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RESOLUTION NO. A#319-1987

CASE NO. CU-308

A RESOLUTION TO ESTABLISH A HORSE BOARDING FACILITY AND RIDING ACADEMY IN THE "R-1" SUBURBAN RESIDENTIAL DISTRICT ON CERTAIN LANDS LOCATED WITHIN THE UNINCORPORATED AREA OF SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED IN SECTION 17.C OF THE ZONING REGULATIONS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, DECEMBER 12, 1984.

BE IT RESOLVED BY THE GOVERNING BODY OF SEDGWICK COUNTY, KANSAS.

SECTION I. That after receiving a recommendation from the Wichita-Sedgwick County Metropolitan Area Planning Commission, and after said Planning Commission has given proper notice and held a public hearing as provided by law, and under authority granted by Section 17.C of the Zoning Regulations, a Conditional Use Permit to establish a horse boarding facility and riding academy in the "R-1" Suburban Residential District is hereby approved on the lands legally described as follows:

The east 500 feet of the south 500 feet of the W½ of the N½ of the E½ of the SW¼ of Section 22, Township 26 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas. Generally located north of 45th Street North, approximately 1/3-mile east of Hydraulic.

SUBJECT TO THE FOLLOWING:

1. The applicants shall comply with all applicable Health Department regulations.
2. This conditional use shall not be construed as permitting horse shows except those associated with the riding academy.
3. Any future buildings constructed on subject property shall maintain setbacks as required in the Sedgwick County Zoning Regulations.
4. Adequate off-street parking areas shall be provided for the uses contemplated on subject property as determined by the County Zoning Administrator.

SECTION II. That upon the taking effect of this Resolution, the notation of such Conditional Use approval shall be entered in the official zoning atlas on file in the Office of the County Zoning Administrator and in the Office of the Wichita-Sedgwick County Metropolitan Area Planning Commission.

SECTION III. That this Resolution shall take effect and be in force from and after its adoption and publication in the official county paper.

PASSED AND ADOPTED by the Board of County Commissioners at Wichita, Kansas, this 14th day of October, 1987.

Tom Scott, Chairman
Tom Scott

Mark F. Schroeder, Chairman pro tem
Mark F. Schroeder

David Bayouth, Commissioner
David Bayouth

Bernard A. Hentzen, Commissioner
Bernard A. Hentzen

Billy Q. McCray, Commissioner
Billy Q. McCray

ATTEST:

Don Wright, County Clerk
Don Wright, County Clerk
(SEAL)

Approved as to form by County Counselor

Robert R. Arnold, County Counselor
Robert R. Arnold, County Counselor

SEPTEMBER 17, 1987

STAFF REPORT

CASE NUMBER: CU-308

OWNER/APPLICANT/AGENT: Wilbur A. and Joan A. Neal (applicant)

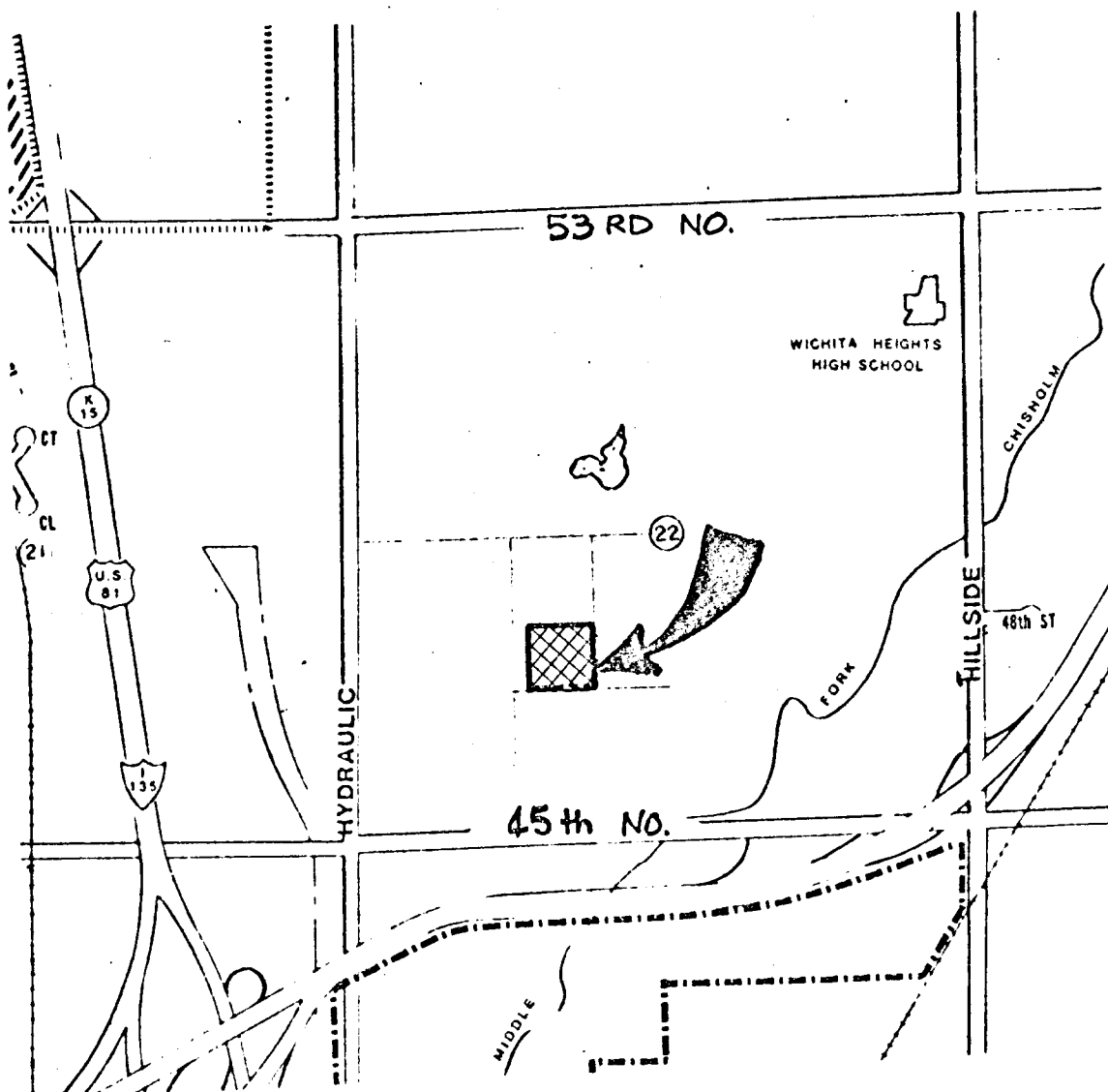
REQUEST: Conditional Use permit to establish a horse boarding facility and riding academy

CURRENT ZONING: "R-1" Suburban Residential

SITE SIZE: 6.3 acres

LOCATION: North of 45th Street North, approximately 1/3-mile east of Hydraulic.

PROPOSED USE: Horse boarding facility and riding academy



BACKGROUND: The applicants are requesting a conditional use permit for a horse boarding facility and riding academy on 6.3 acres of a 20-acre tract located 1/3-mile north of 45th Street North and 1/3-mile east of Hydraulic. Access to the site is by means of a 15-foot ingress/egress easement out to 45th Street. The applicants recently applied for a building permit to construct a pole barn and covered riding area adjacent to an 8,400 square foot barn with stalls for 22 horses. They stated that some of the horses are owned by others and are boarded there. Also, riding lessons are given at this site. These uses (horse boarding and riding academy) were not established prior to adoption of zoning regulations in this area in 1958, therefore they are not legal nonconforming uses but uses which require a conditional use permit in the "R-1" district. Because of the 20-acre size of the applicants' entire ownership, they may be exempt from platting but will need to go through the platting exemption review procedure before building permits can be issued.

CASE HISTORY: None.

ADJACENT ZONING AND LAND USE:

NORTH	R-1	Undeveloped
SOUTH	R-1	Agriculture
EAST	R-1	Agriculture
WEST	R-1	Agriculture

PUBLIC SERVICES: Private sewer and water systems serve the site with no additional services being required for the uses requested. Forty-fifth Street North is a County-maintained gravel road.

CONFORMANCE TO PLANS/POLICIES: The Comprehensive Plan identifies the use of this area as agricultural until the year 2000.

RECOMMENDATION: A recommendation of approval should be subject to the following conditions:

1. The applicants shall comply will all applicable Health Department regulations.
2. This conditional use shall not be construed as permitting horse shows except those associated with the riding academy.
3. Any future buildings constructed on subject property shall maintain setbacks as required in the Sedgwick County Zoning Regulations.
4. Adequate off-street parking areas shall be provided for the uses contemplated on subject property as determined by the County Zoning Administrator.