
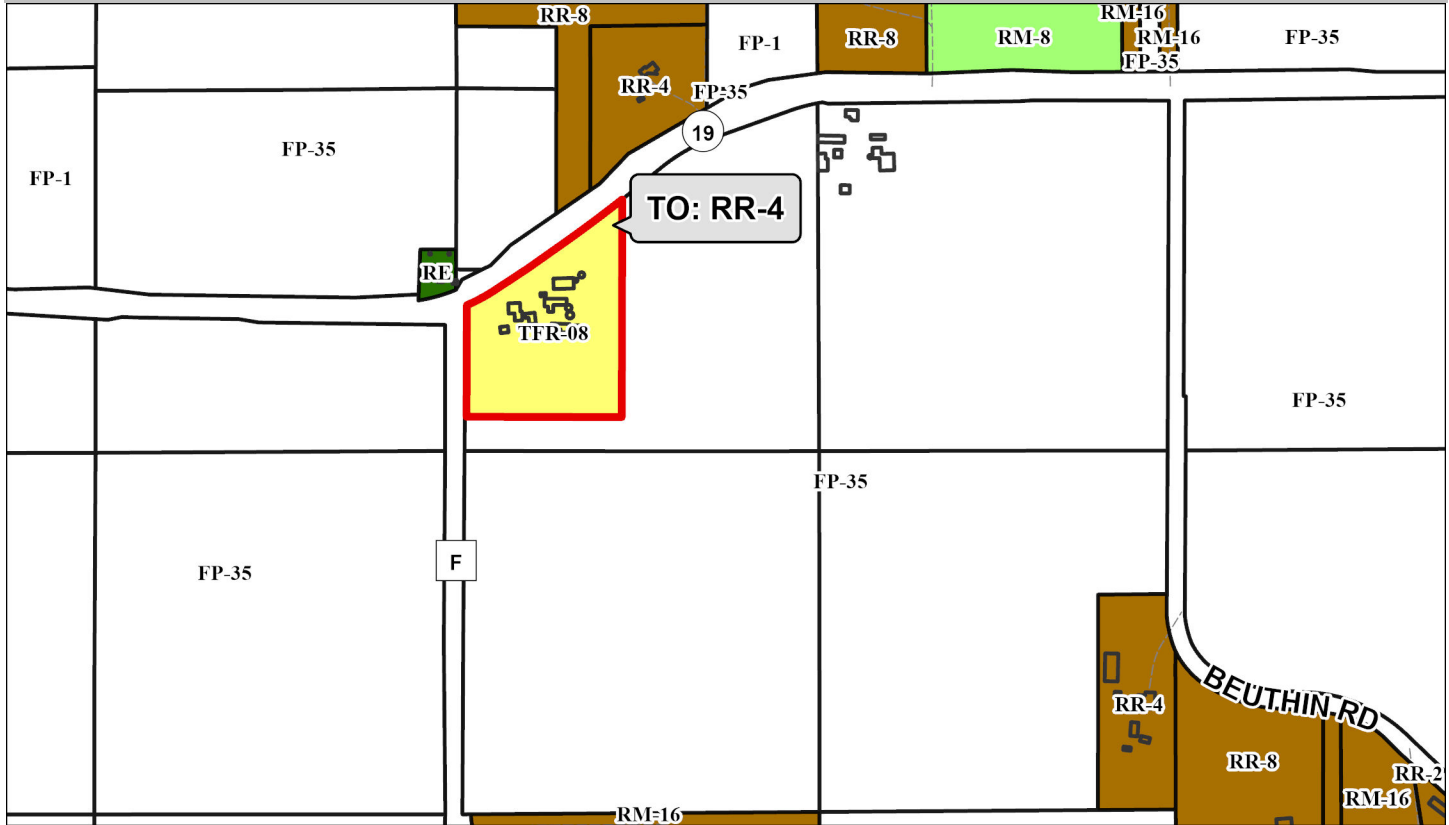


<b>Staff Report</b>  <b>Zoning &amp; Land Regulation Committee</b>	<u>Public Hearing:</u> <b>May 26, 2026</b>	<b>Petition 12280</b>	
	<u>Zoning Amendment Requested:</u> <b>TFR-08 Two Family Residential District TO RR-4 Rural Residential District</b>	<u>Town, Section:</u> <b>MAZOMANIE, Section 12</b>	
	<u>Size:</u> <b>7.6 Acres</b>	<u>Survey Required:</u> <b>No</b>	<u>Applicant:</u> <b>ERIC SLAVENS</b>
	<u>Reason for the request:</u> <b>Zoning to allow for a Limited Family Business</b>		<u>Address:</u> <b>9755 STATE HIGHWAY 19 / CTH F</b>



**DESCRIPTION:** Eric Slavens proposes to rezone his property from TFR-08 Two-Family Residential to RR-4 Rural Residential, in order to apply for a conditional use permit for a Limited Family Business.

The property is a farmstead that contains two residences and several agricultural buildings; he currently occupies one of the homes, grows hot peppers on site. He would like to install a canning kitchen (with sanitary fixtures) in one of the barn buildings to use for his hot pepper business. The second home is currently used for storage purposes and is not used as a dwelling. The property has TFR zoning because there are two residences on site. However, unlike most of Dane County’s single-family residential zoning districts, the TFR-08 district does not allow for limited family businesses. After considering all of the options available under the zoning ordinance, the owner decided to convert the second home to an “accessory storage building” and rezone the property to a single-family zoning district, and apply for the conditional use (see CUP Petition #2705 also on the May 26<sup>th</sup> ZLR agenda).

**OBSERVATIONS:** The property is a 7.6-acre certified survey map lot. It was last rezoned in 2020 to TFR-08: [Dane County - File #: 11526](#) TFR zoning was assigned to the property because the owners at the time did not want to demolish the smaller house on site, and it was not feasible to separate the two buildings onto individual lots. They used 2 density rights along the way. This lot was deed restricted with the TFR rezoning (document #5628068) to prohibit construction of a duplex and further division of the lot. A separate deed restriction (document #5628067) was recorded on the surrounding farm land.

The lot will continue to meet county ordinance requirements for the existing structures and land use.

**COMPREHENSIVE PLAN:** This petition is in the town's agricultural preservation planning area and is subject to the land use policies related to that designation. This proposal is consistent with the goals, objectives of policies related to residential development, as it doesn't create additional building sites. The Town of Mazomanie has a 1 home per 40 acres density policy, the proposal is consistent with the density policy.

For questions about the town plan, contact Senior Planner Curt Kodl at (608) 266-4183 or [Kodl.Curt@danecounty.gov](mailto:Kodl.Curt@danecounty.gov).

**RESOURCE PROTECTION:** There are no sensitive environmental resources on the property that would be affected by the proposal. There is potential mapped floodplain in the southern third of the property; however, this is not where the existing buildings are and would not impact the proposed use or building improvements that are behind this rezone petition.

**TOWN ACTION:** The Town Board recommends approval of the rezone, with no conditions.

**STAFF RECOMMENDATION:** This rezone action would remove one residence, thus freeing up a density right that was used by the second residence. Staff recognizes that loss and recommends the current restriction be removed for this parcel and a Deed Notice be recorded to document the additional density right that is still available. The current Deed Restriction (document #5628068) specifies that it shall terminate upon rezoning of the property to a different zoning district, so no further action is needed to remove the restriction.

Staff recommends approval with the following conditions:

1. The owner of Lot 1 CSM 15470 (PIN #080612385300) has an additional density right that may be used on site or transferred according to the Town of Mazomanie Transfer of Development Rights (TDR) Policy.
2. This notice shall expire upon transfer of the development right, or a subsequent rezone to either reestablish the 2<sup>nd</sup> home or create a 2<sup>nd</sup> buildable lot.

Please contact Rachel Holloway at (608) 266-9084 or [holloway.rachel@danecounty.gov](mailto:holloway.rachel@danecounty.gov) if you have questions about this petition or staff report.