

Published in The Daily Reporter on July 3, 1990

R E S O L U T I O N N O . 141-1990

A RESOLUTION AUTHORIZING A CONDITIONAL USE PERMIT TO ESTABLISH A RECREATIONAL VEHICLE CAMPGROUND 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, AND SUBSEQUENTLY AMENDED.

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 recreational vehicle campground on property zoned "R" Rural Residential District is hereby approved on lands legally described below:

Case No. CU-332
Conditional Use Permit request to establish
a recreational vehicle campground on
property zoned the "R" Rural Residential District

A tract of land in the Northwest Quarter of Section 14, Township 28 South, Range 3 West of the 6th P.M.; commencing at the northwest corner of said Northwest Quarter; thence east along the north line of said Northwest Quarter a distance of 550 feet; thence south parallel with the west line of said Northwest Quarter on an assumed bearing of South 00° West a distance of 1,851.75 feet to the point of beginning; thence South 86°47' East a distance of 100 feet; thence south parallel with the west line of said Northwest Quarter on an assumed bearing of South 00° West a distance of 425 feet; thence South 86°47' East a distance of 20 feet; thence north parallel with the west line of said Northwest Quarter on a bearing of North 00° East a distance of 425 feet; thence South 86°47' East a distance of 80 feet; thence north parallel with the west line of said Northwest Quarter on a bearing of North 00° East a distance of 650 feet; thence South 86°47' East a distance of 430 feet; thence north parallel with the west line of said Northwest Quarter a distance of 1,201.75 feet; thence North 86°47' West a distance of 20 feet; thence south parallel with the west line of said Northwest Quarter on an assumed bearing of South 00° West a distance of 1,001.75 feet; thence North 86°47' West a distance of 610 feet; thence South 00° West a distance of 850 feet to the point of beginning. Generally located on the south side of MacArthur Road in an area approximately 1/2-mile west of 231st Street West.

SUBJECT TO THE FOLLOWING CONDITIONS:

- A. Prior to commencement of the recreational vehicle campground use, the applicant shall obtain approval from the State of Kansas to utilize an off-site, State licensed water well to provide the campground use with water and an off-site, State licensed sewage lagoon to provide the campground with sewerage facilities. Proof of State approval shall be provided to the Sedgwick County Zoning Administrator prior to commencement of the campground use authorized by this conditional use permit.
- B. The disposal of solid waste generated at the application area shall be in accordance with Sedgwick County's Sanitation Code Number 7.
- C. Development of the recreational vehicle campground shall be in accordance with the site plan approved for this case.
- D. The maximum number of recreational vehicle or tent camping spaces authorized on the subject property is 66.
- E. One double-faced sign no larger than 32 square feet in surface area is authorized for installation on the site near MacArthur Road. The sign may not be lighted. A sign permit shall be obtained from Sedgwick County's Department of Code Enforcement prior to installation of the sign.
- F. Nothing in the approval of this request shall be construed to permit the development of a mobile home park.
- G. The maximum length of stay for a recreational vehicle at the campground shall be 14 consecutive days. After the passage of this time, the recreational vehicle shall be removed from the premises for at least 7 consecutive days.
- H. The applicant and its successors shall not allow the application area users to use adjacent camping and recreational facilities in violation of Sedgwick County Board of Zoning Appeals Case No. Co BZA 9-85.
- I. The County reserves the right to restrict or prevent access from this site to Lake Afton Park at such time and upon such conditions as the County deems appropriate in order to properly manage the Park property.

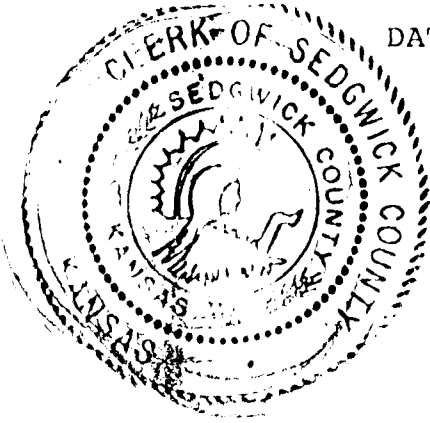
SECTION II. That upon the taking effect of this Resolution, the notation of such conditional use permit shall be entered in the official zoning atlas on file in the Office of the County Zoning Administrator and in the Office of the Wichita-Sedgwick County Metropolitan Area Planning Department.

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

Commissioners present and voting were:

DAVID BAYOUTH
PAUL W. HANCOCK
BERNARD A. HENTZEN
BILLY Q. MCCRAY
MARK F. SCHROEDER

Aye
Absent
Aye
Aye
Aye



DATED this 20th day of June, 1990.

BOARD OF COUNTY COMMISSIONERS OF
SEDGWICK COUNTY, KANSAS

Mark F. Schroeder
MARK F. SCHROEDER, Chairman

David Bayouth
DAVID BAYOUTH, Chairman Pro Tem

ATTEST:

Don Wright
DON WRIGHT, County Clerk

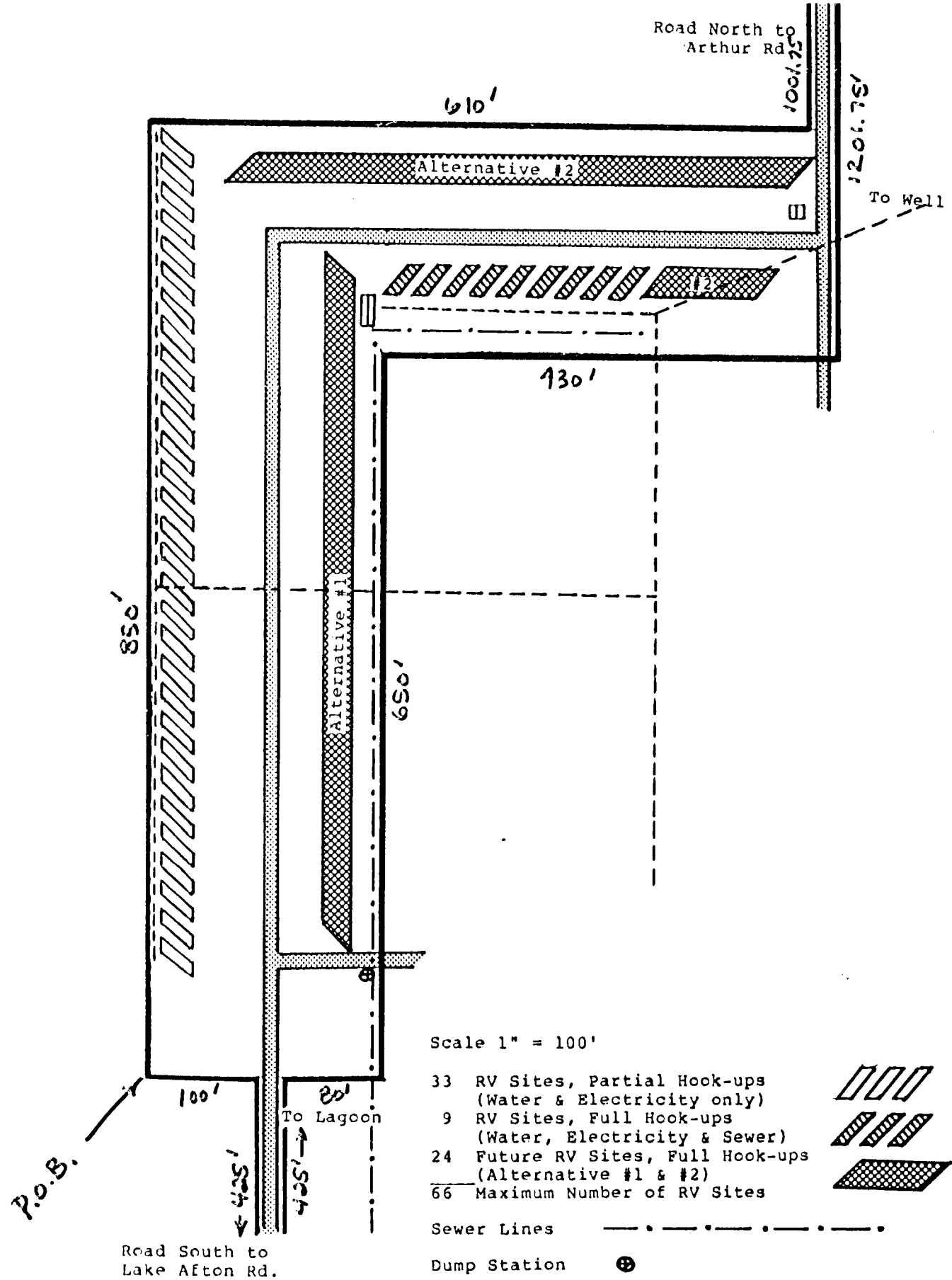
Paul W. Hancock
PAUL W. HANCOCK, Commissioner

APPROVED AS TO FORM ONLY:

Henry H. Brown
County Counselor/Assistant

Bernard A. Hentzen
BERNARD A. HENTZEN, Commissioner

Billy Q. McCray
BILLY Q. MCCRAY, Commissioner



Approved site Plan
CU-332 R.N.

FILE COPY

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 6
GPC 5/14/90
MAPC 5/24/90

STAFF REPORT

CASE NUMBER: CU-332

OWNER/APPLICANT/AGENT: Church of God State Camp, Inc.
(owner/applicant)
Timothy J. King (agent)

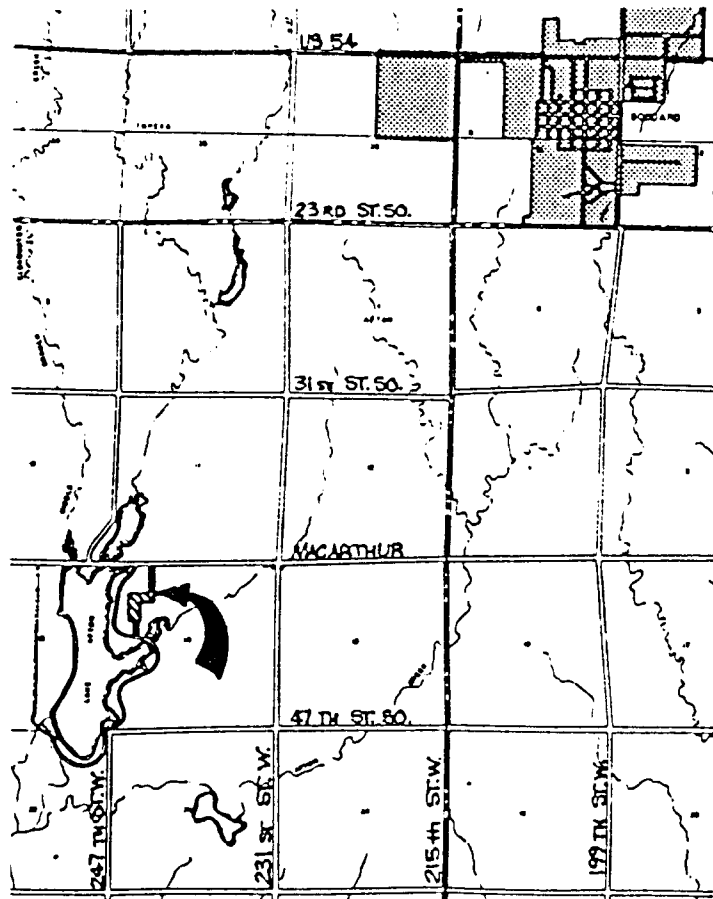
REQUEST: Conditional use permit for recreational vehicle campground.

CURRENT ZONING: "R" Rural Residential District

SITE SIZE: 6+ acres (irregular shape)

LOCATION: South side of MacArthur Road, in an area approx. ½-mile west of 231st Street West.

PROPOSED USE: Development of the site with a maximum number of 66 spaces for recreational vehicles or tent camping.



BACKGROUND: The applicant is requesting a conditional use permit for a recreational vehicle campground on an unplatted tract of property located on the south side of MacArthur Road in an area approximately ½-mile west of 231st Street West. The application area measures approximately 6 acres in size and is connected to MacArthur Road and the Lake Afton Park roadway system by two 20-foot-wide strips of land covering existing roadways. This 6-acre site is a small part of the 127-acre tract owned by the Church of God State Camp, Inc. and generally known as Camp Fellowship. Prior to amendments to the zoning text this past February, an RV campground required "C" zoning.

Planned sewerage of the site will be provided by an off-site sewage lagoon monitored and licensed by the State of Kansas. Water will be provided by way of a State licensed water well. If this conditional use permit is approved, the applicant plans to develop up to 66 recreational vehicle parking or tent camping pads. The applicant's first stage of development includes 33 RV sites with partial hookups (i.e., water and electricity) and 9 sites with full hookups (i.e., water, electricity and sewer) which are already existing. Phase two of development will involve creating an additional 24 full hookup RV parking sites. Two alternate locations for phase two development are depicted on the applicant's site plan. A copy of this site plan is attached to this report, along with a two-page report prepared by the applicant which outlines the specifics of their conditional use permit proposal.

CASE HISTORY: COBZA 9-85: Appeal of County Zoning Administrator's determination that operation of an RV campground at Camp Fellowship was not a nonconforming use, but was an illegal use at this location which came under the "R" zoning district regulations upon adoption of countywide zoning in January 1985. The County Board of Zoning Appeals upheld the Zoning Administrator's decision; the applicant appealed to District Court; the Court ruled that the use was nonconforming, but sent the case back to the Board of Zoning Appeals to define the scope of the nonconforming use and to determine what facilities existed on the entire 127-acre site as of January 1, 1985. The Board determined, among other things, that the number of RV pads did not exceed 16 and that the primary use of the property was by religious and eleemosynary organizations for meetings, conferences and recreational camping.

ADJACENT ZONING AND LAND USE:

NORTH	"R"	Undeveloped
SOUTH	"R"	Lake Afton County Park
EAST	"R"	Camp Fellowship - private church camp
WEST	"R"	Lake Afton County Park

PUBLIC SERVICES: This site is not served with either municipal water or sanitary sewer. The property is, however, served with water and sewerage from State licensed and monitored facilities located on the applicant's property to the east and south of the application area. MacArthur Road is a two-lane, paved, F.A.S. road. Only 40 feet of half-street right-of-way exists for MacArthur Road, whereas 60 feet is required.

CONFORMANCE TO PLANS/POLICIES: Section 4(A)(9)(o) of the County Zoning Resolution provides for recreational vehicle campgrounds in the "R" zoning district, provided the Metropolitan Area Planning Commission reviews the request and the Board of County Commissioners approves the use by issuing a conditional use permit. The Land Use Element of the Comprehensive Plan depicts this general area of the county for agricultural purposes. The use of off-site State licensed and monitored water well and sewerage facilities will require approval from the State of Kansas.

RECOMMENDATION: It is recommended that this conditional use permit request be approved, subject to the following conditions:

- A. Prior to commencement of the recreational vehicle campground use, the applicant shall obtain approval from the State of Kansas to utilize an off-site, State licensed water well to provide the campground use with water and an off-site, State licensed sewage lagoon to provide the campground with sewerage facilities. Proof of State approval shall be provided to the Sedgwick County Zoning Administrator prior to commencement of the campground use authorized by this conditional use permit.
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