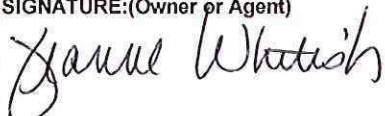


# Dane County Conditional Use Permit Application

<b>Application Date</b>	<b>C.U.P Number</b>
07/19/2016	DCPCUP-2016-02357
<b>Public Hearing Date</b>	
09/27/2016	

OWNER INFORMATION		AGENT INFORMATION			
OWNER NAME LB LAND INVESTMENTS INC	Phone with Area Code	AGENT NAME JEANNE WHITISH	Phone with Area Code (608) 358-8978		
BILLING ADDRESS (Number, Street) 2830 PARMENTER ST		ADDRESS (Number, Street) PO BOX 620856			
(City, State, Zip) MIDDLETON, WI 53562		(City, State, Zip) MIDDLETON, WI 53562			
E-MAIL ADDRESS JWHITISH@PURPLECOWORGANICS.COM		E-MAIL ADDRESS JWHITISH@PURPLECOWORGANICS.COM			
ADDRESS/LOCATION 1		ADDRESS/LOCATION 2		ADDRESS/LOCATION 3	
ADDRESS OR LOCATION OF CUP		ADDRESS OR LOCATION OF CUP		ADDRESS OR LOCATION OF CUP	
5338 NORWAY GROVE SCHOOL RD					
TOWNSHIP VIENNA	SECTION 22	TOWNSHIP	SECTION	TOWNSHIP	SECTION
PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED	
0909-221-9501-3		---		---	
CUP DESCRIPTION					
SOLID WASTE (ORGANIC MATTER) RECYCLING CENTER					
DANE COUNTY CODE OF ORDINANCE SECTION					ACRES
10.126(3)(h)					33.5

<b>DEED RESTRICTION REQUIRED?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No Applicant Initials _____	<b>Inspectors Initials</b>  HJH3	<b>SIGNATURE:(Owner or Agent)</b> 
		<b>PRINT NAME:</b> JEANNE WHITISH
		<b>DATE:</b> 7/19/16



DANE COUNTY  
**PLANNING DEVELOPMENT**

Zoning Division  
Room 116, City-County Building  
210 Martin Luther King Jr. Blvd.  
Madison, Wisconsin 53703-3342  
Phone: (608) 266-4266  
Fax: (608) 267-1540

**Conditional Use Application**

Application Fee: \$486 Mineral Extraction: \$1136

Items required to be submitted with application:

- o Written Legal Description of Conditional Use Permit boundaries
- o Scaled drawing of the property showing existing/proposed buildings, setback requirements, driveway, parking area, outside storage areas, location/type of exterior lighting, any natural features, and proposed signs.
- o Scaled map showing neighboring area land uses and zoning districts
- o Written operations plan describing the items listed below (additional items needed for mineral extraction sites)
- o Written statement on how the proposal meets the 6 standards of a Conditional Use

Owner LB LAND Investments, Inc. Agent JEANNE WHITISH  
 Address P.O. Box 620856 Address SAME  
 Phone Middleton WI 53562 Phone \_\_\_\_\_  
608-631-0349  
 Email JWHITISH@PURPLECOWORGANICS.COM Email \_\_\_\_\_

Parcel numbers affected: 064-0909-221-9501-3 Town: Vienna Section: 22  
 Property Address: 5338 NORWAY Grove School Road  
DeForest, WI

Existing/ Proposed Zoning District : A1-Ex to A2

o Type of Activity proposed: Yard residuals composting facility

- o Hours of Operation
- o Number of employees
- o Anticipated customers
- o Outside storage
- o Outdoor activities
- o Outdoor lighting
- o Outside loudspeakers
- o Proposed signs
- o Trash removal
- o Six Standards of CUP (see back)

The statements provided are true and provide an accurate depiction of the proposed land use. I authorize that I am the owner or have permission to act on behalf of the owner of the property.

Submitted By: Jeanne Whitish

Date: 7/19/16

**DANE COUNTY ORDINANCE AMENDMENT NO. 7040**

Amending Section 10.03 relating to Zoning Districts in the Town of Vienna.

The Dane County Board of Supervisors does ordain as follows: That the Zoning District Maps of the Town of Vienna be amended to include in the A-2 Agricultural and C-2 Commercial District/s the following described land:

**PETITION NUMBER: 7040**

Located in the SE 1/4 NE 1/4 Section 22, Town of Vienna described as follows:

**TO C-2:** Commencing at the East quarter corner of said Section 22; thence S 89° 40' 15" West along the South line of said NE 1/4, 1103.00 feet to the point of beginning; thence continuing S 89° 40' 15" West, along said South line, 200.4 feet to the Southwest corner of said SE 1/4 NE 1/4; thence N 00° 05' 58" West, along the West line of said SE 1/4, 467 feet; thence N 89° 40' 15" East, parallel with the South line of said NE 1/4, 221.0 feet, thence S 70° 33' 10" East, 289.86 feet; thence S 00° 05' 58" East parallel with the West line of said SE 1/4, 136.00 feet; thence S 72° 40' 28" West, 140.00 feet; thence S 00° 05' 58" East parallel with the West line of said NE 1/4, 100.00 feet; thence S 89° 40' 15" West, parallel with the South line of said NE 1/4, 160.00 feet; thence S 00° 05' 58" East parallel with the West line of said SE 1/4, 92.00 feet to the point of beginning.

**CONDITIONAL ZONING**

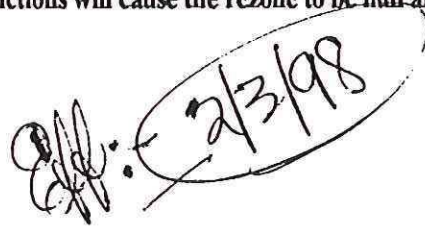
Conditional zoning is hereby imposed pursuant to Section 10.255 (3)(a) 2.(b) of the Dane County Code of Ordinances. The rezoned area shall be subject to the following conditions.

**DEED RESTRICTION REQUIRED**

This amendment will be effective, if within 90 days of its adoption by Dane County the owner or owners of the land shall record the following restrictions on said land:

- 1). The C-2 parcel be limited to 10.14 C-2 Commercial District, paragraph (1), subparagraph (f) repairs, storage and service of contractor's machinery and equipment and office use per 10.14(1)(a) and the A-2 shall be limited to agricultural uses, single family detached residences, utility services, home occupations as defined in s. 10.01(2) and accessory buildings and conditions 1 and 2 for accessory building only.

Said restrictions shall run in favor of Dane County and the pertinent Town Board as well as the owners of land within 300 feet of the site. **Failure to record the restrictions will cause the rezone to be null and void.**

A handwritten signature in black ink, followed by the date "2/3/98" written in a cursive style. The signature and date are enclosed within a hand-drawn oval.

The Dane County Board of Supervisors does ordain that this amendment, based upon their findings, to be consistent with the provisions of Wisconsin State Statute 91.77 (1)(a),(b),(c).



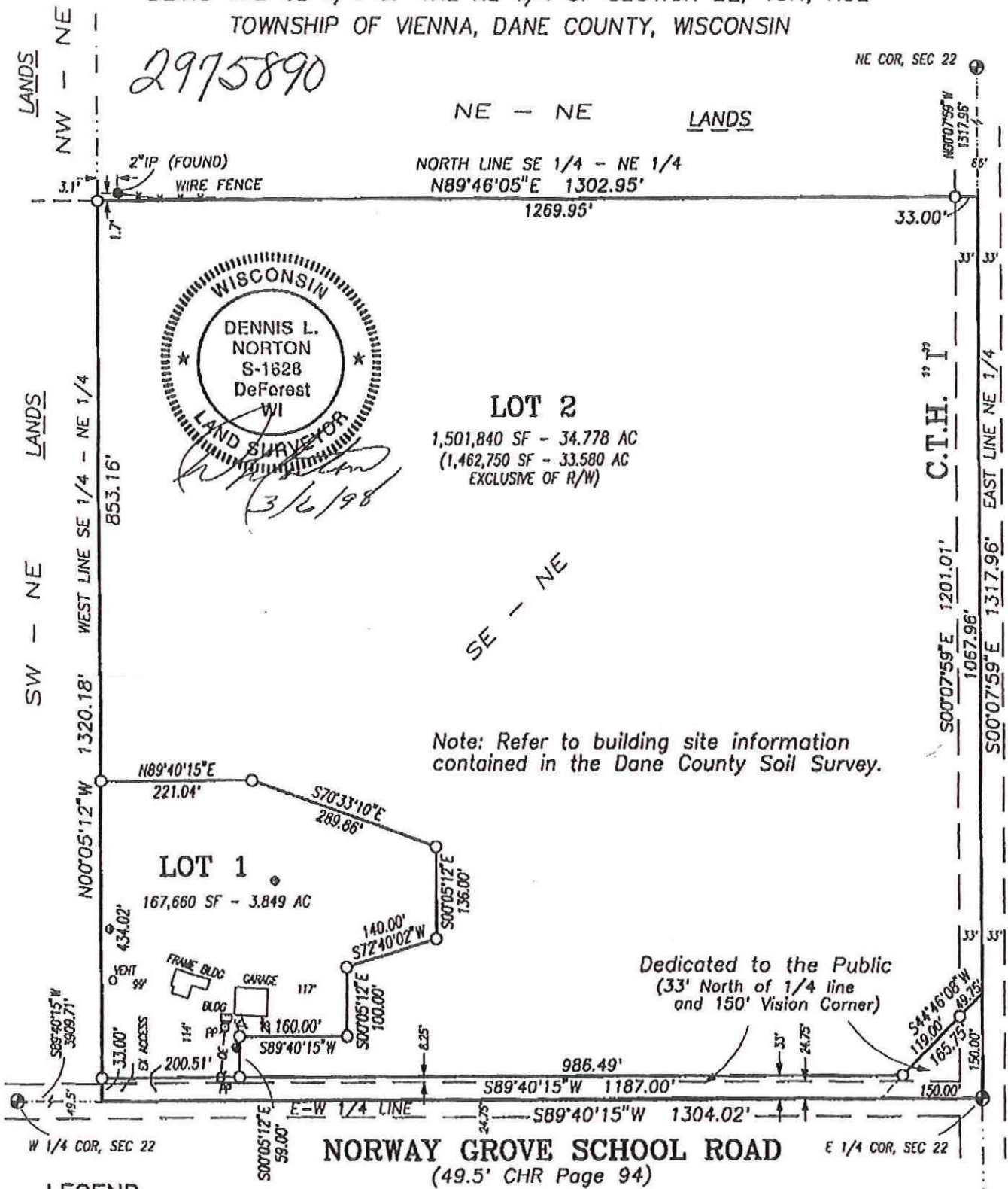
Stock No. 26273

001238

# DANE COUNTY CERTIFIED SURVEY MAP NO. 8929

BEING THE SE 1/4 OF THE NE 1/4 OF SECTION 22, T9N, R9E  
TOWNSHIP OF VIENNA, DANE COUNTY, WISCONSIN

2975890



WISCONSIN  
DENNIS L. NORTON  
S-1628  
DeForest  
WI  
LAND SURVEYOR  
3/6/98

**LOT 2**  
1,501,840 SF - 34.778 AC  
(1,462,750 SF - 33.580 AC  
EXCLUSIVE OF R/W)

Note: Refer to building site information  
contained in the Dane County Soil Survey.

Dedicated to the Public  
(33' North of 1/4 line  
and 150' Vision Corner)

**NORWAY GROVE SCHOOL ROAD**  
(49.5' CHR Page 94)

### LEGEND

- ⊕ ALUMINUM MONUMENT (FOUND)
- 3/4"x24" ROUND IRON REBAR (SET)  
WEIGHING 1.50 LBS/FT

### SCALE

1" = 200'



## Six Standards of a Conditional Use Permit

Provide an explanation on how the proposed land use will meet all six standards.

1. The establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or general welfare.
  
2. The uses, values and enjoyment of other property in the neighborhood for purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by establishment, maintenance or operation of the conditional use.
  
3. That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
  
4. That adequate utilities, access roads, drainage and other necessary site improvements have been or are being made.
  
5. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
  
6. That the conditional use shall conform to all applicable regulations of the district in which it is located.

Conditional Use Permit

5338 Norway Grove School Road

Deforest, WI

July 19, 2016

We are requesting a rezoning about 34 acres, currently zoned A-1Exclusive, to A-2 with a conditional use permit to allow us to process and compost yard residuals and leaves on that portion of the property. Work is currently underway to reclaim a portion of this site, which was formerly a mineral extraction site.

Our hours of operation are 7:00 am – 4:30 pm, Monday – Friday, with an occasional Saturday of 7 am – noon if needed. We operate all year round, other than severe winter weather or extensive rain events.

Purple Cow Organics employs about 25 people throughout the company. This site will have 1 – 2 full time people working there, day to day.

A majority of our product is hauled in and out with our own trucks, or trucks under the control of Purple Cow. There will be no retail distribution at this site, just manufacturing of products via aerobically composting the material.

We will have outside storage of yard residual material in process and some in curing and finished piles.

Our cycle is to receive yard residuals and leaves from area municipalities, mostly curb side pick up materials, we start with size reducing the material and placing in windrows, where the material then goes thru a proprietary process to insure a very high quality finished product. Not all compost is created equally, and our finished material is approved for use in certified organic food production, and we follow a regimented testing protocol to insure quality, maturity and nutrient value.

There is no outdoor lighting anticipated, we primarily work in daylight only. No loudspeakers.

Signage will be as it is now, with the company name. Any additional signage will be strictly on site directional signage as needed. Any trash removal will be done via a private licensed waste hauler to a licensed landfill, mostly consisting of plastic and non-compostables.

Six Standards of a Conditional Use Permit

1. The establishment, maintenance or operation of the facility will not be detrimental to or endanger the public health, safety, comfort or general welfare.

This site is remote and surrounded by an active mining operation on 3 sides and agricultural lands on the eastern side. We are bordering a County highway for easy access to the state highway system and Interstate. The work we do, by the nature of what it is, is promoting public health, safety and general welfare, by producing a high grade horticultural soil amendment that returns important micro and macro nutrients to the soil, allowing the food that we ultimately

eat, to be more nutrient dense and better for all of us. The diversion of yard residuals also allows for the material to be processed, and repurposed, for a positive use. Our finished products are also used in several different types of stormwater management systems, and the base product retains water, reducing watering needs.

2. The uses, values and enjoyment of other property in the neighborhood for purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by establishment, maintenance or operation of the conditional use.

We have met with Madison Sand and Gravel, who is operating the mineral extraction sites to our south and west. We both believe we will be good neighbors to each other, and serve some of the same customers. The location is already accustomed to truck traffic with the mining operation, and the site is well screened with natural berming and vegetation. We are currently anticipating managing all stormwater on site in an existing pond.

3. That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

Our operation will have absolutely no impact on any of the areas current uses surrounding us.

4. That adequate utilities, access roads, drainage and other necessary site improvements have or are being made.

We are underway with grading of the site, to fill in and level out about 2/3rds of the land area, to have a suitable, stable pad that we can then compost on. Access roads are existing, and sufficient, and no additional improvements are necessary. Stormwater to be managed on site.

5. Adequate measures have been or will be taken to provide ingress and egress so designed to minimize traffic congestion in public streets.

This is a rural location that borders on County Hwy to the east, which connects to state Highway system, which also connects to Interstate. The town road currently has a maintenance agreement with Madison Sand, and we have met with Madison Sand, currently there are no concerns regarding truck traffic.

6. That the conditional use shall conform to all applicable regulations of the district in which it is located.

Purple Cow Organics is considered one of the best composters in the state. We have a good working relationship with WDNR, and have participated and contributed to the committees when needed to provide expertise, and recommendations. The site will meet all requirements for the operation, and A-2 allows this use upon granting of the conditional use permit.





CONCEPT MAP

LOTS 1 AND 2, CERTIFIED SURVEY MAP NO. 8929

LOCATED IN THE SE1/4 OF THE NE1/4 OF SECTION 22, T9N, R9E,  
TOWN OF VIENNA, DANE COUNTY, WISCONSIN

D'UNCFRID KATZKE AND ASSOCIATES, INC.  
7530 Wisconsin Way, Madison, WI 53717  
Phone: 608.833.7530 • Fax: 608.833.1049  
YOUR NATURAL RESOURCE FOR LAND DEVELOPMENT



SCALE: 1" = 200'

DATE: 04-23-16  
DRAWN BY: RJK/SGD

SHEET NUMBER:  
1 OF 1

FIG. 16-05-110