



Legislation Details (With Text)

File #: 31718 **Version:** 2 **Name:** Lakefront yard/front yard
Type: Ordinance **Status:** Passed
File created: 9/24/2013 **In control:** PLAN COMMISSION
On agenda: 11/19/2013 **Final action:** 11/19/2013
Enactment date: 11/27/2013 **Enactment #:** ORD-13-00190

Title: SUBSTITUTE Amending Sections 28.138(4)(a) and (5)(a) of the Madison General Ordinances to clarify the term lakefront side of a building in the Zoning Code.

Sponsors: Scott J. Resnick, Ledell Zellers

Indexes:

Code sections:

Attachments: 1. ZText Staff Comments.pdf, 2. BODY

Date	Ver.	Action By	Action	Result
11/19/2013	2	COMMON COUNCIL	Adopt	Pass
11/4/2013	1	PLAN COMMISSION	RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING	Pass
10/1/2013	1	COMMON COUNCIL	Referred for Public Hearing	
9/24/2013	1	Attorney's Office/Approval Group	Referred for Introduction	

Fiscal Note

No appropriation is required.

Title

SUBSTITUTE Amending Sections 28.138(4)(a) and (5)(a) of the Madison General Ordinances to clarify the term lakefront side of a building in the Zoning Code.

Body

DRAFTER'S ANALYSIS: This amendment clarifies the lakefront yard/ front yard rule in Sec. 28.138. The current language appears to require that the front yard of a lot be located opposite the lakefront yard. However, Sec. 28. 135 requires that front yards abut public streets. Where streets run perpendicular to a lake, as opposed to parallel, these rules are in direct conflict with one another.

It is the opinion of the drafter that the language in Sec. 28.138 was only meant to illustrate that the lakefront side of a house or building is not considered the front yard by the zoning code. This amendment attempts to better illustrate that intent.

In addition, the Substitute provides an additional method to calculate the lakefront setback for a property that only abuts one other developed lot. Previously, the only option for such a property was to use the median setback of buildings within 5 lots or 300 feet. This change allows such a property to match the setback of the neighboring residential property. This treatment is similar to the option allowed under Subdivision (a)1., which allows a property with two neighboring lots to use the average of the two setbacks. The Substitute also provides a clearer graphic to illustrate the calculation under Subdivision (a)3.

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

Please see "Body" in Attachments.