

**ORDINANCE #21-10**

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**TO REZONE VARIOUS PROPERTIES AND TO AMEND THE  
ZONING MAP OF THE VILLAGE OF JACKSON PURSUANT  
TO SECTION 48.34 OF THE MUNICIPAL CODE**

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**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**, Neumann Developments has submitted a petition to the Village to change the zoning classification of tax parcel V3\_0751 and tax parcel V3\_075200A; and

**WHEREAS**, the proposed rezoning 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 October 28, 2021 and recommended approval; and

**WHEREAS**, the Village Board conducted a public hearing on November 9, 2021; 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.** The two properties listed below are rezoned as specified and the zoning map of the Village of Jackson is hereby amended to incorporate the zoning of the various properties.

1. Change the zoning designation of that portion of tax parcel V3\_0751 identified as R-1 in Exhibit A, attached hereto, from PUD to R-1.
2. Change the zoning designation of that portion of tax parcel V3\_0751 identified as R-3 in Exhibit A, attached hereto, from PUD to R-3.
3. Change the zoning designation of tax parcel V3\_075200A from PUD to R-5.

**Section 2.** The rezoning of the subject properties as specified herein and the amendment of the zoning map of the Village of Jackson is conditioned on the following:

1. The property owner shall submit a preliminary plat for both of the properties to the Village and obtain approval of the same within 120 days of this date.
2. The property owner shall submit a final plat to the Village and obtain approval of the same within 2 years of the date of approval of the preliminary plat.
3. The property owner shall submit the final plat to the Washington County register of deeds office within 10 days of approval of the final plat.

**Section 3.** Upon certification by the Village Clerk that the conditions set forth in Section 2 have been satisfied within the time period established in that section, the Zoning Administrator shall change the zoning classification of the subject properties on the Village of Jackson zoning map as indicated herein.

**Section 4.** This ordinance shall be in full force and effect from and after its passage and posting or publication as provided by law subject to the conditions stated in Section 2, and this ordinance is null and void and the current zoning shall be in effect with no further notice if such conditions are not satisfied within each of the time periods specified or if the property owner submits a written notice to the Village Board stating his or her desire to revert back to the PUD zoning classification.

**Section 5.** 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 6.** 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: Tro Heckendorf

Seconded by: Tro Emmrich

Vote: 6 aye 0 nay

Passed and approved January 11, 2022

VILLAGE OF JACKSON

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

Attest:

Jilline S. Dobratz  
Jilline S. Dobratz, Village Clerk

Proof of Posting:

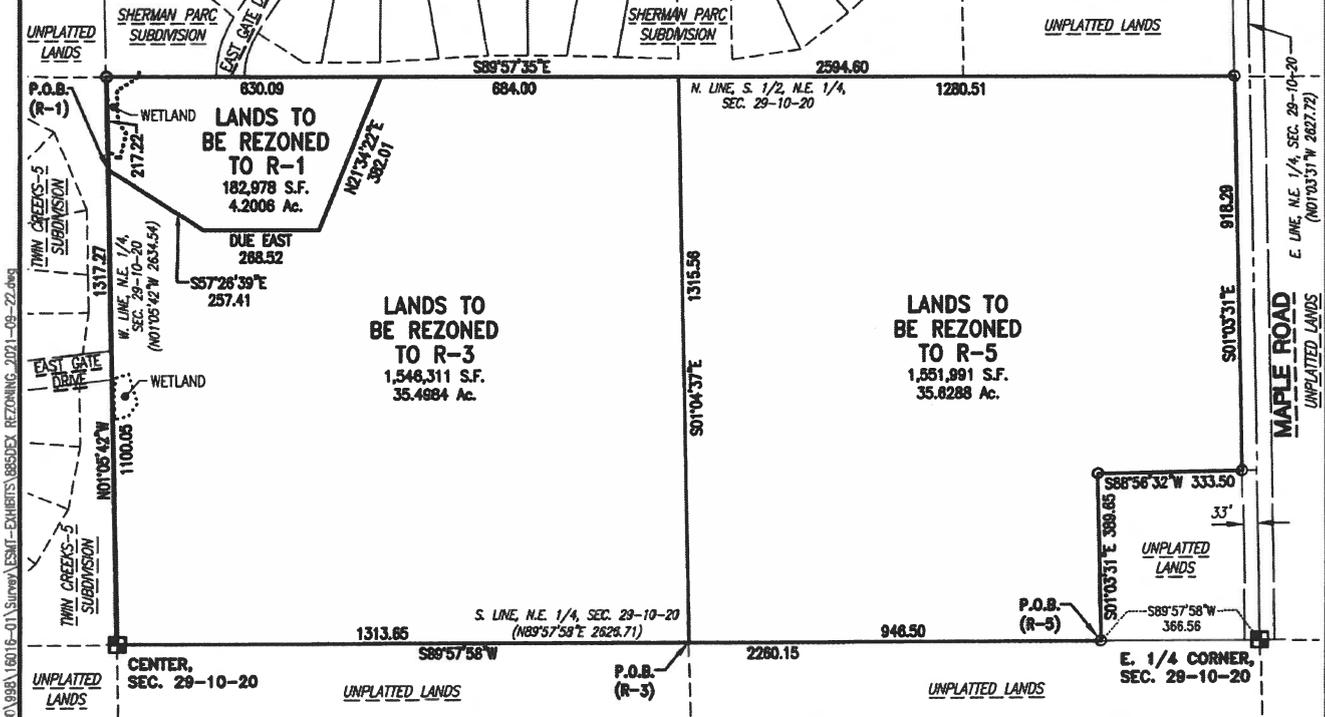
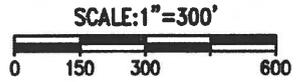
I, the undersigned, certify that I posted copies of this Ordinance on bulletin boards at the Village Hall, Post Office and one other location in the Village.

Jilline S. Dobratz  
Village Official

January 28, 2022  
Date

# REZONING EXHIBIT "A"

BEING A PART OF THE SOUTHWEST 1/4 AND SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 29,  
TOWN 10 NORTH, RANGE 20 EAST, IN THE VILLAGE OF JACKSON, WASHINGTON COUNTY, WISCONSIN.



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THIS EXHIBIT WAS PREPARED BY GRADY L. GOSSER, P.L.S. (S-2972)

DATE: 9/22/21