

REPORT OF THE PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE
TO THE COUNTY BOARD ON A HEARING FOR A CONDITIONAL USE PERMIT

TO THE COUNTY BOARD OF SUPERVISORS OF LA CROSSE COUNTY:

The La Crosse County Planning, Resources and Development Committee, having considered the application filed by:

ROD SAXE, C/O HEGG CONTRACTORS INC., W16502 SNAKE COULEE RD, BLAIR WI 54616;
ON BEHALF OF GARY AND PAMELA SCHOMBURG, W1334 PIERCE RD, BANGOR WI 54614

and having held a public hearing on the 30th day of JUNE 2008 for a Conditional Use Permit to remove approximately 2,500 cubic yards of borrow materials from an approximately 0.50-acre site, which site

will be returned to an agricultural use where the borrow materials are used on a Wisconsin Department of

Transportation bridge replacement site on State Road 162, borrow materials are

on land that is zoned EXCLUSIVE AGRICULTURAL DISTRICT in the TOWN of BURNS

ON LAND DESCRIBED AS: A half-acre site being that part of the NE-NE of Section 9, T 17 N, R 5 W lying north of Anderson Coulee Road. Town of Burns.

And pursuant to s. 59.69 Wis. Stats. and s. 17.36 Zoning Code: the Committee did publish and receive proof of a Class II notice of the hearing; did receive receipts of mailing of the notices to the affected Town Clerk(s); did hold a public hearing to hear testimony or correspondence from the people; and, did receive and consider action from the affected Town Board(s). The Committee and the affected Town Board(s), under s. 17.36(4), have the authority to approve the application with integral conditions or to disapprove of the application. Having considered the entire record the Committee's recommendation is to: **Approve with 7 conditions.**

By a vote of 6 in favor, 1 excused (Manthei), the Committee recommended approval of this Conditional Use Permit subject to the following 7 conditions:

1. This permit is granted to remove approximately 2,500 cubic yards of borrow materials from a site owned by Gary and Pamela Schomburg in the NE-NE of Section 9, T 17 N, R 5 W.
2. This material can only be used for two bridge replacement site projects - federal ID # 7925-02-71.
3. The disturbed area will be approximately one-half acre in size.
4. Permit includes reclaiming the site for agricultural purposes when finished.
5. This permit is only valid with an approved Erosion Control. Permit and DNR Solid Waste Permit for burial of concrete demolished from bridge site (if required).
6. Hours of operation for Hegg Contractors Inc.: 7 am to 6 pm Monday through Friday and 7 am to noon on Saturday.
7. This permit expires October 31, 2008.

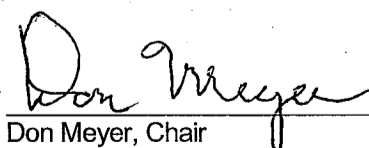
Any deviation or alteration of the conditions set forth in this permit shall constitute a violation of the terms of this Conditional Use Permit and shall be subject to prosecution and penalties under the terms of this Ordinance. A new public hearing and permit must be granted to extend or alter any of the conditions set forth herein.

Dated this 9th day of JULY 2008

ZONING, PLANNING AND LAND INFORMATION DEPARTMENT

BY 
Jeff Bluske, Director
Zoning, Planning and Land Information Department

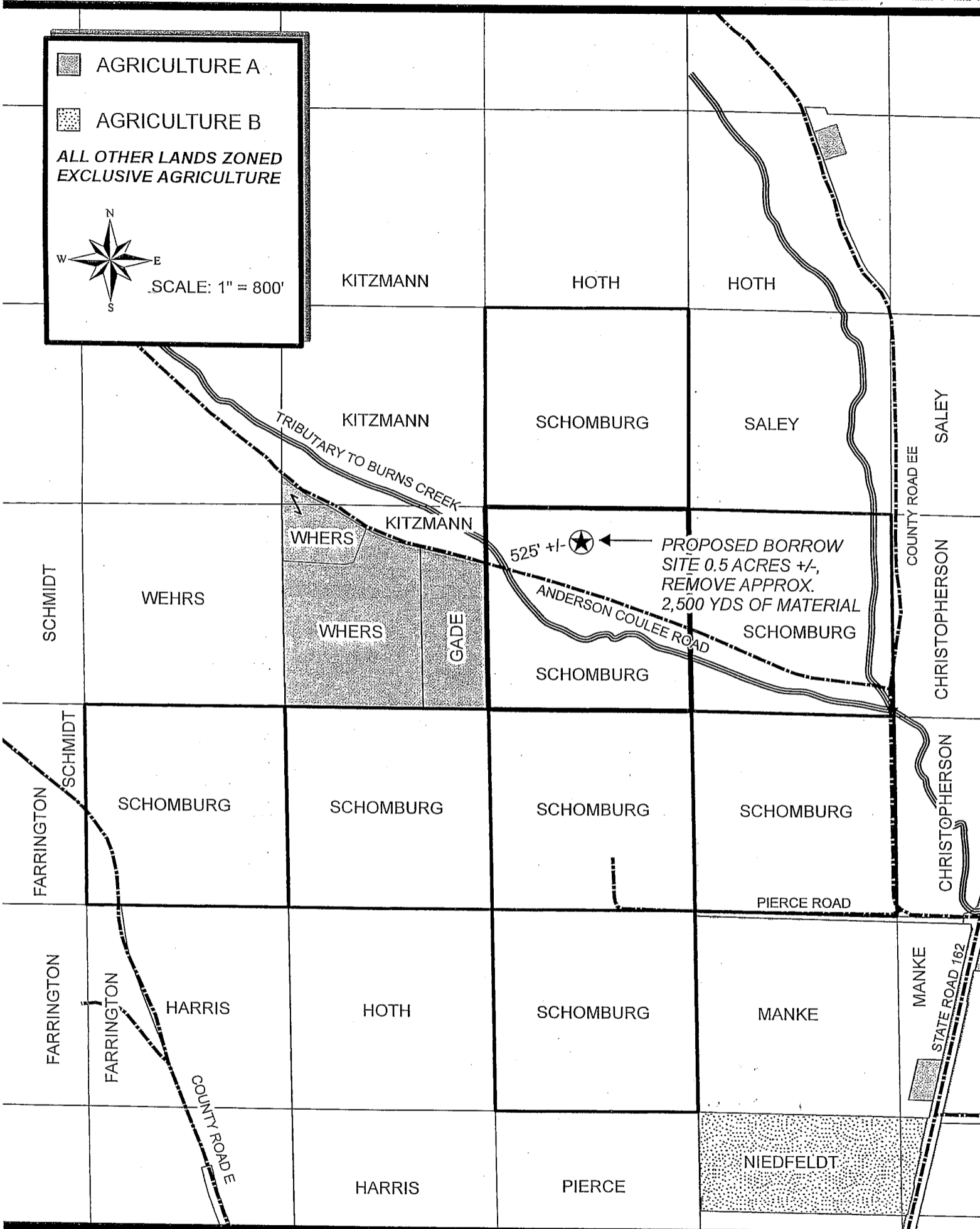
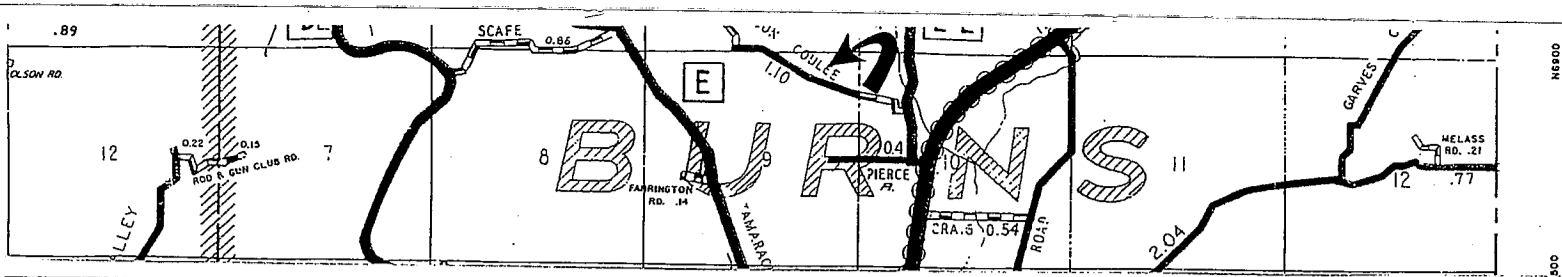
LA CROSSE COUNTY PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

BY 
Don Meyer, Chair

THE COUNTY BOARD took the following action this 17 day of July 2008

Approved subject to conditions as outlined

Disapproved the application



Conditional Use Permit # 780 HEGG o/b/o SCHOMBURG **40 Acres**
 Conditional Use Permit For: A borrow permit, restore to cropland **Town of Burns**
SOIL DATA: 51% Class I & II Soils **LAND CLASS:** Woods 32%
 4% Class III Soils Crops 25%
 3% Class IV Soils Idle 43%
 42% Class V-VIII Soils

FARMLAND PRESERVATION 91.77 Ordinance Revisions 1) A county, city, village or town may approve petitions for rezoning areas zoned for exclusive agriculture use only after findings are made based upon consideration of the following: (a)- Adequate public facilities to accommodate development either exist or will be provided within a reasonable time. (b) Provision of public facilities to accommodate development will not place an unreasonable burden on the ability of affected local units of government to provide them. (c) The land proposed for rezoning is suitable for development and development will not result in undue water or air pollution, cause unreasonable soil erosion or have an unreasonably adverse effect on rare or irreplaceable natural areas. (2) Land which is rezoned under this section shall be subject to the lien provided under s. 91.19 (8) to (10) for the amount of tax credits paid on the land rezoned. If the rezoning occurs solely as a result of action initiated by the governmental unit, any lien required under s. 91.19 (8) to (10) shall be paid by the governmental unit initiating this action. (3) The department shall be notified of all rezonings under this section. History: 1977 c.29,169; 1992 - 214