

Comments on Proposed Chapter 28, Madison Zoning Code

I am very encouraged by the progress of the Madison zoning code rewrite process. As a former chair of the Madison Zoning Board of Appeals, I am quite familiar with what I feel are the shortcomings of our existing code, the principles of which are essentially based on an anachronistic suburban model of development. Valiant attempts to update it in a piecemeal fashion have resulted in a patchwork of regulations that would have made Rube Goldberg envious.

I have participated in numerous discussion sessions of this code, and have raised the following issues. However, I do not see any reference to these in the current draft, and I would like to take the opportunity to express them here.

**1.) Raising the maximum height of accessory buildings would be of significant benefit with little detriment.**

Recently I have been involved in the design of numerous accessory buildings, and have concluded that a small increase in the maximum roof height would have a substantial benefit of utility without creating significant bulk impositions.

As we encourage reasonable density, it would be prudent to enable utility building attics to include useable attic spaces, but the proposed 15-foot height maximum severely limits that. According to my studies, a 2-foot increase in maximum roof height approximately doubles the amount of useful space. (See Appendix A, Attic Space Study.)

This small increase would enable significant storage, potential secondary hobby or studio space, or with more effort, could become living space in permitted districts. I was involved in one such project that became a secondary office and exercise room complete with showering facilities. The only way we were able to do this was by obtaining an Area Exception for a 17-foot roof height under the current zoning regulations. Such a configuration would have been impossible under the 15-foot height limit, and it does not appear possible in the current draft.

Along with the attic space study in Appendix A, I did a sun shadow study to investigate the amount of shadow cast by the increased roof height in the above-mentioned project. (See Appendix B, Sun Shadow Study.) I was surprised at how little effect the increased height had on adjacent spaces and structures.

I propose allowing 2-3' increased accessory building height, or at least an Area Exception process for a 17 or 18-foot accessory building roof height in all districts. Granted that there is increased bulk with the higher roof, board review could verify that the configuration and architectural detailing would be appropriate for the context of the proposed structure.

**2.) Our new zoning code should acknowledge and facilitate the need to protect lake views and access for the public.**

We are slowly losing one of the most valuable quality-of-life aspects of our city. It began when James Doty imposed a federal grid on the area known as Taychopera. It continued, as John Nolen lamented, through the turn of the twentieth century. Yet another century later, we are still experiencing this relentless erosion: the steady shrinking of the views and public access to our exquisite lakes.

As our city becomes more desirable, pressure to develop its most valuable lake edge areas inevitably increases. As a result, glimpse by glimpse, public access is suffering the "death of a thousand cuts." What was once public has become increasingly obstructed and private.

As we envision the future of our city, are we moving towards an increasingly walled enclosure around each of our bodies of water? Perhaps can we stop the loss, or even reverse the trend as Nolen urged us in 1910, "to secure for public use the most important lake frontages."

Our current zoning code rewrite process would seem an ideal means to consider the consequences. Now is the time to provide guarantees that we will always recognize, safeguard, and pass on to our children our most valuable asset: the connection to our lakes, the very reason our forefathers sited our city in this stunning location.

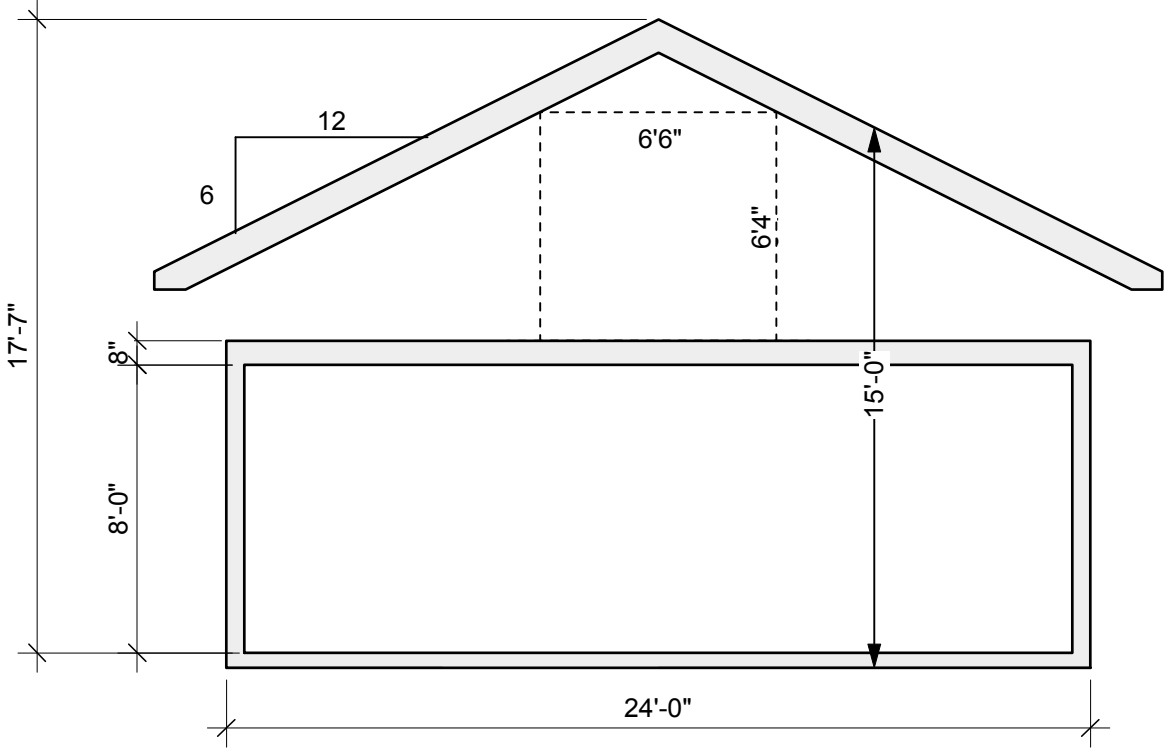
I realize this is a broad and complex issue; however many forward-thinking cities have made great progress in this regard in the last few decades. Portland has developed an immensely successful public access network along their riverfront, and the New York Port Authority, resisting immense development pressure, has preserved a wide swath of public land from the Brooklyn Bridge to the Manhattan Bridge. There are many other examples in other communities, but here we are well behind where we should be.

**3.) Commercial properties must be considered in the establishment of lakefront setbacks.**

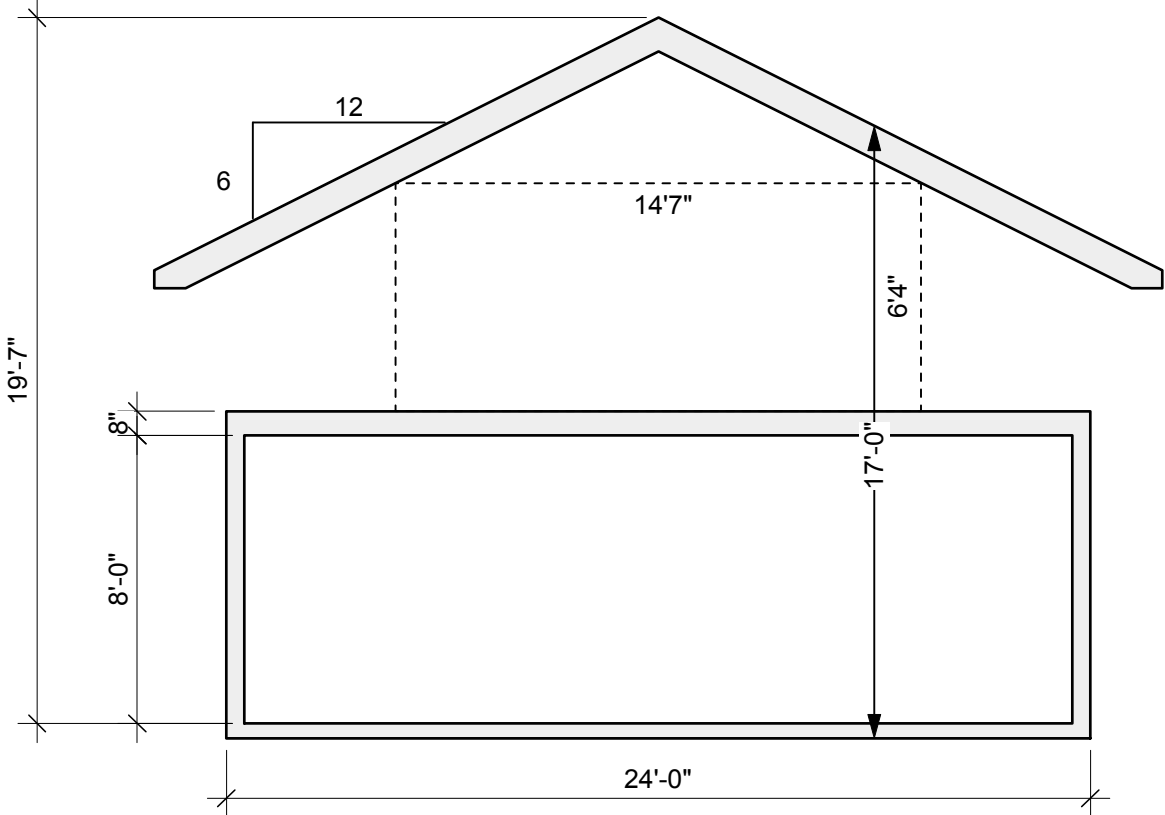
Whether by oversight or by design, this issue has not been properly vetted. These regulations need to be determined in the context of a broad package of regulations rather than the needs of a single building, as it seems to be currently playing out.

Thank you for your consideration.

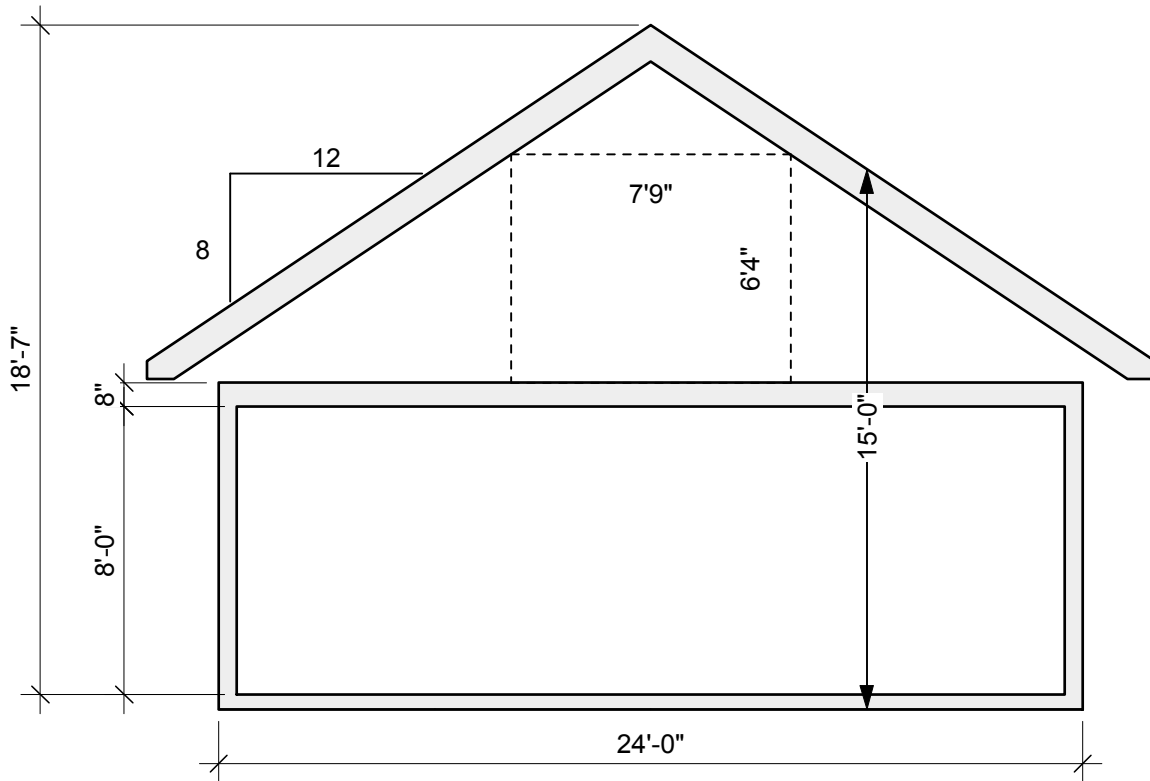
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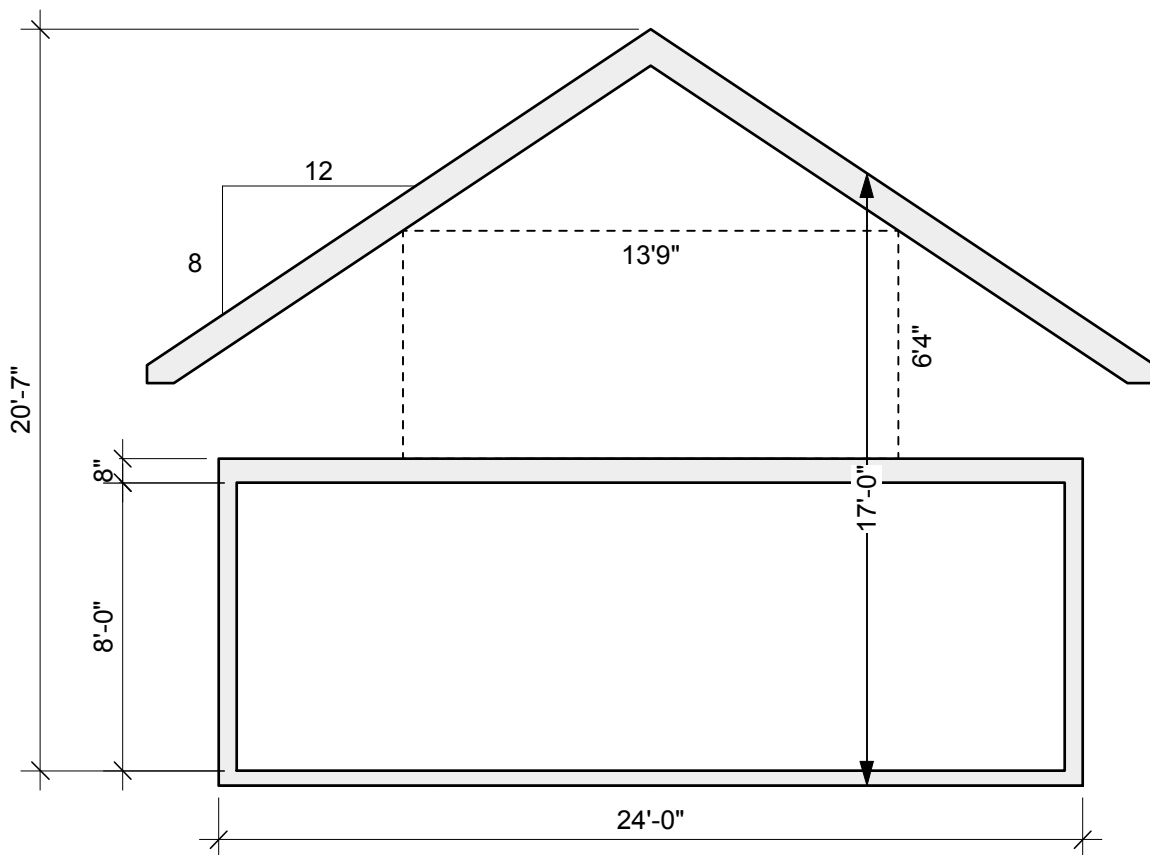
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Scale: 3/16" = 1'-0"



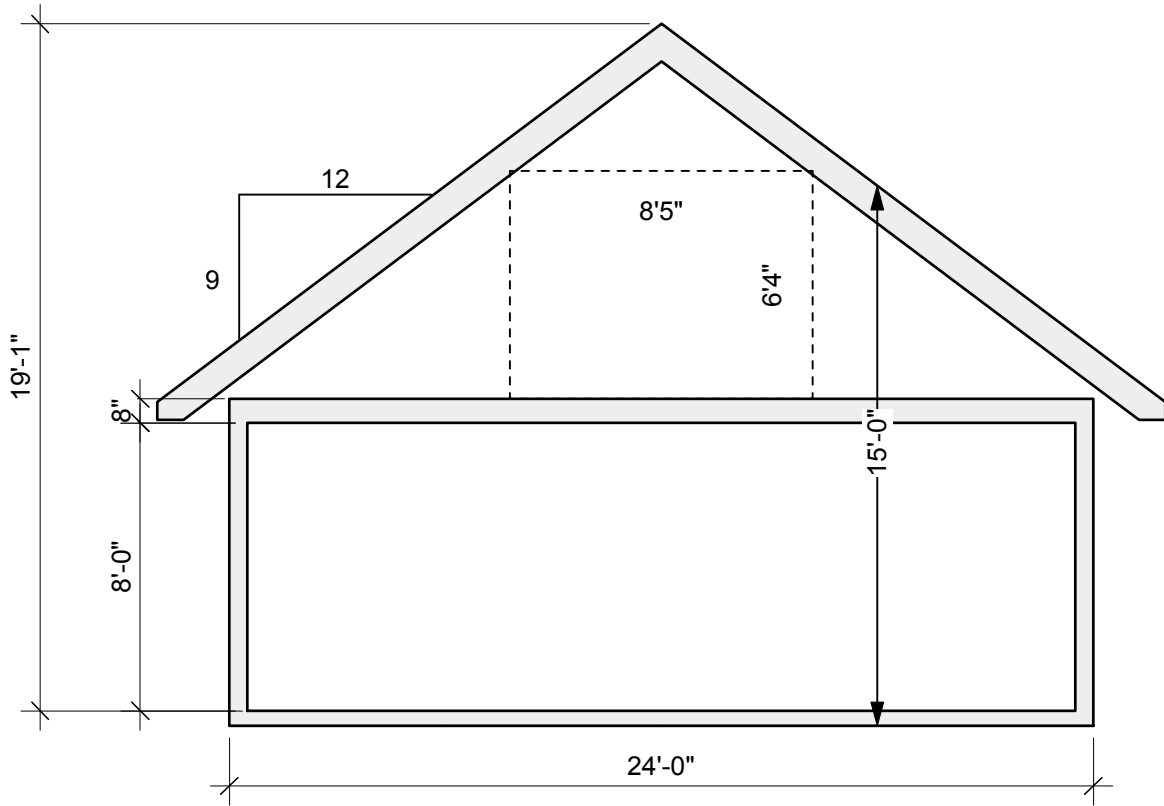
2 Section: 6/12 Roof, 17'-0 Ht.  
Scale: 3/16" = 1'-0"



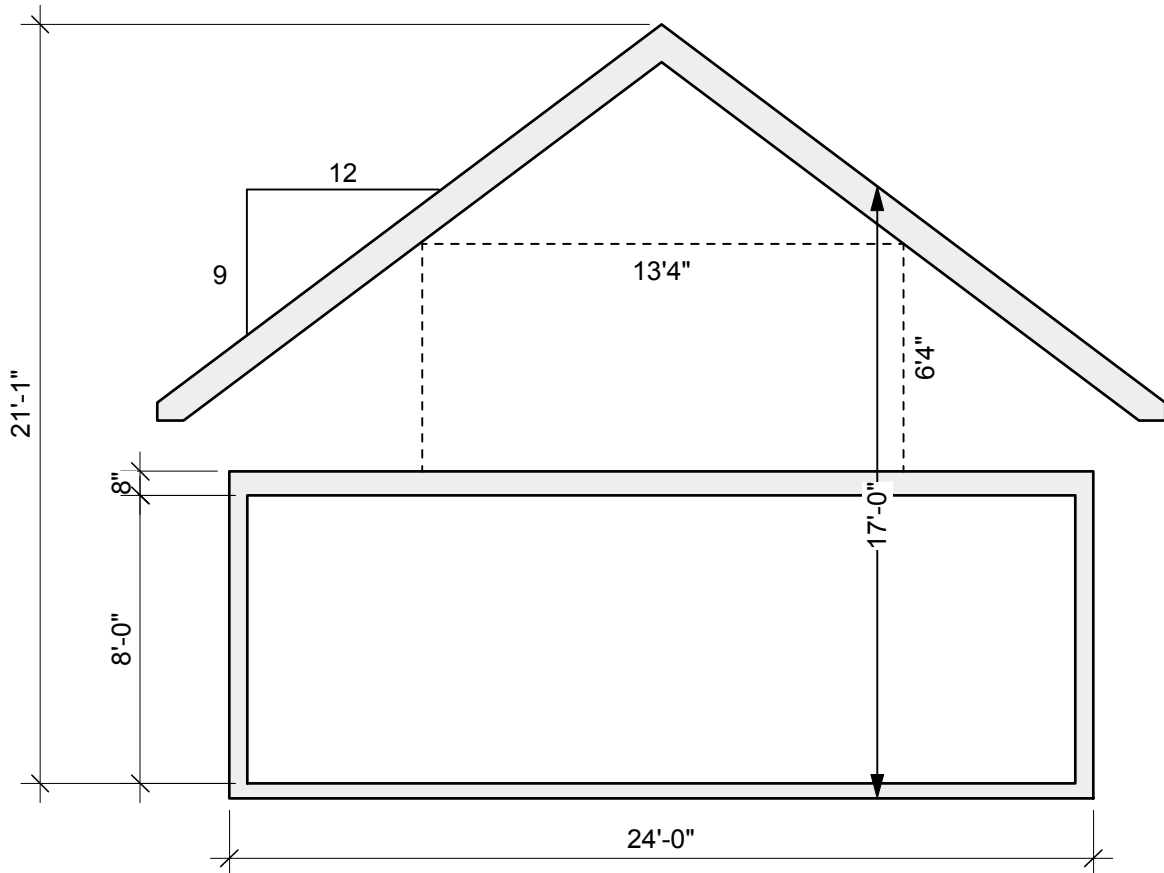
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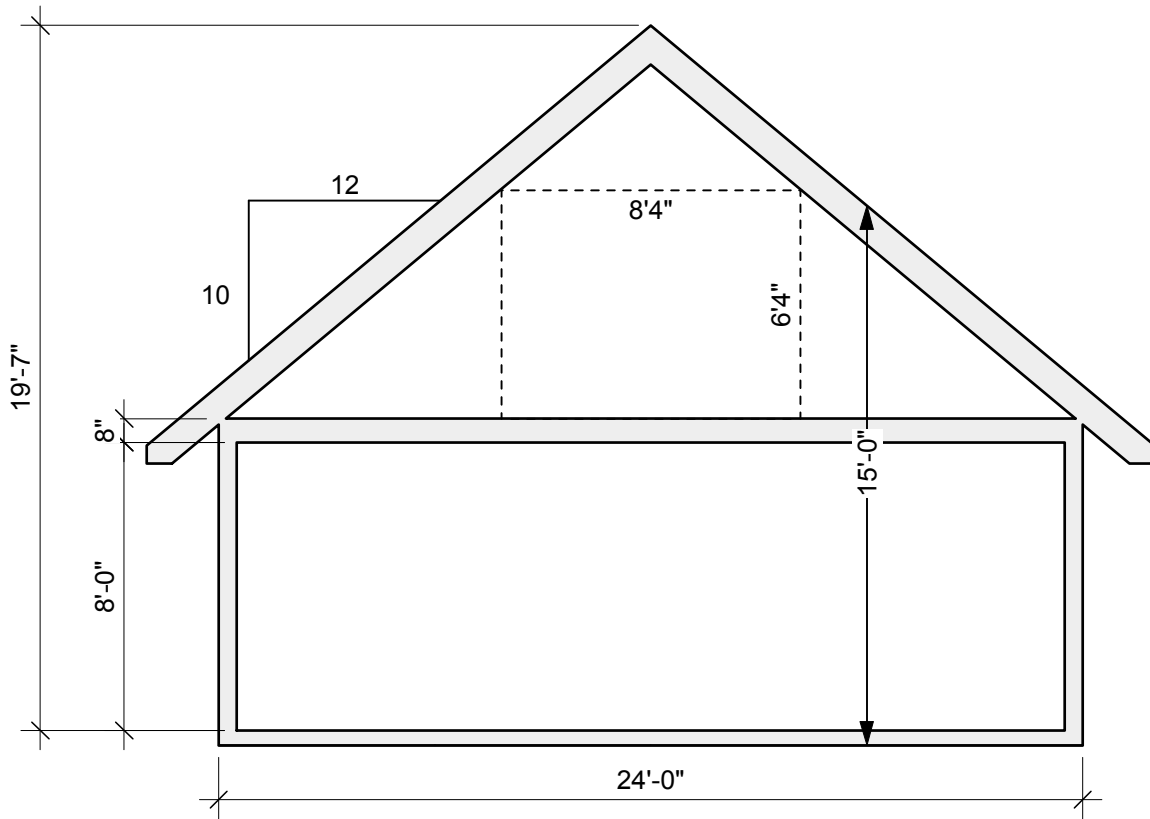
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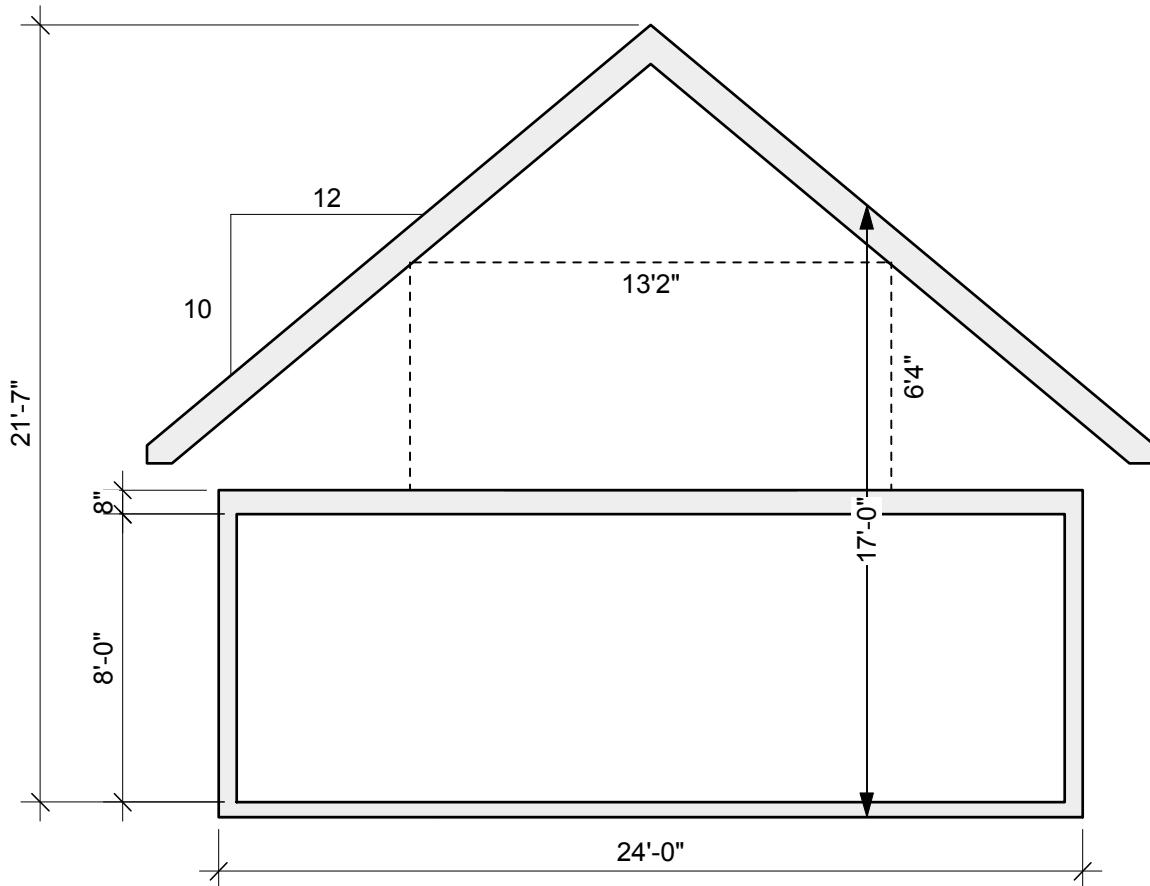
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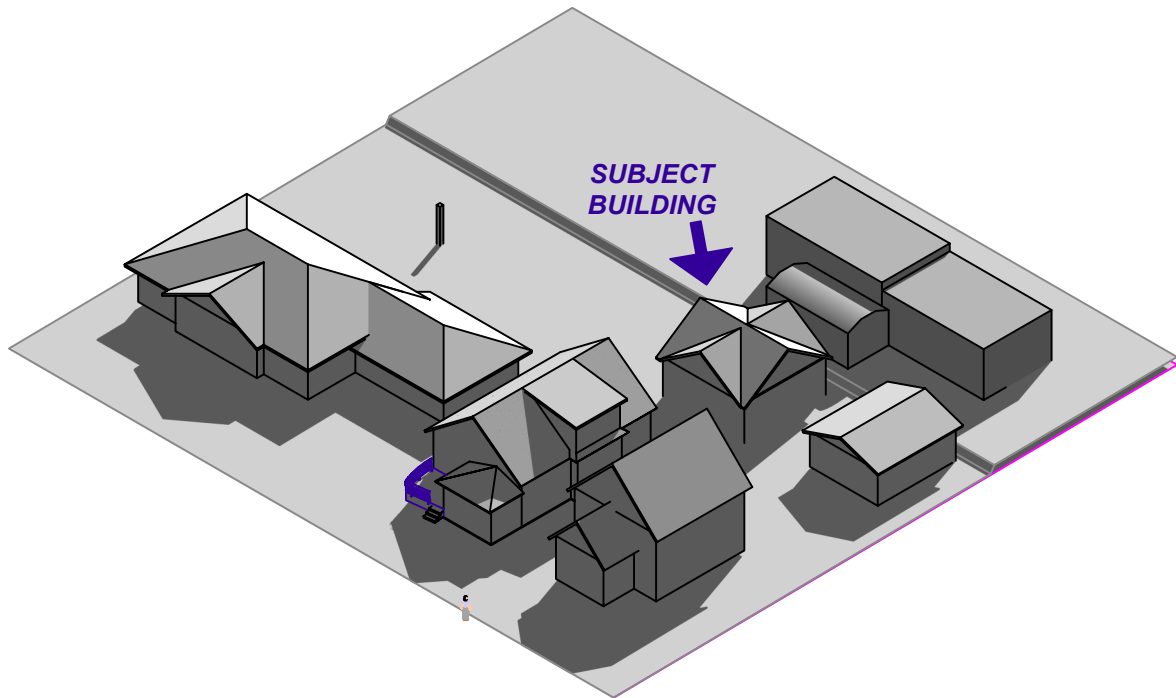
6 Section: 9/12 Roof, 17'-0 Ht.  
Scale: 3/16" = 1'-0"



7 Section: 10/12 Roof, 15' Ht.  
Scale: 3/16" = 1'-0"



8 Section: 10/12 Roof, 17' Ht.  
Scale: 3/16" = 1'-0"



Isometric of site model used in calculations

## Sun Shadow Study

The following pages contain the results of a study of shadows cast on adjacent properties by 15 foot and 17 foot heights of an accessory building proposed for 936 West shore Drive, Madison, Wisconsin. .

The drawings were generated by VectorWorks 2009 sun simulation software and the following data was used in the generation of shadows:

Latitude-43° North

Longitude-88° West

Sun position adjusted for daylight savings time, Central time zone

Building sizes and locations for 936 West Shore were taken from a recent survey by Williamson Surveying, and buildings sizes and locations for adjacent properties were approximated from site measurements. The topography of the site and retaining wall were approximated from site measurements.

A 1' x 1' x 10' high post is shown in the backyard of 934 West Shore to help clarify the sun height and direction in each individual shadow study.

