

COMMISSIONERS RECORD 5, DOUGLAS COUNTY

Term, 19

day of

19

Lechman Co., Inc. Register No. 18452-13-79

3-1.06 Basement. That portion of a building which is partially or wholly below ground level. This portion is not a completed structure and serves as a substructure or foundation for a building.

3-1.25 Dwelling. Any building or portion thereof designed or used for residential purposes. This shall include structure designed as underground structures but shall not include trailers or mobile homes.

3-1.70 Structures. Anything, other than a fence or retaining wall constructed or erected, which requires location on the ground or attached to something having a location on the ground including but not limited to advertising signs, billboards, posterboards, and mobile homes.

3-1.70a Underground Structures. Any completed building that was designed to be built partially or wholly underground. A completed structure which was not intended to serve as a substructure or foundation for a building.

Four types of underground structures are recognized by this resolution; they are:

- 1) Elevational: Wall exposed;
- 2) Atrium or Courtyard;
- 3) Penetrational: Wall Openings; and,
- 4) Chamber.

The planning staff recommended forwarding of the text amendment to the Board of County Commissioners with a recommendation for approval. The Planning Commission made the motion to forward this text amendment to the County Commission with a recommendation for approval which carried unanimously. After discussion on this matter it was moved by Mr. Neis that we approve the text amendment to amend Articles 3-1.06, 3-1.25, and 3-1.70 of the Zoning Regulations for the Unincorporated Portion of Douglas County to allow underground structures in the county, seconded by Mr. Cragan, and carried unanimously.

No further business, the Board adjourned to meet on Thursday, March 22, 1979.

ATTEST:

D. E. Mathia

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County Clerk

Beverly A. Bradley

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Chairman

March 22, 1979

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 March 21, 1979.

The Board noted receipt of an application for a cereal malt beverage license from Floyd E. Pulse for use at Floyd's Bait & Tackle, Route 5, Lawrence, Kansas. The application was signed and remitted to the Wakarusa Township Board.

The Board noted receipt of a letter from Department of Housing and Urban Development signed by Thomas S. Kilbride, Area Manager, dated March 20, 1979, relative to Audit of Community Development Block Grant (CDBG) Funds, August 27, 1975 - June 12, 1978, with the following determination:

Finding No. 4 - Planning and Development - Disallowed Costs: \$7,000

Since the Central Office has waived Section 570,400(e) of the regulations dated February 7, 1975, the planning and development costs totaling \$7,000 are now considered eligible program expenditures for Douglas County's CDBG Program No. B-75-DN-20-0011. No further action is deemed necessary regarding this finding.

Wayne Kellum, zoning administrator, appeared before the Board to request the approval of an easement for a private road for purposes of obtaining a building permit for Roger Barnes. Mr. Kellum indicates that this request is for an easement 25 feet in width, commencing at the South 1 acre of the West 3 acres of the Northeast 1/4 of the Northeast 1/4 of the Northwest 1/4 of Section 28, Township 12, Range 19, Douglas County, Kansas. This 25 foot easement will serve as an ingress and egress for one residence. After review of this request it was moved by Mr. Neis that the Board approve this private way for the issuance of the building permit for development of a residence on Mr. Barnes' property, seconded by Mr. Cragan, and carried unanimously.

The Board noted receipt of a letter from Gary Condra, Executive Director, Cottonwood, Incorporated stating that Cottonwood, Incorporated is applying for funds in the amount of \$10,437 under the Urban Mass Transportation Administration (capital grant program). These funds will be used for the purchase of a fifteen passenger van to replace a vehicle purchased in 1975, and will be used to provide services to handicapped adults primarily from Douglas and Jefferson counties. Mr. Condra requested the Board of Commissioners to support the purchase of this replacement vehicle by writing a letter to the Kansas Department of Transportation. After discussion it was moved by Mr. Cragan that the Board write a letter to the Kansas Department of Transportation supporting the purchase of this replacement vehicle, seconded by Mr. Neis, and carried unanimously.

*Beer Lic.
Floyd Pulse*

*CDBG Funds
Audit 9/5-6/78*

*Zoning app.
Private road
Roger Barnes*

*Cottonwood:
Apply Urban Mass
Trans. for 15
passenger bus*