

# COMMISSIONERS RECORD 5, DOUGLAS COUNTY

Term, 19

day of

19

509

was moved by Mrs. Hiebert that this Notice to Contractors be approved and the quotations be received until 10:00 a.m., CDST, April 25, 1983, and then publicly opened in the Office of the Douglas County Commissioners, seconded by Mrs. Bradley, and carried unanimously.

Mr. Neis absented himself from the meeting at 9:45 a.m. to attend a funeral.

*Plan. Comm.  
Lake Est. #3*

At the hour of 10:00 a.m., the Board discussed two planning items with David Guntert, staff member of the Lawrence-Douglas County Planning Department, and Wayne Kellum, zoning administrator. The Board considered Item No. 6 from the Lawrence-Douglas County Planning Commission minutes of January 26, 1983. This item is a final plat of Lake Estates Subdivision #3, a nine-lot plat containing approximately 95.64 acres. This property is located east of Kanwaka Township Road #54 and north of Clinton Parkway, submitted by Landplan Engineering for Russel & Betty Houk and Donald & Evelyn Breithaupt. Also present were John Selk, engineer; John Lungstrum, attorney; and Brian Kubota, architect. After discussion it was moved by Mrs. Hiebert that the Board approve the dedications and easements, subject to the following conditions:

(1) The applicant's engineer certify the lots have been pinned or a performance bond be submitted to the Planning Office to guarantee pinning of the lots. Also a performance bond or letter of credit filed with the Douglas County Public Works Department to assure completion of the roads within the subdivision.

(2) No building allowed within 50 feet of the natural drainage-way as shown on the plat.

(3) Sanitary sewers are required within Lake Estates No. 3, Lots 1 through 9, under any of the following conditions and shall be added to the final plat:

a. Whenever a sanitary sewer system has been located within 200 feet of a lot, said lot, if improved, shall be required to attach to said sewer system.

b. Said lots shall be part of any public benefit district hereafter established. This provision shall be construed as a covenant running with the land that the lot owners consent to the inclusion of respective lots in any such benefit district.

c. Prior to the subdivision of any lot.

d. Until such time as a sanitary sewer system is required, each of said Lots 1 through 9 may have not more than one septic system serving not more than one residence.

When a sanitary sewer system to serve said Lots 1 through 9 has been established by the governing body of any municipality exercising jurisdiction for such purposes, a certified copy of the ordinance, resolution or minutes of the official action establishing such benefit district shall be filed of record with the Register of Deeds of Douglas County, and thereafter Lots 1 through 9 may be subdivided in accordance with then existing laws or regulations pertaining to subdivision of said property.

Motion seconded by Mrs. Bradley, and carried.

*CUP Palmyra  
fire equip. bldg.*

The Board then considered Item No. 6 from the Lawrence-Douglas County Planning Commission minutes of March 23, 1983. This item is a request for a Conditional Use Permit for a storage building for fire and other equipment for Palmyra Township. The property is located approximately 1/2 mile north of Baldwin City on the east side of County Road 1055, submitted by Max Moore for the Palmyra Township Board. This item comes to the Board with a unanimous recommendation for approval subject to conditions. After discussion it was moved by Mrs. Hiebert that the Board approve the CUP subject to the following conditions:

(1) The location of site entrance shall be subject to the final approval of the County Engineer.

(2) Any improvement or change to the existing drainage shall be subject to the final approval of the County Engineer.

(3) The Township and builder shall be notified of potential soil hazards on the site.

(4) The legal description be clarified.

Motion seconded by Mrs. Bradley, and carried.

*Weed Dept.  
hunch sprayer*

Jerry Kemberling, noxious weed director, appeared before the Board with a quote from Westheffer Company, Lawrence, for the purchase of a 100-042 roadside sprayer in the amount of \$693.15. Mr. Kemberling recommended that this quote be approved. After discussion it was moved by Mrs. Hiebert that this recommendation be approved, seconded by Mrs. Bradley, and carried.

Mr. Neis returned to the meeting at 11:35 a.m.

No further business, the Board adjourned to meet on Thursday, April 14, 1983.

ATTEST:

*Patty Jaimes*  
Patty Jaimes County Clerk

*Robert Neis*  
Robert Neis Chairman