

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

**A RESOLUTION OF THE TOWN OF LYONS BOARD OF ADJUSTMENTS
DENYING 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 failed to provide 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 denies a variance to the MINIMUM LOT SIZE of the Subject Property, as follows:

I move that the minimum LOT SIZE variance be denied as requested by the application submitted by Dan Lee & Tracey Sobel where the minimum lot size would be reduced from **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 evidence presented failed to establish the existence of practical difficulties or unnecessary hardships and further finds that the spirit of the Town Zoning Ordinance would not be observed, public safety and welfare not be secured, and substantial justice not done by the granting of this variance. The record of this matter, including the Lyons Municipal Code and the owner's application contains the factual evidence and the basis for the findings supporting the Board of Adjustment's decision and is hereby incorporated into this Resolution.

Section 3. This Resolution is not intended to be recorded with the Boulder County Clerk and Recorder.

**APPROVED BY A MAJORITY VOTE OF A QUORUM PRESENT 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:

Dolores M. Vasquez
Town Clerk or Designee