

ORDINANCE #22-12

TO ESTABLISH ZONING FOR VARIOUS PROPERTIES ANNEXED TO THE VILLAGE WITH APPROVAL OF ORDINANCE #20-09 AND TO AMEND THE ZONING MAP OF THE VILLAGE OF JACKSON PURSUANT TO SECTION 48.34 OF THE MUNICIPAL CODE

WHEREAS, the Village Board for the Village of Jackson 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 annexed various properties in 2021 as set forth in Ordinance #20-09 and desires to establish the zoning of such properties specified therein; and

WHEREAS the proposed zoning has been submitted to the Village of Jackson Plan Commission for report and recommendation; and

WHEREAS the Village of Jackson Plan Commission considered the matter at its meeting on September 29, 2022 and recommended approval; and

WHEREAS, the Village Board conducted a public hearing on November 8, 2022; and

WHEREAS, the Village Plan Commission has recommended to the Village Board that the rezoning change be made; and of the recommendation of the Plan Commission, having determined that all procedural requirements and notice requirements have been satisfied, having given the matter due consideration, having determined that the rezoning is consistent with the Village's Comprehensive Plan, and having based its determination on the effect of granting of said rezoning on the health, safety, and welfare for the community, and the immediate neighborhood in which said use will be located, and having given due consideration to the municipal problems involved, as well as the impact on the surrounding properties as to the noise, dust, smoke, odor and others, has hereby determined that the rezoning will not violate the spirit or intent the zoning ordinance for the Village of Jackson, will not be hazardous, harmful, noxious, offensive or a nuisance by reason of noise, dust, smoke odor or other similar factors and will not for any other reason cause a substantial adverse effect on the property values and general desirability of the neighborhood as long as the development is conducted pursuant to the following conditions and is in strict compliance with the same.

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

Section 1. To create Section 48-144.1 of the zoning code to establish a new residential zoning district to be identified as RT-10 as set forth below:

Sec. 48-144.1 RT-10 Single-Family Residential District.

(a) Generally. The RT-10 Single-Family Residential District is intended to provide for single-family residential development not to exceed one (1) dwelling unit per parcel, served by municipal sewer and water facilities. This zoning designation shall not be used in any other location except for those properties annexed into the Village under Ordinance No. 20-09 and indicated as Exhibits B-1, B-5, B-6 on the attached map.

(b) Permitted uses. Single-family dwellings.

(c) Permitted accessory uses. Permitted accessory uses include private garages, private carports, 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) and a minimum principal building area of 200 square feet per person.

(e) Lot area and width. Lots shall be a minimum of 20,000 square feet in area and shall not be less than 50 feet in width at the setback line. Corner lots shall not be less than 100 feet in width at the setback line along at least one of the frontage yards.

(f) 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 one-story dwelling shall be 1,200 square feet; the total minimum floor area of a multi-story dwelling shall be 1,800 square feet. Multi-story dwellings shall have a minimum first floor area of 1,000 square feet.

(g) Setbacks and yards. There shall be a minimum setback of 75 feet from the road centerline or 42 feet from the right-of-way of local streets, whichever is greater. There shall be a minimum side yard of 10 feet and there shall be an aggregate side yard of not less than 25 feet. There shall a minimum rear yard setback of not less than 50 feet.

Section 2. To create Section 48-144.2 of the zoning code to establish a new residential zoning district to be identified as RT-11 as set forth below:

Sec. 48-144.2 RT-11 Single-Family Residential District.

(a) Generally. The RT-11 Single-Family Residential District is intended to provide for single-family residential development at densities not to exceed one (1) dwelling unit per

parcel, served by municipal sewer and water facilities. This zoning designation shall not be used in any other location except for those properties annexed into the Village under Ordinance No. 20-09 and indicated as Exhibits B-2 and B-3 on the attached map.

(b) Permitted uses. Single-family dwellings.

(c) Permitted accessory uses. Permitted accessory uses include private garages, private carports, 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) and a minimum principal building area of 200 square feet per person.

(e) Lot area and width. Lots shall be a minimum of one (1) acre in area and shall not be less than 175 feet in width at the setback line.

(f) 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 one-story dwelling shall be 1,200 square feet; the total minimum floor area of a two-story dwelling shall be 1,800 square feet. Multi-story dwellings shall have a minimum first floor area of 1,000 square feet.

(g) Setbacks and yards. There shall be a minimum setback of 100 feet from the road centerline or 42 feet from the right-of-way of local streets, whichever is greater. There shall be a minimum side yard of 25 feet from all structures. There shall be a minimum rear yard setback of not less than 50 feet.

Section 3. The properties listed in the Table below are hereby zoned RT-10 as specified above, and the zoning map of the Village of Jackson is hereby amended to incorporate the zoning for the various properties.

Parcels within the area defined as Exhibit B-1 in Ordinance #20-09

- | | |
|----------------|----------------|
| 1. V3_0152001 | 11. V3_0152011 |
| 2. V3_0152002 | 12. V3_0152012 |
| 3. V3_0152003 | 13. V3_0152013 |
| 4. V3_0152004 | 14. V3_0152014 |
| 5. V3_0152005 | 15. V3_0152015 |
| 6. V3_0152006 | 16. V3_0152016 |
| 7. V3_0152007 | 17. V3_0152017 |
| 8. V3_0152008 | 18. V3_0152018 |
| 9. V3_0152009 | 19. V3_0152019 |
| 10. V3_0152010 | 20. V3_0152020 |

- 21. V3_0152021
- 22. V3_0152022

- 23. V3_0152023
- 24. V3_015200D

Section 4. The properties listed in the Table below are hereby zoned RT-11 as specified above, and the zoning map of the Village of Jackson is hereby amended to incorporate the zoning for the various properties.

Parcels within the area defined as Exhibit B-2 in Ordinance #20-09

- 1. V3_016600B
- 2. V3_016600C
- 3. V3_016600D

Section 5. The properties listed in the Table below are hereby zoned RT-11 as specified above, and the zoning map of the Village of Jackson is hereby amended to incorporate the zoning for the various properties.

Parcel within the area defined as Exhibit B-3 in Ordinance #20-09

- 1. V3_045700B

Section 6. The property listed in the Table below is hereby zoned I-1 as specified in Ordinance Section 48-149, and the zoning map of the Village of Jackson is hereby amended to incorporate the zoning for the property.

Parcel within the area defined as Exhibit B-4 in Ordinance #20-09

- 1. V3_047700M

Section 7. The properties listed in the Table below are zoned RT-10 as specified above, and the zoning map of the Village of Jackson is hereby amended to incorporate the zoning for the various properties.

Parcels within the area defined as Exhibit B-5 in Ordinance #20-09

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|----------------|----------------|
| 1. V3_0750001 | 12. V3_0750012 |
| 2. V3_0750002 | 13. V3_0750013 |
| 3. V3_0750003 | 14. V3_0750014 |
| 4. V3_0750004 | 15. V3_0750015 |
| 5. V3_0750005 | 16. V3_0750016 |
| 6. V3_0750006 | 17. V3_0750017 |
| 7. V3_0750007 | 18. V3_0750018 |
| 8. V3_0750008 | 19. V3_0750019 |
| 9. V3_0750009 | 20. V3_0750020 |
| 10. V3_0750010 | 21. V3_0750021 |
| 11. V3_0750011 | 22. V3_0750022 |

- | | |
|----------------|----------------|
| 23. V3_0750023 | 43. V3_0750043 |
| 24. V3_0750024 | 44. V3_0750044 |
| 25. V3_0750025 | 45. V3_0750045 |
| 26. V3_0750026 | 46. V3_0750046 |
| 27. V3_0750027 | 47. V3_0750047 |
| 28. V3_0750028 | 48. V3_0750048 |
| 29. V3_0750029 | 49. V3_0750049 |
| 30. V3_0750030 | 50. V3_0750050 |
| 31. V3_0750031 | 51. V3_0750051 |
| 32. V3_0750032 | 52. V3_0750052 |
| 33. V3_0750033 | 53. V3_0750053 |
| 34. V3_0750034 | 54. V3_0750054 |
| 35. V3_0750035 | 55. V3_0750055 |
| 36. V3_0750036 | 56. V3_0750056 |
| 37. V3_0750037 | 57. V3_0750057 |
| 38. V3_0750038 | 58. V3_0750058 |
| 39. V3_0750039 | 59. V3_0750059 |
| 40. V3_0750040 | 60. V3_0750060 |
| 41. V3_0750041 | 61. V3_0750061 |
| 42. V3_0750042 | 62. V3_0750062 |

Section 8. The properties listed in the Table below are zoned RT-10 as specified above, and the zoning map of the Village of Jackson is hereby amended to incorporate the zoning for the various properties.

Parcels within the area defined as Exhibit B-6 in Ordinance #20-09

- | | |
|---------------|----------------|
| 1. V3_0757001 | 9. V3_0757009 |
| 2. V3_0757002 | 10. V3_0757010 |
| 3. V3_0757003 | 11. V3_0757011 |
| 4. V3_0757004 | 12. V3_0757012 |
| 5. V3_0757005 | 13. V3_0757013 |
| 6. V3_0757006 | 14. V3_0757014 |
| 7. V3_0757007 | 15. V3_0757015 |
| 8. V3_0757008 | 16. V3_0757016 |

17. V3_0757017
18. V3_0757018
19. V3_0757019
20. V3_0757020
21. V3_0757021
22. V3_0757022
23. V3_0757023
24. V3_0757024
25. V3_0757025 (OL1)
26. V3_0757026 (OL2)
27. V3_0757027 (OL3)
28. V3_0757028 (OL4)
29. V3_0757029 (OL5)
30. V3_0757030
31. V3_0757031
32. V3_0757032
33. V3_0757033
34. V3_0757034
35. V3_0757035
36. V3_0757036
37. V3_0757037
38. V3_0757038
39. V3_0757039
40. V3_0757040
41. V3_0757041
42. V3_0757042
43. V3_0757043
44. V3_0757044
45. V3_0757045
46. V3_0757046
47. V3_0757047
48. V3_0757048
49. V3_0757049
50. V3_0757050 (OL6)
51. V3_0757051 (OL7)
52. V3_0757052 (OL8)
53. V3_0757053
54. V3_0757054
55. V3_0757055
56. V3_0757056
57. V3_0757057
58. V3_0757058
59. V3_0757059
60. V3_0757060
61. V3_0757061
62. V3_0757062
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64. V3_0757064
65. V3_0757065
66. V3_0757066
67. V3_0757067
68. V3_0757068
69. V3_0757069
70. V3_0757070
71. V3_0757071
72. V3_0757072
73. V3_0757073
74. V3_0757074
75. V3_0757075
76. V3_0757076
77. V3_0757077
78. V3_0757078
79. V3_0757079
80. V3_0757080
81. V3_0757081
82. V3_0757082

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|------------------------|------------------------|
| 83. V3_0757083 | 111. V3_0757109 |
| 84. V3_0757084 | 112. V3_0757110 |
| 85. V3_0757083 | 113. V3_0757111 |
| 86. V3_0757084 | 114. V3_0757112 |
| 87. V3_0757085 | 115. V3_0757113 |
| 88. V3_0757086 | 116. V3_0757114 |
| 89. V3_0757087 (OL9) | 117. V3_0757115 |
| 90. V3_0757088 (OL10) | 118. V3_0757116 |
| 91. V3_0757089 (OL11) | 119. V3_0757117 |
| 92. V3_0757090 (OL12) | 120. V3_0757118 |
| 93. V3_0757091 | 121. V3_0757119 |
| 94. V3_0757092 | 122. V3_0757120 |
| 95. V3_0757093 | 123. V3_0757121 |
| 96. V3_0757094 | 124. V3_0757122 |
| 97. V3_0757095 | 125. V3_0757123 |
| 98. V3_0757096 | 126. V3_0757124 |
| 99. V3_0757097 | 127. V3_0757125 |
| 100. V3_0757098 | 128. V3_0757126 |
| 101. V3_0757099 | 129. V3_0757127 |
| 102. V3_0757100 (OL13) | 130. V3_0757128 |
| 103. V3_0757101 (OL14) | 131. V3_0757129 |
| 104. V3_0757102 | 132. V3_0757130 |
| 105. V3_0757103 | 133. V3_0757131 |
| 106. V3_0757104 | 134. V3_0757132 |
| 107. V3_0757105 | 135. V3_0757133 (OL15) |
| 108. V3_0757106 | 136. V3_0757134 (OL16) |
| 109. V3_0757107 | 137. V3_0757135 (OL17) |
| 110. V3_0757108 | 138. V3_0757136 (OL18) |

Section 9. This ordinance shall be in full force and effect from and after its passage and posting or publication as provided by law.

Section 10. 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 11. 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: President Schwab

Seconded by: Trustee Engelhardt

Vote: 6 aye 0 nay

Passed and approved December 13, 2022

VILLAGE OF JACKSON

By: Michael E. Schwab
Michael E. Schwab, Village President

Attest:

Jillie S. Dobratz
Jillie S. Dobratz, Village Clerk

Proof of Posting:

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

Jillie S. Dobratz
Village Official

December 14, 2022
Date