

() Published in The Daily Reporter on May 18, 1984

R E S O L U T I O N

CASE NO. CU-268

A RESOLUTION PERMITTING THE ESTABLISHMENT OF A PRIVATE RECREATIONAL AREA IN THE "R" RURAL RESIDENTIAL DISTRICT ON CERTAIN LANDS LOCATED WITHIN THE UNINCORPORATED TERRITORY LYING WITHIN THREE MILES OF EITHER THE CITY OF WICHITA, THE CITY OF HAYSVILLE, THE CITY OF DERBY, THE CITY OF MULVANE, THE CITY OF VALLEY CENTER, THE CITY OF GODDARD, AND THAT PORTION OF THE AREA WITHIN THREE MILES OF THE CITY OF CHENEY AS ESTABLISHED BY THE BOARD OF COUNTY COMMISSIONERS ON OCTOBER 3, 1973, ALL IN SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED BY SECTION 3.A.8.k AND SECTION 11.E OF THE ZONING RESOLUTION ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, ON MARCH 3, 1958, AND SUBSEQUENT AMENDMENTS THERETO.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF SEDGWICK COUNTY, KANSAS:

SECTION 1. 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 3.A.8.k, and Section 11.E of the Zoning Resolution, a Conditional Use Permit to allow the establishment of a private recreational area in the "R" Rural Residential District is hereby approved on the lands legally described as follows:

Beginning 2594 feet north of the SW corner of the SW 1/4 Section 10-26-1W; thence north along the west line of said SW 1/4 and NW 1/4 Section 10-26-1W, to the south Right of Way Line of the Arkansas River Levee Condemnation Case A-33666; thence east and southeasterly on the south and westerly line of said Right of Way to a point 2594 feet north of the south line of said SW 1/4; thence west parallel to the south line of said SW 1/4, 1102 feet more or less, to the point of beginning, except a tract described as follows:

Beginning 2594 feet north of the SW corner of said SW 1/4; thence N 0° 34' W along the west line of said SW 1/4, 46.37 feet to the NW corner of said SW 1/4 and being the SW corner of said NW 1/4; thence N 0° 34' W along the west line of said NW 1/4, 43.63 feet; thence N 88° 45' 50" E parallel to the south line of said SW 1/4, 325 feet; thence S 0° 34' E parallel to the west line of said NW 1/4 and SW 1/4 90 feet to a point 2594 feet north of the south line of said SW 1/4; thence S 88° 48' 50" W parallel to the south line of said SW 1/4; 325 feet to the point of beginning, and except Right of Way for Ridge Road. Generally located at 6602 North Ridge Road on the east side of Ridge Road in an area approximately 1/2 mile north of 61st Street North.

SUBJECT TO THE FOLLOWING:

- a. Subject property shall be used for recreational purposes by only the members and guests of F. O. P. Wichita Lodge #5, and shall not be for the use by the general public. Recreational activities shall permit both indoor and outdoor recreational facilities and shall include overnight camping, boating, swimming, fishing, archery, tennis, volleyball, basketball, picnicing, horseshoes, playground equipment, parking, meeting rooms and dining rooms.

- b. The use of firearms and motor driven recreational vehicles such as motorboats, model airplanes, go-carts, dune-buggies, motorcycles, etc., are prohibited.
- c. Approval of this conditional use shall not be construed as approval of a private club on this site. Prior to the establishment of a private club a separate conditional use must be approved.
- d. Access shall be limited to two openings from Ridge Road.
- e. Any buildings constructed on this site shall be used only for the uses listed in condition "A" provided that a maintenance building may also be constructed. All buildings shall be located in those areas labeled "recreation area" on the approved site plan and shall maintain a 35 foot setback from Ridge Road and a 25 foot setback from other property lines.
- f. Prior to the use of the site for recreational purposes or issuance of building permits, a drainage plan shall be submitted to the County Engineer for his review and approval. Two copies of the approved plan shall be submitted to the Planning Department. Any excavation or reshaping of the lakes shall be approved by the County Engineer.
- g. Provisions for water and restrooms shall be approved by the Wichita-Sedgwick County Health Department.
- h. A sufficient number of off-street parking spaces, as determined by the County Zoning Administrator, shall be provided on the site to accommodate the anticipated maximum number of members and their guests utilizing the facility at the same time. The parking area shall be paved or otherwise surfaced with an all-weather surface treated to prevent dust.
- i. One sign shall be permitted denoting the proposed use of the area and shall not be illuminated. The sign shall not exceed six feet in height and shall not exceed twenty square feet on one surface with a maximum of two surfaces, back to back, being permitted.
- j. If outside lighting is proposed for recreation areas, it shall be directed away from adjacent properties and turned off by 11 p.m.
- k. Prior to this case being forwarded to the Board of County Commissioners, and within six months of MAPC consideration, the applicant shall dedicate 75 feet of half-street right-of-way for Ridge Road at the north end of the site and 60 feet of half-street right-of-way for the balance of the site along Ridge Road.

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 Department.

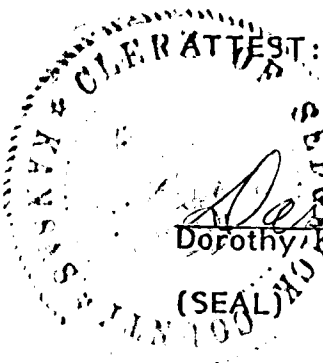
SECTION III. That this Resolution shall take effect and be in force from and after its adoption and publication in the Official County Paper.

PASSED AND ADOPTED by the Board of County Commissioners at
Wichita, Kansas, this 9th day of May, 1984.

Jack Spratt, Chairman

Donald E. Cragg Commissioner

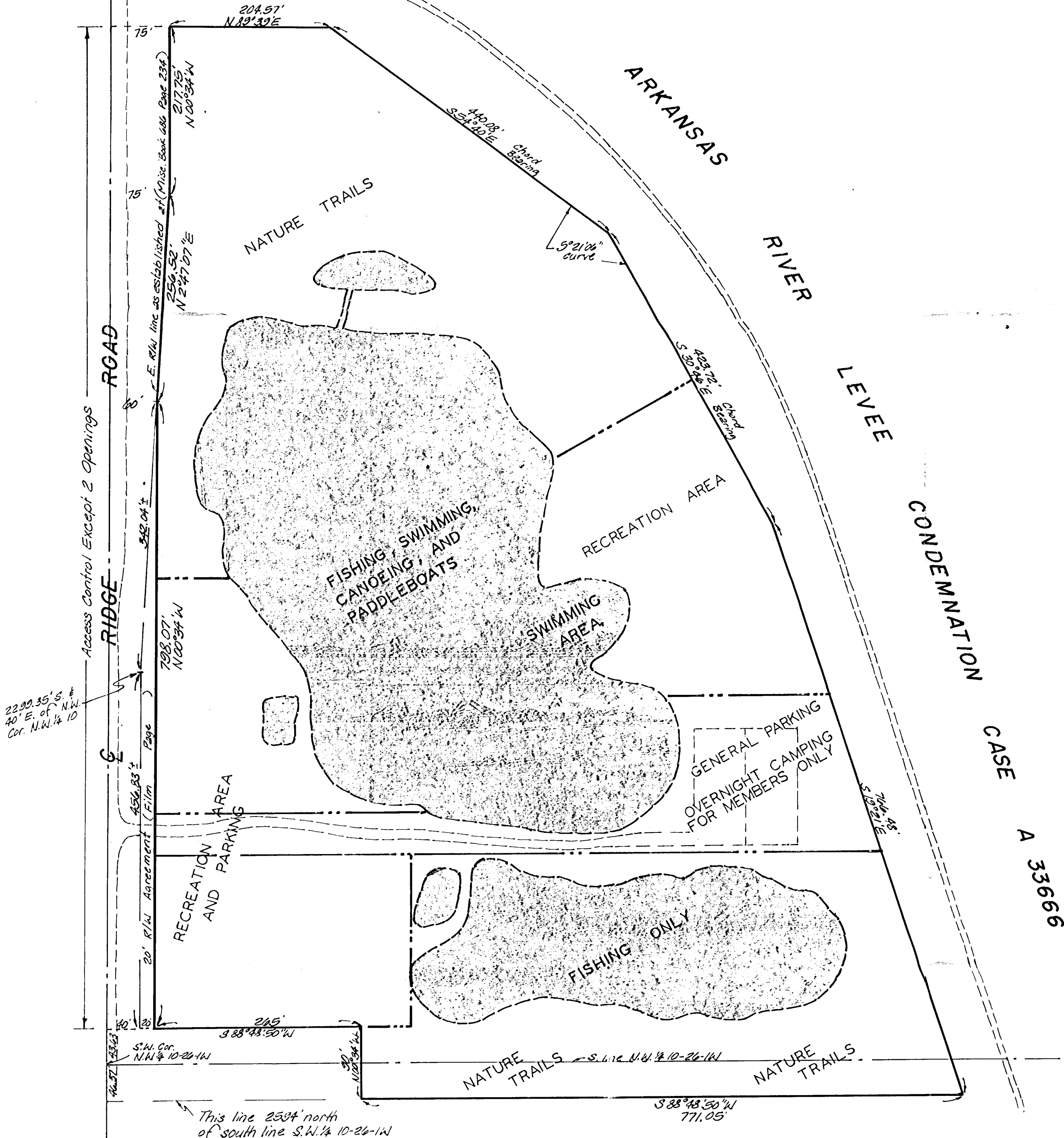
Tom Scott, Commissioner



Dorothy K. White
Dorothy K. White, County Clerk

Approved as to form by County Counselor

William D. Rustin
for William D. Rustin, County Counselor



Planning Agenda

Item #

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION
TO BOARD OF COUNTY COMMISSIONERS

REQUEST FOR CONDITIONAL USE PERMIT

CU-268 - CONDITIONAL USE PERMIT TO ESTABLISH A PRIVATE RECREATIONAL
AREA FOR F.O.P. LODGE #5. GENERALLY LOCATED ON THE EAST SIDE OF
RIDGE ROAD IN AN AREA APPROXIMATELY 1/2 MILE NORTH OF 61ST STREET
NORTH.

The MAPC recommends that the application be approved.

(see minutes for full motion)

Gardner moved, Bayouth seconded and it carried unanimously.

Goebel and Moore were absent.

ACTION:

1. Concur with the findings of fact of the Metropolitan Area Planning Commission, approve the application subject to the recommended conditions, adopt a resolution establishing the conditional use and instruct the Planning Department to withhold publication of the resolution until the dedication has been recorded with the Register of Deeds; or
2. Take such action as the County Commission deems appropriate.

DATA AND MINUTES

VCPC Hearing Date: 4-02-84

MACP Hearing Date: 4-05-84

BCoC Hearing Date: 5-02-84

AREA DATA:

Acres: 23.2

Size: 1050' x 1260' (irregular)

Reason: To construct facilities and allow use of the area as a recreational area for members of F.O.P. Lodge #5.

	<u>Land Use</u>	<u>Zoning</u>
Existing	Vacant	"R"
North	Arkansas River	"R"
East	Arkansas River	"R"
South	Agriculture	"R"
West	Agriculture	"R"&"R-1"

History: None

Applicant: Fraternal Order of Police #5, 3143 West Maple, Wichita, Kansas.

Protestors: None.
