

**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 EV CHARGING SETBACKS & BATTERY
SCREENING REQUIREMENTS
(eCamion, Inc. & IPOWER Alliance APPLICATION – SANDSTONE PARK (PARCEL
NUMBER: 120318448003 – POS 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 EV CHARGING SETBACKS & SCREENING REGULATIONS; and

WHEREAS, eCamion, Inc. (“Applicant”) is applying for a variance on town-owned property in the Town of Lyons:

LOT 3 LYONS MUNICIPAL CENTER
Town of Lyons, Resolution No. 2002-05
County of Boulder, State of Colorado

aka 0 Railroad Ave, CO 80540 or Sandstone Park (the “Subject Property”);
and

WHEREAS, the Subject Property is located in the POS zone district; and

WHEREAS, Section 16-10-100 of the Lyons Municipal Code establishes a 25-foot setback on all required EV infrastructure (excluding charging bollards and spaces) AND requires screening that should include walls, fences, or flame-resistant plantings to complete screening from normal eye level (six-foot height recommended) on all sides where access is not needed; and

WHEREAS, Applicant has applied for a variance to reduce the setback of the charging infrastructure to ten feet (10’); and

WHEREAS, Applicant has applied for a variance to utilize a custom wrap instead of screening such as walls, fences, or flame-resistant plantings;

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 CHARGING INFRASTRUCTURE SETBACK & the SCREENING REQUIREMENT of the Subject Property, as follows:

The applicable CHARGING INFRASTRUCTURE SETBACK shall be reduced from **twenty-five feet (25')** to **ten feet (10')** for the **purpose of installing charging infrastructure that interferes minimally within the Subject Property shown on the included map.** The Subject Property shall comply with all remaining sections of the Lyons Municipal Code.

The applicable SCREENING REQUIREMENT shall be varied from **including walls, fences, or flame-resistant plantings on all sides where access is not needed to a custom wrap created by/with local Lyons artists so that screening does not take up excess space in Sandstone Park.**

Section 2. The Board finds that the Applicant 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