

**BOARD OF ADJUSTMENT APPEALS APPLICATION
AND
BOARD OF TRUSTEES APPEALS APPLICATION**

This application and required information must be returned complete. Application may be delayed if incomplete.

PLEASE PRINT THE FOLLOWING INFORMATION:

Applicant STEVE McCain
Variance address 231 Park Lyons Colo
Mailing address PO Box 1155 LYONS Colo 80540
Work phone # 720-771-2353 Home phone # SAME
Type of variance requested side yard Variance & set Back
Legal description of site LOT 7A Block 20 Lyons Amended
Zoning of site _____

APPLICATION MUST BE ACCOMPANIED BY:

- ✓ An improvement location certificate and a map with a scale drawing depicting the property affected by the variance request, including but not limited to required or existing setbacks and proposed setbacks from adjacent lot lines or structures. Include the location of all existing and proposed site improvements showing all dimensions including the height of existing structures and proposed structures. All easements on or adjoining the property must be identified.
- ✓ 500-dollar application fee and 250-dollar deposit.
- ✓ A legal description of site.
- ✓ Explanation letter identifying the variance being requested, a citation of the portion of the Code from which relief is requested and explaining what exceptional condition, practical difficulty or unnecessary hardship exists to require the variance. The letter shall also address how the variance, if granted, will not be detrimental to the public good, create a conflict with the Town Comprehensive Plan or impair the intent and purpose of this Code. Please ensure a thorough description of exceptional and substantial hardship due to physical conditions of the property and/or ordinance interpretations. Please address each hardship, use additional paper if necessary.
- ✓ Please list the mailing addresses of all property owners.

- ✓ Title Commitment. The title commitment must be current and dated no more than thirty (30) days from the date of the application submittal.
- ✓ Surrounding and interested property ownership report. Provide the Town Clerk with a current list (not more than thirty [30] days old) of the names and addresses of the surrounding property owners within three hundred (300) feet of the property, mineral interest owners of record, mineral and oil and gas lessees for the property and appropriate ditch companies. The applicant shall certify that the report is complete and accurate.
- ✓ Review the Town of Lyons Municipal Code, Chapter 16 Article 14.
- ✓ Public hearing notification envelopes. Provide the Town Clerk with one (1) set of addressed, certified (return receipt requested) envelopes. The envelopes shall have the Town's address as the return address, and the envelopes shall be addressed to the surrounding property owners within three hundred (300) feet of the property, mineral interest owners of record, oil and gas lessees for the property and the appropriate referral agencies.
- ✓ A signed certification from the applicant that proper notice has been provided to the mineral estate owner pursuant to and in accordance with Section 24-65.5-103, C.R.S., or a certification that such notice is not required because the surface estate has not been separated from the mineral estate for the property described in the application. It is the applicant's responsibility to ensure that accurate and complete information is provided (staff may be able to assist).

SIGNATURE OF APPLICANT

Steve McCarroll

Please address each of the variance criteria in detail, attaching additional sheets, if necessary.

1. Explain how the property has exceptional topographic or physical conditions, is exceptionally narrow, shallow, etc.
Lot 7 of Block 20, also know as 231 Park St., lies fully in the St. Vrain Creek Flood Plain and borders the floodway. The further North from the river that the house can be located, the safer it will be for future residents.
2. Explain how the strict enforcement of applicable zoning code would result in a peculiar, exceptional and undue hardship upon the property owner.
The egress on the West side of the house is necessary to meet fire code.
3. Will a variance create a substantial detriment to the public good; substantially impair the intent and purpose of the zoning ordinance pertaining to your property?

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4. Explain what exceptional circumstances apply to this specific property, which do not generally apply to other properties in the same zoning area or neighborhoods.

Door is on original plans but no landing was on the blue prints. This landing will provide the necessary egress needed for this residence.

5. Explain the specific practical difficulties and unnecessary hardships you would incur if the variance appeal is denied.

This exit is necessary for the life safety of the house.

The applicant has the responsibility of proving that all of the above are applicable to his/her case since he/she is requesting a special privilege. The decision to approve, deny, or approve the variance with conditions will be based specifically on the evidence presented.

Case # _____

Date Received _____ Received By _____ Paid _____

- Zoning Variance
- Set Back Variance
- Nonconforming Use
- Board of Adjustment
- Board of Trustees