



**Town of Lyons**  
**Community Development Department**  
432 5th Ave.  
Lyons, CO 80540  
(303)823-6622  
communitydevelopment@townoflyons.com

## LAND USE APPLICATION FORM

APPLICANT FULL NAME: Patrick & Vanessa Hofmann	ADDRESS: 1139 Mircos Street, Erie, CO 80516
APPLICANT'S PHONE #: 406-880-1507	APPLICANT'S EMAIL: vanessavanb@yahoo.com
PROJECT NAME: ADU	PROJECT ADDRESS: 441 1/2 Stickney Street

TYPE OF APPLICATION (Check One)		
<input type="checkbox"/> Annexation	Sketch Plan	Minor Subdivision
<input type="checkbox"/> Change of Zone	Preliminary Plat	Plat Vacation
<input type="checkbox"/> Conditional Use Review	Final Plat	Lot Consolidation
<input type="checkbox"/> Vacation of Right-of-Way/Easement	Plat Amendment	Survey Correction Plat
<input checked="" type="checkbox"/> Variance (zoning / building / sub.)	Planned Unit Development	Site Plan or Development Plan
<input type="checkbox"/> Special Use Review	Telecommunications	Other:

PROJECT INFORMATION:		
Is site within Lyons' Planning Area?	Y	Is site within Lyons' Town Limits?
Existing Use (single family, commercial, etc.): single family	Proposed Use: Single family, W/ ADU	
Existing Zoning: Residential	Proposed Zoning: Residential	
Number of Existing Residential Lots: 1	Number of Proposed Residential Lots: 1	
Number of Existing Commercial Lots 0	Number of Proposed Commercial Lots: 0	
Number of Existing Industrial Lots: 0	Number of Proposed Industrial Lots: 0	
Total Property Acreage: 0.15	Does the property have slopes greater than 5%?	

Legal Description of Property – Lot #, Block #, and Subdivision; or Location in Section, Township, and Range  
LOT 8 BLK 29 LYONS, SUBDIVISION LYONS-LYSEC-TOWN-RANGE: 18 -3N -7C

ADDITIONAL CONTACTS (Owner, Consultants):		
Full Name: Little Builder, Christy and Bryan Silvia		
Address: LONGMONT, COLORADO		
Contact Info (email, phone): 303-505-5952		
Full Name:		
Address:		
Contact Info (email phone):		



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**COMPREHENSIVE PLAN AND PARKS OPEN SPACE TRAILS MAP CONSISTENCY:**

	Yes/No	Describe
Locate your property on the 2010 Lyons Planning Area Map. Does your proposed use meet the use designation shown?	Yes	Low Density Residential
Is the project or property consistent with the guiding principles, goals, and objectives set forth in the 2010 Lyons Comprehensive Plan, or the 2014 Lyons Recovery Action Plan or the 2016 Lyons Primary Planning Area Action Plan?	Yes	-ADU will contribute to development goals -Contribute to resiliency -Directly contributes to growth: strate 1.1.1 housing strategy of promoting mixed use.
Is the project or property consistent with the Sustainable Design and Development Principles in Appendix D of the Comprehensive Plan.	Yes	Housing objective 1.1-1.2
Is the project/property in or adjacent to a gateway designation on the Comprehensive Plan's Lyons Gateway Map (p87)?	No	
Does the proposed project or property have or is it adjacent to a designation on the legend of the Parks Recovery Plan's Trails Planning, Park Connectivity and Recreational Opportunities Map (pg. 47)?	No	
Is the proposed project or property in the floodplain? View floodplain map on the Town website under maps.	No	
Is the proposed project or property adjacent to a public facility or does it include a public facility?	No	
Does the proposed project or property have unique wildlife habitat or include a wildlife corridor?	No	

**UTILITY PROVIDER:**

Water: Town of Lyons	Sewer: Town of Lyons	Electric: Town of Lyons
Gas: Town of Lyons	Cable:	Phone:
Fire Protection: Town of Lyons	Other:	

**CERTIFICATION:**

I certify that I am the lawful owner of the parcel(s) of land, which this application concerns, and consent to this action.

Owner:

Date: 9-1-25

I certify that the information and exhibits I have submitted are true and correct to the best of my knowledge. In filing this application, I am acting with the knowledge and consent of the property owners. I understand that all materials and fees required by the Town of Lyons must be submitted prior to having this application processed.

Applicant:

Date: 9-1-25

**FOR STAFF USE ONLY:**

APPLICATION ACCEPTED BY:	DATE ACCEPTED:
FEE RECEIVED:	TRACKING #:



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**AGREEMENT FOR PAYMENT OF LAND USE APPLICATION FEES/DEPOSITS (If Required)**

This Agreement is entered between \_\_\_\_\_ as  
APPLICANT and THE TOWN OF LYONS, in consideration of the TOWN'S acceptance of APPLICANT'S application  
for the land use approval as further described below:

1. APPLICANT hereby represents that he/she/it is the owner of 100% of the real property for which this application is being processed or that 100% of the property owners have also signed this application. APPLICANT has submitted to the TOWN an application for approval of:  
\_\_\_\_\_  
\_\_\_\_\_
2. APPLICANT acknowledges and understands that the Board of Trustees establishes a fee and deposit schedule for land use applications. The Agreement shall govern the payment of fees and deposits for processing applications.
3. The application shall not be accepted for processing unless the property owner(s) of record of the property included in the application sign(s) this Agreement.
4. A fee in the amount required by the Town sufficient to cover the internal and external costs of administration, processing, site visits, publication of notice and similar matters will be paid by the APPLICANT for processing the development application. An application fee of \_\_\_\_\_ and an escrow fee of \$\_\_\_\_\_, as required by resolution shall be paid to the Town prior to processing the application.
5. The applicant shall be required to pay all actual costs incurred by the Town for review of the application by consultants, including but not limited to engineering, surveying, legal and planning plus fifteen percent (15%) of such actual costs for the Town's administrative costs plus supplies. The Town may require a deposit from APPLICANT to offset the Town's costs for review prior to consideration of any application submittal pursuant to this Code. Subsequent deposits may be required when the initial deposits are eighty-five percent (85%) depleted. These deposits may exceed the total amount of fees collected using the standard schedule of fees. The Town shall not continue the processing of any application for which the APPLICANT has refused to deposit the funds to cover the Town's cost of review. Any funds deposited in excess of the standard fees remaining after paying the costs specified above shall be refunded to the APPLICANT. In the event of non-payment of fees, the Town shall have the right to file a legal action to collect any balance due to the Town plus its costs and attorney's fees against any or all persons signing this Agreement as APPLICANT. The Town may certify to the County Treasurer any amount due pursuant to this paragraph as a lien on the property for which the application is submitted to be due and payable with the real estate taxes for the Town if the APPLICANT does not pay such amount within (30) days of written request by the Town.

**APPLICANT(S)/OWNER(S)**  
(All Owners/Applicants must sign this application)

By: \_\_\_\_\_  
As: \_\_\_\_\_  
Date: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_

By: \_\_\_\_\_  
As: \_\_\_\_\_  
Date: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_



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## LAND USE PERMITS

APPLICATION TYPE	APPLICATION FEE (NON-REFUNDABLE)	ESCROW ACCOUNT	ADDITIONAL MATERIAL REQUIRED
Rezoning (except LI)	\$500.00	\$1,000.00	See LMC 16-15-30
Special or Conditional Use Review	\$250.00	\$500.00	See LMC 16-7-35 or 16-7-30
PUD Rezoning	\$500.00	\$1,000.00	See LMC 16-4-50
Variance (Zoning / Building / Subdivision)	\$250.00	\$500.00	See LMC 16-15-30
Board of Appeals	\$250.00	\$500.00	See LMC 16-15-30
Telecommunication Application	\$500.00	\$1,500.00	See LMC 16-11-50
Zoning Verification Letter	\$50.00	---	---
Change of Use	\$200.00	---	Requires Inspection and Occupancy Review
16-7-50(b) Review	\$150.00	---	See LMC 16-7-50(b)
<b>DEVELOPMENT OR SITE PLAN</b>			
Up to 1 Acre	\$500.00	\$2,000.00	See LMC 16-17-30
Up to 3 Acres	\$500.00	\$4,000.00	See LMC 16-17-31
Up to 10 Acres	\$500.00	\$6,000.00	See LMC 16-17-32
Over 10 Acres	\$500.00	\$8,000.00	See LMC 16-17-33
<b>SUBDIVISION</b>			
Survey Correction Plat	\$500.00	\$500.00	Sec. LMC 17-9-40
Lot Consolidation	\$250.00	\$500.00	Sec. LMC 17-7-50
Plat Vacation	\$500.00	\$500.00	Sec. LMC 17-6-40
Plat Amendment	\$500.00	\$500.00	Sec. LMC 17-5-40
Minor Subdivision	\$500.00	\$1,000.00	Sec. LMC 17-3-40
<b>MAJOR SUBDIVISION</b>			
Sketch Plan (Reg and PUD)	\$500.00	\$1,000 + \$10 per dwelling unit	Sec. LMC 17-4-50
Preliminary Plan (Reg and PUD)	\$500.00	\$1,000 + \$10 per dwelling unit	Sec. LMC 17-4-60.
Final Plat (Reg and PUD)	\$500.00	\$1,000 + \$10 per dwelling unit	Sec. LMC 17-4-70.
<b>ANNEXATIONS</b>			
Up to 5 acres	\$500.00	\$3,000.00	Sec LMC 15-1-120
5-20 acres	\$500.00	\$6,000.00	Sec LMC 15-1-120
Over 20 acres	\$500.00	\$8,000.00	Sec LMC 15-1-120

**PROPERTY DESCRIPTION**  
(PROVIDED BY HOMELIGHT TITLE COLORADO LLC)

Special Warranty Deed Recorded 7/16/2024 at Reception No. 04053773

Lot 8, Block 29, Lyons, County of Boulder, State of Colorado.

**IMPROVEMENT SURVEY PLAT**

**Lot 8, Block 29, Town of Lyons**

Located in the Southeast Quarter of Section 18, Township 3 North, Range 70 West of the  
6th Principal Meridian, Town of Lyons, County of Boulder, State of Colorado

**LEGEND**

- FOUND MONUMENT - AS DESCRIBED
- SET #5 REBAR WITH 1-1/2" ALUMINUM CAP STAMPED "EAGLE EYE PLS 38614"
- SET MAG NAIL WITH 1-1/2" ALUMINUM DISK STAMPED "EAGLE EYE PLS 38614" IN ASPHALT
- (M) PER THE MAP OF LYONS RECORDED MARCH 30, 1929 IN PLAT BOOK 4 AT PAGE 48
- (P) PER PEOPLES/RALSTON/CARTER PLAT AMENDMENT RECORDED 7/6/1995 AT REC #0152982
- (AM) AS MEASURED AT THE TIME OF THIS SURVEY
- (C) CALCULATED BASED ON RECORD AND MEASURED EVIDENCE
- + FINISHED FLOOR - OR - BUILDING HEIGHT
- DECIDUOUS TREE (TRUNK DIAMETER/DRIP LINE)
- ELECTRIC METER
- POWER POLE
- GAS METER
- SANITARY CLEANOUT
- SANITARY MANHOLE
- FIRE HYDRANT
- WATER METER
- WATER VALVE
- SPIGOT
- POST
- SIGN
- SPOT ELEVATION
- CONCRETE
- FLAGSTONE WALK
- ASPHALT
- FENCE
- PROPERTY LINE
- PROPERTY LINE - ADJACENT
- BLOCK LINE
- UNDERGROUND - ELECTRIC
- UNDERGROUND - GAS
- OVERHEAD UTILITY LINE

**PLATS AND SURVEYS REVIEWED FOR THE PREPARATION OF THIS SURVEY:**

Map of the Town of Lyons dated April 1, 1890 in Book 2 at Page 77

Map of Lyons recorded 3/30/1929 in Plat Book 4 at Page 48

Nortonville recorded 5/22/1886 in Plat Book 2 at Page 63

Peoples/Ralston/Carter Plat Amendment recorded 7/6/1995 at Reception No. 0152982

LS-90-0039 Merle D. Johnson LS 6716

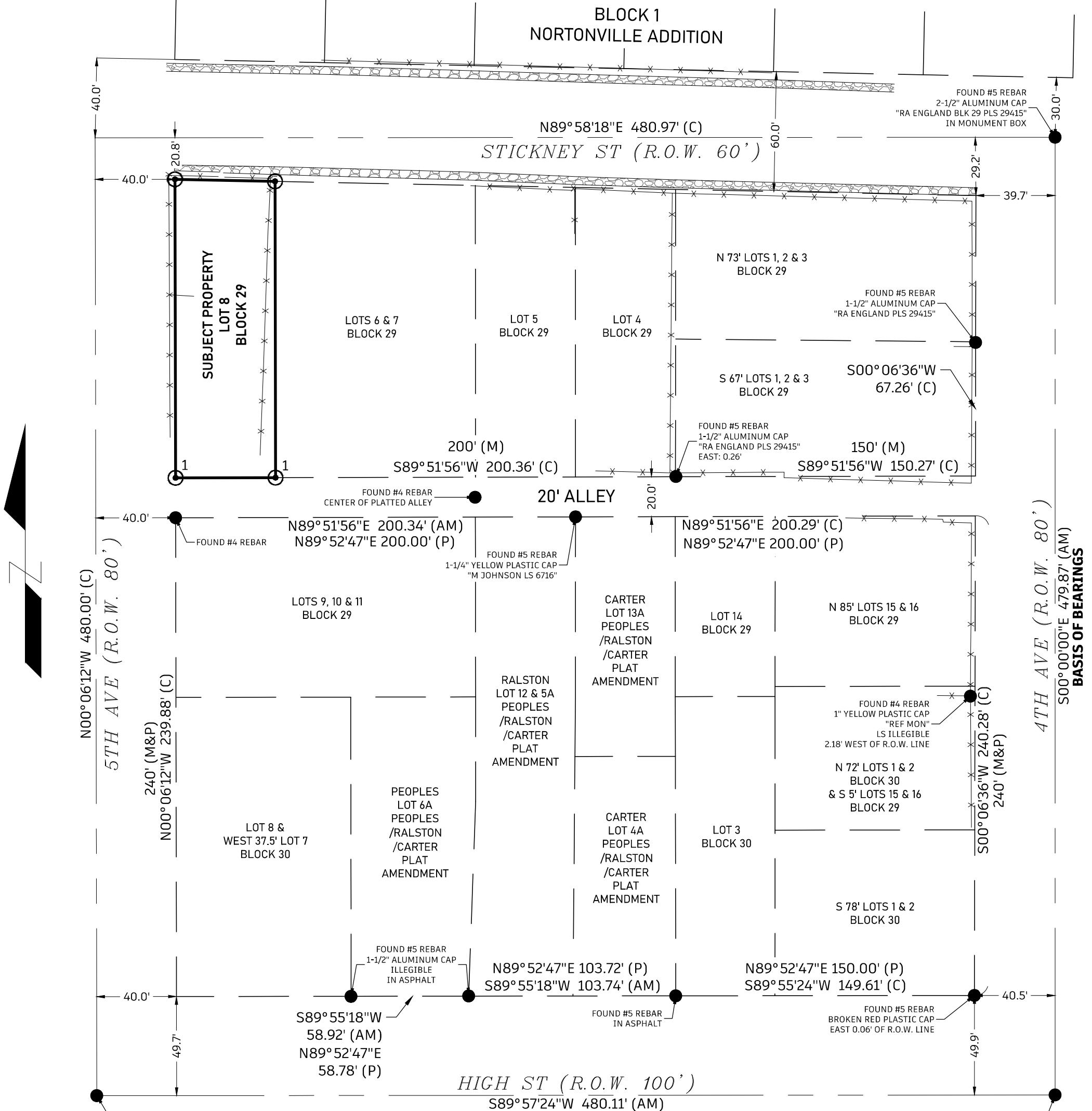
**AREAS OF CONCERN:**

- A The paved alley crosses the south line of the subject property as shown hereon.
- B The neighbor's garage crosses the east line of the subject property as shown hereon.
- C The shed crosses the west line of the subject property as shown hereon.
- D The overhead utility line crosses the subject property without the benefit of a recorded easement.

**NOTES:**

1. HomeLight Title Colorado LLC, Commitment No. HTC-2024-19579, effective April 26, 2024 along with Boulder County records research was relied upon for information pertaining to ownership, easements and other encumbrances or record.
2. This Improvement Survey Plat was prepared for the exclusive use of Vanessa Hofmann, named in this statement hereon. Said statement does not extend to any unnamed person nor additional party without an express statement by the surveyor of record adding said additional party.
3. Any person who knowingly removes, alters or defaces any Public Land Survey monument or Control corner or accessory commits a Class Two (2) Misdemeanor pursuant to State Statute 18-4-508, C.R.S.
4. Basis of Bearings: Assumed bearings based on a bearing of 500°00'00" along the line between a found #5 rebar with a 2-1/2" aluminum cap stamped "RA ENGLAND BLK 29 PLS 29415" in a monument box at the intersection of 4th Avenue and Stickney Street and a found #5 rebar in a monument box at the intersection of 4th Avenue and High Street as shown hereon. All bearings shown hereon are relative thereto.
5. Date of field survey: February 26 & 27, 2025
6. Units of measurements are displayed in U.S. Survey Feet.
7. Vertical Information: The project benchmark is a set #5 rebar with a 1-1/2" aluminum cap stamped "EAGLE EYE PLS 38614" at the northwest corner of the subject property with an assumed elevation of 101.98 feet. All elevations are based on the assumed elevation of 100.00 feet at the finished floor of the back door of the building as shown hereon.
8. Underground utilities locates have been marked by a private agency. Paint marks on the ground surface were located by Eagle Eye Surveying as part of this survey. The underground utilities were marked by a company that was not contracted by Eagle Eye Surveying. The paint markings were present at the time of the field work for this survey. Client/contractor must contact specific utility companies to verify both the location and depth of respective utilities.
9. Fences shown hereon have been shown for general reference and do not necessarily depict limits of ownership.
10. The address of the subject property is 441 Stickney Street.
11. The area of the subject property is 7,469 square feet or (0.171 Acres) ±
12. The deposited survey by Richard England, LS-14-0121, dated 5/27/2014, has no recorded survey within the Boulder County records. Eagle Eye Surveying contacted the Boulder County department about this issue but did not receive any information in return.
13. There is conflicting road width information between the Plat of Nortonville in Plat Book 2, Page 63 dated November 27, 1885 and the Map of Lyons Plat Book 4, Page 48 recorded March 30, 1929. Said Plat of Nortonville shows a road width for Stickney Street as being 80 feet wide while said Map of Lyons shows a road width of 60 feet. Stickney Street appears to be the only street on said Map of Lyons with a 60 foot road width. The field measured improvements along Stickney Street appear to have been laid out at a 40 foot half width on the west end and a 30 foot width on the east end of the block lines as calculated from found block corners shown hereon. The calculated northerly right-of-way of Stickney Street was then offset 60 feet to the south to establish the northerly line of Block 29 and matches said improvements.
14. The east line of Block 29 was established by extending the line between the found #5 rebar with a broken red plastic cap at the southeast corner of the north half of Block 30 and the found #5 rebar with a 1-1/2" aluminum cap stamped "RA ENGLAND PLS 29415" to the calculated south right-of-way line of Stickney Street.
15. The centerline of 5th Avenue, previously 1st Street, was established by calculating the line running north from the found block corner set by R.A. England located in the intersection of High Street and 5th Avenue being tangent to a 40 foot radius from the found #4 rebar at the northwest corner of Lot 9, Block 29 as shown hereon. The line running north from said block corner was extended to a length of 480 feet per said Map of Lyons then offset 40 feet to the east to establish the west line of the subject property.
16. The line drawn between found monuments along the south line of the 20 foot alley of said Block 29 was offset north 20 feet to establish the south line of the subject property and the north line of said alley.

Web: [www.eagleyeesurv.com](http://www.eagleyeesurv.com)  
Email: [info@eagleyeesurv.com](mailto:info@eagleyeesurv.com)  
Phone: 970.744.8238



**CONTROL DIAGRAM**  
SCALE: 1"=50'



**TITLE COMMITMENT SCHEDULE B-2 EXCEPTIONS:**

- 1-8. Standard Exceptions
9. Easements, conditions, covenants, restrictions, reservations and notes on the Plat recorded March 20, 1929 at Reception No. 90260389, recorded in the official records of the Boulder County Recording Office.

**NOTICE:**

According to Colorado Law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.

**SURVEYOR'S CERTIFICATION**

I, Anthony L. Fendick, a Professional Land Surveyor licensed in the State of Colorado, hereby certify to Vanessa Hofmann, that a survey of the above described property was conducted by me or under my responsible charge during February 26, 2025 and is in accordance to applicable standards of practice. This survey plat is accurately based on my knowledge, information and belief, and is not a guaranty or warranty, either expressed or implied.

Anthony L. Fendick  
Colorado P.L.S. #38614  
For, and on behalf of, Eagle Eye Surveying, LLC  
Date: March 12, 2025



DATE

REVISION

Prepared for:  
Vanessa Hofmann

Date:  
3/12/2025

Drawn By:  
A. Fendick

Project Number:  
25010

1

**TITLE: HOFMANN VARIANCE REQUEST**

ADDRESS: 441 STICKNEY STREET, LYONS

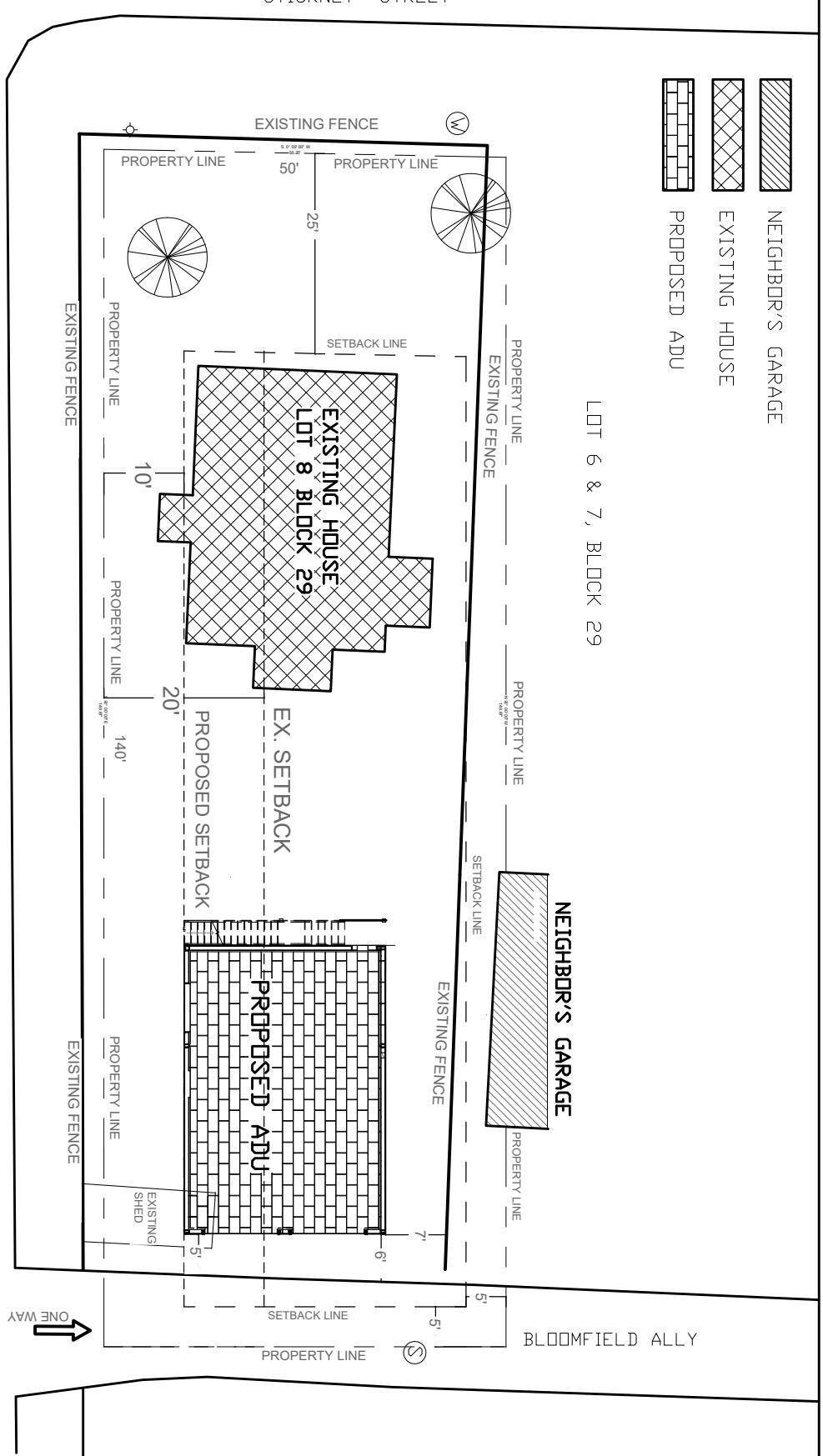
LEGAL: LOT 8 BLK 29, SEC-TOWN-RANGE 18-3N-70

## CROSS STREETS: 5TH AVENUE, BLOOMFIELD ALLEY

DATE: 9/2/2025

SCALE: 1:20

- UTILITIES LOCATIONS (EXISTING):
  - WATER METER LINE IS FROM STICKNEY STREET
  - SEWER MAIN IS IN THE ALLEY (BLOOMFIELD ALLEY), EXISTING HOUSE SEWER LINE CONNECTS FROM BATHROOM TO THE ALLEY.
  - ELECTRIC IS UNDERGROUND RUNNING TO THE ELECTRIC POLE SW CORNER.
  - GAS LINE COMES FROM 5TH AVE.



9/2/2025

To Whom it may Concern,

Re: 441 Stickney: Lot 8 BLK 29 Lyons, Sec-Town-Range: 18 -3N -70

We are requesting a variance on the corner yard setback, referring to LMC Section 16-3-150. We request a reduction on the side yard (5<sup>th</sup> Avenue) setback from 20 feet to 10 feet for the lot.

After purchasing the property, we discovered numerous encroachments on the lot. The existing fence and neighbor's garage are within the boundaries of our surveyed lot. To build within the 5' setback on the East side of the property would require the fence to be removed and additional fire proofing to be completed on the proposed ADU wall because of its close proximity to the neighbor's garage. We were willing to meet these requirements and extra costs. Unfortunately, the neighbors at 435 Stickney Street declined our request to allow us to take down the fence and build. These encroachments limit our ability to build within the existing setbacks. The issues were only discovered when we had a survey completed after the real estate purchase.

The 10 feet is based on accommodating specific space requirements for construction. These requirements are excavation in relation to the footing, utility trench width, trenching equipment width access, slope of sewer line, fence width and overlapping separation requirements for water and sewer lines in the trench.

If this variance is approved it would increase the fire safety and building access. It would still maintain the same density allowed within the code would do so without impairing traffic safety.

Thank you for your time and consideration.



Vanessa Hofmann



Patrick Hofmann