

Published in The Daily Reporter on Sept. 29, 1994

RESOLUTION NO. 107-1994

A RESOLUTION AUTHORIZING A CONDITIONAL USE PERMIT TO ALLOW A PRIVATE AIRCRAFT LANDING STRIP 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 allow a private aircraft landing strip on property zoned "R" Rural Residential District, legally described below:

Case No. CU-365

Conditional use permit request to allow a private aircraft landing strip on property zoned the "R" Rural Residential District

The South 20 acres of the North 40 acres of the North Half of the Southwest Quarter of Section 14, Township 25 South, Range 2 West of the Sixth Principal Meridian, Sedgwick County, Kansas. Generally located 1/2 mile south of 109th Street North on the east side of 151st Street West.

SUBJECT TO THE FOLLOWING CONDITIONS:

1. The applicant shall dedicate an additional 10 feet of right-of-way for 151st Street by separate instrument.

SENT TO BE PUBLISHED 9-28-94

2. Development of the private airport shall be limited to the construction of the landing strip and accessory structures. All structures shall meet the height limitations and setback requirements of the Zoning Regulations. The aircraft hangers or associated building shall be used only for the storage, servicing and maintenance of non-commercial aircraft or the equipment necessary for the maintenance of the aircraft landing field. Airport buildings may also be used for any use that is permitted outright by the provisions of the "R" Rural Residential district.
3. The airport authorized by this resolution shall be utilized by non-commercial aircraft only.
4. The uses permitted shall be only those associated with the normal operation of the private airport. Nothing in the approval of this request shall be construed to permit the sales of products or services.
5. The operation of the private airport shall comply with the advisory determination of the Federal Aviation Administration.
6. Should weather conditions prevent the safe and efficient use of airspace by aircraft with respect to the safety of persons and property on the ground given the take off and landing restrictions, all such take offs shall be prohibited and landings shall be directed to another airport facility.
7. The Conditional Use permit shall be effective for a period of 5 years after receiving approval by the Board of County Commissioners. At the end of 5 years, the applicant must apply to renew the permit to allow the MAPC and County Commission to determine if past operations have occurred in accordance with the conditions listed above, and if it is in the public's best interest to continue flight operations from this site.
8. Any violation of the foregoing conditions shall render this conditional use permit null and void.

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:

PAUL W. HANCOCK	<u>~ Absent ~</u>
THOMAS G. WINTERS	<u>Aye</u>
ANDREW L. BIAS	<u>Aye</u>
MARK F. SCHROEDER	<u>Aye</u>
BETSY GWIN	<u>Aye</u>

DATED this 29th day of June, 1994.



BOARD OF COUNTY COMMISSIONERS OF
SEDGWICK COUNTY, KANSAS

Betsy Gwin
BETSY GWIN, Chair 6-29-94

Andrew L. Bias
ANDREW L. BIAS, Chairman Pro Tem

ATTEST:

Susan Crockett-Spoon
SUSAN CROCKETT-SPOON
County Clerk

~ Absent ~
PAUL W. HANCOCK, Commissioner

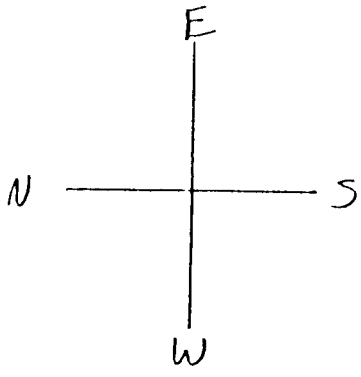
APPROVED AS TO FORM ONLY:

Thomas G. Winters
THOMAS G. WINTERS, Commissioner

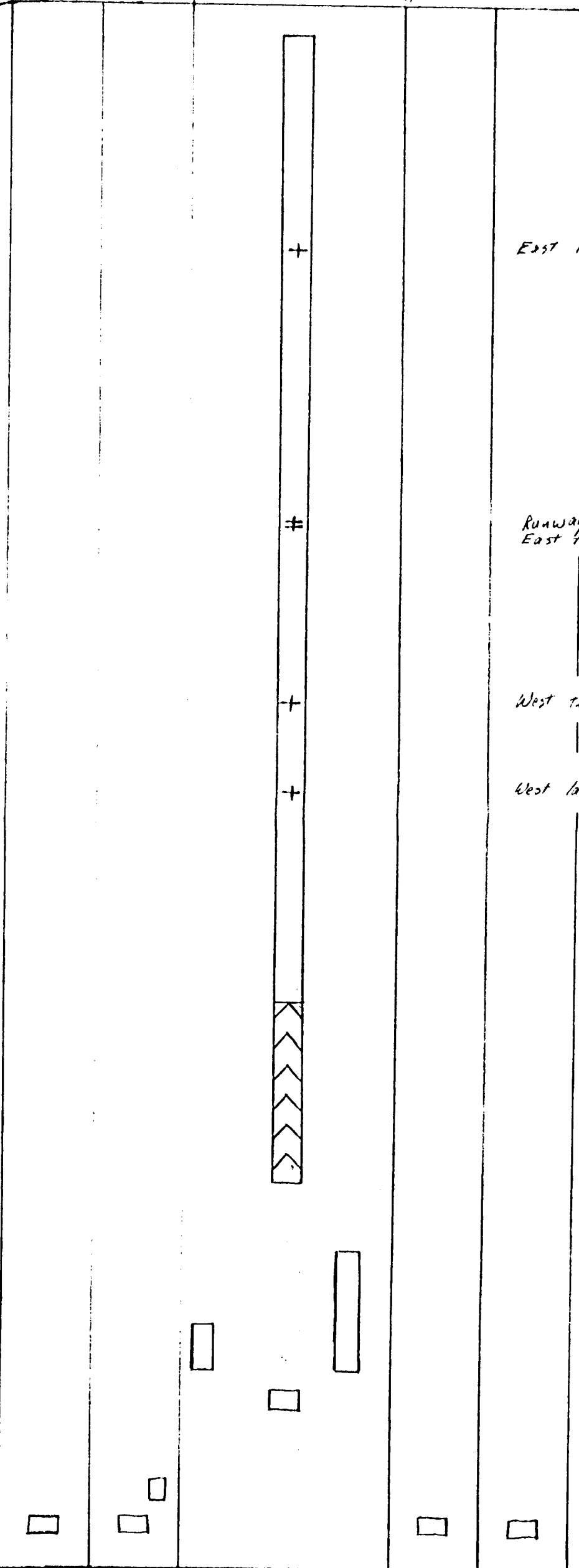
Lucinda Johnson
County Counselor/Assistant

Mark F. Schroeder
MARK F. SCHROEDER, Commissioner

Farm Field



Eagle drainage ditch



East landing point

Runway centerline
East take off point

West take off point

West landing point

Farm Field

Farm Field

1600 Ft Grass Strip
with 300 Ft displaced
Threshold

N. 151 ST. W

Farm Field

1/4" = 50 Ft

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 5
BENTLEY PC January 24, 1994
MAPC January 27, 1994

STAFF REPORT

CASE NUMBER: CU-365

APPLICANT/AGENT: James and Susan Roberts

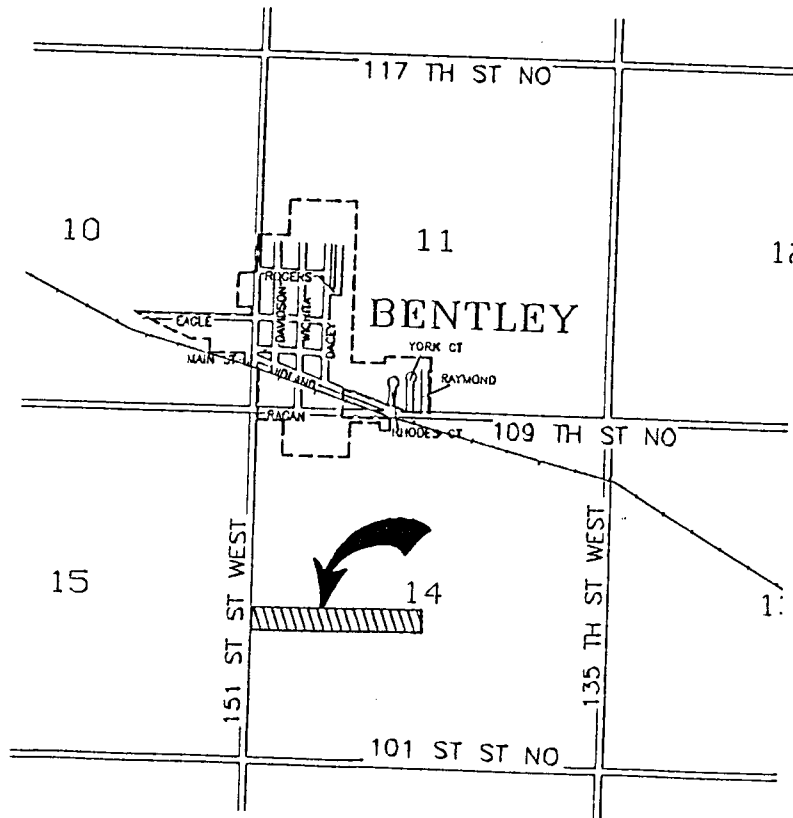
REQUEST: Conditional use permit for a private aircraft landing strip

CURRENT ZONING: "R" Rural Residential

SITE SIZE: 20 acres

LOCATION: 1/2 mile south of 109th Street North on the east side of 151st Street West.

PROPOSED USE: Private aircraft landing strip



BACKGROUND: The applicant is requesting a conditional use permit for a 2000 foot turf landing strip for private aircraft on a 20 acre tract south of Bentley. A single family home and a shed are currently developed on the property. The applicant anticipates that there will be a total of 2 single engine airplanes using the landing strip with 8 landings per month. A private landing strip is defined as a strip for use by the property owner and those specifically authorized by the owner to use the facility.

All surrounding property is zoned "R" Rural Residential. Property to the east and west of the proposed runway is undeveloped, agricultural ground. Within the same quarter section there are eight single family homes existing to the north and south of the runway. The closest home is north of the application area, approximately 600 feet from the west end of the runway.

According to the FAA Flight Standards District Office in Wichita, wind is a significant factor in landing aircraft. It is preferable for landings to occur with the wind, as crosswinds can make an aircraft less controllable. The National Weather Service indicates prevailing winds in Sedgwick County are north-south (in February winds prevail from the north, all other months from the south, based on 40 year average) and gusts average 11-14 miles per hour. Unlike previously approved airstrips, the proposed landing strip is in a predominately east-west direction.

Section 28.08.120 of the Airport Hazard Zoning Regulations require that no new airports be located within 8 miles of the nearest airport reference point. (An airport reference point is defined as the approximate center of the airport landing area of Beech, McConnell, Mid-Continent & Jabara airports) The proposed airport is over 8 miles from the Mid-Continent airport reference point. The locational guidelines of the Comprehensive Plan recommend that airports be sited away from large water bodies, landfills and concentrations of people.

The FAA requires that a "Notice of Landing Area Proposal" be submitted for all private airports. Unless the proposed airport conflicts with the air space of a public use airport, the FAA's role in evaluating the airport is strictly advisory. There are no specific regulations for private airports to follow. The FAA does give an advisory safety determination for each proposed airport, but does not enforce the safety recommendations. The applicant has received their advisory determination from the FAA (see attached).

CASE HISTORY: The application area was zoned "R" Rural Residential as part of County wide zoning in 1984.

ADJACENT ZONING AND LAND USE:

NORTH:	"R"	Single family home
SOUTH:	"R"	Single family home
EAST:	"R"	undeveloped agricultural
WEST:	"R"	undeveloped agricultural

PUBLIC SERVICES: The site has access to 151st Street West, a 2-lane paved arterial with 40 feet of right-of-way, whereas 50 feet would be required. The proposed use will not require municipal water or sewer facilities.

CONFORMANCE TO PLANS/POLICIES: The Land Use Map of the Comprehensive Plan identifies this area for agricultural uses and recommends that airports be sited away from large water bodies, landfills and concentrations of people.

RECOMMENDATION: Staff recommends that the request be denied. This recommendation is based on the following findings:

1. Conformance to surrounding zoning and land uses: Although rural areas of the county are appropriate for airport landing strips, the area surrounding the application area is developed with single family homes. The closest home is approximately 600 feet from the end of the proposed runway.
2. Gain to public versus hardship imposed on applicant: The orientation of the landing strip, prevailing southerly winds and the close proximity of existing homes to the end of the landing strip creates a potentially hazardous situation.
3. Conformance to plans and policies: The Comprehensive Plan recommends against locating airports near concentrations of people.

However, should the Planning Commission recommend that the application be approved, it should be subject to the following conditions:

1. The applicant shall dedicate an additional 10 feet of right-of-way for 151st Street by separate instrument, prior to this item being scheduled before the Board of County Commissioners.
2. Development of the private airport shall be limited to the construction of the landing strip and accessory structures. All structures shall meet the height limitations and setback requirements of the Zoning Regulations. The aircraft hangers or associated building shall be used only for the storage, servicing and maintenance of non-commercial aircraft or the equipment necessary for the maintenance of the aircraft landing field. Airport buildings may also be used for any use that is permitted outright by the provisions of the "R" Rural Residential district.
3. The airport authorized by this resolutions shall be utilized by non-commercial aircraft only. Landings shall be limited to a total of 12 per month.
4. The uses permitted shall be only those associated with the normal operation of the private airport. Nothing in the approval of this request shall be construed to permit the sales of products or services.

5. The operation of the private airport shall comply with the advisory determination of the Federal Aviation Administration.
6. Any violation of the foregoing conditions shall render this conditional use permit null and void.