

COMMISSIONERS RECORD R, DOUGLAS COUNTY

Term, 19

day of

19

*granted permit-
rock quarry-
Eudora town-
ship.*

fore the Board to present the Board items relative to March 24, 1976, Lawrence-Douglas County Planning Commission minutes. Mr. McClanathan first presented Item No. 6 which item relates to request for conditional use permit to allow for a rock quarry generally located upon a forty acre tract at the northwest corner of the intersection of Eudora Township Roads No. 45 and 138. The application was submitted by Reno Construction Company. Mr. Maurice Reno and Mr. Jim Elliott, representing Reno Construction Company, informed the Board of the manner in which the quarry would be operated if permit were granted. Following due discussion it was moved by Mr. Stoneback that the Board accept the recommendation of the planning commission which was for granting of the permit subject to six specific conditions as set out in the planning commission minutes of March 24 with the addition to condition No. 5 of said minutes as follows:

"and that such bond shall also insure the restoration of those parts of Township Roads 45 and 138 which may have been used by the quarry operation to their original condition or as might otherwise be agreed in accordance with condition No. 3, and further that relative to amount of bond that the required bond be in the amount of \$60,000.00."

Motion was seconded by Mr. Whitenight and carried unanimously.

*accepted final
plat - Berg
acres #2.*

Mr. McClanathan then presented to the Board Item No. 3 of the March 24 minutes of the Lawrence-Douglas County Planning Commission which item relates to the final plat of Berg Acres No. 2. Following review of the plat it was moved by Mr. Whitenight that the Board approve the recommendation of the planning commission which was for acceptance of the final plat and that this Board herewith accept the dedication of right-of-ways and easements subject to the following conditions:

1. That any required road plans and profiles be reviewed and approved by the County Engineer.
2. That in lieu of immediate completion of all public roadways meeting County standards a performance bond or cash escrow deposit, in an appropriate amount determined by the County Engineer and set by the Board of County Commissioners, be filed with the County Commission to insure completion of required road improvements.
3. That the subdividers Engineer file a letter with the Planning Office stating that all lots have been pinned.

Motion was seconded by Mr. Stoneback and carried unanimously.

*Zoning:
Text Amendment
Zoning Regulations.*

Mr. McClanathan then presented to the Board Text Amendment which would amend Article 19, Section 19-1 of the Zoning Regulations for the unincorporated Territory of Douglas County, Kansas. Following due discussion of the proposed text amendment it was moved by Mr. Stoneback that the following amendment be adopted:

"If a written protest against a conditional use request is filed in the office of the County Clerk within fourteen (14) days after the date of the conclusion of the planning commission public hearing, duly signed and acknowledged by the owners of more than fifty (50) percent of the total area (excepting public streets, roads, and ways) which is located within one thousand (1,000) feet of the boundaries of the property for which the conditional use is proposed that conditional use shall not be approved except by a unanimous vote of all members of the Board of County Commissioners voting on the request."

Motion was seconded by Mr. Whitenight and carried unanimously. This text amendment shall become effective following legal publication.

No further business, the Board adjourned to meet on Thursday, April 15, 1976.

ATTEST:

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

Arthur A. Heck
Arthur A. Heck Chairman

April 15, 1976

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 April 14, 1976.