

**FINDINGS OF FACT – CONDITIONAL USE PERMIT**

**Swan Lake Wind, LLC– CUP-247**

Are the requirements of Section 1723 met? (signed by owner unless there is a binding purchase agreement then signed by applicant, Variance accompanied by building permit (if applicable), site plan included with building permit,	Yes
Are the requirements of Section 1729 met? (all fees paid at time of application)	Yes
Section 1805:	
1. Did you specifically cite, in the application, the section of the Ordinance under which the conditional use is sought and state the grounds on which it is requested	Applicant is requesting a Conditional Use Permit for a Large Wind Energy Conversion System per Article 5 Section 507 and Article 26 Section 2605.
2. Was notice of public hearing given per Section 1803 (3-5)?	Mailed – August 2, 2024 Published – August 2 and 9, 2024
3. Attend the public hearing	Yes
4. Planning Commission: Make a recommendation to include:  a. Granting of conditional use; b. Granting with conditions; or c. Denial of conditional use	<b>Move CUP to the County Commission but apply the October 3, 2024 adopted ordinance setbacks and reject the towers that don't meet the setbacks and don't have waivers Passed 6-1</b>
5. Planning Commission must make written findings certifying compliance with specific rules including:  a. Ingress and Egress to proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe:	Ingress/Egress is present
b. Off right-of-way parking and loading areas where required; with particular attention to the items in (A) above and the economic, noise, glare or odor effects of the conditional use on adjoining properties and properties generally in the district;	None required
c. Refuse and service areas, with particular reference to the items in (A) and (B) above;	None required
d. Utilities, with reference to locations, availability, and compatibility;	Present
e. Screening and buffering with reference to type, dimensions, and character;	None required
f. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect;	No signs required and lighting is addressed in the application
g. Required yards and other open spaces; and	Met

h. General compatibility with adjacent properties and other property in the district and that the granting of the conditional use will not adversely affect the public interest.

Is in general compatibility with adjacent properties in the district and will not adversely public interest