

February 11, 2016

The Board of Adjustment met at Afton City Hall at 4:30 PM February 11, 2016. Chairman Gary Hansen was absent at the start of the meeting so Roger Cheers was appointed to preside over the meeting with members Dawn Arnold, Keisha Brunner, Doug Tucker, Lynn Kruse and Linda Haner present. Gary Hansen arrived at 4:39 and took over as chair.

Linda moved to approve the agenda and Lynn seconded the motion. All voted aye and the motion carried.

Public Hearing:

The public hearing regarding the Special Exception request from Ruth Long to convert her main floor retail/office space at 266 N. Douglas into an apartment opened at 4:32 PM. The following had comments:

- Mary Hill spoke from 4:32 to 4:40 PM and presented a handout to the Board with many points as to why this shouldn't be allowed and asked the Board not to make a hasty decision and take the time to consider all the issues she mentioned, read the City Ordinances, the Smart Plan, and the Architectural Design Team recommendations to get the whole picture before considering the long-term impact on the square and the town.
- Wayne Hill spoke from 4:40 to 4:50 and mentioned he bought the Afton Star in '07, we need to promote what we have and have businesses in a business climate. He expressed that once that is lost he doesn't feel it would go back. He discussed the parking issue that Ruth Long also had complaints about when the Can Man was in town and that there is limited parking areas and having residents around the square is not a good thing.
- Gene Haner commented the Creston people are allowing this. Mary had noted Wayne Pantini with UCDA and Jeremy Rounds with SICOG didn't think it would be good for our town. Creston has an old dentist office on N. Maple with a person living in it now.
- Jennifer Seales had called and gave her comments to Toni Landers, City Clerk. Jennifer also agrees with Mary Hill and she would like to see it stay as a business. She just opened her salon and decided not to rent Ruth's building because she didn't feel it would be right since Patty's salon was so close but she asked if it might be for sale for another possible business. She was referred to contact Ruth regarding the purchase.
- Elizabeth Hagen wrote a letter for the board and it was brought in by Mary Hill. Toni, the Board Secretary, read the letter aloud. Elizabeth recently opened a business on the square and is opposed to a first floor viable business being turned into a residential dwelling. She believes it sends a wrong message to the businesses and also mentioned the problems with parking that is being taken away from businesses by people living in current apartments.
- Ruth Long was not able to attend due to a medical reason, so asked that her reasons be shared with the Board. Toni gave update to Board from Ruth. Ruth said she tried for 3 months to rent her main level out and made some inquires, but none came through. With winter here she didn't want it to set empty so she rented it as an apartment. She said it had been an apartment

on the main level in the past so she didn't know she needed the Special Exception. The renter is on a month by month basis and she would like to have a business or office rent but was unable to find anyone. She expressed to Mayor Burger she would much rather rent it to a business and keep it open but this was her only option at this time. Ruth also asked about an appeal process if her request was denied. Toni researched and the appeal process would be through the courts.

Questions were asked about other apartments on the square and if the special exception is permanent. Toni listed 4 special exceptions that had been granted (1997-Sandy Harris at 125 E. Kansas, 1999-Jacque Green at 200 N. Douglas, 2001-Helen Coleman at 250 N. Douglas and 2009-K'Lea Siddens at 258 N. Douglas). 3 of the 4 are no longer used as apartments and would need approval again if used that way. The zoning does not change with the special exception as the ordinance is not changed and these are still zoned Business Commercial properties.

Roger moved to not allow it to be an apartment and not approve the Special Exception request. No one seconded. The motion died.

Linda moved to allow Ruth to rent as an apartment month by month and continue to try to get a business in there. Dawn 2nd the motion. Roll call votes of ayes: Doug, Lynn, Linda, Keisha and Dawn. Nay vote: Roger. Motion carried.

Linda moved to adjourn and Dawn seconded the motion. All voting aye, the Board adjourned at 5:09 PM.

Gary Hansen, Chairman

ATTEST: _____
Toni Landers, City Clerk/BOA Secretary