CONDITIONAL USE PERMIT NO. 1099
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 an application filed by:

**CHRIS HENSHEUE, DOING BUSINESS FOR CLOUD 1,**
417 PINE ST, GREEN BAY, WI, 54305,
O/B/O D&G SERVASS JOINT REVOCABLE TRUST,
W5050 KNOBLOCH RD, LA CROSSE, WI, 54601

and having held a public hearing on the 3rd day of June, 2019 for a Conditional Use Permit to construct a 250-ft tall self-supporting mobile service support structure (cell tower) to support broadband internet services, expand the federal government’s FIRSTNET first responders network, and to support AT&T’s commercial mobile phone network on lands zoned GENERAL AGRICULTURE DISTRICT in the Town of Shelby and described as follows:

A 29.667 acre parcel being part of the SW1/4 NE of Section 12, T15N, R7W. Part of tax parcel 11-1047-0. Town of Shelby.

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, under s. 91.48(1), Wis. Stats., along with 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:

By a vote of seven (7) in favor, and zero (0) no, the committee recommended approval of Conditional Use Permit No. 1099 subject to the following twelve (12) conditions:

1. This approval is granted specifically to Chris Henshue, doing business for Cloud 1, 417 Pine St, Green Bay, WI, 54305, o/b/o D&G Servass Joint Revocable Trust, W5050 Knobloch Rd, La Crosse, WI, 54601, for a Conditional Use Permit on lands zoned General Agriculture District to construct a 250-ft tall self-supporting mobile service support structure (cell tower) to support broadband internet services, expand the federal government’s FIRSTNET first responders network, and to support AT&T’s commercial mobile phone network. Property is a 29.667 acre parcel being part of the SW1/4 NE of Section 12, T15N, R7W. Part of tax parcel 11-1047-0. Town of Shelby;

2. An information report as required under s. 28.07 of the La Crosse County Code of Ordinances has been submitted by the applicant to the La Crosse County Zoning, Planning & Land Information Department. Any updated report shall be submitted as required under s.28.07(2);

3. If not already submitted, a copy of the FAA report indicating findings that no hazards exist shall be submitted to the La Crosse County Zoning Department prior to issuance of a Zoning/Occupancy Permit authorizing construction. All other conditions listed under s.28.05(9) shall be met before construction may commence;

4. If not already submitted, the results of the Section 106 filing once completed shall be submitted to La Crosse County Zoning, Planning & Land Information office for inclusion in this file;

5. The applicant shall obtain any required Erosion Control and/or stormwater permits through La Crosse County Land Conservation Department before a Zoning/Occupancy Permit can be issued;

6. The tower shall be designed and constructed to accommodate a minimum of four (4) wireless carriers. One has been designated, 3 are vacant as of the date of approval;

7. A minimum setback distance equal to or greater than the 125-ft fall zone listed in the engineering certification shall be maintained from all property boundaries and roads right of ways;

8. The tower shall be removed and the site restored at the expense of the tower owner as required under s.28.08(1);

9. A bond in the amount of $20,000 has been provided to La Crosse County and shall be maintained without lapsing over the life of the tower to guarantee removal of the support structure as required in s.28.08(2);

10. No advertising is allowed on the support structure or fenced compound except for a sign attached to the fence shall be required with contact information and phone numbers in case of an emergency;

11. Abandonment is considered discontinuance of use for 24 consecutive months or longer; and

12. This permit is transferrable, but acceptable financial guarantee for abandonment shall be received by La Crosse County from the new owner within 60 days of transfer.

Dated this 6th day of June, 2019

ZONING, PLANNING AND LAND INFORMATION DEPARTMENT

**Nate Sampson – Zoning Director**

**Rick Comforth – Chair**

THE COUNTY BOARD took the following action this 20th day of June, 2019

Approved subject to conditions as outlined ______________

Disapproved the application __________
CONDOMINUM OWNERS

1 - GREEN
2 - ROOT
3 - HSU HSIEN SHELLY LWO
4 - COULTER
5 - ROBERTS
6 - EVERSON/IVALIS
7 - SNODGRASS
8 - DESMOND
9 - BAHR
10 - MORTON
11 - ROSLANSKY
12 - BRISTOL
13 - YUTUC
14 - HANNA
15 - GREEN MATTERS LLC
16 - ALLEN
17 - GASTERLAND
18 - SMILEY
19 - BAST TRUST
20 - CERNOHOUD
21 - DOSCH
22 - MCCARTNEY
23 - KNAPIK
24 - TRANBERG
25 - CHANDLER
26 - DEVAR
27 - HANLEY
28 - BUSH
29 - SALSBERG
30 - RANK

CONDITIONAL USE PERMIT NO. 1099
CHRIS HENSUH OF CLOUD 1
O/B/O D & G SERVAIS JOINT REVOCABLE TRUST
PART OF THE SWINE SECTION 12, T15N, R7W. PART OF TAX PARCEL 11-1047-0. TOWN OF SHELBY.

CONDOMINIUM USE PERMIT NO. 1099
CHRIS HENSUE OF CLOUD 1
GREEN BAY, WI 54306. O/B/O D & G SERVAIS JOINT REVOCABLE TRUST, W7055 KNOBLOCH RD, LA CROSSE, WI 54601.
APPLIES TO A CONDITIONAL USE PERMIT ON LANDS ZONED GENERAL AGRICULTURE DISTRICT TO CONSTRUCT A 250-FT TALL SELF-SUPPORTING MOBILE SERVICE SUPPORT STRUCTURE (CELL TOWER) TO SUPPORT BROADBAND INTERNET SERVICES, EXPAND THE FEDERAL GOVERNMENT'S FIRSTNET FIRST RESPONDERS NETWORK, AND TO SUPPORT AT&T'S COMMERCIAL MOBILE PHONE NETWORK. PROPERTY IS A 29.667 ACRE PARCEL, BEING PART OF THE SWINE OF SECTION 12, T15N, R7W. PART OF TAX PARCEL 11-1047-0. TOWN OF SHELBY.