

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:

**DALE H & DORIS M MIKSHOWSKY, N1486 SCHWARTZ RD, LA CROSSE, WI; ACTING IN BEHALF OF  
LORI & BRYAN MIKSHOWSKY & LUCY MIKROBERTS**

and having held a public hearing on the 28<sup>th</sup> day of September 2009 for a Conditional Use Permit to  
construct and operate a 45-ft wind tower with 12-ft diameter rotor for a single family residence and to connect  
the tower to the local electrical grid on a 28.67 acre parcel zoned EXCLUSIVE AGRICULTURE DISTRICT  
in the TOWN of GREENFIELD

Part of the NE-SE of Section 14, T15N, R6W described in tax parcel 6-383-0. Town of Greenfield.

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 conditions.**

By unanimous vote, the Committee recommends approval of this Conditional Use Permit for a 45-ft wind tower, subject to 4 conditions:

1. This permit is granted to construct one 45-ft tall wind tower with a 12-ft diameter rotor with blades and 6-ft X 6-ft X 5-ft control pad.
2. This wind tower will be hooked up to the electrical grid with a stall regulation control.
3. For safety purposes if winds or other forces should topple tower, the tower must be set back a minimum of 50-ft from any property line or any new or existing building.
4. The existing wind mill will be removed.

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 7<sup>th</sup> day of October, 2009

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   
Donald Meyer, Chair

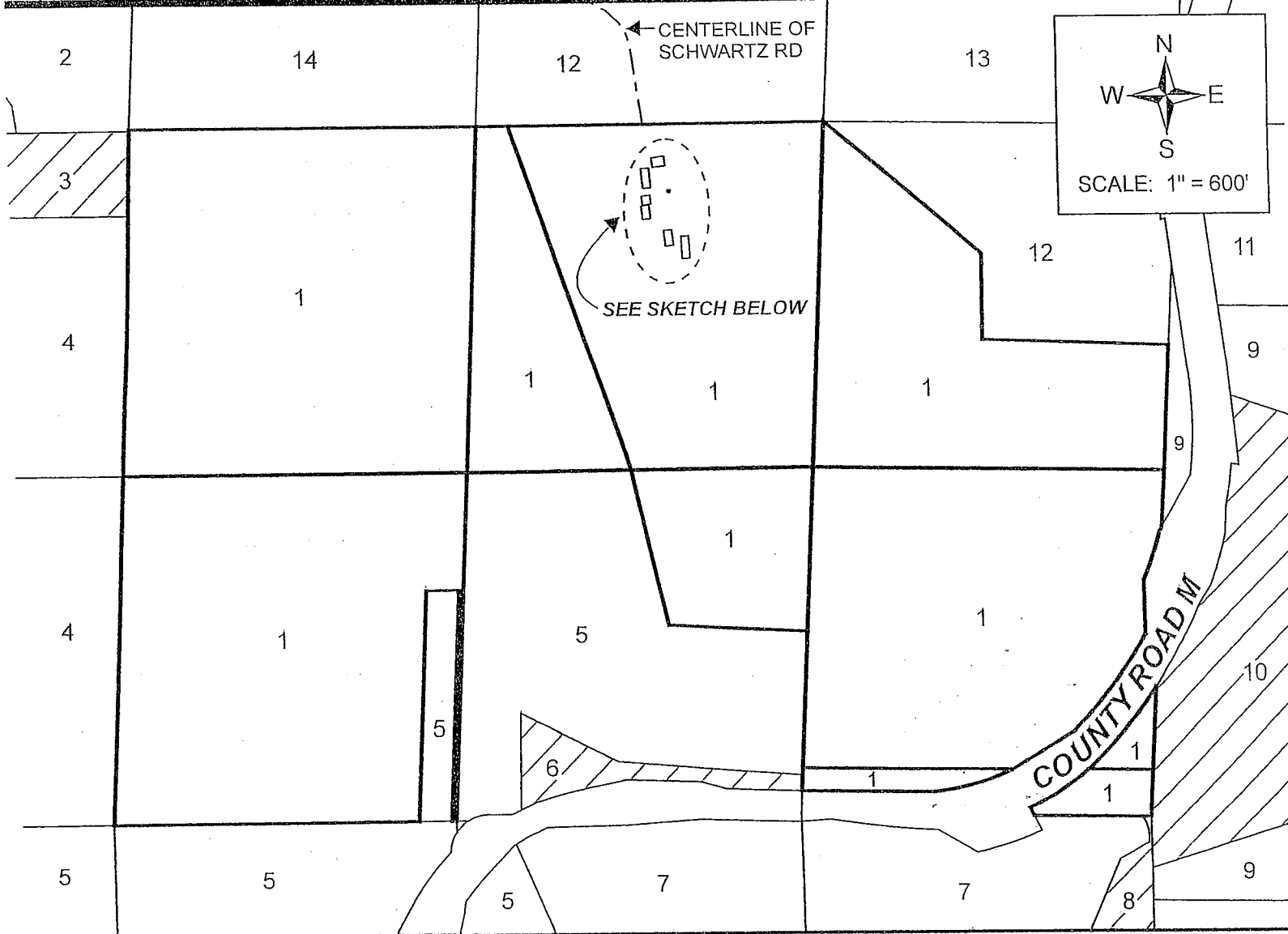
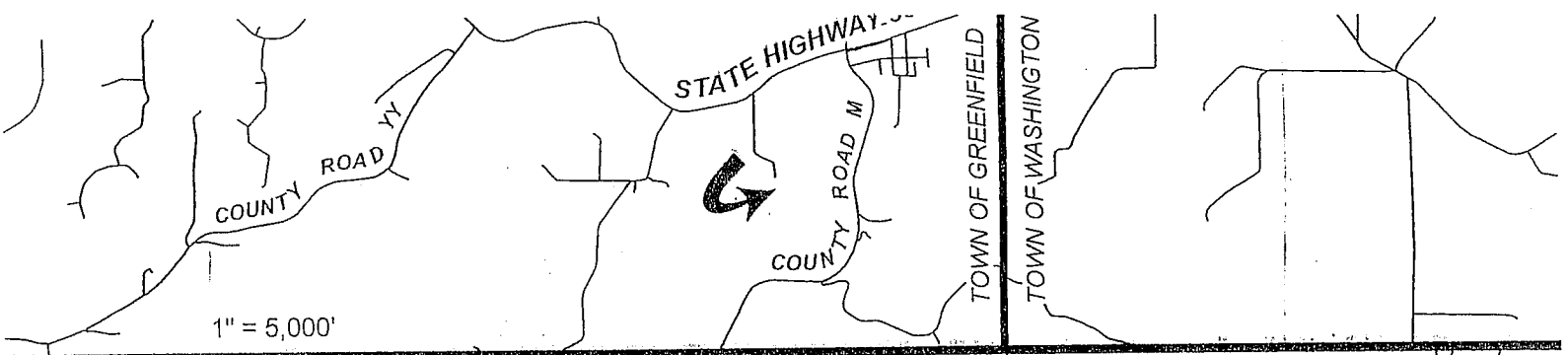
THE COUNTY BOARD took the following action this 15 day of October 2009  
Approved subject to conditions as outlined

Disapproved the application

STATE OF WISCONSIN  
COUNTY OF LA CROSSE

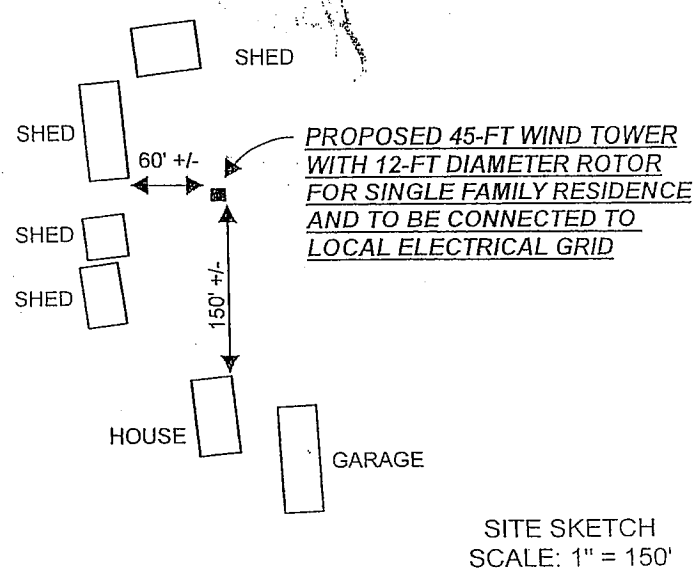
I, Linda A. Stone, County Clerk of La Crosse County do hereby certify that this document is a true and correct copy of the original conditional use permit required by law to be in my custody and which the County Board of Supervisors of La Crosse County approved at a meeting held on the 15<sup>th</sup> day of October, 2009.

  
Linda A. Stone, La Crosse County Clerk



- EXCLUSIVE AGRICULTURAL DISTRICT
- AGRICULTURAL DISTRICT 'A'

1. MIKSHOWSKY
2. SCHAMS, TERRANCE
3. FANCHER / SHERRY
4. MILLER
5. JOAN BAHR WISCONSIN FARM TRUST
6. LIEBL
7. HARTER
8. UTTERBACK
9. HESS FAMILY REVOCABLE TRUST
10. SCHAMS, TIMOTHY
11. E-M SERVAIS FAMILY LIMITED PARTNERSHIP
12. HANSEN
13. SCHAMS TRUST
14. SJS BUILDERS LLC



## CONDITIONAL USE PERMIT NO. 802

PART OF THE NE/SE OF SECTION 14, T15N, R6W  
TOWN OF GREENFIELD  
DALE & DORIS MIKSHOWSKY

<p>SOIL DATA</p> <p>CLASS I II 22%</p> <p>CLASS III 32%</p> <p>CLASS IV 32%</p> <p>CLASS V-VIII 14%</p>	<p>LAND CLASS</p> <p>CROPS 73%</p> <p>IDLE 23%</p> <p>WOODS 4%</p>
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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 finding 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; 1983 a.311.