

COMMISSIONERS RECORD R, DOUGLAS COUNTY

305

Term, 19

day of

19

The World Co., Lawrence, Kansas 7085-8-77

February 16, 1977

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 14, 1977.

Comm. Order:
#1620 + #1621

The Board approved Commissioners Cancellation Order No. 1620 and 1621. Orders are on file in the office of the County Clerk.

Township: disc.
Condition of Eudora
roads for Reno haul
Asphalt agreement

The Board met with representatives of the Eudora Township Board; Wayne Kellum, zoning administrator; Dean Sanderson, public works director; representatives of Reno Construction Company; and a representative of the State Department of Transportation to discuss the development of an agreement on Eudora township roads which will be effected as haul roads for the asphalt contract which Reno Construction holds for the finishing of K-10 Highway. After discussion on the matter it was agreed that the parties to the agreement as required in the conditional use permit would hold an on site inspection on February 16, 1977 to review the various conditions and requirements which might be included in the required agreement. Subsequent to the inspection the director of public works and the zoning administrator will collaborate to develop the agreement required for the conditional use permit based on these inspection notes. This agreement will then be signed by the public works department, Eudora Township Board, and representatives of the Reno Construction Company.

Rev. Shar:
Statement of
Assurances

Ernest Coleman, federal funds consultant, appeared before the Board to present for the chairman's signature a Statement of Assurances which must be issued to the office of General Revenue Sharing which document refers to specific requirements for use hearings, budget hearings, publication, and general requirements for the handling of revenue sharing money received from the federal government. After discussion on the matter it was moved by Mr. Neis that the chairman sign this document, seconded by Mrs. Bradley, and carried unanimously.

Plan. Comm. disc.
CUP 12-6-76 LRM
Sand removal +
processing

At the appointed hour of 10:00 a.m., Mr. Jim Hewitt of the Lawrence-Douglas County Planning Commission appeared before the Board to present planning items from the Lawrence-Douglas County Planning Commission minutes of January 26, 1977, for our review and determination. The first item presented was the request for a Conditional Use Permit on CUP-12-6-76 submitted by LRM Industries, Inc., requesting approval for a sand removal and processing operation to be conducted within and adjacent to portions of Lake View Lake in Douglas County. A lengthy review was conducted of the request and of the six conditions which had been placed upon that request by the planning commission. Much of the discussion focused around condition No. 4 which requires the applicant to enter into an agreement with the Board of County Commissioners and the Wakarusa Township Board in regard to maintenance of County Road 1041 and Township Road 28-A and the necessity of filing a performance bond to insure such maintenance. After considerable discussion on the matter it was moved by Mr. Neis that the Board take this request under advisement to discuss in detail the terms of condition No. 4 so that those terms may be clarified and spelled out specifically and at that time make a judgement as to the merit of the request as a whole. This motion was seconded by Mrs. Bradley and carried unanimously.

Plan. Comm. defer
#10 reg. zone change
Clinton - Brink

The second matter presented by Mr. Hewitt was Item No. 10, a request for a zoning change listed as Z-10-25-76 which is a request to rezone approximately 21 acres from A (Agriculture) to B-2 (General Business). The area requested for rezoning is generally described as being located on the west side of Clinton Reservoir access Road "A", approximately 4000 feet south of Kanwaka Township Road 19. This request was submitted by William J. Brink. Mr. Brink appeared before the Board and requested that this matter be deferred for a period of three months until such time as the planning commission can complete its review of the commercial needs within the Clinton Reservoir Area Mini-Comprehensive Plan. After a brief discussion on Mr. Brink's request it was moved by Mr. Neis that this three months deferral be approved, seconded by Mrs. Bradley, and carried unanimously.

Plan. Comm. deny
#11 reg. zone change
Fickel

The third matter presented by Mr. Hewitt was Item No. 11, a rezoning request Z-11-27-76 which is a request to rezone approximately 12 acres from A (Agriculture) to B-2 (General Business). The area requested for rezoning is generally described as being located on the south side of U.S. Highway 40, approximately 1500 feet west of Count Road 1025. This request was submitted by Homer Fickel. The Board heard discussion both in favor and opposed to this request and after having heard all of the testimony presented, the motion was made by Mr. Neis that the Board concur with the unanimous recommendation of the planning commission that this request be denied as there had not been changes in conditions of the general area which would warrant additional commercial zoning. This motion was seconded by Mrs. Bradley and carried unanimously.

Zoning: app.
Zoning board
rules amended
+ changed.

Mr. Hewitt then presented Item No. 17 which is a recommendation from the planning commission for text amendments which would amend Articles 19, 24, and 26 of the Zoning Regulations for the Unincorporated Territory of Douglas County, Kansas, as amended by:

1. Amending Section 19-1 to read as follows:

Section 19-1

19-1.01. Recognizing that certain uses may be desirable when located in the community, but that these uses may be incompatible with other uses permitted in a district, certain conditional uses listed in Section 19-4