

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. 1806 To amend the La Crosse County Zoning Ordinance filed by:

**JUSTIN K GILBERT, 41853 COUNTY 12, MABEL, MN 55954; ACTING ON BEHALF OF DANIEL L GILBERT, W4997 COUNTY ROAD Q, HOLMEN, WI 54636 AND WALTER & PHYLLIS GILBERT LIFE ESTATE**

and having held a public hearing on the 29<sup>th</sup> day of DECEMBER, 2008

to rezone from TRANSITIONAL AGRICULTURE DISTRICT

to AGRICULTURE DISTRICT "A"

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

The East 33' of that part of the SW-SE and all that part of the SE-SE of Section 1, T18N, R7W lying southerly of the centerline of County Road Q. 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.**

**By a vote of 4 in favor, 1 opposed, 2 excused - Keil and Mach, the Committee recommended approval of the rezoning to Agriculture District A.**

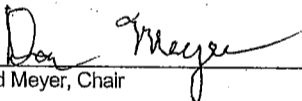
(IF THIS PETITION IS APPROVED AS A CONDITIONAL ZONING, DEED RESTRICTIONS MUST BE RECORDED BEFORE ZONING TAKES EFFECT.)

Dated this 9<sup>th</sup> day of January, 2009

ZONING, PLANNING AND LAND INFORMATION DEPARTMENT

BY   
Jeff Bluske, Director

LA CROSSE COUNTY PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

BY   
Donald Meyer, 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 15 day of January 2009

Approved the petition as submitted,      becomes an ordinance.

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

Denied the petition,      (no ordinance is adopted)

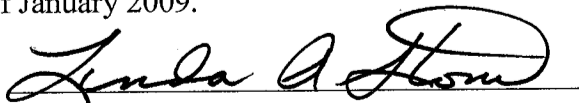
*see attached amendment. Town has 40 days to recommend approval or denial of amendment.*

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

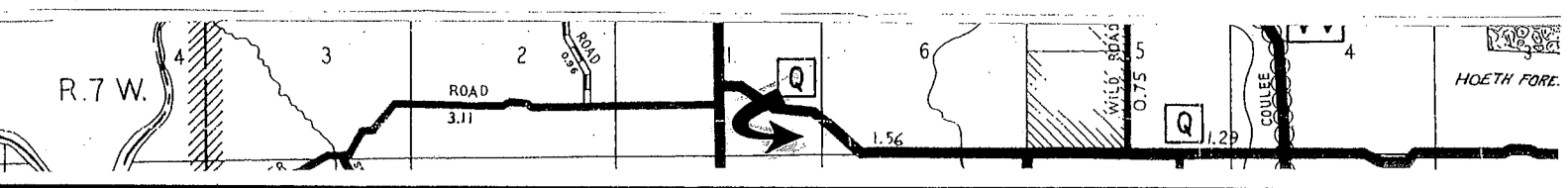
Refused to deny the petition with re-referral,      (no ordinance is adopted unless reported out with approval)

STATE OF WISCONSIN  
COUNTY OF LA CROSSE

I, Linda A. Stone, 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 approved on the 15<sup>th</sup> day of January 2009.



Linda A. Stone, La Crosse County Clerk



**PART OF THE SW-SE, SE-SE, SECTION 1, T18N-R7W  
TOWN OF FARMINGTON, LA CROSSE COUNTY, WI**

FD. Lunde  
East 1/4 Corner  
Section 1  
T18N-R1W

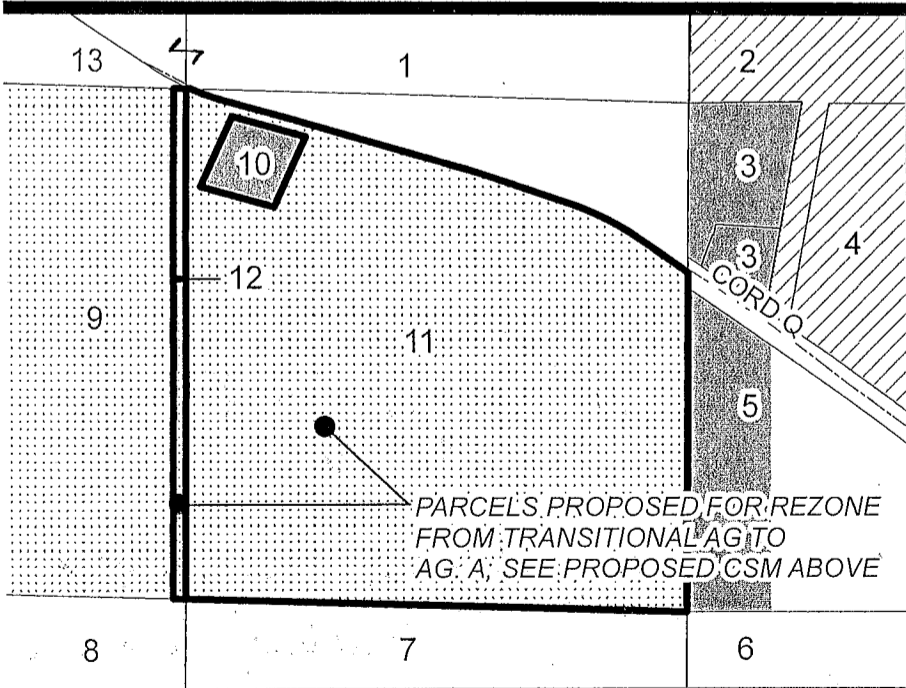


LINE TABLE		
LINE	LENGTH	BEARING
L1	53.67'	S 89°20'47" E
L2	227.76'	S 75°52'00" E
L2A	93.73'	S 75°52'00" E
L2B	134.03'	S 75°52'00" E
L3	175.88'	S 73°26'54" E
L4	22.71'	S 56°05'57" E
L5	121.65'	N 89°25'16" E
L6	248.19'	N 35°43'03" E
L6A	212.70'	N 35°43'03" E
L6B	35.49'	N 35°43'03" E
L7	227.76'	N 75°52'00" W
L7A	80.68'	N 75°52'00" W
L7B	147.08'	N 75°52'00" W
L8	175.88'	N 73°26'54" W
L9	45.18'	N 56°05'57" W
L10	378.43'	N 15°28'52" E
L10A	345.43'	N 15°28'52" E
L10B	33.00'	N 15°28'52" E
L11	39.92'	N 00°20'46" W
L12	13.63'	N 00°34'44" W
L13	253.09'	N 00°34'44" W
L12+L13	266.72'	N 00°34'44" W

- LEGEND**
- = Found 1" Iron Pipe (unless stated otherwise)
  - = Set 3/4" x 24" Iron bar (1.50 lb/lin. ft.)
  - ( ) = Recorded dimensions
  - ⊙ = Found MAG nail
  - = Set MAG nail
  - ⊙ = Found County marker
  - = Boundary of this survey
  - - - = Centerline
  - U-U- = Utility lines
  - x-x- = Fence line

SCALE: 1" = 200'

FD. Berntsen  
Southeast Corner  
Section 1  
T18N-R1W

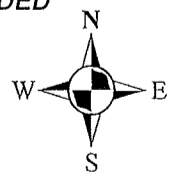


**PROPERTY OWNERS  
WITHIN 300' OF REZONE**

- |                  |                         |
|------------------|-------------------------|
| 1. KING          | 7. W, P & M GILBERT     |
| 2. VAVRA         | 8. W & P GILBERT, ET AL |
| 3. G & M WORTMAN | 9. W, P & D GILBERT     |
| 4. OLSON         | 10. D GILBERT           |
| 5. S&R WORTMAN   | 11. J GILBERT           |
| 6. SCHWEIGERT    | 12. W & J GILBERT       |
|                  | 13. BASSETT             |

- EXCLUSIVE AG.
- ▨ TRANSITIONAL AG.
- ▧ AG. A, CONDITIONS RECORDED
- ▩ AG. A, NO CONDITIONS

SCALE: 1" = 500'



**Zoning Petition No. 1806 Gilbert Town of Farmington 34.9 Acres**  
**REASON FOR REZONE:** 2 residential lots, reconfigure existing residential lot  
**SOIL DATA:** 43% Class IV Soils  
**57% Class V-VIII Soils**  
**LAND CLASS:** Woods 64%  
 Crops 27%  
 Idle 9%

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 rezoning actions under this section.

AMENDMENTS AND MOTIONS AND RESOLUTIONS

Per County Board Rules: Chapter 2.02 (7) (c) – All resolutions, amendments and motions of a significant matter shall be submitted in writing to the County Clerk before the adjournment of the meeting in which it is presented.

Amendment  Motion  Resolution

Date: 1/15/09 Item # \_\_\_\_\_ Subject: \_\_\_\_\_

Written amendment/motion/resolution: To approve as conditional Agricultural District A zoning for 3 single family homes subject to the recording of a deed restriction indicating that the parcel cannot be further subdivided.

Signature: Thomas J. Raub Dist # 34 Second

*Pedretti*