

**TOWN OF LYONS, COLORADO  
RESOLUTION 2020-142**

**A RESOLUTION OF THE TOWN OF LYONS, COLORADO  
APPROVING THE CONDITIONAL USE OF A DETACHED ADU AT 113 5<sup>TH</sup> AVE.**

**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; and

**WHEREAS**, pursuant to Lyons Municipal Code ("LMC") § 16-7-20, 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 the use of a detached accessory dwelling unit ("ADU"); and

**WHEREAS**, David and Cathleen DeCoster, the owners of certain property within the Town of Lyons, applied for a conditional use for a detached ADU on the property addressed as 113 5<sup>th</sup> Ave., Lyons, Colorado (the "Subject Property"); and

**WHEREAS**, the Subject Property is located in the R-1 zoning district; and

**WHEREAS**, the PCDC 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 recommend the conditional use application; and

**WHEREAS**, the Board of Trustees considered the Conditional Use Application at a duly noticed public hearing, as well as all comments and evidence presented at such hearing, on September 8, 2020; and

**WHEREAS**, the Board of Trustees has determined that the Conditional Use Application meets all applicable requirements of the LMC and advances the public health, safety, convenience, and general welfare of the residents of the Town.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF LYONS, COLORADO, THAT:**

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

Section 2. The Board of Trustees hereby approves the Conditional Use Application on the grounds that it meets the applicable approval standards specified in Sections 16-7-30 and 16-10-70 of the Lyons Municipal Code, as more fully set forth in the Staff Report for the Conditional Use Application for the August 24, 2020 public hearing, and that it otherwise furthers the public health, safety, convenience, and general welfare of the residents of the Town.


Section 3. Approval of the Conditional Use Application shall be and is subject to the following conditions of approval:

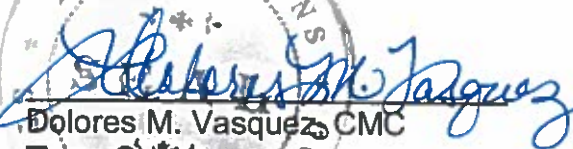
The final design of the ADU shall substantially conform to the preliminary design included in the Conditional Use Application.

Section 4. This Resolution shall become effective immediately upon adoption by the Board of Trustees.

ADOPTED THIS 8<sup>TH</sup> DAY OF SEPTEMBER 2020.

TOWN OF LYONS

  
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Nicholas Angelo, Mayor

ATTEST:  
  
Dolores M. Vasquez CMC  
Town Clerk  
