



Legislation Details (With Text)

**File #:** 46056      **Version:** 2      **Name:** Revising the definitions of Lot Line, Rear & Setback, Rear Yard

**Type:** Ordinance      **Status:** Passed

**File created:** 2/7/2017      **In control:** PLAN COMMISSION

**On agenda:** 3/21/2017      **Final action:** 3/21/2017

**Enactment date:** 3/30/2017      **Enactment #:** ORD-17-00035

**Title:** SUBSTITUTE Amending Section 28.211 of the Madison General Ordinances to change the definitions of Lot Line, Rear and Setback, Rear Yard with respect to irregularly shaped lots.

**Sponsors:** Ledell Zellers, Sheri Carter

**Indexes:**

**Code sections:**

**Attachments:** 1. Version 1, 2. Lot Drawings, 3. Zoning\_Text\_Memo030617.pdf, 4. Comparision Graphic of Existing and Proposed Setbacks.pdf

Date	Ver.	Action By	Action	Result
3/21/2017	2	COMMON COUNCIL	Adopt and Close the Public Hearing	Pass
3/6/2017	1	PLAN COMMISSION	RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING	Pass
2/7/2017	1	COMMON COUNCIL	Refer	Pass
2/7/2017	1	Attorney's Office/Approval Group	Referred for Introduction	

**Fiscal Note**

The proposed amendment to the ordinance has no fiscal impact.

**Title**

SUBSTITUTE Amending Section 28.211 of the Madison General Ordinances to change the definitions of Lot Line, Rear and Setback, Rear Yard with respect to irregularly shaped lots.

**Body**

DRAFTER'S ANALYSIS: Under the current definitions of "Lot Line, Rear", and "Setback, Rear Yard", the purpose of requiring a rear yard setback is frustrated when an irregularly shaped lot contains a lot line that is opposite and most distance from the front lot line that is small in relation to the rest of the lot line that is opposite the front lot line. This has the effect of artificially reducing the setback for the entirety of the yard that is not bounded by the small portion of the rear lot line. This amendment would allow the zoning administrator to set the lot line in such situations in order to preserve a year yard area within the entirety of the lot.

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

Section 28.211 entitled "Definitions" of the Madison General Ordinances is hereby amended by amending herein the following:

"Lot Line, Rear. That lot line which is opposite and most distant from the front lot line. In the case of a triangular or gore-shaped lot, a line ten (10) feet in length entirely within the lot, parallel to and most distant from the front lot line shall be considered to be the rear lot line. In the case of an irregular lot, the Zoning Administrator shall select a line or lines generally opposite the front lot line for the purpose of providing a rear

lot line across the entirety of the lot.”

“Setback (Maximum or Minimum), Rear Yard. The maximum or minimum distance by which any building or structure may be separated from the rear lot line. In the case of an irregular, triangular or gore-shaped lot, a line ten (10) feet in length entirely within the lot, parallel to and most distant from the front lot line shall be considered to be the rear lot line for the purpose of determining the rear yard setback. In the case of an irregular lot, the Zoning Administrator shall select a line or lines generally opposite the front lot line for the purpose of providing a rear yard area across and within the entirety of the lot as generally shown in the diagrams below.”

EDITOR’S NOTE: The diagrams can be found in “Lot Drawings” in Attachments.