

Town of Lyons, Colorado
Board of Adjustments
Staff Memo
Agenda Item No: IV.1.
Meeting Date: February, 27 2024

TO: Board of Adjustments

FROM: Aaron Caplan, Engineering and Utilities Director,
Cassidy Davenport, Planner

DATE: 2/27/2024

ITEM: Minimum Lot Size at 217 High Street (To Allow for Subdivision)

☐ ORDINANCE
☐ MOTION / RESOLUTION
☒ INFORMATION

- I. **REQUEST OR ISSUE:** Staff requests that the Board of Adjustments review the materials in the packet and make a recommendation based on the given information and the rules for granting a variance.
- II. **PROJECT HISTORY:** In order to subdivide lots in Lyons, the resulting R1 lots must be a minimum of 7,000 square feet. In some areas of Lyons, some lots may have been 7,000 square feet originally but are now smaller, given the creation of alleys, infrastructure, etc. Ordinance 1170, which amends Sec. 16-3-150 (D)(1), Sec 16-1-160, and Sec. 2-8-120 of the LMC, was recently added to create a minimum lot area variance process to allow for the subdivision of lots recorded on March 20, 1929. Ordinance 1170 is included with this memo.

The legal description of the lot in question (217 High St.) is lots 4-5 except 10 ft off the rear for alley blk 16 Lyons, which shows that this lot was historically two, and further evaluation shows the lot is around twice the size of neighboring lots. It cannot proceed through Lyons' subdivision process without getting approval through this new subdivision variance process because it would create two lots smaller than 7,000 square feet. The subdivision may allow for more infill in the Town to address housing needs and allows the applicant to create two lots comparable to other lots in the area.

III. **RELATIONSHIP WITH OTHER PLANS:**

- a. **Policy Land Use and Built Environment 1.2 Infill and redevelopment.** Encourage targeted infill and redevelopment to maximize the use of existing infrastructure, increase density where appropriate, improve access to services and amenities, and maintain a compact development footprint. Ensure infill and redevelopment is consistent with area-specific policy guidance provided in Chapter 3, and applicable design and development standards.

- b. **Policy Land Use and Built Environment 2.3 Housing** Support the incremental diversification of housing options available in Lyons through targeted infill and redevelopment in existing areas of the community or through future annexation. (See Goals HN-1, HN-2, and HN-3 for additional guidance on housing and neighborhoods).
- c. **Policy Housing and Neighborhoods 1.1 Housing options** Support the incremental diversification of housing options available in Lyons through targeted infill and redevelopment or future annexation. Encourage a mix of housing types, tailored to different areas of the community, including but not limited to small homes, accessory dwelling units, townhomes, live/work units, and apartments or condominiums.

IV. RECOMMENDED ACTION / NEXT STEPS: Staff recommend that the BOA review the application and proposed hardship to see if the variance should be granted.

V. FISCAL IMPACTS: No fiscal impacts are foreseen at this time.

VI. LEGAL ISSUES: No legal issues are foreseen at this time.

VII. CONFLICTS OR ENVIRONMENTAL ISSUES: No environmental issues are foreseen at this time.

SUMMARY AND ALTERNATIVES: Town staff worked with the applicant to compile a complete application and leaves the decision to the Board of Adjustments on if the variance should be granted for the lot sizes that will allow for subdivision.

1. Approve the variance
2. Deny the variance