

Ordinance O-22-37

ORDINANCE AMENDING SECTIONS 15.04.0404C, 15.28.030, 15.28.060 OF THE WAUWATOSA MUNICIPAL CODE TO ADDRESS AIR CONDITIONER AND FENCES IN SIDE YARDS, AND FENCE CODE APPEALS

The common council of the City of Wauwatosa do hereby ordain as follows:

Part I. Subsection 15.04.040 C.2.a. of the Wauwatosa Municipal Code of Ordinances is hereby amended to read in its entirety as follows:

2. Mechanical.

a. The mechanical portion of an air conditioning unit outside of the exterior walls of the building shall have such outside unit located at least ten feet away from any rear lot line at least one foot from the side lot line. Units located in the front yard, or side yard abutting a street, must meet the setback for a principal building per Chapter 24, Zoning Code, and be screened from the right-of-way. Replacement units relocated at the same location to do not have to comply with this section.

Part II. Subsection 15.28.030 A.2. of the Wauwatosa Municipal Code of Ordinances is hereby amended to read in its entirety as follows:

2. Fences located in the rear yard or side yard abutting a street may be erected to a height of four and one-half feet;

Part III. Subsection 15.28.060 A. of the Wauwatosa Municipal Code of Ordinances is hereby amended to read in its entirety as follows:

A. Any owner aggrieved by this section or decision by the code official shall be permitted to appeal to the designated appeals board. An application shall be filed with the buildings and safety division along with the proper fees. Except for properties designated as a historic site, the applicant must demonstrate to the board that a hardship is created by conforming to the fence regulations. If the board approves an exception, the applicant is required to obtain a fence permit along with a permit fee.

Part IV. Subsection 15.28.060 D. of the Wauwatosa Municipal Code of Ordinances is hereby amended to read in its entirety as follows:

D. The historic preservation commission shall hear appeals for fences located on properties designated as a historic site.

Part V. This ordinance shall be effective on and after its dates of passage and publication.

Passed and Dated November 1, 2022



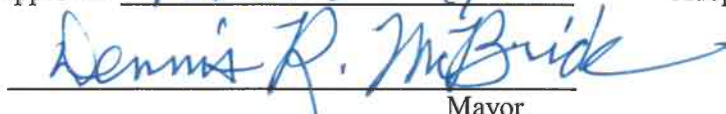
City Clerk

Introduced: November 1, 2022

Referred to originating committee

Approved November 4, 2022

Adopted: November 1, 2022



Mayor