

April 21, 1980

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 16, 1980.

*Comm. Order
1953 & 1954*

The Board approved Commissioners Cancellation Order No. 1953 and 1954. Orders are on file in the office of the County Clerk.

*Personnel Employ
E. Rousselo*

Mike Dooley, public works director, appeared before the Board to recommend the employment of Earl J. Rousselo, in the position of temporary, common laborer (summer), at the rate of \$3.75 per hour, effective April 21, 1980. After discussion it was moved by Mr. Neis that this recommendation be approved, seconded by Mr. Cragan, and carried unanimously.

*Weed Dept. app
Agree to treat weeds
RR & Fish & Game*

The Board signed the following two Agreements to Treat Noxious Weeds: (1) between Douglas County and the AT&SF Railroad, and (2) between Douglas County and the Kansas Forestry Fish and Game.

*Plan. Comm. app.
Text amend to
subd. reg. in re
to replat*

At the hour of 10:00 a.m., the Board discussed planning items with Garner Stoll, acting director of the Lawrence-Douglas County Planning Department; David Guntert and Linda Finger, planning staff members; and Wayne Kellum, zoning administrator. The first item discussed was Item No. 11 from the minutes of the Lawrence-Douglas County Planning Commission meeting of December 19, 1979. This item is a proposed text amendment to the Subdivision Regulations to allow the sale of individual residential units without replatting. Mr. Stoll then presented Douglas County Resolution No. 80-15 and City of Lawrence Ordinance No. 5137, which is a Joint Resolution of the Board of County Commissioners of Douglas County, Kansas, and an Ordinance of the City of Lawrence, Kansas, amending the Exemptions Section of the Subdivision Regulations (Chapter 20, Article 1A, Section 1A05 of the City of Lawrence and Article 1, Section 104A of Douglas County, Kansas), to include a definition of land described by metes and bounds. Now therefore, be it resolved by the Board of County Commissioners of Douglas County, Kansas:

SECTION I. Chapter 20, Article 1A, Section 1A-5 of the City of Lawrence, and Article 1, Section 104A of Douglas County, Kansas, is hereby amended and changed to read as follows:

20-1A05. EXEMPTIONS. Notwithstanding the requirements of Section 20-1A04 of this article, these regulations shall not apply to the following:

- a. A division of a tract of land for agricultural purposes, when such division does not involve the creation of any new public streets, roads, or easements.
- b. A division of a tract of land for residential purposes located in the unincorporated area of Douglas County, when such division does not include the creation of any new public streets, roads, or easements: Provided, That the division of a tract of land into more than three (3) lots, any one of which is less than five (5) acres, shall not be exempt from these regulations.
- c. Any transfer by testamentary disposition.
- d. The subdividing of any land used exclusively for cemetery purposes and accessory uses associated therewith.
- e. The vacation of land impressed with a public use.
- f. The division of platted property to allow the sale of individual attached residential units if found consistent with the following conditions:
 - 1) The land has been developed by the construction of a townhouse dwelling and is occupied by such dwellings as defined by 20-1A42(39).
 - 2) That land being divided and transferred under this exemption (20-1A05f) is covered by a recorded declaration of covenants subjecting the land and improvements thereon to procedures and conditions regulating the manner in which improvements may be expanded, reconstructed and maintained.
 - 3) No declaration of covenants as required by Section 20-1A05(F)(2) shall provide for the ownership of any common area of land unless there are at least ten residential units combined under one such declaration. (Code of 1975, Sec. 20-1A05).

SECTION II. Chapter 20, Article 1A of the City of Lawrence and Article 1, Section 104 of Douglas County, Kansas, are hereby repealed and of no further force and effect.

After discussion it was moved by Mr. Neis that this resolution be approved, seconded by Mr. Cragan, and carried unanimously.

*Text amend.
definition of
townhouse*

The next item discussed was Item No. 9 from the minutes of the Lawrence-Douglas County Planning Commission meeting of March 26, 1980. This item is a text amendment to the definition section of the Subdivision Regulations to include a definition of townhouse. Mr. Stoll then presented Douglas County Resolution No. 80-16 and City of Lawrence Ordinance No. 5159, which is a Joint Resolution of the Board of County Commissioners of Douglas County, Kansas, and an Ordinance of the City of Lawrence, Kansas, amending the Exemption Section of the Subdivision Regulations (Chapter 20, Article 1A, Section 1A42 of the City of Lawrence and Article 9, Section 901 of Douglas County, Kansas), to include a definition of townhouse. Now therefore, be it resolved by the Board of County Commissioners of Douglas County, Kansas: