

Final
R: 186-1993

Published in The Daily Reporter on 4-19-94, 1993

RESOLUTION NO.

A RESOLUTION AUTHORIZING A CONDITIONAL USE PERMIT TO ALLOW AN AIRCRAFT LANDING FIELD 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 an aircraft landing field on property zoned "R" Rural Residential, legally described below:

Case No. CU-363

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

The E/2 of the NW/4 of Sec. 26, Twp. 25S, Rng. 2W of the 6th P.M., Sedgwick County, Kansas: excepting a tract described as follows: beginning at the NW corner of said E/2; thence south 220 feet; thence east 220 feet; thence north 220 feet to the north side of said section; thence west along said north side 220 feet to the point of beginning; and except the north 40 feet thereof for highway. AND the NE/4 of the SW/4 being Government Lot 1 in the SW/4, Section 26, Twp. 25S, Rng. 2W of the 6th P.M., Sedgwick County, Kansas. Generally located 1/4 to 1/2 mile east of 151st Street West on the south side of 93rd Street North.

SUBJECT TO THE FOLLOWING CONDITIONS:

1. The applicant shall dedicate an additional 10 feet of right-of-way by separate instrument, prior to the publication of the Resolution authorizing the conditional use permit.
2. Development of the private airport shall be limited to the construction of the landing strip, a private residence, an airport hanger 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 private 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. Prior to scheduling this request with the Board of County Commissioners, the applicant shall provide the Planning Department with a copy of the FAA's advisory determination.
6. Any on-site sewerage shall be provided in accordance with the standards of the Wichita-Sedgwick County Health Department.
7. 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:

BETSY GWIN	<u>Absent</u>
PAUL W. HANCOCK	<u>Aye</u>
BILLY Q. McCRAY	<u>Aye</u>
MARK F. SCHROEDER	<u>Aye</u>
THOMAS G. WINTERS	<u>Aye</u>

DATED this 6th day of October, 1993.

BOARD OF COUNTY COMMISSIONERS OF
SEDGWICK COUNTY, KANSAS

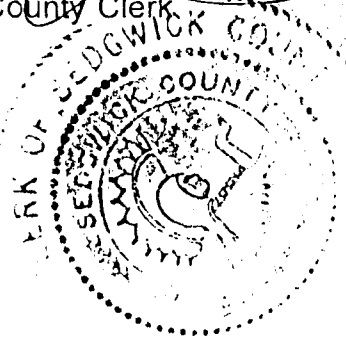
Mark F. Schroeder
MARK F. SCHROEDER, Chairman

Billy Q. McCray
BILLY Q. McCRAY, Chairman Pro Tem

ATTEST:

Susan Crockett-Spoon
SUSAN CROCKETT-SPOON
County Clerk

Absent
BETSY GWIN, Commissioner



APPROVED AS TO FORM ONLY: *Paul W. Hancock*
PAUL W. HANCOCK, Commissioner

Richard Brown
County Counselor/Assistant

Thomas G. Winters
THOMAS G. WINTERS, Commissioner

RECEIVED
OCT 18 1993
METROPOLITAN PLANNING
ROUTE _____

500' TO 151ST WEST

20' POWER LINE

93RD NORTH

TREES/
HOUSES

FUTURE
HANGAR
AND HOUSE

700' OVERRUN/TAXIWAY

71

2500' X 125' TURF RUNWAY

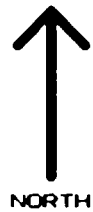
TREES

CENTER OF
SECTION 26
T25S-R2W

35

DRAINAGE DITCH

HOUSE



TREES

TREES

700' OVERRUN

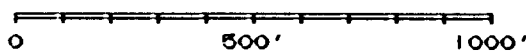
75'

ARKANSAS
RIVER

NOTES:

BUILDING AND TREE LOCATIONS
ARE APPROXIMATE.

CONDITIONAL USE IS REQUESTED
FOR AREA INSIDE BOLD LINES.



SCALE 1"=400'

EAGLE FIELD
SITE PLAN

DRAWN: P. A. CIHOLAS
DATE: AUGUST 6, 1993

**WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION**

AGENDA ITEM NO. ____
MAPC September 9, 1993

STAFF REPORT

CASE NUMBER: CU-363

APPLICANT/AGENT: Philippe Ciholas, Barbara Maner, Beulah Ramsey

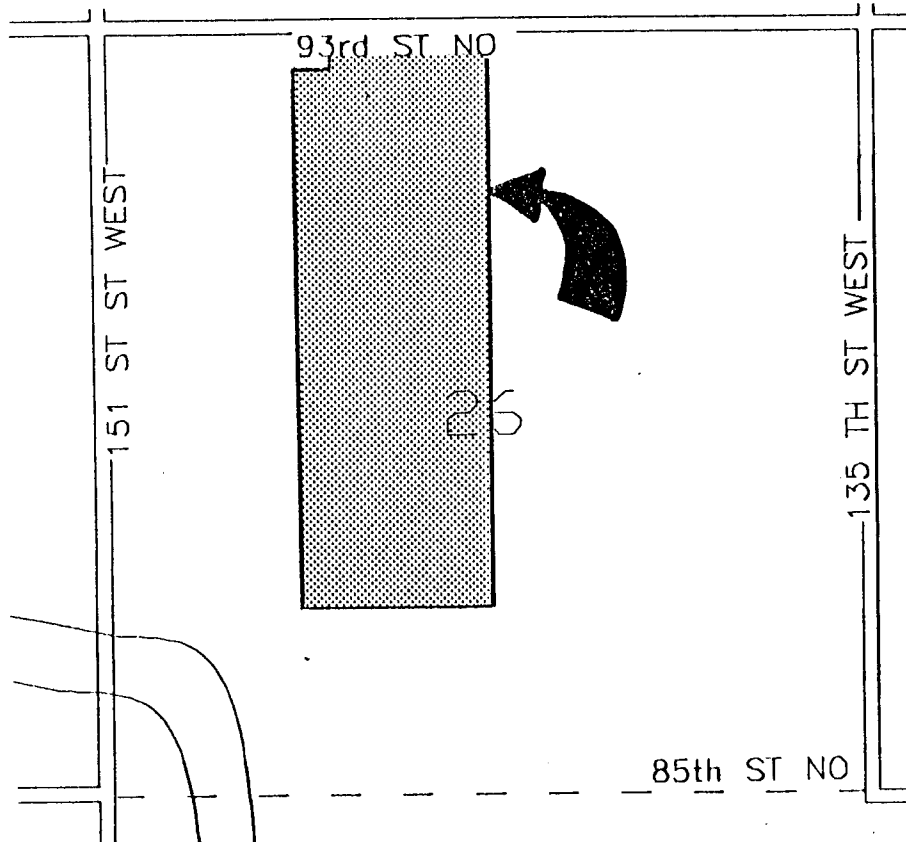
REQUEST: Conditional use permit for an aircraft landing field

CURRENT ZONING: "R" Rural Residential

SITE SIZE: 118 acres

LOCATION: 1/4 mile east of 151st Street West on the south side of 93rd Street North

PROPOSED USE: private aircraft landing field



BACKGROUND: The applicant is requesting a conditional use permit for a private aircraft landing field on a 118 acre tract generally located 1/4 mile east of 151st Street West on the south side of 93rd Street North. The application area, which is zoned "R" Rural Residential, is currently agricultural ground.

All surrounding property is currently zoned "R" Rural Residential. Except for one single family home to the west of the application area, all remaining surrounding property is agricultural ground.

The applicant has indicated that the proposed air strip will be a private facility with an estimated fifteen landings per month. The site plan indicates that a 700 foot overrun will be provided at the north and south ends of the 2500 foot long turf runway. A home and a hanger are also proposed for the property (see attachments). Access to the site will be provided by 93rd Street North, a two-lane, section line road with 40 feet of existing half street right-of-way. Municipal services are not available to serve this property.

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 submitted a "Notice of Landing Area Proposal" to the FAA (see attached) and expects to have their advisory determination available at the MAPC meeting.

CASE HISTORY: None.

ADJACENT ZONING AND LAND USE:

NORTH:	"R"	agricultural ground
SOUTH:	"R"	agricultural ground
EAST:	"R"	agricultural ground
WEST:	"R"	agricultural ground, single family home

PUBLIC SERVICES: The site has access to 93rd Street North, a paved, two-lane, township road with 40 feet of existing right-of-way; whereas 50 feet will be required.

CONFORMANCE TO PLANS/POLICIES: The Comprehensive Plan identifies this area for agricultural uses. The application area is not located with the Growth Area of the City of Wichita or any surrounding community. The locational guidelines of the Comprehensive Plan recommend that airports be sited away from large water bodies, landfills and concentrations of people.

RECOMMENDATION: Staff recommends that the request be approved subject to the following conditions:

1. The applicant shall dedicate an additional 10 feet of right-of-way 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, a private residence, an airport hanger 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 private 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. Prior to scheduling this request with the Board of County Commissioners, the applicant shall provide the Planning Department with a copy of the FAA's advisory determination.
6. Any on-site sewerage shall be provided in accordance with the standards of the Wichita-Sedgwick County Health Department.
7. Any violation of the foregoing conditions shall render this conditional use permit null and void.

The recommendation for approval is based on the following findings:

1. The agricultural uses of nearby property are compatible with the proposed landing field. (a)
2. The lack of development in the area diminishes the impact noise to

surrounding properties. (c)

3. The Comprehensive Plan recommends locating airports away from large water bodies, landfills and concentrations of people. In addition, the airport hazard zoning regulations require that no new airports be located within 8 miles of the nearest airport reference point. The proposed airport location meets these guidelines. (f)

4. The proposed airport will not impact community facilities. (g)