

TOWN OF LYONS, COLORADO

**PLANNING AND COMMUNITY DEVELOPMENT
PCDC RESOLUTION # 2021-01**

**A RESOLUTION OF THE TOWN OF LYONS PLANNING AND COMMUNITY
DEVELOPMENT COMMISSION DENYING A CONDITIONAL USE OF A DETACHED
ADU AT 210 EWALD AVENUE**

WHEREAS, pursuant to C.R.S. § 31-23-301, the Town of Lyons (the “Town”) possesses the authority to regulate land uses within the Town of Lyons; and

WHEREAS, pursuant to Lyons Municipal Code (“LMC”) § 16-7-20 (f), the Planning and Community Development Commission (“PCDC”) for the Town, has the authority to recommend to the Board of Trustees (the “Board”) conditional uses including a detached Accessory Dwelling Unit (“ADU”); and

WHEREAS, Zachary Hancock (the “Applicant”), who owns with Lydia Holzman certain property within the Town, applied for a conditional use for a detached ADU on the property addressed as 210 Ewald Ave., Lyons, Colorado (the “Subject Property”); and

WHEREAS, the Subject Property is located in the R-1 (low-density residential) zoning district; and

WHEREAS, the PCDC conducted a public hearing following the provision of lawfully required notice to the public and found the Applicant failed to provide sufficient or competent evidence at the hearing as is necessary to establish the requirements for the granting of a conditional use for a detached ADU.

**NOW THEREFORE, BE IT RESOLVED BY THE PLANNING AND COMMUNITY
DEVELOPMENT COMMISSION OF THE TOWN OF LYONS, COLORADO, THAT:**

Section 1. The above recitals are hereby incorporated by reference.

Section 2. The PCDC hereby denies the Conditional Use Application for a:
1. Detached Accessory Dwelling Unit.

Section 3. The PCDC finds that the Applicant’s proposal fails to meet the applicable approval standards specified in Section 16-10-70 of the Lyons Municipal Code and further finds that the spirit of the Town Zoning Ordinance would not be observed, public safety and welfare would not be secured, and substantial justice would not be done by recommending the approval of a conditional use for a detached ADU. 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 Planning and Community Development Commission decision and is hereby incorporated into this Resolution.

**INTRODUCED AND APPROVED BY A VOTE OF A MAJORITY OF MEMBERS AT
PUBLIC HEARING DULY CONDUCTED IN ACCORDANCE WITH APPLICABLE LAW
THIS 9TH DAY OF AUGUST 2021.**

**PLANNING AND COMMUNITY
DEVELOPMENT COMMISSION FOR THE
TOWN OF LYONS, COLORADO**

David Hamrick, Chairperson

ATTEST:

Marissa Davis
Deputy Town Clerk