

R# 53-1988

Published in The Daily Reporter on March 23, 1988

RESOLUTION NO. 53-1988

A RESOLUTION TO ESTABLISH A HORSE TRAINING AND BOARDING FACILITY IN THE "R" RURAL 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 training and boarding facility in the "R" Rural Residential District is hereby approved on the lands legally described as follows:

CASE NO. CU-311

The  $W\frac{1}{2}$  of the  $NE\frac{1}{4}$  of Section 27, Township 25 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas; Except a tract described as beginning at the northeast corner of said  $NW\frac{1}{4}$  of the  $NE\frac{1}{4}$  of said Section 27; thence south along the east line of said  $NW\frac{1}{4}$  of the  $NE\frac{1}{4}$ , a distance of 726 feet; thence west parallel to the north line of said Section 27, 300 feet; thence north parallel to the east line of said  $NW\frac{1}{4}$  of the  $NE\frac{1}{4}$ , a distance of 726 feet to the north line of said Section 27; thence east along the north line of said Section 27, 300 feet to the point of beginning. Generally located on the south side of 93rd Street North approximately 1/3-mile west of Hillside.

SUBJECT TO THE FOLLOWING:

1. Approval of this conditional use is for a horse training and boarding facility only. The approval of this request shall not be construed as permitting rodeos or other horse shows open to the public.
2. The applicants shall dedicate by separate instrument 50 feet of half-street right-of-way for 93rd Street North adjacent to this application area prior to this request being forwarded to the County Commission for final consideration and within 60 days or this application shall be considered denied and closed.
3. The applicants shall grant by separate instrument a Floodway Easement Agreement covering the floodway area as determined by the Sedgwick County Bureau of Public Services. This shall be granted prior to this request being forwarded to the County Commission for final consideration and within 60 days or this application shall be considered denied and closed.
4. The applicants shall comply with all applicable regulations of the County Health Department.
5. All buildings constructed on site shall observe the setback and height limitations of the Sedgwick County Zoning Regulations.
6. 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 2d day of March, 1988.

Mark F. Schroeder, Chairman  
Mark F. Schroeder

Billy Q. McCray, Chairman pro tem  
Billy Q. McCray

David Bayouth, Commissioner  
David Bayouth

Tom Scott, Commissioner  
Tom Scott

Bernard A. Hentzen, Commissioner  
Bernard A. Hentzen



Don Wright  
Don Wright, County Clerk 3-2-88

(SEAL)

Approved as to form by County Counselor

Robert R. Arnold  
Robert R. Arnold, County Counselor

STAFF REPORT

CASE NUMBER: CU-311

OWNER/APPLICANT/AGENT: Frederick V. Berschauer and  
Edward L. Teets (applicants)

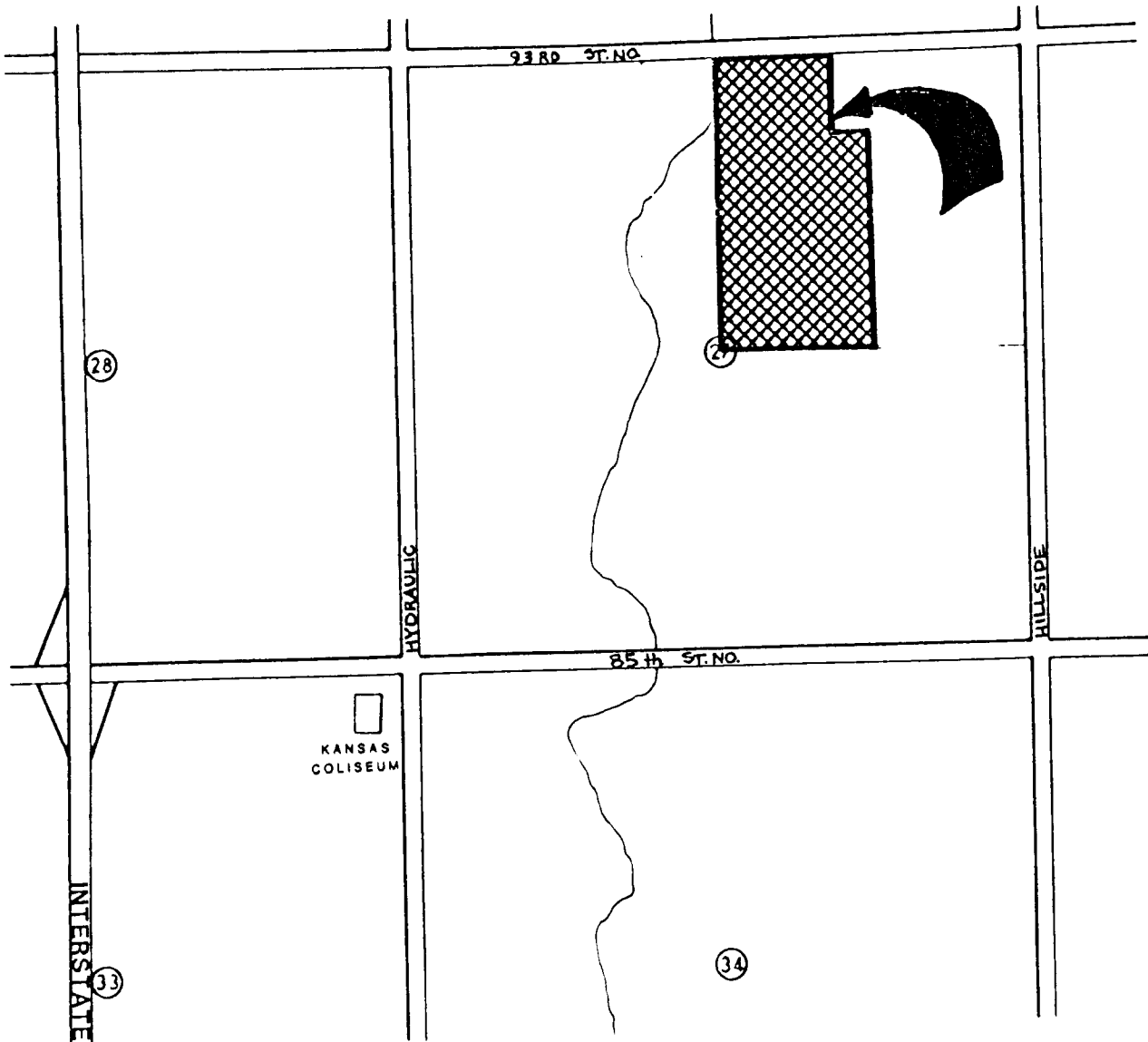
REQUEST: Conditional Use Permit for a Horse Training and  
Boarding Facility

CURRENT ZONING: "R" Rural Residential

SITE SIZE: 75 acres

LOCATION: South side of 93rd Street North approximately  
1/3-mile west of Hillside

PROPOSED USE: Horse training and boarding



BACKGROUND: The applicants are requesting a conditional use permit for a horse training and boarding facility on a tract of land consisting of 75 acres located on the south side of 93rd Street North approximately 1/3-mile west of Hillside. A 70-foot by 100-foot building is proposed to accommodate about 25 horses and provide an indoor training area. Outdoor training areas may also be provided. No residence is planned for construction on site at this time.

CASE HISTORY: None

ADJACENT ZONING AND LAND USE:

NORTH	R	Undeveloped
SOUTH	R	Undeveloped and agriculture
EAST	R	One family dwelling and agriculture
WEST	R	One family dwelling and agriculture

PUBLIC SERVICES: Ninety-third Street North is a section line road requiring 50 feet of half-street right-of-way. A road easement is all that exists at this time. The official floodway maps identify a floodway in the northwest portion of this property for which a Floodway Reserve Agreement should be obtained to assure no development in the floodway.

CONFORMANCE TO PLANS/POLICIES: The Comprehensive Plan shows this area as being agricultural or vacant.

RECOMMENDATION: It is recommended that the application be approved subject to the following conditions:

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2. The applicants shall dedicate by separate instrument 50 feet of half-street right-of-way for 93rd Street North adjacent to this application area prior to this request being forwarded to the County Commission for final consideration and within 60 days or this application shall be considered denied and closed.
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6. Adequate off-street parking areas shall be provided for the uses contemplated on subject property as determined by the County Zoning Administrator.