

New Cases

23. Case No. CU-156 - Donald H. Kirk requests approval of a conditional use to establish a metal agricultural storage building on the south 299 feet of the west 437.06 feet of the east 874.12 feet of the N 1/2 of the SE 1/4 of the NE 1/4 of Section 7, Township 27 South, Range 1 West. Generally located approximately 1/4 mile south of 21st Street North in an area west of Maize Road:

LAKIN pointed out the area on the map and reviewed the following staff report:

Comments

1. The applicant is requesting approval of a conditional use permit on approximately 3 acres of land, to allow the construction of a metal agricultural storage building to be used for the storage of alfalfa, hay, farm equipment and storage of non-related farm equipment, on property zoned "R-1" Suburban Residential.
2. Section 4.10 p) of the County Zoning Resolution provides that "farm buildings may be used for non-agricultural storage until such time as there are located within a 500-foot radius a total of 5 residential units." The resolution further provides under Section 14.A.6 that "registration is required with the authorized agent of the County Commission (County Zoning Administrator) of farm buildings used for non-agricultural storage for a period exceeding six (6) months" in the "R-1" zone.
3. The applicant's entire ownership is located on a major street (Maize Road) and additional right-of-way is needed to comply with the 50-foot half right-of-way requirement. This could be dedicated by separate instrument.
4. In the event the Planning Commission recommends approval of the Conditional Use request, the following conditions would be consistent with previous applications for these uses:
 1. Registration with the County Zoning Administrator the type of non-agricultural storage that will occur in farm buildings.
 2. Dedication by separate instrument the necessary right-of-way to provide for 50 feet of half right-of-way for Maize Road.
 3. The use of land shall be limited to residential, agricultural, and non-agricultural storage that will occur only in agricultural buildings.

LAKIN said the staff would recommend approval, subject to the conditions shown in the staff report.

DOUG JOHNSON, attorney for the applicant, appeared in support of the request. No one appeared in opposition.

MOTION: That the Planning Commission recommend to the County Commission that this application be approved subject to:

1. Registration with the County Zoning Administrator the type of non-agricultural storage that will occur in farm buildings.
2. Dedication by separate instrument the necessary right-of-way to provide for 50 feet of half right-of-way for Maize Road.
3. The use of land shall be limited to residential, agricultural, and non-agricultural storage that will occur only in agricultural buildings.

Arnholz moved, Kamen seconded and it carried unanimously. (Rising, Gardenhire and Hopper absent.)

Hennessy was excused from the meeting.

24. Case No. DP-49 - Lindy Andeel and Frank Carney request approval of an amendment to Cobblestone Alley commercial CUP on property legally described as follows: Lot 2 and Reserve "A", Block 1, Dean Ruppert First Addition and Lot 1 and Reserve "A" in Block "A", Dean Ruppert Second Addition, except beginning at approximately 651' S and 60' E of the NW corner of the NW Quarter, Sec. 20, T27S, R2E of the 6th P.M., said point being the SW corner of the 140' by 175' tract of land owned by KG&E Company; thence S 120', thence E 175', thence N 120'; thence W 175' to the point of beginning, being a part of Lot 1, Block "A", Dean Ruppert's Second Addition. Generally located at the southeast corner of Central and Rock Road.

LAKIN pointed out the area on the map and reviewed the following staff report:

Comments

1. In February 1973, a CUP for Cobblestone Alley was considered and approved. The applicant has now submitted an amendment on one of the previously approved parcels. The revised development proposes the following general amendment:
 - a. Reduction of the 30-foot building setback to 15 feet adjacent to the south line of Parcel B for the west 100 feet thereof.