

Town of Lyons, Colorado
Board of Trustees
BOT Agenda Cover Sheet
Agenda Item No: VIII 1.
Meeting Date: 10/26/2022

TO: Mayor Rogin and Members of the Board of Trustees
FROM: David Kimmett, AICP, Planner II
DATE: September 26, 2022
ITEM: Resolution 2024-89, A Resolution of the Town of Lyons, Colorado Ratifying the Board of Trustees' Decision to Waive the Wastewater Connection Requirement for Mud Hut, LLC, at 4033 Ute Highway

ORDINANCE
 MOTION / RESOLUTION
 INFORMATION

- I. **REQUEST OR ISSUE:** This resolution approves the waiver request submitted by Mud Hut, LLC to not be required to connect to the Town's wastewater system.
- II. **RECOMMENDED ACTION / NEXT STEP:** Approve Resolution 2024-89.
- III. **FISCAL IMPACTS:** There will be no wastewater connection fee collected.
- IV. **BACKGROUND INFORMATION:** Though within the 400' defined Lyons Municipal Code required distance to connect to Town wastewater per 13-4-60, the parcel (Boulder County APN 120317000043) presents a challenge generally to connect due to neighboring land use and topography. Mud Hut LLC, the Applicant, asked the Board of Trustees to provide a Waiver to that requirement, a permissible power granted to the Board under 13-4-60(c). The Board unanimously granted such relief via a vote during the September 19, 2022, meeting. This Resolution memorializes that decision.
- V. **LEGAL ISSUES:** The town attorney has been consulted.
- VI. **CONFLICTS OR ENVIRONMENTAL ISSUES:** None known. This waiver is for Mud Hut LLC, not future users of the property.
- VII. **SUMMARY AND ALTERNATIVES:**
 - o Approve Resolution 2024-89
 - o Decline Resolution 2024-89