
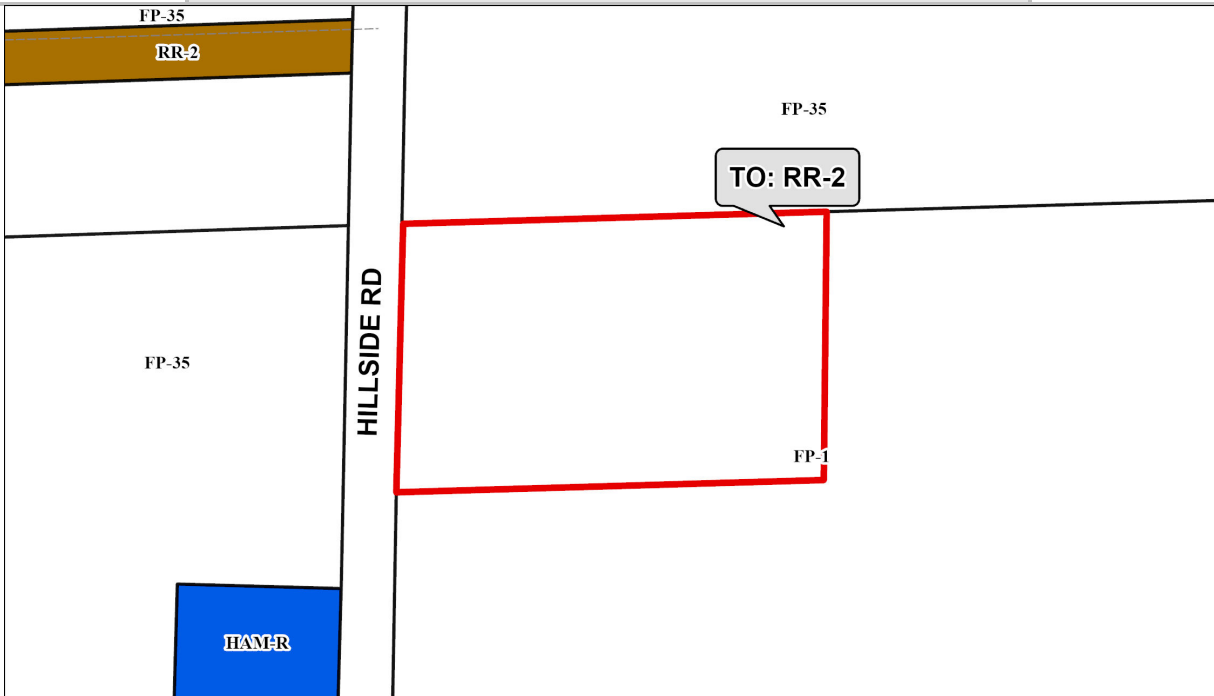


Staff Report  Zoning & Land Regulation Committee	<u>Public Hearing:</u> June 24, 2025 Report updated for the September 16, 2025 ZLR meeting		Petition 12167
	<u>Zoning Amendment Requested:</u> FP-1 Farmland Preservation District TO RR-2 Rural Residential District		<u>Town, Section:</u> CHRISTIANA, Section 35
	<u>Size:</u> 3.99 Acres	<u>Survey Required:</u> No	<u>Applicant:</u> STEVEN AND SUSAN WEINBERGER
	<u>Reason for the request:</u> Rezone an existing lot for residential use using Transfer of Development Rights		<u>Address:</u> NORTH OF 1612 HILLSIDE RD



DESCRIPTION: Applicant wants to rezone an existing lot with farmland preservation zoning, for residential use. The lot was created in 2006 as a residential property, and it was rezoned to FP-1 in 2024 as part of a zoning petition that created a residential lot in the east end of the property (effectively moving the location of the home site). This new petition would use a transfer of development right from another property in the town, in order to restore this lot’s residential development potential.

OBSERVATIONS: The subject property is Lot 2 CSM 11701. As noted above, a recent rezone petition removed the development rights from this lot and rezoned it to FP-1 for the time being. (See [Dane County - File #: 12082](#)) The lot meets county ordinance requirements for the proposed RR-2 zoning district.

COMPREHENSIVE PLAN (Updated 9/10/25): The property is located in the town’s agricultural preservation area. The applicant’s initial proposal was to transfer the density unit from tax parcel 0612-171-9002-0, which is a [portion of property](#) slated for installation of solar panels as part of the large “Koshkonong Solar” project. Because that property would not remain in productive agricultural use, it would not satisfy the town’s TDR criteria for sending properties.

The applicant has revised the proposal to identify a TDR sending property that appears to meet the town’s criteria. The revised TDR sending property is tax parcel [#0612-173-8000-9](#). As indicated on the density study report, the revised TDR sending is part of a farm unit eligible for up to 7 density units. While this TDR sending property is also under a lease agreement with the Koshkonong Solar project developer, Invenergy, it is not within the proposed solar development area and the applicant has provided a letter from the company indicating that they have no objection to the TDR proposal. If this petition is approved, the remaining lands constituting the 1979 farm unit will remain eligible for up to 6 density units. Under the town’s development phasing policies, that farm unit would not be eligible to utilize or transfer another density unit for 5 years from the date of approval of this petition.

The town of Christiana has reviewed the revised proposal and recommended approval of the petition. Staff believes the revised proposal is reasonably consistent with comprehensive plan policies and recommends approval with the conditions listed below.

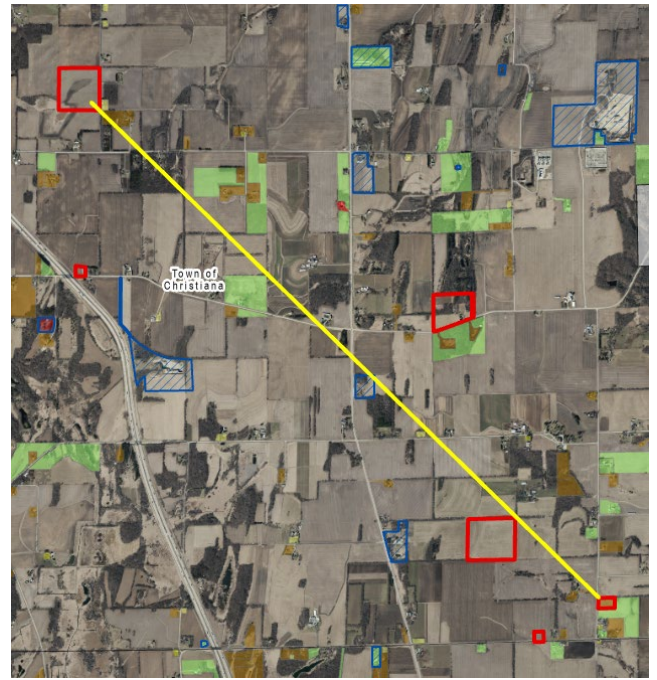
For questions about the comprehensive plan, please contact Senior Planner Majid Allan at (608) 267-2536 or Allan.Majid@danecounty.gov.

RESOURCE PROTECTION: There are no sensitive environmental features on or within 300 feet of the subject property.

If future construction involves a driveway more than 125 feet long, or disturbing more than 4,000 square feet of soil, an erosion control permit will be needed from [Dane County Water Resource Engineering Division](#) (608) 224-3730.

TOWN ACTION: Approved with the following conditions:

- The sending (Skaar) parcel is to have an Agricultural Conservation Easement deed restriction.
- The receiving (Weinberger) parcel has no more splits.



STAFF RECOMMENDATION: Staff recommends approval of the petition, subject to the following conditions. Conditions 2 and 3 reflect the town conditions.

1. The TDR-R (Transfer of Development Rights-Receiving) overlay zoning district shall be applied to the proposed RR-2 receiving parcel (lot 2, CSM 11701).
2. A deed notice document shall be recorded on the proposed RR-2 parcel indicating the lot was created by a transfer of development rights and that no further land divisions are permitted under comprehensive plan policies (lot 2, CSM 11701).
3. Owner of the TDR sending property (Skaar Family Trust) shall record an agricultural conservation easement acknowledging the transfer of one development right and prohibiting nonfarm development on a minimum of 35 acres from tax parcel 0612-173-8000-9 (NE 1/4 of the SW 1/4, Section 17, Township 6 North, Range 12 East, Town of Christiana).
4. The TDR-S (Transfer of Development Rights – Sending) overlay zoning district shall be assigned to the sending property (tax parcel 0612-173-8000-9).

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