

Madison County Planning Commission
16 E 9th Street, Box 13, Anderson, IN 46016
 Ph: (765) 641-9541 Fax: (765) 648-1361 www.madisoncountyindiana.org

NO PARTIAL FILINGS WILL BE ACCEPTED

bzasuvar 5/7/08

For Office Use Only	
Case # _____	
Hearing Date: _____	
Date fee paid: _____	
Receipt#: _____	
Approved _____	Denied _____

_____ ✓ **SPECIAL USE (EXCEPTION)**

_____ **VARIANCE FROM DEVELOPMENT STANDARDS**

Property Owner Owner Name: <u>See Parcel List Provided</u> Address: _____ Phone No(s): _____	Petitioner Information Petitioner Name: <u>Andy Melka, Dev. Manager, E.ON</u> Address: <u>353 N. Clark St. , 30th Fl, Chicago, IL 60654</u> Phone No(s): <u>(815) 245-8595</u>
Attorney/Contact Person and Project Engineer (if any) Name: <u>Mary E. Solada, Attorney, Bingham McHale LLP</u> Address: <u>2700 Market Tower, 10 W Market, Indpls, IN 46204</u> Phone No(s): <u>(317) 635-8900</u>	Name: _____ Address: _____ Phone No(s): _____

Attachments <input checked="" type="checkbox"/> Completed Application <input checked="" type="checkbox"/> Copy of Legal Description <input type="checkbox"/> Letter of Intent <input checked="" type="checkbox"/> Site plan-drawn to scale (10 copies on 11x17 paper) <input checked="" type="checkbox"/> Application Fee

For Office Use Only <input type="checkbox"/> Notice of Public Hearing <input type="checkbox"/> Affidavit of Publication of Legal Notice <input type="checkbox"/> Affidavit of Notice to Interested Parties
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Project Information Township & Section: <u>See Parcel List, Project Maps & Legal Descriptions Provided</u> Acreage or lot size: _____ Parcel#: _____ Address/location: _____ Current Zoning: <u>Agricultural</u> Current Use: <u>Agricultural</u> Nature of variance/special use/appeal: <u>See Narrative Filed Herewith</u>
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The undersigned states the above information is true and correct as (s)he is informed and believes.

WILDCAT WIND FARM I, LLC

Signature of Property Owner(s): _____ **Date:** _____

By: _____
 Title: _____

State of Indiana)
 County of Madison) SS: Subscribed and sworn to before me this ____ day of _____, 2011.

_____/_____
 Notary Public Printed Name
 Residing in _____ County, IN My Commission expires: _____

**WILDCAT WIND FARM I, LLC
MADISON COUNTY, INDIANA
PLAN COMMISSION
FINDINGS PERTAINING TO
APPROVAL OF A SPECIAL EXCEPTION**

- A. The proposal will not be injurious to the public health, safety, morals, and general welfare of the community.*

The proposed Wildcat Wind Farm I, LLC project (the “Project”) shall be beneficial to the general welfare of the community by creating approximately 150 construction jobs, approximately 4-6 permanent full time jobs, significantly increasing the tax base as well as supplying clean, renewable energy. The Petitioner is dedicated to safety and responsibility in construction and operation of the Project.

- B. The requirements and development standards for the requested special use as prescribed by the ordinance will be met.*

The Project complies with all development standards set out in the Madison County Wind Energy Conversion System (“WECS”) ordinance adopted in 2009 (the “Ordinance”). In addition, Petitioner agrees to enhanced setbacks from residences by providing an additional 200 feet beyond the setbacks required by the Ordinance.

- C. Granting the special use will not subvert the general purposes served by the ordinance and will not permanently injure other property or uses in the same district and vicinity.*

The Project operations are wholly consistent with continued agricultural use of the subject area. Petitioner has introduced into the case file 2 independent property value studies (conducted in December 2009 and April 2006) which conclude that WECS projects do not result in a reduction in property area values. The file will also contain evidence that property values for non-participating properties near WECS projects in Indiana have not been negatively affected. Based on the executed Road Use Agreement with the County, the Project shall provide needed infrastructure improvements to County roads and drainage. The tax base of the County will also be enhanced by the \$175 Million investment in the County, which should provide a \$50 - \$60 Million increase in tax base. This could result in a lower tax rate to all County property taxpayers based on current property tax caps. Lastly, Petitioner shall comply with the operational standards regarding noise as set out in the Ordinance. A number of case studies will also be introduced to the case file which conclude that these wind turbines do not adversely affect the health of nearby residents.

D. The proposed use will be consistent with the character of the zoning district in which it is located and the Madison County Comprehensive Plan.

The Comprehensive Plan proposes long term agricultural use of the subject area. Agricultural viability will be enhanced by the improvements to area roads and drainage as contemplated by the executed Road Use Agreement. Operations of WECS projects nationwide have been proven to function in harmony with continued farming operations. The Project landowners have entered into voluntary agreements with the Petitioner and have expressed confidence that this will also be the case in Madison County.