



## Legislation Details (With Text)

**File #:** 39127      **Version:** 1      **Name:** Side yard egress windows setback  
**Type:** Ordinance      **Status:** Passed  
**File created:** 6/30/2015      **In control:** PLAN COMMISSION  
**On agenda:** 8/4/2015      **Final action:** 8/4/2015  
**Enactment date:** 8/13/2015      **Enactment #:** ORD-15-00082  
**Title:** Creating Section 28.132(2)(f) and renumbering current Section 28.132(2)(f) to (g) of the Madison General Ordinances to require window wells to be built up at least six inches above the adjoining ground to prevent flooding in residences.  
**Sponsors:** Steve King, Ledell Zellers

### Indexes:

### Code sections:

**Attachments:** 1. ZText Comments.pdf

Date	Ver.	Action By	Action	Result
8/4/2015	1	COMMON COUNCIL	Adopt and Close the Public Hearing	Pass
7/27/2015	1	PLAN COMMISSION	RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING	Pass
7/7/2015	1	COMMON COUNCIL	Referred for Public Hearing	Pass
6/30/2015	1	Attorney's Office/Approval Group	Referred for Introduction	

### Fiscal Note

No fiscal impact.

### Title

Creating Section 28.132(2)(f) and renumbering current Section 28.132(2)(f) to (g) of the Madison General Ordinances to require window wells to be built up at least six inches above the adjoining ground to prevent flooding in residences.

### Body

DRAFTER'S ANALYSIS: City engineering is routinely called to citizens' homes whose basements have flooded due to water entering window wells situated in the side yard setback. This often happens in areas where closely adjoining homes have less area for water to flow in between houses. Rather than eliminating the ability for houses to have window wells projecting into the side yard setback, City engineering believes the problem can be addressed by requiring such window wells to be built up at least 6 inches above the adjoining grade. This ordinance provides that requirement. The Planning Department believes this solution is preferable because eliminating the ability to have side yard egress windows have the unintended consequence of encouraging front yard egress windows, which is a less desirable aesthetic option.

\*\*\*\*\*

The Common Council of the City of Madison do hereby ordain as follows:

1. Subdivision (f) of Subsection (2) entitled "Other Encroachment Requirements" of Section 28.132 entitled "Encroachments Into Setback Areas" of the Madison General Ordinances is created to read as follows:

"(f) For egress window wells that project into the sideyard setback area, the lowest point of the top edge of the egress well shall be at least six (6) inches above the adjoining grade."

2. Current Subdivision (f) entitled "Rear Yard" of Subsection (2) entitled "Other Encroachment Requirements" of Section 28.132 entitled "Encroachments Into Setback Areas" of the Madison General Ordinances is hereby relettered to (g).

