

**TOWN OF LYONS, COLORADO
BOARD OF ADJUSTMENTS
BOA RESOLUTION # 2025-XX**

**A RESOLUTION OF THE TOWN OF LYONS BOARD OF ADJUSTMENTS
APPROVING A VARIANCE TO SUBDIVISION LOT SIZE REQUIREMENTS
(LEE & SOBEL APPLICATION – 217 HIGH STREET – R-1 ZONE DISTRICT)**

WHEREAS, the Board of Adjustments for the Town of Lyons, Colorado (“BOA”), is authorized pursuant to state law and the Lyons Municipal Code Section 16-14-10 to grant and approve variances to zoning requirements including standards for the applicable LOT SIZE ZONING REGULATIONS and

WHEREAS, Dan Lee and Tracey Sobel (“Applicants”) are the owners of the following property in the Town of Lyons:

LOTS 4-5 EXCEPT 10FT OFF REAR FOR ALLEY BLK 16 LYONS
Town of Lyons, Resolution No. 2002-05
County of Boulder, State of Colorado

aka 217 High Street, Lyons, CO 80540 (the “Subject Property”); and

WHEREAS, the Subject Property is located in the R-1 zone district; and

WHEREAS, Section 16-3-150(d)(1) of the Lyons Municipal Code establishes a minimum lot area of 7,000 square feet; and

WHEREAS, Section 16-3-150(d)(1)a. of the Lyons Municipal Code establishes that, if a legally described, standard lot of the Town of Lyons platted blocks, as recorded on March 20, 1929, is less than seven thousand (7,000) square feet, such lot shall be considered as sufficient for the minimum lot area development standard; and

WHEREAS, Section 16-3-150(d)(2). of the Lyons Municipal Code establishes that the Board of Adjustments may approve a variance from the Minimum Lot Area required by Sec. 16-3-150(d)(1) if the Board of Adjustments finds that all criteria has been satisfied in Sec. 16-14-70. and Sec. 16-3-150. (d)(2); and

WHEREAS, Applicant has applied for a variance to subdivide their lot into two lots sized under 7,000 square feet at a proposed 6,300 square feet for Lot 4A and 6,313 square feet for Lot 5A; and

WHEREAS, the BOA conducted a public hearing following the provision of lawfully required notice to the public and the Applicant provided sufficient and competent evidence at the hearing as is necessary to establish the requirements for the granting of a variance, pursuant to the Lyons Municipal Code and state law.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF ADJUSTMENTS OF THE TOWN OF LYONS, BOULDER COUNTY, COLORADO, THAT:

Section 1. The BOA hereby approves a variance to the MINIMUM LOT SIZE of the Subject Properties, as follows:

The applicable LOT SIZE shall be reduced from a **7,000 square feet minimum to the proposed 6,300 square feet for Lot 4A and 6,313 square feet for Lot 5A.** The Subject Property shall comply with all remaining zoning regulations as set forth in the Lyons Municipal Code.

Section 2. The Board finds that the owner established the existence of practical difficulties or unnecessary hardships and further finds that the spirit of the Town Zoning Ordinance is observed, public safety and welfare secured, and substantial justice done by the granting of this variance. The record of this matter, including the Lyons Municipal Code, the Applicant's application materials, and the Staff memorandum prepared for the public hearing provide adequate evidence and basis for the findings supporting the BOA's decision and the same are hereby incorporated into this Resolution.

Section 3. This Resolution is effective immediately. However, the recordation of this Resolution with the Boulder County Clerk and Recorder's Office shall not be made sooner than twenty-eight (28) days following the date on which this Resolution has been adopted and approved by the BOA, in order to allow for all applicable periods of appeal of such decision to expire. In the event of a timely filed notice of appeal, the recordation of this Resolution shall be postponed or stayed pending final resolution of the appeal.

INTRODUCED AND APPROVED BY A VOTE OF NOT LESS THAN FOUR (4) MEMBERS OF THE BOARD OF ADJUSTMENTS AS REQUIRED BY C.R.S. § 31-23-307 AT A PUBLIC HEARING DULY CONDUCTED IN ACCORDANCE WITH APPLICABLE LAW THIS _____ DAY OF _____, 2025.

**BOARD OF ADJUSTMENTS FOR THE TOWN
OF LYONS, COLORADO**

Chairperson

ATTEST:

Town Clerk or Designee