

**TOWN OF LYONS, COLORADO
BOARD OF ADJUSTMENTS
BOA RESOLUTION # 2025-02**

**A RESOLUTION OF THE TOWN OF LYONS BOARD OF ADJUSTMENTS
DENYING A VARIANCE TO THE CORNER SIDE SETBACK
(HOFMANN APPLICATION – 441 STICKNEY 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, Patrick and Vanessa Hofmann (“Applicants”) are the owners of the following property in the Town of Lyons:

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

aka 441 Stickney 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)(4) of the Lyons Municipal Code establishes a minimum corner side yard setback of 20 feet; 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 setback required by Sec. 16-3-150(d)(4) if the Board of Adjustments finds that all criteria have been satisfied in Sec. 16-14-70; and

WHEREAS, Applicant has applied for a variance to allow a 10-foot corner side yard setback in order to construct an Accessory Dwelling Unit; 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 Corner Side Yard Setback of the Subject Properties, as follows:

The applicable Corner Side Yard Setback shall be reduced from a **20-foot minimum to the proposed 10-foot setback for the property**. 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 would not be secured, and the granting of this variance would not do substantial justice. 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**

Chair Connie Eyster

ATTEST:

Dolores M. Vasquez, CMC – Town Clerk