

REPORT OF THE PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE TO THE COUNTY BOARD ON A HEARING FOR A PETITION TO AMEND THE LA CROSSE COUNTY ZONING ORDINANCE

TO THE COUNTY BOARD OF SUPERVISORS FOR LA CROSSE COUNTY:

The La Crosse County Planning, Resources and Development Committee, having considered

Petition No. 1796 To amend the La Crosse County Zoning Ordinance filed by:

DAVID AND KERRI BANDELL 313 CYPRESS CIRCLE LN HOLMEN WI 54636 ACTING ON BEHALF OF MARK SMITH W7716 A JOHNSON RD HOLMEN WI 54636

and having held a public hearing on the 27th day of OCTOBER, 2008

to rezone from EXCLUSIVE AGRICULTURE DISTRICT

to AGRICULTURE DISTRICT "A"

The following described land in the Town(s) of FARMINGTON

The W1/2-NE-NW of Section 15, T18N, R7W, Town of Farmington.

And pursuant to s. 59.69 Wis. Stats.: 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 and official correspondence; and, did receive and consider action from the affected Town Board(s). The Committee, under s. 59.69(5)(e)4, Wis. Stats., has the authority to approve the petition as submitted; to disapprove of the petition; or, to modify and approve the petition. Having considered the entire record the Committee's recommendation is to: **Approve with condition.**

By a vote of 3 in favor, 2 opposed - Mach-Pedretti, 2 absent - Meyer-Keil, the Committee recommended approval of the rezone to Agriculture District "A" subject to the recording of a deed restriction indicating this parcel is for one single family residence only, no further subdividing.

(IF THIS PETITION IS APPROVED AS A CONDITIONAL ZONING, DEED RESTRICTIONS MUST BE RECORDED BEFORE ZONING TAKES EFFECT.)

Dated this 7th day of November, 2008

ZONING, PLANNING AND LAND INFORMATION DEPARTMENT

BY Jeff Bluske
Jeff Bluske, Director

LA CROSSE COUNTY PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

BY Thomas J. Raub
Tom Raub, Vice Chair

The County Board, under s. 59.69(5)(e)5 Wis. Stats., has the authority to effectuate the petition by ordinance or to disapprove it. The County Board took the following action this 10 day of November 2008

Approved the petition as submitted, becomes an ordinance.

Approved the petition with amendments/conditions, becomes an ordinance, after recording conditions. *

~~JB~~ Denied the petition, (no ordinance is adopted) ~~16-16 vote failed.~~ * County Board vote was

Denied the petition with amendments/conditions, (no ordinance is adopted) reconsidered on Wednesday

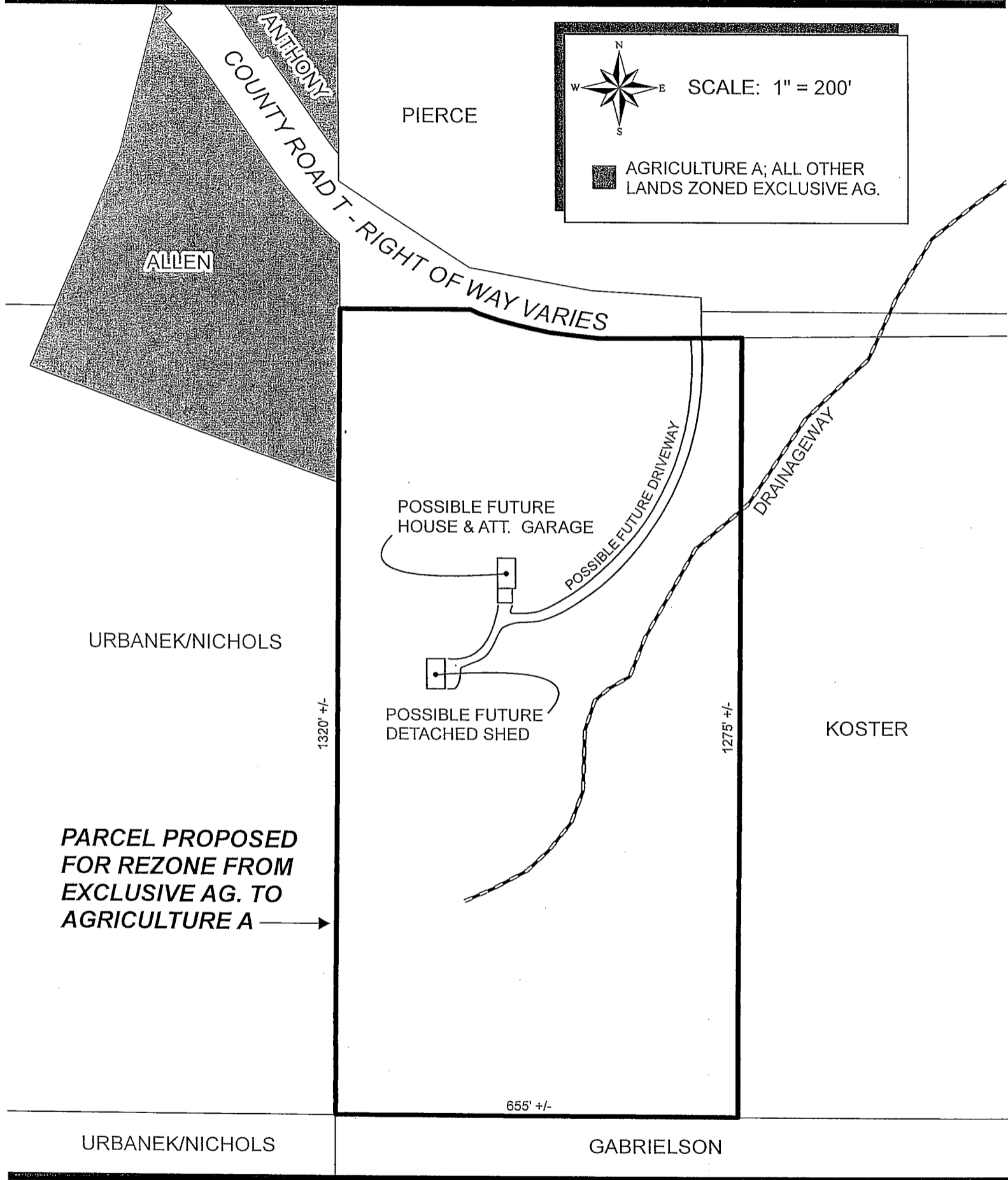
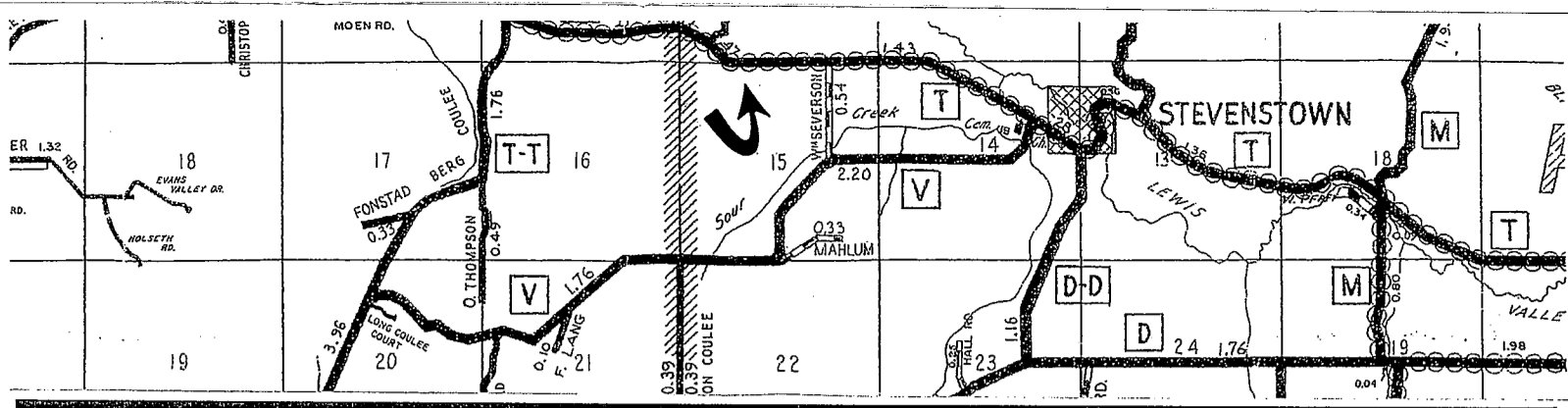
Refused to deny the petition with re-referral, (no ordinance is adopted unless reported out with approval)

November 12, 2008 during it's second day of Legislation. The vote to reconsider approving this Ordinance amendment passed by a vote of 17-13; deed restrictions must be recorded to effectuate zoning. JB

STATE OF WISCONSIN
COUNTY OF LA CROSSE

I, Marion I. Naegle, County Clerk of La Crosse County do hereby certify that this document is a true and correct copy of the original zoning ordinance required by law to be in my custody and which the County Board 12th day of November 2008.

Marion I. Naegle
Marion I. Naegle, La Crosse County Clerk



SCALE: 1" = 200'

 AGRICULTURE A; ALL OTHER LANDS ZONED EXCLUSIVE AG.

PARCEL PROPOSED FOR REZONE FROM EXCLUSIVE AG. TO AGRICULTURE A →

Zoning Petition No. 1796 Bandell o/b/o Smith **20.0 Acres**
 REASON FOR REZONE: One single family lot **Town of Farmington**

SOIL DATA: 70% Class III Soils **LAND CLASS: Woods 25%**
30% Class V-VIII Soils **Idle 75%**

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 (b) 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 (b) 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; 1983 a.311.