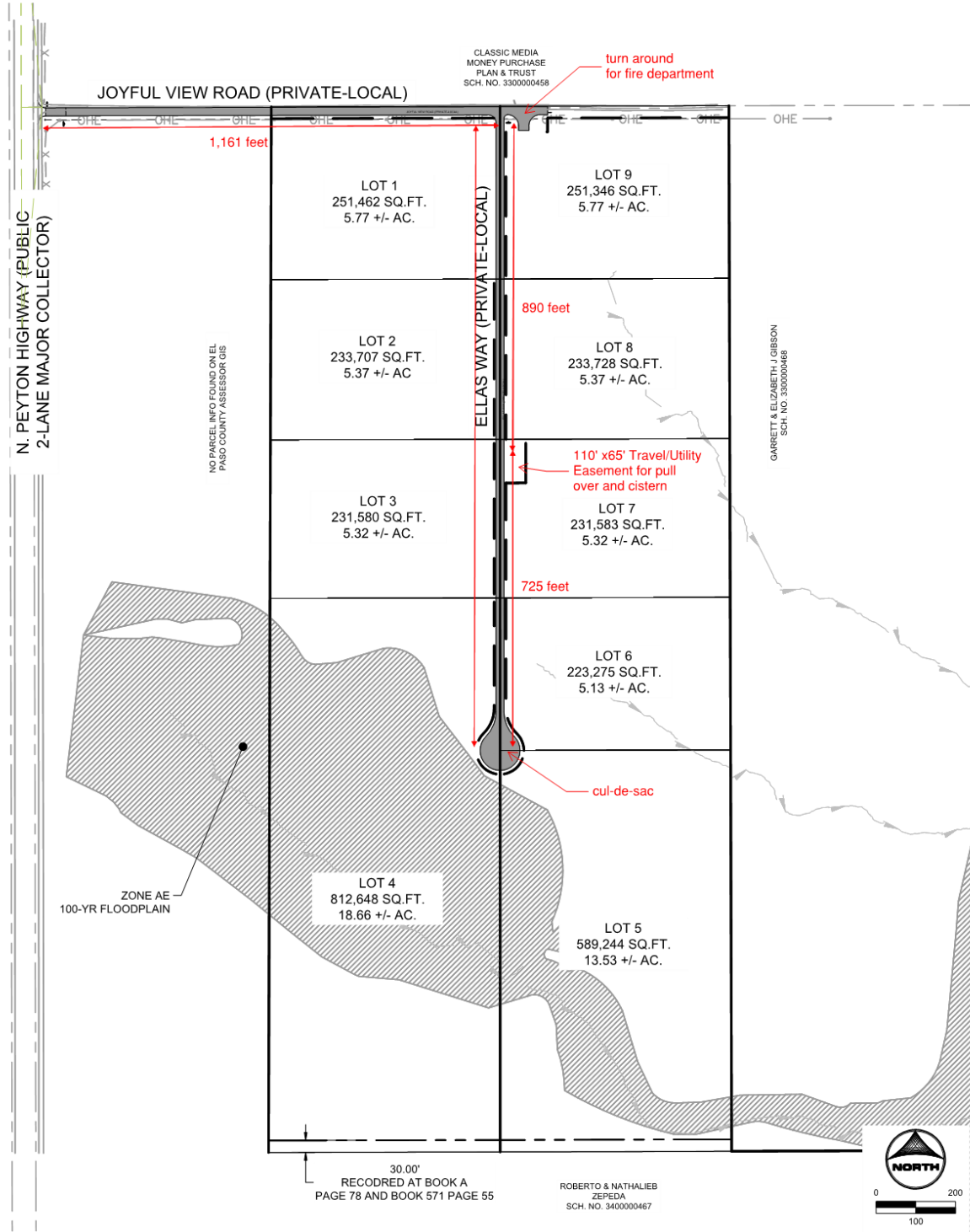
## **1.6. LIMITS OF APPROVAL**

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.

Exhibit A



SITE MAP  
SCALE: 1"=200'