

RESOLUTION NO

A RESOLUTION FOR A CONDITIONAL USE FOR A BOARDING, BREEDING, TRAINING KENNEL FOR DOGS 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, a Conditional Use for a boarding, breeding, training kennel for dogs, on approximately 4.55-acres of property zoned RR Rural Residential ("RR").

Case No. CON 2013-00012

Legally described below:

Beginning 330 feet East of the Northwest corner of the Northeast Quarter; thence East 330 feet; thence South 660 feet; thence West 330 feet; thence North 660 feet to beginning EXCEPT the North 50 feet for road, Section 1, Township 27, Range 3 West, Sedgwick County, Kansas; generally located approximately 1/3-mile west of 215TH Street West, on the south side of 29th Street North.

SUBJECT TO THE FOLLOWING CONDITIONS:

- (1) The Conditional Use for a Boarding/Breeding/Training Kennel shall comply with all applicable federal, state, and local requirements including the UZC's Supplementary Use Regulation standards, except with the following modifications to the Unified Zoning Code's Supplementary Use Regulation standards: (a) The site shall be 4.55-acres and allow outdoor runs and training areas as shown on an approved site plan, which includes the required screening or landscaping providing the desired screening effect within the first growing season following installation and throughout the year every year thereafter, and; (b) The outdoor runs of the indoor kennels attached to the west side of the existing 40-foot {x} 60-foot accessory structure to be used for the indoor training of one dog at a time, shall be allowed no closer 170 feet west of the east single-family residence. The primary outdoor training area shall be allowed no closer 170 feet west of the east single-family residence and shall be located between the west side of the kennel and the east side of the applicants house as shown on the submitted site plan. The "occasional" outside training area shown on the submitted site plan shall conform to the setback standards and shall be used for one dog at a time.
- (2) The number of dogs to be boarded shall not exceed 12 dogs at any one time. No more than one dog shall be trained outdoors at any one time on either of the outdoor training areas. Dogs shall be allowed outdoors from 7:30 AM to sunset.
- (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. A suitable method of eliminating excess water from animal housing facilities shall be provided as approved by the Metropolitan Area Building and Construction

Department. 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. All solid waste generated by the boarding, breeding and training kennel must be removed from the site and shall not be discharged into the residential sewage lagoon on-site or any other on-site disposal system. Contact the Metropolitan Area Building and Construction Department to discuss their solid waste disposal plans.
- (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 Metropolitan Area Building and Construction Department personnel during reasonable daylight hours to insure continued compliance with the above requirements.
- (10) The Conditional Use is permitted a 20 square-foot rock sign placed in close proximity to the Kennel office on the 29th Street North frontage, as approved by County Permits and Code.
- (11) The property shall be developed and maintained in accordance with the site plan approved by the Planning Director, showing screening, all buildings, parking, and other applicable features of the site.
- (12) The Conditional Use shall be in effect as long the original applicants, Henry T. Cocking & Lyneisa M. Cocking, live on the described property (see legal) and run the kennel. At any time that the original applicants do not live on the described property and run the kennel, the Conditional Use shall be null and void. The applicants shall record a covenant with the Sedgwick County Register of Deeds tying this restriction to the described property.
- (13) 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:

DAVID M. UNRUH
TIM R. NORTON
RICHARD RANZAU
JAMES B. SKELTON
KARL PETERJOHN

DATED this _____ day of _____, 2013

BOARD OF COUNTY COMMISSIONERS OF
SEDGWICK COUNTY, KANSAS

JAMES B. SKELTON, CHAIRMAN
Fifth District

ATTEST:

KELLY B. ARNOLD
County Clerk

APPROVED AS TO FORM ONLY:



ROBERT W. PARNACOTT
Assistant County Counselor