

## Legistar File No. 88004 Body

DRAFTER'S ANALYSIS: This proposed change amends the setback requirements in MGO Sec. 28.138(4)(a) "Lakefront Development." This code change adds a 75' minimum lakefront setback in cases where there is no other principal structure within 300'. It also removes using lot depth to determine the minimum required lakefront setback, which has impacted deep lots. The purpose of lakefront setbacks is to have consistent setbacks along the yard that abuts the lake, which is maintained in this code change.

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

1. Subdivision (a) entitled "Lakefront Yard Setback" of Subsection (4) entitled "Lakefront Zoning Lots Where the Principal Use is One (1) or Two (2) Family Residential" of Section 28.138 entitled "Lakefront Development" of the Madison General Ordinances is amended as follows:

- "(a) Lakefront Yard Setback. The yard that abuts the lake shall be referred to as the "lakefront yard." The minimum depth of the lakefront yard setback from the Ordinary High Water Mark shall be calculated using one of ~~three (3)~~ four (4) following methods, provided that in no case shall principal buildings be located closer to the OHWM than twenty-five (25) feet.
1. The average setback of the principal building on the two (2) adjoining lots, provided that the setbacks of those buildings are within twenty (20) feet of one another; or
  2. If the subject property only abuts one developed lot, the setback of the existing principal residential structure on that abutting lot; or
  3. The median setback of the principal building on the five (5) developed lots or three hundred (300) feet on either side, ~~(whichever is less), or thirty percent (30%) of lot depth, whichever number is greater~~ (see illustration).
  4. If none of the three (3) methods above apply, the minimum lakefront yard setback is seventy-five (75) feet.

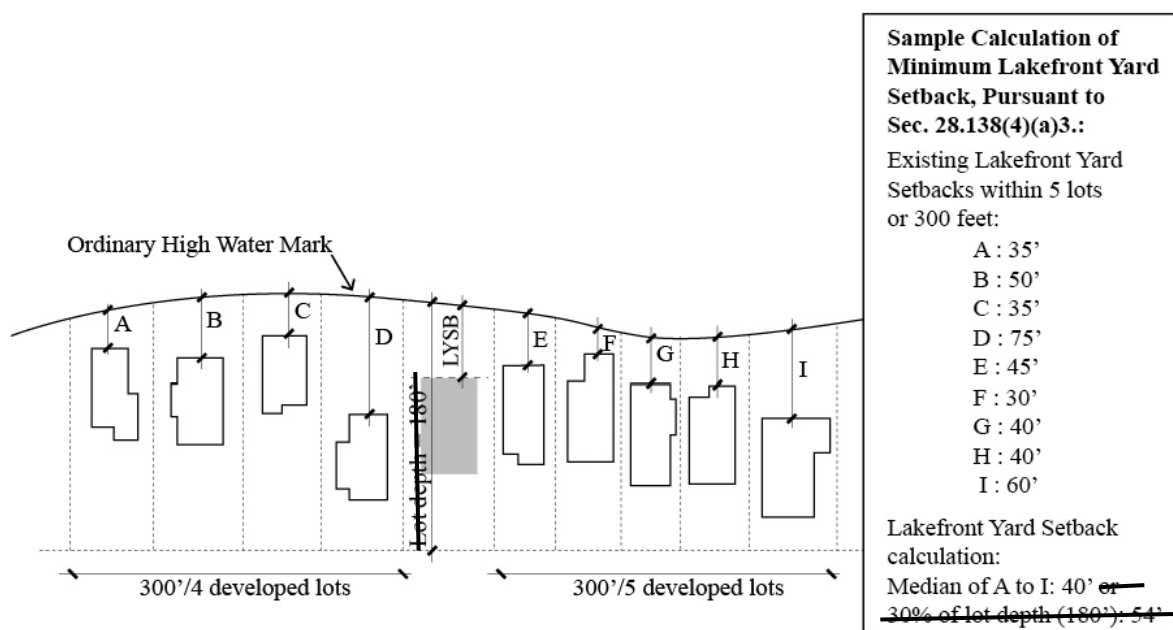


Figure I4: Lakefront Yard Setback."

2. Subdivision (b) of Subsection (5) entitled "Lakefront Zoning Lots Where the Principal Use is Other Than One (1) or Two (2) Family Residential or Public Park Land." of Section 28.138 entitled "Lakefront Development" of the Madison General Ordinances is amended as follows:

- "(b) The minimum setback from the OHWM shall be calculated using one of the following ~~two (2)~~ three (3) methods, provided that in no case shall a new principal building be located closer to the OHWM than seventy-five (75) feet.
1. The average setback of the principal buildings on the two (2) adjoining lots, provided that the setbacks of those buildings are within twenty (20) feet of one another; or
  2. The median setback of the principal building on the five (5) developed lots or three hundred (300) feet on either side, whichever is less, ~~or thirty percent (30%) of lot depth, whichever number is greater.~~
  3. If neither of the two (2) methods above apply, the minimum lakefront yard setback is seventy-five (75) feet."