

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. 2019 to amend the La Crosse County Zoning Ordinance filed by:

**BEN SPRAIN OF ABEN FARMS, LLC,**  
**943 GARLAND ST E, WEST SALEM, WI, 54669**

and having held a public hearing on the 1<sup>st</sup> day of July 2019 for a petition to rezone 0.43 acres identified as "Parcel A" from the RURAL DISTRICT to the EXCLUSIVE AGRICULTURE DISTRICT and 0.43 acres identified as "Parcel B" from the EXCLUSIVE AGRICULTURE DISTRICT to the RURAL DISTRICT for continued residential and agricultural use and as depicted on a rezone map and as described in Metes and Bounds prepared by Coulee Region Land Surveyors located in the Town of Hamilton and described as follows:

Part of the NE/SW of Section 10, T17N, R6W and part of Lot 1 of Certified Survey Map No. 29 in Vol. 18. Parts of tax parcels 7-559-1 and 7-561-1. Property address N6648 Scotch Coulee Rd E. Town of Hamilton.

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, and under s. 91.48(1), 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:

**By a vote of six (6) in favor, zero (0) no, and one (1) absent (Scheller), the committee voted to approve Zoning Petition No. 2019 subject to no conditions.**


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

Dated this 1<sup>st</sup> day of August, 2019

ZONING, PLANNING AND LAND INFORMATION DEPARTMENT

BY   
Nate Sampson – Zoning Director

LA CROSSE COUNTY PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

BY   
Rick Cornforth – 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<sup>th</sup> day of August, 2019

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)

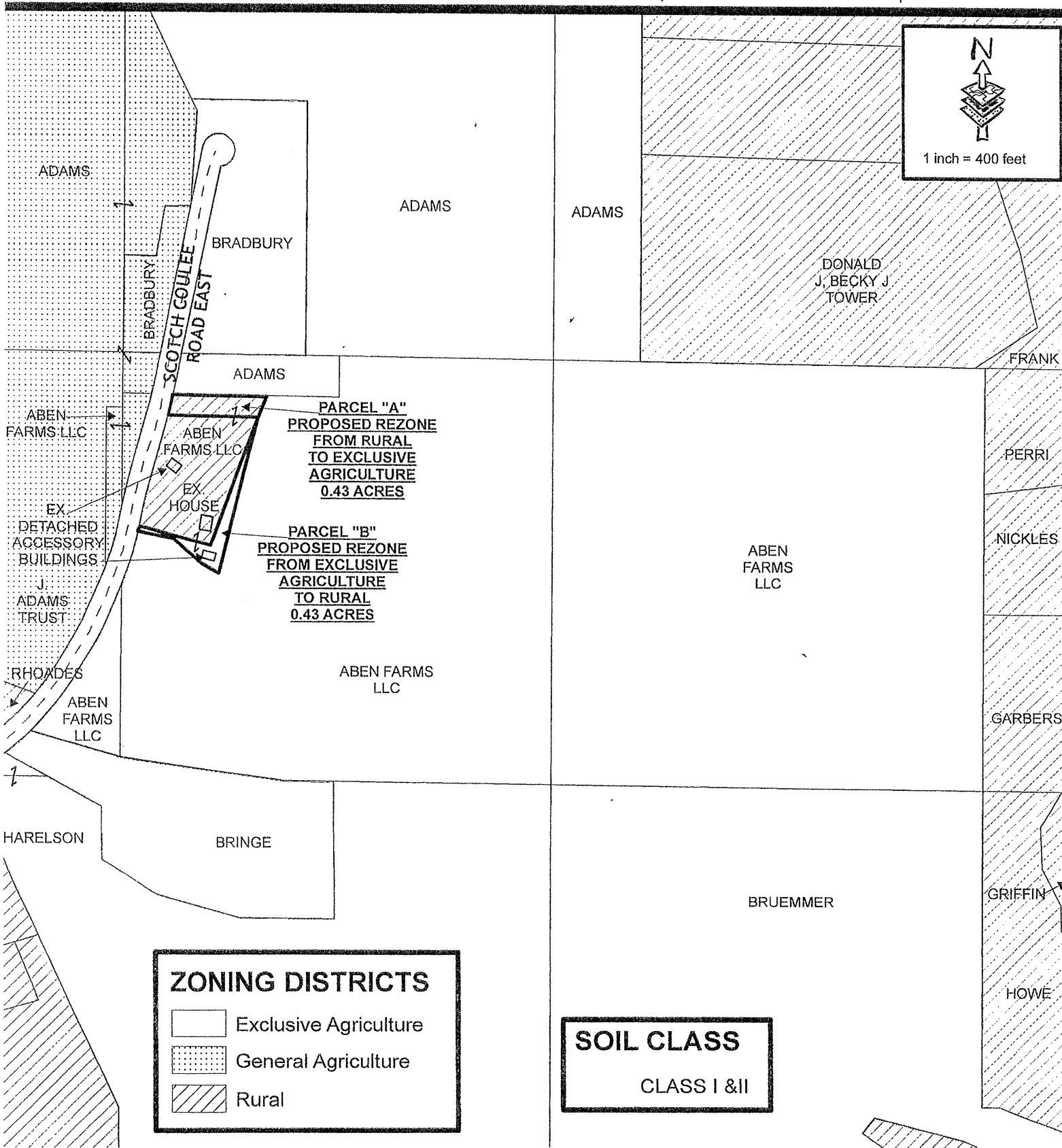
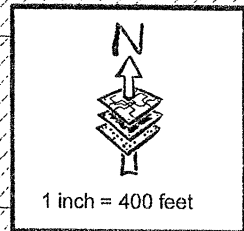
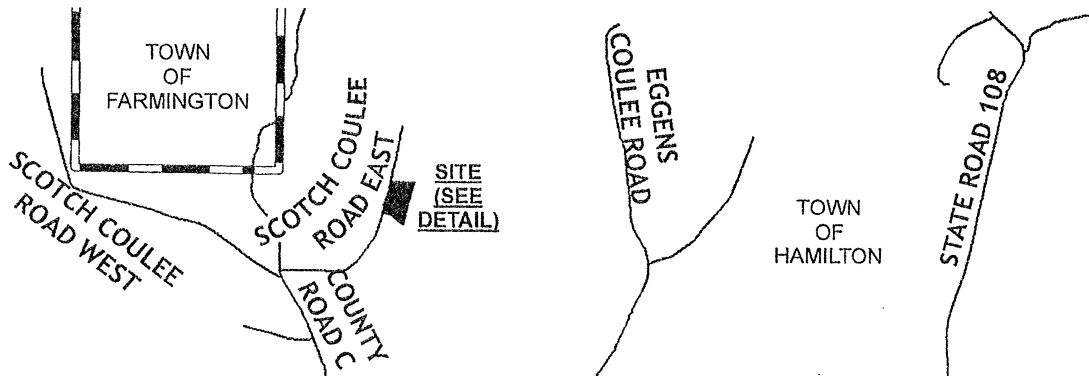
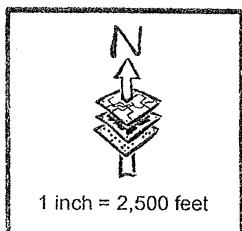
Denied the petition with amendments/conditions, \_\_\_\_\_ (no ordinance adopted)

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

STATE OF WISCONSIN  
COUNTY OF LA CROSSE

I, Ginny Dankmeyer, 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 of Supervisors of La Crosse County approved at a meeting held on the 15<sup>th</sup> day of August 2019.

  
Ginny Dankmeyer, La Crosse County Clerk



**ZONING PETITION NO. 2019 BEN SPRAIN OF ABEN FARMS, LLC, 943 GARLAND ST E, WEST SALEM, WI, 54669, PETITIONS TO REZONE 0.43 ACRES IDENTIFIED AS "PARCEL A" FROM THE RURAL DISTRICT TO THE EXCLUSIVE AGRICULTURE DISTRICT AND 0.43 ACRES IDENTIFIED AS "PARCEL B" FROM THE EXCLUSIVE AGRICULTURE DISTRICT TO THE RURAL DISTRICT FOR CONTINUED RESIDENTIAL AND AGRICULTURAL USE AND AS DEPICTED ON A REZONE MAP AND AS DESCRIBED IN METES AND BOUNDS PREPARED BY COULEE REGION LAND SURVEYORS BEING PART OF THE NE/SW OF SECTION 10, T17N, R6W AND PART OF LOT 1 OF CERTIFIED SURVEY MAP NO. 29 IN VOL. 18. PARTS OF TAX PARCELS 7-559-1 AND 7-561-1. PROPERTY ADDRESS N6648 SCOTCH COULEE RD E. TOWN OF HAMILTON**

## ZONING PETITION NO. 2019

BEN SPRAIN OF ABEN FARMS LLC

PART OF THE NE/SW OF SECTION 10, T17-N, R6-W AND PART OF LOT 1 OF C.S.M. NO. 29 IN VOL. 18.

SOIL CLASS  
CLASS I-II = 90%  
CLASS III = 10%

0.86 ACRES TO BE REZONED

TOWN OF HAMILTON

LAND CLASS  
IDLE = 100%

REASON FOR REZONE: CONTINUED RESIDENTIAL AND AGRICULTURAL USES

91.48 REZONING OF LAND OUT OF A FARMLAND PRESERVATION ZONING DISTRICT. (1) A political subdivision with a certified farmland preservation zoning ordinance may rezone land out of a farmland preservation zoning district without having the rezoning certified under s. 91.36, if the political subdivision finds all of the following, after public hearing: (a) The land is better suited for a use not allowed in the farmland preservation zoning district. (b) The rezoning is consistent with any applicable comprehensive plan. (c) The rezoning is substantially consistent with the county certified farmland preservation plan. (d) The rezoning will not substantially impair or limit current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.