

ORDINANCE #23-10

AN ORDINANCE TO AMEND THE ZONING REGULATIONS IN CHAPTER 48 OF THE VILLAGE OF JACKSON MUNICIPAL CODE FOR A PLANNED UNIT DEVELOPMENT DISTRICT (PUD-04)

WHEREAS, the Village of Jackson Village Board adopted zoning regulations for the Village of Jackson and has amended such regulations from time to time; and

WHEREAS, the zoning regulations, as amended, are codified as Chapter 48 of the Village of Jackson municipal code, which is titled "Zoning;" and

WHEREAS, the Village of Jackson (hereafter property owner) owns the property located south of Spruce Street (hereafter subject property), more particularly described as The Oaks of Jackson (Parcel: V3_053600B); and

WHEREAS, the property owner has submitted a petition to amend the Planned Unit Development Zoning District PUD-04 for the subject property; and

WHEREAS, the Village of Jackson Plan Commission reviewed the petition at their meeting on July 20, 2023, and recommended approval as set forth in this ordinance; and

WHEREAS, upon due notice as required by the zoning code, the Village Board conducted a public hearing on August 8, 2023, to accept public input; and

WHEREAS, the Village Board accepted the Plan Commission's recommended code amendment without revision; and

WHEREAS, the Village Board, after careful review and upon consideration of the recommendation of the Plan Commission and having given the matter due consideration having determined that all procedural requirements and notice requirements have been satisfied, and having based its determination on the effect of the adoption of the ordinance on the health, safety and welfare of the community and the preservation and enhancement of property values in the community, and having given due consideration to the municipal problems involved hereby determine that the ordinance amendment will serve the public health, safety and general welfare of the Village of Jackson, will enhance property values in the Village and will not be hazardous, harmful, noxious, offensive or a nuisance, and will not unduly limit or restrict the use of property in the Village or for any other reason cause a substantial adverse effect on the property values and general desirability of the Village.

NOW, THEREFORE BE IT RESOLVED, the Village of Jackson Village Board, Washington County, Wisconsin, ORDAINS AS FOLLOWS:

Section 1 To amend Section 48-155.3 of the zoning code for the zoning district identified as PUD-04 – District III as set forth below:

- (a) Generally. PUD-04 – District III is intended to provide for two-family residential development, served by municipal sewer and water facilities. This zoning designation shall not be used in any other location except for the parcel described as Lot 41 as depicted in the Final Plat.
- (b) Permitted uses. Attached two-family dwellings, up to ten (10) dwelling units per lot.
- (c) Accessory uses. Permitted accessory uses include private attached garages, sheds (garden, tool, and storage) incidental to the residential use, and home occupations and professional home offices as specified in Section 48-1.
- (d) Conditional uses. Conditional uses include group homes, foster homes, and halfway houses provided there be a minimum lot area of 1,500 square feet per person (upon ultimate development).
- (e) Building height and area. No principal building or parts of a principal building shall exceed 35 feet in height. No accessory building shall exceed 15 feet in height. The total minimum floor area of a dwelling shall be as follows: 1-bedroom, 700 sq. ft.; 2-bedroom, 1,000 sq. ft. The maximum impervious area shall not exceed 70 percent of the lot area.
- (f) Lot area and width: Lots shall be a minimum of 37,000 square feet in area and shall not be less than 350 feet in width at the front yard setback line.
- (g) Setbacks and yards. There shall be a minimum building setback of 25 feet from the front yard right-of-way. There shall be a minimum side yard of 7 feet. Corner lots shall have a minimum side yard setback of 15 feet from the street-side right-of-way. There shall a minimum rear yard setback of not less than 15 feet. Driveways and other paved surfaces shall have a minimum setback of 3 feet from an abutting property line.
- (h) Parking. A minimum of two (2) off-street parking stalls shall be provided per dwelling unit.

Section 2. Revisions to the zoning map. Upon adoption of this section, the zoning map is hereby amended to incorporate the zoning for the parcel.

Section 3. This ordinance shall become effective upon passage and posting, or publication as provided by law.

Section 4. The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful, or unenforceable, such decision shall apply only to the specific Section or portion thereof directly specified in the decision and shall not affect the validity of any other provisions, sections, or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

Section 5. The Village Clerk and Village Administrator are authorized and directed to make all changes within the Village of Jackson Code of Ordinances necessary to reflect this ordinance.

Introduced by: Tr. ^{Engelhardt} Wells

Seconded by: Tr. Olson

Vote: 4 aye 0 nay

Passed and approved August 8, 2023

VILLAGE OF JACKSON

By: 

Brian J. Heckendorf, Village President

Attest:


Pamela Wolf, Deputy Clerk

Proof of Posting:

I, the undersigned, certify that I posted copies of this Ordinance on bulletin boards at the Village Hall, Post Office and one other location in the Village.


Village Official

8/11/2023
Date

