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196-1987
RESOLUTION NO. 196-1987

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 on property zoned "R-1" Suburban Residential District is hereby approved on lands legally described as follows:

CASE NO. CU-305

A tract of land in the SW $\frac{1}{4}$ of Section 16, Township 28 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas, being more particularly described as follows:

Commencing at the southeast corner of said SW $\frac{1}{4}$; thence westerly along the south line of said SW $\frac{1}{4}$, with an assumed bearing of S90°00'00"W, a distance of 1563.64 feet for a point of beginning; thence N02°58'51"E a distance of 323.47 feet; thence N51°02'28"E a distance of 310.42 feet; thence east parallel to the south line of said Section 16 a distance of 235 feet; thence south to the south line of said Section 16; thence west along the south line of Section 16 to the point of beginning. Generally located on the north side of 47th Street South in an area east of Webb Road.

SUBJECT TO THE FOLLOWING CONDITIONS:

1. The applicants shall dedicate by separate instrument 60 feet of half-street right-of-way for 47th Street South (measured from the section line) adjacent to their entire ownership.
2. The applicants shall comply with all applicable regulations of the Wichita-Sedgwick County Community Health Department.
3. This conditional use shall not be construed as permitting horse shows except those associated with the riding academy.
4. Adequate off-street parking areas shall be provided for the uses contemplated on subject property as determined by the County Zoning Administrator.
5. Any future buildings constructed on subject property shall maintain a setback of not less than 25 feet from the new south property line, or 85 feet from the south section line.

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 13th day of May, 1987.

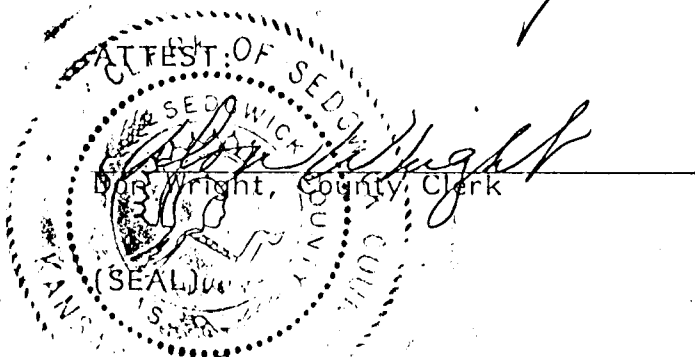
Tom Scott, Chairman
Tom Scott

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



APPROVED AS TO FORM:

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


NORTH

APPLICATION
AREA



MacARTHUR RD.

WEBB RD. 9500 E

47th St So.

16

GREENWICH 11,100 E



RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION
TO BOARD OF COUNTY COMMISSIONERSREQUEST FOR CONDITIONAL USE PERMIT

CU-305 - REQUEST FOR CONDITIONAL USE PERMIT TO ESTABLISH A HORSE BOARDING FACILITY AND RIDING ACADEMY ON PROPERTY ZONED THE "R-1" SUBURBAN RESIDENTIAL DISTRICT, GENERALLY LOCATED ON THE NORTH SIDE OF 47TH STREET SOUTH IN AN AREA EAST OF WEBB ROAD.

The MAPC recommends that the application be approved subject to conditions.
(see minutes for full motion)

Gardner moved, Crockett seconded and it carried unanimously. Miles was absent.

- ACTION:
1. Adopt the findings of fact of the Metropolitan Area Planning Commission and approve the conditional use permit subject to the recommended conditions; accept the dedication and instruct the County Clerk to forward the document to the Register of Deeds for recording; adopt a resolution authorizing the conditional use permit; or
 2. Adopt findings and deny the application.

DATA AND MINUTES

MAPC Hearing Date: 4/16/87 Approve

BCoC Hearing Date: 5/13/87

COMMISSION DISTRICT #5

Applicant: John and Martha VanWinkle, RR #2, Box 250-1, Derby, KS 67037

	<u>Land Use</u>	<u>Zoning</u>	<u>Size</u>
Application Area	Horse farm	"R-1"	4.3 acres
North	Agriculture; pasture land	"R-1"	
South	Agriculture	"R-1"	
East	Pasture land	"R-1"	
West	Agriculture	"R-1"	

History: None

Applicant: John and Martha VanWinkle, RR #2, Box 250-1, Derby, KS 67037

Protestors: None
