

RESOLUTION NO

A RESOLUTION FOR A CONDITIONAL USE FOR A BOARDING KENNEL, ANIMAL CARE, LIMITED, AN ACCESSORY APARTMENT AND A SIGN ON CERTAIN LANDS LOCATED WITHIN THE UNINCORPORATED AREA OF SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-D AS ADOPTED BY RESOLUTION NO. 84-01, AS SUBSEQUENTLY AMENDED.

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS 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 V-D of the Wichita Sedgwick County Unified Zoning Code, for a Conditional Use for a boarding kennel, animal care, limited, an accessory apartment and a sign, on approximately 8.77-acres of property zoned RR Rural Residential ("RR").

Case No. CON 2011-00023

Legally described below:

Beg. 110.3 ft S NW Cor. NE ¼ E 600 feet, South 637 Feet, 600 Feet, W to West Line NE ¼ 637 feet North to Beginning to Beg. Sec. 34-27-2W; generally located on the south side of U.S. 54 Highway, midway between 151<sup>st</sup> and 167<sup>th</sup> Streets West (15901 West U.S. 54 Highway).

SUBJECT TO THE FOLLOWING CONDITIONS:

- (1) A Conditional Use for a Boarding Kennel for dogs and cats shall comply with Section III.D.6.k of the Wichita-Sedgwick County Unified Zoning Code and all applicable federal, state, and local requirements.
- (2) The number of adult dogs and cats authorized to be boarded shall not exceed 200 dogs and 40 cats at any one time.
- (3) The kennel operator shall have on file proof of rabies vaccinations by a licensed veterinarian.
- (4) Cleaning of the boarding kennel facility shall be performed as often as necessary to maintain sanitary conditions, and a "suitable method" of eliminating excess water from animal housing facilities shall be provided as determined by the Environmental Services. Interior surface materials shall be constructed of non-porous materials that are impervious to moisture.
- (5) Sufficient quantities of food and water shall be provided to keep the dogs in good physical condition. The animals shall be fed at least once daily and provided clean water at all times. Food and water containers shall be located to minimize contamination and shall be cleaned as often as necessary to maintain sanitary conditions.
- (6) All waste materials shall be disposed of in such a manner as to minimize odors and disease hazards. The boarding kennel shall be maintained in a sanitary manner as required by applicable codes.
- (7) The animals confined in the boarding kennel shall be maintained in good physical condition, free of infectious diseases and parasites.
- (8) The applicant shall obtain all applicable permits including, but not limited to building, health and

zoning.

- (9) The boarding facility shall be open to the unannounced inspection by Code Enforcement personnel during reasonable daylight hours to insure continued compliance with the above requirements.
- (10) A Conditional Use for Animal Care, limited shall be permitted on the site and comply with all applicable federal, state, and local requirements.
- (11) A Conditional Use for an accessory apartment shall comply with Section III.D.6.a of the Wichita-Sedgwick County Unified Zoning Code and all applicable local permits and requirements.
- (12) Permit a 96-square foot, double-faced, 25-foot tall pole sign on U.S. 54 frontage, as approved (including lighting) by County Permits and Code.
- (13) The property shall be developed and maintained in accordance with a revised site plan approved by the Planning Director, showing lighting, additional screening, all buildings, parking, and other applicable features of the site, all in conformance with the UZC. No permits are to be issued until the revised site plan is approved.
- (14) The future kennel buildings, dog runs and veterinary clinic will use similar materials and design as the current kennel complex; residential styled, pitched gable roofs with the roof overhang extending partially over the attached, individual, chain-link, concrete floor, outdoor runs.
- (15) If the Zoning Administrator finds that there is a violation of any of the conditions of this Conditional Use, the Zoning Administrator may, with the concurrence of the Planning Director, declare the Conditional Use null and void.

**SECTION II.** That upon the taking effect of this Resolution, the notation of such Conditional Use shall be shown on the "Official Zoning District Map" on file in the office of the Planning Director 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 by the Governing Body.

Commissioners present and voting were:

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|--------------------------|------------------|-------|
| 1 <sup>st</sup> District | DAVID M. UNRUH   | _____ |
| 2 <sup>nd</sup> District | TIM R. NORTON    | _____ |
| 3 <sup>rd</sup> District | KARL PETERJOHN   | _____ |
| 4 <sup>th</sup> District | RICHARD RANZAU   | _____ |
| 5 <sup>th</sup> District | JAMES B. SKELTON | _____ |

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2011

BOARD OF COUNTY COMMISSIONERS OF  
SEDGWICK COUNTY, KANSAS

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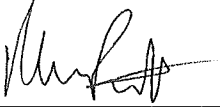
David M. Unruh, CHAIRMAN  
First District

ATTEST:

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KELLY B. ARNOLD  
County Clerk

APPROVED AS TO FORM ONLY:



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ROBERT W. PARNACOTT  
Assistant County Counselor