



# City of Madison

City of Madison  
Madison, WI 53703  
www.cityofmadison.com

## Master

**File Number: 53216**

**File ID:** 53216

**File Type:** Ordinance

**Status:** Passed

**Version:** 1

**Reference:**

**Controlling Body:** Attorney's  
Office/Approval  
Group

**Lead Referral:** PLAN COMMISSION

**File Created Date :** 09/18/2018

**File Name:** Changing the side yard setback requirements on  
TR-C2, TR-C3, TR-C4 Districts

**Final Action:** 10/30/2018

**Title:** Amending Sections 28.043, 28.044, and 28.045 of the Madison General Ordinances to change the side yard setback requirements in the TR-C2, TR-C3, and TR-C4 Districts.

**Notes:** 6149sideyard  
MAYOR APPROVAL DATE 11/5/2018

**CC Agenda Date:** 10/30/2018

**Agenda Number:** 7.

**Sponsors:** Ledell Zellers

**Effective Date:** 11/10/2018

**Attachments:** Body, zt101518.pdf

**Enactment Number:** ORD-18-00115

**Author:** John Strange

**Hearing Date:**

**Entered by:** dalthaus@cityofmadison.com

**Published Date:** 11/09/2018

### Approval History

Version	Date	Approver	Action
1		Michael May	Approved as to Form
1		Brent Sloat	Approve

### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Attorney's Office/Approval Group	09/18/2018	Referred for Introduction				
	<b>Action Text:</b>		This Ordinance was Referred for Introduction				
	<b>Notes:</b>	Plan Commission (10/15/18), Common Council (10/30/18)					
1	COMMON COUNCIL	09/25/2018	Refer	PLAN COMMISSION		10/15/2018	Pass

**Action Text:** A motion was made by Baldeh, seconded by Carter, to Refer to the PLAN COMMISSION. The motion passed by voice vote/other.

**Notes:**

1	PLAN COMMISSION	10/15/2018	RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING	Pass
---	-----------------	------------	---	------

**Action Text:** A motion was made by Berger, seconded by Oeth, to RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING. The motion passed by voice vote/other.

**Notes:** On a motion by Berger, seconded by Oeth, the Plan Commission recommended the council to adopt the zoning text amendment. The motion passed by voice vote/other.

1	COMMON COUNCIL	10/30/2018	Adopt and Close the Public Hearing	Pass
---	----------------	------------	---------------------------------------	------

**Action Text:** A motion was made by Baldeh, seconded by Carter, to Adopt and Close the Public Hearing. The motion passed by voice vote/other.

**Notes:**

---

**Text of Legislative File 53216**

**Fiscal Note**

No fiscal impact.

**Title**

Amending Sections 28.043, 28.044, and 28.045 of the Madison General Ordinances to change the side yard setback requirements in the TR-C2, TR-C3, and TR-C4 Districts.

**Body**

DRAFTER'S ANALYSIS: This amendment removes as an exception to the side yard setback rule single-family detached dwellings that existed on the date the new zoning code was adopted. It also makes the side yard setback requirement in the TR-C2, TR-C3, and TR-C4 districts consistent with the side yard setback requirements in the TR-V districts. Finally, these changes make for a more manageable and reasonable building envelope.

\*\*\*\*\*

The Common Council of the City of Madison do hereby ordain as follows:  
Please see "Body" in Attachments.

# CITY OF MADISON, WISCONSIN

AN ORDINANCE \_\_\_\_\_

PRESENTED  
REFERRED

September 25, 2018  
PC; Public Hearings:  
PC 10/15/18  
CC 10/30/18

Amending Sections 28.043, 28.044, and 28.045 of the Madison General Ordinances to change the side yard setback requirements in the TR-C2, TR-C3, and TR-C4 Districts.

Drafted by: John Strange

Date: September 18, 2018

SPONSOR: Alder Zellers

DRAFTER'S ANALYSIS: This amendment removes as an exception to the side yard setback rule single-family detached dwellings that existed on the date the new zoning code was adopted. It also makes the side yard setback requirement in the TR-C2, TR-C3, and TR-C4 districts consistent with the side yard setback requirements in the TR-V districts. Finally, these changes make for a more manageable and reasonable building envelope.

\*\*\*\*\*

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

1. Subsection (2) entitled "Dimensional Requirements, Permitted and Conditional Uses" of Section 28.043 entitled "TR-C2 District" of the Madison General Ordinances is amended by amending therein the following:

"(2) Dimensional Requirements, Permitted and Conditional Uses. Requirements represent minimums unless otherwise noted. Dimensions are in feet unless otherwise noted.

"TR-C2 District"		
	Single-family detached	Nonresidential
Side Yard Setback	One-story: 5 Two-story: 6 See (a) below <u>Lot width &lt;50: 10% lot width</u>	10

(a) ~~Side Yard Setback. Lots with single family detached dwellings that are existing on the effective date of this ordinance and have a lot width less than fifty (50) feet shall have a minimum side yard setback of ten percent (10%) of the lot width.~~

2. Subsection (2) entitled "Dimensional Requirements, Permitted and Conditional Uses" of Section 28.044 entitled "TR-C3 District" of the Madison General Ordinances is amended by amending therein the following:

"(2) Dimensional Requirements, Permitted and Conditional Uses. Requirements represent minimums unless otherwise noted. Dimensions are in feet unless otherwise noted.

**Approved as to form:**

"TR-C3 District		
	Single-family detached	Nonresidential
Rear Yard	20 alley-accessed: 2 See (ba) below	Equal to building height but at least 20

- ~~(a) Side Yard Setback. Lots with residential buildings that are existing on the effective date of this ordinance and have a lot width less than fifty (50) feet shall have a minimum side yard setback of ten percent (10%) of the lot width.~~
- (ba) Rear Yard Setback. Only a one-story, alley-accessed attached garage projection for garage purposes may have a minimum rear yard setback of two (2) feet."

3. Subsection (2) entitled "Dimensional Requirements, Permitted and Conditional Uses" of Section 28.045 entitled "TR-C4 District" of the Madison General Ordinances is amended by amending therein the following:

"(2) Dimensional Requirements, Permitted and Conditional Uses. Requirements represent minimums unless otherwise noted. Dimensions are in feet unless otherwise noted.

"TR-C4 District					
	Single-family detached	Two-family Two unit	Two-family Twin	Three-unit	Nonresidential
Side Yard Setback	One-story: 5 Two-story: 6 <u>See (a) below</u> <u>Lot width &lt;50:</u> <u>10% lot width</u>	Two-story: 6 <u>See (a) below</u> <u>Lot width &lt;50:</u> <u>10% lot width</u>	Two-story: 6 <u>See (a) below</u> <u>Lot width &lt;50:</u> <u>10% lot width</u>	6 <u>See (a) below</u> <u>Lot width &lt;50:</u> <u>10% lot width</u>	One-story: 5 Two-story or more: 6

- ~~(a) Side Yard Setback. Lots with residential buildings that are existing on the effective date of this ordinance and have a lot width less than fifty (50) feet shall have a side yard setback of ten percent (10%) of the lot width.~~
- (ba) Dispersion of Dwellings. No two-family twin dwelling shall be constructed or converted within three hundred (300) feet of a zoning lot containing another two-family twin building, as measured from the perimeter of each zoning lot, unless approved by conditional use."