FOR ZONING DISTRICT MAP AMENDMENT – ORDINANCE NO. 2409-819

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 1st 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 1st 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 Comforth – 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 15th 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 15th 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 53969, 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 VOLUME 18, PARTS OF TAX PARCEL S 7-559-1 AND 7-651-1. PROPERTY ADDRESS 6848 SCOTCH COULEE RD E, TOWN OF HAMILTON.

SOIL CLASS

CLASS I & II

ZONING DISTRICTS

- Exclusive Agriculture
- General Agriculture
- Rural

SOIL CLASS

CLASS I & II = 90%
CLASS III = 10%

REASON FOR REZONE: CONTINUED RESIDENTIAL AND AGRICULTURAL USES

LAND CLASS

IDLE = 100%

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.