

# COMMISSIONERS RECORD Q, DOUGLAS COUNTY

313

Term, 19

day of

19

No further business, the Board adjourned to meet on Wednesday, February 9, 1972.

ATTEST:

*D. E. Mathia*  
D. E. Mathia County Clerk

*Arthur A. Heck*  
Arthur A. Heck Chairman

February 9, 1972

The Board of County Commissioners of Douglas County met in regular adjourned session with all members of the Board present.

Approved the minutes of the meeting of February 7, 1972.

Comm. Orders  
# 970, 971 + 972

The Board approved Commissioners Cancellation Order Nos. 970, 971 and 972. Orders are on file in the office of the County Clerk.

Hearing: items  
relative to Law-  
Douglas Co. Plan.  
comm. recommendation  
of Jan. 26.

Had hearing of scheduled items relative to the recommendations of the January 26, 1972 meeting of the Lawrence-Douglas County Planning Commission. Planner McClanathan referring to item (2) of said minutes, which refers to the plats of Coal Creek estates, indicates that the commission had taken no action as they felt that the preliminary plat did not seem to be in proper order for consideration. Mr. McClanathan then presented to the Board item (3) of the minutes of January 26, 1972 Lawrence-Douglas County Planning Commission meeting, which item refers to the final replat of Rancho Verdes estates. The plat is submitted by Mr. Rees Jackman. After due discussion it was moved by Mr. Cragan and seconded by Mr. Ice that the final plat of Rancho Verdes estates be accepted subject to the following requirements:

Coal Creek estates -  
no action - not in  
proper order

Rancho Verdes  
estates accepted  
with require-  
ments

- (1) That additional utility easements requested by the utilities companies be provided and approved by the planning department.
- (2) That a performance bond in the amount of \$2,000 be provided to assure proper pinning of the lots.
- (3) That bonding as required by the office of County Engineers be provided to insure improvement of roads and drainage.

Rezone 15.2 acres  
from A-1 to A  
submitted by  
N. R. Hamm.  
Request accepted.

Motion carried unanimously. Planner McClanathan then presented to the Board item (7) of the aforementioned minutes which relates to a request to rezone approximately 15.2 acres from A1 (County Home Residential) to A (Agricultural). This property is generally described as being two miles south of U. S. 40 and two and one-half miles east of the County Road #1029. The request is submitted by N. R. Hamm, President of N. R. Hamm Quarry, Inc. After due discussion it was moved by Mr. Ice and seconded by Mr. Cragan that we accept the recommendation of the Lawrence-Douglas County Planning Commission which was to approve this request for rezoning. Motion carried unanimously. The rezoning will be effective upon proper publication. Mr. McClanathan then presented item (8) of the aforementioned minutes which is a request for conditional use permit to allow for a rock quarry affecting approximately 160 acres located two miles south of U. S. 40 and two miles east of County Road #1029 (NE 1/4, S12, T13, R18). The request is submitted by N. R. Hamm Quarry, Inc. After due discussion it was moved by Mr. Cragan and seconded by Mr. Ice that the recommendation of the Planning Commission, which was for granting of the request, be accepted with the following stipulation:

Request for N. R.  
Hamm Quarry  
for conditional  
use permit for  
rock quarry  
with stipulation  
accepted

"That a condition of the issuance of this conditional use permit shall be that a letter signed by an executive officer of the corporation of N. R. Hamm Quarry, Inc. shall be forwarded to the office of the Planning Director and shall set out the proposed plan of operation of the quarry and the manner in which the area will be restored. Copies of this letter should be on file also in the offices of the County Zoning Administrator and the Douglas County Commission."

Homer Fickel  
hearing: to rezone  
33.5 acres from  
A to B-2. Request  
denied.

Motion carried unanimously. Before discussing item (6) of the aforementioned minutes, the meeting was adjourned to the District Court room because the crowd had reached the point where it was inadvisable to hold the meeting in the county room. Mr. McClanathan then presented item (6) of the aforementioned minutes, which was a request to rezone approximately 33.5 acres from A (Agricultural) to B2 (General Business). The area is generally described as being on the south side of U. S. 40, directly east of Big Springs, Kansas. The request is submitted by Mr. Jim Brass and Mr. Homer Fickel. Attorney Scott Jarvis represented Mr. Fickel at the hearing. Counselor Dan Young was present. During ensuing testimony and discussion, Director McClanathan advised the Board that a protest petition had been received representing some 70% of the land owned by those who were notified by mail of the action as legally required. Mr. McClanathan further indicated that the protest petition carried thirty-four signatures again representing property owners who were officially notified of the request for rezoning. The hearing, pro and con, comments relative to the request for rezoning, it was moved by Mr. Ice and seconded by Mr. Cragan and carried unanimously that this Board accept the recommendations of the Lawrence-Douglas County Planning Commission which was for the denial of the request for rezoning.

Mrs. Eddina Giffin  
re. additional rock  
in Long Shadows

Noted receipt of a letter from Mrs. Eddina Giffin acknowledging receipt of our letter to her on February 7 setting out an agreement whereby additional rock would be added to one certain road in Long Shadows subdivision.

Boiler report from  
Treanor Co.

The Board noted receipt of a boiler control report from Treanor Company. A copy of the report was given to Mr. Skeet for his records.

Salary increase  
for Joyce Seal

The Board noted receipt from Judge Charles Rankin of a request for a six months length in service increase in salary for Joyce Seal, clerk in the County Court. Judge Rankin