

Building Zone Regulations

for the
Town of Milford,
Connecticut



1930

Building Zone Regulations

for the

**Town of Milford,
Connecticut**



1 9 3 0

INDEX

—::—

	Page
A	
Abattoir	15
Accessory building, location	18, 19, 22
Accessory uses, residence zones	13
Acetylene gas manufacture	15
Acid manufacture	16
Advertising signs	13
Altering buildings	21, 22, 24, 27
Aluminum powder manufacture	15
Ammonia	15
Amusements	14
Animal black	15
Appeals, Board of	24
Application, approval	28
Application for permit	23, 27
Area of buildings	21, Schedule
Area of yards	22, Schedule
Automobile junk yards	14
"A" zone residences	13
"A" zone	12, 13, Schedule

B	
Billboards	13
Blast furnaces	15
Board of Appeals	24, 25
Boarding houses	13, 25
Boat houses	13, 23
Bone black	15
Boiler works	15
Bottle storage	14
Bottling works	14
Boundaries, zone	23, 24
Brick manufacture	15
Brick storage yard	14
Bronze powder manufacture	15
Building alterations	18
Building area	10, 11, 21, Schedule
Building completion	24
Building Inspector	27
Building heights	21, 22, 23, Schedule
Building location water front	23
Building material storage	14
Building plans	27, 28
Building lines	20
Building non-conforming	9
Building permits	23, 25, 27
Building restoration	24
Buildings allowed residence zones	12, 13, Schedule
Buildings, accessory, location of	18, 19
Buildings, alteration of	21, 22, 24, 27
Buildings, business zones	21, 22, Schedule

	Page
Buildings, "C" residence zone	21, Schedule
Buildings, "A" residence zone	13, Schedule
Buildings, "B" residence zone	13, Schedule
Buildings, lot locations of	18, 19, 22
Buildings, occupancy of	26
Buildings on corner lots	20
Buildings, porticos or entries	20
Buildings, set back lines	20, Schedule
Business zone regulations	13, 14, Schedule
Business zone exclusions	14
Business zone set backs	20
Business zone special regulations	17
"B" zone residences	13, 21
"B" zone regulations	12,13, Schedule

C

Carpet cleaning establishment	14
Carting yard	14
Cement manufacture	16
Cement storage	14
Certificate of occupancy	25, 26
Certificate of occupancy, fees	26
Coal storage	14
Contractors plant storage	14
Coke storage	14, 15
Coke ovens	14, 15
Cornices	23
Completion of buildings	24
Corner lot, definition	9, 19
Corner lot, set backs of	20
Courts, height of	10
Court, inner	10, Schedule
Court, minimum width and area	Schedule
Court, outer	10, Schedule
Crematory	15
Creosote treatment	15
Cupolas	15
Curb level	10
"C" zone garages	25
"C" zone residences	13, 21
"C" zone regulations	12, 13, Schedule, 25

D

Definitions	9, 10, 11
Disinfectant manufacture	15
Distillation of bones	15
Distillation of petroleum	15
Distillation of refuse	15
Distillation of wood	15
Docks	13
Dry cleaning establishment	14
Driveway	13
Dwellings on lots	21, 22
Dwellings, business zones	Schedule
Dwellings, residence zones	12, 13, Schedule
Dye manufacture	15
"D" zone set back	20, Schedule
"D" zone residences	13

E	Page
Emery cloth manufacture	15
Enforcement of regulations	27
Entries of buildings	20
Excavations, permit for	26
Exclusions, industrial zones	15
Exclusions, business zones	14
Existing buildings	24
Explosive manufacture	15
Explosives, storage of	15

F	
Family, definition of	11
Families, business zones	21, 22, Schedule
Families, industrial zones	20, Schedule
Families, residence zones	13, 17, 21, 22, Schedule
Families per building	13, 21, 22, Schedule
Families per lot	Schedule
Farming	13
Feed manufacture	16
Fees, certificate of occupancy	26
Fertilizer manufacture	15
Fines	28
Forge plant	15
Front yards, residence zones	10, 19, 20, Schedule

G	
Garages	13, 17, 25
Garages, "C" zone	25
Gas filling stations	17
Gas filling appliances	17
Gas storage	15
Glue manufacture	15
Grain drying	16
Gravel pit	14
Grease rendering	16

H	
Height of Buildings	10, 11, 22, Schedule,
Height of court	10
Hides, cleaning and curing	15
Hides, storage, tanning	15
Hotels	13, 25

I	
Ice plant and storage	14
Incineration	16
Industrial zone regulations	15, 17
Industrial zone set backs	20
Inner court	10
Insecticide manufacture	15
Inspector, Town Plan and Building	27
Interior lot	10
Iron storage	14

J	
Job printing establishment	14
Junk sorting or storage	14
Junk yard, automobile	14

	Page
L	
Land occupancy	25
Laundry	14
Lime manufacture	16
Livery stable	14
Lot, definition of	9
Lot, corner, definition of	9
Lot, depth of	10
Lot, interior	10
Lumber storage yard	14
M	
Manufacture	14
Map, zone	Inset
Match manufacture	16
Metal working shop	14
Milk distributing station	14
Monument works	14
N	
Newspaper establishment	14
Non-conforming building	9
Non-conforming use	18
Non-conforming use changes	18
Nurseries	13
O	
Occupancy, certificate	25
Occupancy, building	25
Occupancy, land	25
Open Spaces, mandatory	21, Schedule
P	
Paint manufacture	16
Parapet wall	23
Parks and playgrounds	13
Penalties for violation	28
Permits, Board of Appeals	24
Permits expire	28
Permits required	23, 27
Petroleum refining	16
Piers	23
Plats, required	23, 27
Plats, minimum size	Schedule
Poison	15
Porches, set back	20
Porches, exempt	20
Porticoes of buildings	20
Potash works	16
Pottery manufacture	15
Power forging	16
Printing establishments	14
Printing ink manufacture	16
Punching metals	16
Pyroxylin manufacture	16
R	
Rag storage and baling	14
Rear yards	10, 22, Schedule
Rebuilding	18, 24, 25
Regulations, changes in	26
Regulations, enforcement of	27

	Page
Regulations, interpretation of	26
Residence zones, buildings	12, 13
Residence zones uses allowed	12, 13
Restoration of buildings	24
Rivetting	16
Rolling and tumbling	16

S

Sand or gravel pit	14
Schedule, height of buildings	20
Schedule, plan	inset
Scrap paper	14
Set backs, industrial zones	20, Schedule
Set backs, business zones	20, Schedule
Shoe blacking manufacture	16
Side yards	10, Schedule
Signs, residence zones	13
Sizes of lots	20, Schedule
Smelting	16
Soap manufacture	16
Starch manufacture	16
Steel furnace	16
Stock yards	16
Stone yards	14
Story	11
Street, definition of	19
Street line	10
Summer residence, allowed	23
Summer residence defined	11
Sworn statement	27

T

Tar distillation	16
Tar roofing manufacture	16
Terra cotta manufacture	15
Tile manufacture	15
Tobacco manufacture	16
Town Plan Inspector	27
Town Plan Inspector, power of	27
Truck gardening	13

U

Uses allowed, residence zones	12, 13
Use regulation, business zones	13, 14
Use regulation, industrial zones	15, 16, 17

V

Validity of ordinances	28
Validity of regulations	28
Violation, penalties	28
Vinegar manufacture	17

W

Window areas	21
Wood storage yard	14
Wood working shop	14
Wool scouring	17

Y

Yards	21, 22, Schedule
Yards, area	22

	Page
Yards, front	10, Schedule
Yards, rear	22, Schedule
Yards, side	10, Schedule
Yeast plant	17

Z

Zone boundaries	23, 24
Zone, business, regulations	13, 14
Zone, business, exclusions	14
Zone map	inset
Zones, kinds of	12
Zones, residence, regulations	12
Zoning regulations, enforcement	27

BUILDING ZONE REGULATIONS

for the

Town of Milford, Connecticut

— :: —

(Authorized by Chapter 242 of the Public Acts of 1925 and Chapter 169 of the Special Acts of 1929.)

Building Zone Regulations Regulating and Restricting the Height, Number of Stories, and Size of Buildings and Other Structures, the Percentage of Lot That May Be Occupied, the Size of Yards, Courts and Other Open Spaces, the Density of Population and the Location and Use of Buildings, Structures and Land for Trade, Industry, Residence and Other Purposes, and Establishing the Boundaries of Districts for said Purposes and Providing Penalties for their violation.

BE IT RESOLVED: That the following building zone regulations be and hereby are adopted by the Commission on Town Plan of the Town of Milford:

Section I Definitions

Certain words in these regulations are defined for the purpose thereof as follows:

a. Words in the present tense include the future, the singular number includes the plural and the plural the singular; the word "lot" includes the word "plot"; the word "building" includes the word "structure"; the word "zone" includes the word "district."

b. A "non-conforming building or use" is one that does not conform with the regulations of the zone in which it is situated.

c. A "lot" is a parcel of land occupied or designed to be occupied by one building and the accessory buildings or uses customarily incident to it, including such open spaces as are arranged and designed to be used in connection with such building.

d. A "corner lot," for the purpose of determining the maximum area that may be occupied with buildings is a parcel of land not over fifty feet in width and not over one hundred feet in depth at the junction of and fronting on two intersecting or intercepting streets. In so far as the size of a parcel located at the junction of and fronting on two intersecting or intercepting streets is in excess

of these dimensions, its excess area shall be treated the same as an interior lot.

e. An "interior lot" is a lot other than a corner lot.

f. The "depth of lot" is the mean distance from the street line of the lot to its rear line, measured in the general direction of the side lines of the lot.

g. The "street line" is the dividing line between the street and the lot.

h. A "rear yard" is an open, unoccupied space on the same lot with a building, between the rear wall of the building and the rear line of the lot.

i. A "front yard" is an open, unoccupied space on the same lot with a building, situated between the street wall of the building and the street line of the lot.

j. A "side yard" is an open, unoccupied space on the same lot with a building, situated between the building and the side line of the lot and extending through from the street to the rear yard, or where no rear yard is required, to the rear line of the lot.

k. An "inner court" is an open, unoccupied space on the same lot with a building, not extending to either the street or the rear yard.

l. An "outer court" is an open, unoccupied space on the same lot with a building, extending to either the street or the rear yard.

m. The "building area" is the maximum area of a building and its accessories, projected on a horizontal plane.

n. The "least dimension" of a court or yard is the least of the horizontal dimensions of such court or yard.

o. The "length of an outer court" is the horizontal distance between the end opening on a street or a rear yard and the end opposite such street or rear yard.

p. The "height of a court or yard" is the vertical distance between the lowest level of such court or yard to the highest point of any bounding wall. Where there is a gable or mansard, the height shall be measured to the average height of such gable or mansard, provided the combined width of all dormers in the roof shall not exceed thirty per cent. of the length of the building on the court or yard. In case the combined width of all dormers exceeds thirty per cent. of the building on the court or yard, the height shall be measured to the eaves of the highest dormer. In any given case,

the height of the court or yard shall be measured to the eaves, gable or mansard giving it the maximum height.

q. The "height of building" is the vertical distance measured in the case of flat roofs from the curb level to the highest point of the roof beams adjacent to the street wall, and in the case of pitched roofs, from the curb level to the average height of gable. In the case of both flat roofs and pitched roofs, the measurements shall be made through the center of the street facade. Where no roof beams exist or there are structures wholly or partly above the roof, the height shall be measured from the curb level to the highest point of the building. Where the walls of a building do not adjoin the street, the average level of the ground along the front wall of the building may be taken in measuring the height, instead of the curb level.

r. A "story" is that part of a building between any floor and the floor above, or in its absence, the ceiling or roof above. A story in which persons live, sleep, work or congregate, the ceiling of which is more than three feet above the curb level taken at the center of the street facade shall be counted as that fraction of a story which its height above such curb level bears to the height of a story. A story which extends less than three feet above such curb level shall not be counted in determining the number of stories. Any story under the pitched roof at the top of a building, the floor of which is not more than two feet below the plate, shall be counted a half-story when not more than sixty per cent. of said floor area is used for rooms, baths or toilets; otherwise, it shall be counted as that fraction of a story which its floor area in rooms, baths or toilets bears to the entire floor area.

s. The "curb level" is the permanently established grade of the street in front of the lot. Where the lot level is higher than the curb level, the average level of the former along the wall in question may be taken as the base for measuring the height of a side yard, inner court or outer court. Where a lot fronts upon two or more streets of different levels, the curb level of the higher street may be taken as the base for measuring the height of open spaces and buildings to a distance one hundred feet back from the street with the higher curb level.

t. A "family" as used in these regulations shall be deemed any number of individuals living and cooking together as a single house-keeping unit.

u. A "summer residence" is a house which is erected solely for summer occupancy and which is unplastered and unequipped with a heating plant and without a cellar.

Section II Kinds of Zones

For the purpose of promoting the health, safety, morals and general welfare of the community; for the purpose of lessening congestion in the streets, for the purpose of securing safety from fire, panic and other dangers; for the purpose of preventing the overcrowding of land and avoiding undue concentration of population; for the purpose of facilitating adequate provision of transportation, water, sewerage, schools, parks and other public requirements; for the purpose of conserving the value of buildings and encouraging the most appropriate use of land throughout the city; for the purpose of providing for public health, comfort and general welfare in living and working conditions; and for the purpose of regulating and restricting the location of trades and industries and the location of buildings designed for specified uses; for the purpose of regulating and limiting the height and bulk of buildings hereafter erected, and for the purpose of regulating and determining the area of yards, courts and other open spaces for buildings hereafter erected, the Town of Milford is hereby divided into six classes of zones:

1. "A" Residence Zones,
2. "B" Residence Zones,
3. "C" Residence Zones,
4. "D" Residence Zones,
5. Business Zones, and
6. Industrial Zones

as shown on the building zone map which accompanies these regulations and is hereby declared to be a part thereof. No building or premises shall be used, and no building shall be erected or altered, except in conformity with the regulations herein prescribed for the zone in which such building or premises is located.

Section III Use Regulations Controlling Residence Zones

In a residence zone, no building or premises shall be used and no building shall be erected or altered which is arranged, intended or designed to be used except for one or more of the following uses:

1. Dwellings.
2. Schools, public libraries, public museums, churches and church buildings.
3. Clubs and social and recreational buildings except those in which the chief activity is a service carried on as a business.

4. Philanthropic or eleemosynary uses or institutions, other than correctional institutions or asylums for the insane, and central telephone exchange buildings.

5. Parks and playgrounds.

6. Farming, truck gardening or nurseries.

7. Boat-houses, landings and docks when not conducted as a business.

8. Accessory uses customarily incident to the above uses, the term "accessory use," however, not including a business or any building or use not located on the same lot with the building to which it is accessory. Accessory uses may, however, include the office of a physician, surgeon, dentist, architect, engineer, lawyer, realtor, dressmaker, artist, teacher or musician when situated in the same dwelling used by such physician, surgeon, dentist, architect, engineer, lawyer, realtor, dressmaker, artist, teacher or musician as his dwelling, and may also include not more than five paying guests of the occupant of such dwelling. A garage or group of garages for more than three motor vehicles shall not be permitted as an accessory use. A garage for not more than three motor vehicles shall be permitted. It need not, however, be occupied by motor vehicles owned by the occupant of the premises to be considered an accessory garage.

In an "A" residence zone, no dwelling shall be erected, altered or used except as a one-family detached house.

In a "B" and a "D" residence zone, no dwelling shall be erected, altered or used for the housing of more than two families.

In a "C" residence zone, no dwelling shall be erected, altered or used for the housing of more families than the quotient obtained by dividing its lot area in square feet by 625.

A billboard, signboard or advertising sign shall in no case be permitted as an accessory use. The placing of a "for sale" or "for rent" sign not exceeding four square feet in area shall, however, be permitted as an accessory use.

A driveway or walk used for access to a business or industrial use shall in no case be permitted as an accessory use.

Section IV Use Regulations Controlling Business Zones

In a business zone, no building or premises shall be used and no building shall be erected which is arranged, intended or designed

to be used for any of the following specified trades, industries or uses:

1. Automobile junk yard.
2. Bottling works.
3. Building material storage yard.
4. Carousel, roller coasters, whirligigs, merry-go-rounds, ferris wheels or similar amusement devices.
5. Carpet, rag or bag cleaning establishment.
6. Carting, express, hauling or storage yard.
7. Contractor's plant or storage yard.
8. Coal, cement, lime, plaster, coke, lumber, wood, or brick storage.
9. Dry cleaning or dyeing establishment employing more than four persons.
10. Ice plant or storage.
11. Laundry employing more than four persons.
12. Livery or boarding stables.
13. Metal or woodworking shop employing more than four persons.
14. Sand or gravel pit.
15. Milk distributing station.
16. Stone yard or monument works, except immediately opposite or adjacent to a cemetery.
17. Storage, sorting or baling of scrap paper, iron, bottles, rags or junk.
18. Any trade, industry or use prohibited in an industrial zone.
19. Any kind of manufacture or treatment other than the manufacture of products clearly incidental to the conduct of a retail business conducted on the premises.

Nothing in this section shall be deemed to exclude a newspaper establishment or a job printing establishment from a business zone.

No use permitted in a residence zone shall be excluded from a business zone.

Section V Use Regulations Controlling Industrial Zones.

In an industrial zone, no building or premises shall be used, and no building shall be erected which is arranged, intended or designed to be used for any of the following specified trades, industries or uses;

1. Abbatoir, except for the killing of poultry for local consumption.
2. Ammonia, chlorine or bleaching powder manufacture.
3. Acetylene gas manufacture.
4. Animal black, lamp black or bone black manufacture.
5. Blast furnaces, except cupolas or converters used in foundries.
6. Brick, pottery, tile or terra cotta manufacture, except cement products.
7. Boiler works.
8. Bronze or aluminum powder manufacture.
9. Coke ovens.
10. Crematory.
11. Creosote treatment or manufacture.
12. Disinfectant, insecticide or poison manufacture.
13. Distillation of petroleum, refuse, grain, wood or bones, except in the manufacture of gas.
14. Dye manufacture.
15. Emery cloth and sandpaper manufacture.
16. Explosives, manufacture or storage, except small arms ammunition.
17. Fertilizer manufacture.
18. Forge plant.
19. Fresh or green hides or skins, storage, cleaning, curing or tanning, except as a contributory process or use in the hat industry and carried on without noxious or offensive odors.
20. Gas (illuminating or heating) storage.
21. Glue, size or gelatine manufacture where the processes

include the refining and recovery of products from fish, animal refuse or offal.

22. Grain drying or feed manufacture from refuse, meal or grain.

23. Grease, lard, fat or tallow rendering or refining.

24. Incineration, reduction, storage or dumping of slaughterhouse refuse, rancid fats, garbage, dead animals or offal, except by the municipality or its agents.

25. Lime, cement or plaster of paris manufacture.

26. Match manufacture.

27. Oilcloth or linoleum manufacture.

28. Paint, oil, varnish, turpentine, lacquer, shellac, or enamel manufacture.

29. Petroleum refining.

30. Potash works.

31. Power forging, riveting, hammering, punching, chipping, drawing, rolling or tumbling of iron, steel, brass or copper except as a necessary incident of manufacture of which these processes form a minor part and which are carried on without objectionable noise outside the plant.

32. Printing ink manufacture.

33. Pyroxlin plastic manufacture or the manufacture of articles therefrom.

34. Shoe blacking or stove polish manufacture.

35. Smelting of iron, copper, tin, zinc or lead from ores.

36. Soap manufacture from animal fats.

37. Starch, glucose or dextrine manufacture.

38. Steel furnace, blooming or rolling mill.

39. Stock yards.

40. Sulphurous, sulphuric, nitric, picric, carbolic or hydrochloric acid manufacture.

41. Tar distillation or manufacture.

42. Tar roofing or waterproofing manufacture.

43. Tobacco (chewing) manufacture or treatment.

44. Vinegar manufacture.

45. Wool pulling or scouring.

46. Yeast plant.

47. Any other trade or use that is noxious or offensive by reason of the emission of odor, dust, smoke, gas or noise.

Except that a dwelling or tenement accommodating more than two families is prohibited, no use permitted in a residence zone or a business zone shall be excluded from an industrial zone.

Section VI Special Regulations Relative to Garages, Service Stations and Gas Filling Stations, in Business and Industrial Zones

Except with the permission of the Board of Appeals, under appropriate conditions and safeguards, no permit shall be issued for the erection of a garage for more than five motor vehicles or a motor vehicle service station or gas filling station, or for the conversion of any premises not so used to be used for such purposes in any business or industrial zone, if any part of the lot or plot in question is situated within a distance of two hundred feet as measured along the public street of or within any portion of a street between two intersecting streets, between two intercepting streets, or between an intersecting and an intercepting street in which portion there exists:

1. A public school or a duly authorized school other than a public school conducted for children under sixteen years of age giving regular instruction at least five days a week for eight or more months a year.

2. A church with a seating capacity of at least 100 persons.

3. A theater containing at least 300 seats.

No gasoline filling appliance shall be located within ten feet of a street line or within five feet of an adjacent property line.

No existing garage for more than five motor vehicles, a group of garages for more than five motor vehicles or a motor vehicle service station or gas filling station shall be deemed to become a non-conforming use through the subsequent erection of such a school, church or theater as defined above within the aforesaid prescribed area.

Section VII Non-Conforming Buildings and Uses

Any non-conforming use existing at the time of the passage of these regulations may be continued and any existing building designed, arranged, intended for or devoted to a non-conforming use may be reconstructed and structurally altered, and the non-conforming use therein changed subject to the following regulations:

a. No non-conforming use shall, if once changed into a conforming use, be changed back again into a non-conforming use.

b. No non-conforming use shall be extended so as to diminish the extent of a conforming use.

c. The cost of structural alterations made in such building shall in no case exceed fifty per cent. of its assessed value, nor shall the building be enlarged unless the use therein is changed to a conforming use.

d. In a residence zone no building or premises devoted to a use permitted in a business zone shall be changed into a use excluded from a business zone.

e. In a residence zone or a business zone, no building or premises devoted to a use permitted in an industrial zone shall be changed into a use excluded from an industrial zone.

f. In a residence, business or industrial zone, no building or premises devoted to a use excluded from an industrial zone shall be structurally altered, if its use shall have been changed since the time of the passage of these regulations to another use also excluded from an industrial zone.

g. In a residence, business or industrial zone, no building devoted to a use excluded from an industrial zone shall have its use changed to another which is also excluded from an industrial zone, if the building shall have been structurally altered since the time of the passage of these regulations.

Section VIII Location of Accessory Buildings in Residence Zones

Accessory buildings in residence zones shall conform to the following regulations as to their location upon the lot:

1. In the case of an interior lot fronting upon only one street, no accessory building shall be erected or altered so as to encroach upon that half of its lot depth nearest the street.

2. In the case of an interior lot fronting upon two or more streets, no accessory building shall be erected or altered so as to

encroach upon that fourth of the lot depth nearest each and every street.

3. In the case of a corner lot fronting upon two streets, no accessory building shall be erected or altered so as to encroach upon that area between each respective street and a line drawn parallel to such street in a manner to divide the lot into two equal parts.

4. In the case of a corner lot fronting on three or more streets, no accessory building shall be erected or altered so as to encroach upon that fourth of the lot depth nearest each and every street.

5. No accessory building shall be located within five feet of its rear lot line when such line forms part of the front half of the lot line of an adjacent interior lot, or the front quarter of an adjacent through lot. In the case of lots more than one hundred feet deep, the aforesaid distance required between the rear lot line and the accessory building shall be increased to ten feet.

6. Notwithstanding any requirement in this section, the foregoing rules shall not prohibit any accessory building seventy feet or more from any street bounding the block.

7. The limitations imposed by this section upon the location of an accessory building shall be waived when the accessory building is incorporated as an integral part of or is enclosed by one or more of the same enclosing walls as the building to which it is accessory. The limitations of this section shall also be waived in the case of lots fronting directly upon Long Island Sound.

8. So far as this section is concerned, a corner lot shall not be limited in dimensions as provided in Section I.

9. The word "street" as used in this section shall mean a highway twenty-five feet or more in width.

Section IX Front Yards in Residence Zones

In a residence zone, no building shall be erected and no building shall be reconstructed or altered so as to project in any wise beyond the average setback line observed by the buildings on the same side of the street within the block at the time of the passage of these regulations. The foregoing rule shall, however, in no case be applied so as to keep the street wall, walls or covered porches of buildings further back from the street line than the maximum depth of front yard indicated in the "Schedule Limiting Height and Bulk of Buildings" for the zone in which such building is located. Where there is no existing building on a side of the street within the block, no new building shall be erected with its street wall, walls or covered

porches nearer the street than the maximum depth of front yard shown in the "Schedule."

The average setback line observed by buildings on the same side of the street within two hundred feet of each side of the lot in question shall control in lieu of the average setback line within the block where the block effected has a length of more than one thousand feet between its intercepting or intersecting streets.

A building erected on a corner lot shall be required to comply with the setback line on only its narrow street front. In cases where the two street frontages of a corner lot vary in length, the lot shall be deemed to be situated on the street containing the narrower frontage in computing the average setback lines. Where the two street frontages of a corner lot are of the same length, the owner may elect which street is to govern the setback line of the building.

No building shall, however, notwithstanding any of the above provisions be constructed, altered or moved nearer than forty feet to the center line of any street or streets upon which its lot may abut or front. In "D" residence zones, however, this requirement shall be reduced to thirty feet and shall apply only to the street upon which the lot shall front.

A roofed-over but unenclosed projection in the nature of any entry or portico, not more than eight feet wide and extending not more than six feet out from the front wall of the building shall be exempt from the requirements of this section when the building otherwise complies with the regulations of this section. In computing the average setback, the presence of such entries and porticoes shall be ignored.

Section X Setbacks in Business and Industrial Zones

In a business or industrial zone every building shall be required to be set back from the property line such a distance as may be necessary to keep its street wall, walls or covered porches forty feet from the center line of the street or streets upon which its lot may abut or front, except that where twenty-five per cent. of the length of a given block front is occupied by buildings on the street line or within one foot of same, no setback shall be required for additional buildings on said block front.

Section XI Schedule Limiting Height and Bulk of Buildings and Size of Lot

No building hereafter erected or altered shall be erected or altered to exceed the height or to accommodate or house a greater

BUILDING ZONE REGULATIONS FOR THE TOWN OF MILFORD — SCHEDULE LIMITING HEIGHT AND BULK OF BUILDINGS

This Schedule accompanies and is a part of Section XI of the Building Zone Regulations adopted by the Commission on Town Plan June 11, 1930.—James T. Rose, chairman.

ZONES	Maximum Height		Minimum Size of Plot		Families per Building	Mandatory Open Spaces	Front Yards		Side Yards	Maximum Building Area	Rear Yards	Inner Courts		Outer Courts	
	Stories	Feet	Area	Width			Minimum depth	Maximum depth				Minimum width	Minimum area		
"A" Residence	2½	35	§ 6,250 square feet	§ 50 feet	1	Front yard Two side yards and rear yard.	Average setback line observed by buildings on same side of street between two intersecting streets on date of passage of these regulations.	* 20 feet	Minimum width of each side yard must equal 4 feet. Aggregate width of 2 side yards must equal 25% of lot width	35% of area of lot	Minimum depth 20% of lot depth, but need not exceed 20 feet.	6 feet but not less than 4 inches for each foot of building height.	Twice the square of the least required dimension	Minimum width of 6 feet, but not less than 4 inches for each foot of building height.	
"B" Residence	2½	35	§ 4,000 square feet	§ 40 feet	1			*	15 feet	Minimum width of each side yard must equal 4 feet. Aggregate width of 2 side yards must equal 15% of lot width	60% of area of lot				Minimum depth 15% of lot depth, but need not exceed 15 feet.
			§ 5,000 square feet	§ 50 feet	2										
‡ "C" Residence	4	50	4,000 square feet	40 feet	One family to 625 sq. ft. of lot area.	Rear yard and Front yard	*	Optional	None required, but if provided must be three feet.	60% of area of lot	Minimum depth 10% of lot depth, but need not exceed 10 feet.	†	†	Minimum width of 4 feet, but not less than 1½ inches for each foot of building height.	
"D" Residence	2½	35	§ 2,800 square feet	§ 30 feet	2		†	*	Optional	None required but if provided to comply with Sec. XIII of regulations, must be 4 ft. wide and not less than 1½ inches for each foot of building height.	90% in case of interior lot beginning at second story sill level, or not more than 20 feet above curb level.	On interior lots, minimum depth 10% of lot depth, but need not exceed 10 feet beginning at second story sill level, or not more than 20 feet above curb. None required on corner lots.	†		†
Business	6 †	75 †	Optional One and two-family dwellings, however, same as in "B" Residence zones.		One family to 625 sq. ft. of lot area. †	†	†	*	None required but if provided to comply with Sec. XIII of regulations, must be 4 ft. wide and not less than 1½ inches for each foot of building height. †	90% in case of interior lot beginning at second story sill level, or not more than 20 feet above curb level. †	On interior lots, minimum depth 10% of lot depth, but need not exceed 10 feet beginning at second story sill level, or not more than 20 feet above curb. None required on corner lots. †	†	†	†	
Industrial	6	75	Requirements same as for "B" Residence zones in case of residence buildings. †			†	†	*	None required but if provided to comply with Sec. XIII of regulations, must be 4 ft. wide and not less than 1½ inches for each foot of building height. †	90% in case of interior lot beginning at second story sill level, or not more than 20 feet above curb level. †	On interior lots, minimum depth 10% of lot depth, but need not exceed 10 feet beginning at second story sill level, or not more than 20 feet above curb. None required on corner lots. †	†	†	†	

† Dwellings and tenements in Business Zones shall comply with all of the requirements of "C" Residence Zones, except as to front yards; where, however, the first story of a building in Business or Industrial Zones is devoted entirely to non-residence use, no side yards shall be required and the building area, rear yard and court requirements may begin at the second-story sill level, but not more than 20 feet above curb level. Dwellings for more than two families are not allowed in Industrial Zones.

* Buildings must, however, be set back not less than 40 feet from the center of the street in the "A", "B" and "C" Residence Zones, and in the Business and Industrial Zones, and not less than 30 feet in the "D" Residence Zones.

‡ One and two-family dwellings shall conform with all of the regulations of "B" Residence Zones.

§ Any plot existing as a separate parcel and not complying with this requirement at the time of the passage of these regulations may, notwithstanding such fact, be improved with a building in accordance with the other regulations of its residence zone, provided the owner owns no adjacent land which may, without undue hardship to him be included as part of the lot in question.

number of families or to occupy a greater percentage of the lot area or to have narrower or smaller front yards, rear yards, side yards, inner or outer courts than is laid down in the "Schedule Limiting Height and Bulk of Buildings" for the zone in which such building may be located. This schedule accompanies these regulations and is hereby declared to be a part thereof.

Requirements as to the size of plot and open spaces shall, however, not be applied so as to prevent the erection of a one-family detached dwelling on any lot of less than the required size shown on a duly filed map at the time of the passage of these regulations.

Section XII General Provisions Relative to Area and Height Regulations

a. No existing building shall be altered, enlarged or rebuilt except in conformity with the regulations herein prescribed. Unless otherwise expressly provided, the terms rear yard, front yard, side yard, inner court and outer court when used in these regulations shall be deemed to refer only to a rear yard, front yard, side yard, inner court or outer court as required by these regulations. No lot on which a building is or shall be erected shall be reduced or diminished to less than the minimum size prescribed by these regulations or so that the yards, courts or other open spaces shall be smaller than prescribed by these regulations.

b. Except as otherwise provided in these regulations, every room in which persons live, sleep, work or congregate, shall have at least one window or ventilating skylight opening directly either upon a street or upon a rear yard, front yard, inner court or outer court located upon the same lot and conforming to the requirements prescribed by these regulations as to its minimum area and least dimension. The windows or skylights opening out from such required street, rear yard, front yard, inner court or outer court shall have a minimum area in each room equal to at least one-eighth of the floor area of such room. Courts, yards and other open spaces, if provided in addition to those proposed by these regulations need not be of the area and dimensions herein prescribed. No yard, court or other open space provided about any building for the purpose of complying with the provisions of these regulations shall again be used as a yard, court or other open space for another building.

c. One- and two-family dwellings in "C" residence zones shall be erected in conformity with the requirements of the "B" residence zones. One- and two-family dwellings in business zones and in in-

Industrial zones shall be erected in conformity with the requirements of the "B" residence zones, except that the building need not be set back from the property line more than required to keep it forty feet from the center line of the street or streets on which the lot may abut or front. In all business or industrial zones, where the first story is devoted entirely to non-residence use, no side yards shall be required and the building area, rear yard and court requirements may begin at the second story sill level, but not more than twenty feet above the curb.

d. Dwellings for more than two families shall not be constructed in industrial zones.

e. No building to be used as a dwelling shall be constructed or altered in the rear of a building situated on the same lot. Nor shall any building be constructed in the front of or moved to the front of a dwelling situated on the same lot. These provisions shall not be construed, however, as preventing the erection, alteration and maintenance of dwelling quarters in connection with an accessory building upon the rear of the lot when the persons occupying such quarters are employed in domestic service upon the premises.

f. A rear yard extending along the rear lot line shall be required on every lot or portion thereof in a residence zone, and on every interior lot or portion thereof in every zone other than a residence zone, wherever the rear line of the lot is more than fifty-five feet back from the nearest street.

g. An interior lot running through the block from street to street or to within fifty-five feet of its rear street shall not be required to provide a rear yard when improved with a single building.

h. Accessory buildings may occupy the required rear yard area up to an average height of fifteen feet above the curb level in a residence zone. The yard area occupied by such accessory building, shall, however, be included in computing the maximum percentage of the lot area which may be built upon in any given zone.

i. The area required in a court or yard at any given level shall be open from such level to the sky unobstructed except for the ordinary projections of skylights and parapets above the bottom of such courts or yards, and except for the ordinary projections of window-sills, belt courses, cornices and other ornamental features to the extent of not more than four inches.

j. The height provisions of these regulations shall not apply to the erection of church spires, belfries, and towers designed exclusively for ornamental purposes, flag-staffs, chimneys, flues, gas holders, electric generating plants, wireless towers, water-tanks, standpipes, penthouses, bulkheads, stage towers or scenery lofts.

k. The height provisions of these regulations shall not prevent the erection of a church, school, central telephone building, public library or public museum to a height not exceeding fifty feet in a residence zone.

l. Nothing in these regulations shall prevent the erection above the height limit of a parapet wall or cornice extending above such height limit not more than three feet.

m. Any plot existing as a separate parcel and not complying with the minimum area and minimum width of lot requirements of these regulations may, notwithstanding such fact, be improved with a building in accordance with the other regulations of its residence zone, provided the owner owns no adjacent land which may, without undue hardship to him, be included as part of the plot in question.

n. No building other than a pier or boat-house shall be erected within a distance of twenty feet of the highwater mark along the shore of Long Island Sound or its tidal inlets.

o. No summer residence as defined by these regulations shall hereafter be erected anywhere in the Town of Milford except in the "D" residence zones.

Section XIII Plats

All applications for building permits shall be accompanied by a plat in duplicate drawn to scale, showing the actual dimensions of the lot to be built upon, the size of the building to be erected, the location of buildings upon the lot, the dimensions of all open spaces, the established building lines within the block and such other information as may be necessary to provide for the enforcement of these regulations.

Section XIV Zone Boundaries

The zone boundaries are, unless otherwise indicated, either street lines or lines drawn parallel to and one hundred feet back from one or more of the street lines bounding the block. Where two or more designations are shown within a block two hundred feet or less in width, the boundary of the more restricted zone shall be deemed one hundred feet back from the street line.

Where two or more zone designations are shown within a block more than two hundred feet in width, the boundary of the less restricted zone shall be deemed one hundred feet back from the street line.

A lot situated in the interior of a block and divided by the zone boundary line into two different zones may in so far as it is situated at least one hundred feet back from any street bounding the block in which it is located, be used in accordance with the use regulations of the less restricted zone into which the lot is divided.

Section XV Completion and Restoration of Existing Buildings

Nothing herein contained shall require any change in the plan, construction or designated use of a building for which a building permit has heretofore been issued and the construction of which shall have been diligently prosecuted within one year of the date of such permit and the ground story framework of which, including the second tier of beams shall be completed within such year, and which entire building shall have been completed according to such plans as filed within two years from the date of the passage of these regulations.

Nothing in these regulations shall prevent the restoration of a building destroyed by fire, explosion, act of God or act of the public enemy, to the extent of not more than fifty per cent. (50%) of its assessed value, or prevent the continuance of the use of such building or part thereof or prevent the change of such existing use under the limitations provided in Section VII. But any building destroyed in the manner aforesaid to an extent exceeding fifty per cent. (50%) of its assessed value at the time of such destruction may after one year of such destruction be reconstructed and thereafter used only in such manner as to conform to all of the provisions of these regulations. If rebuilt, however, within one year of its destruction, such building may be restored as it was prior to such destruction.

Section XVI Board of Appeals

The Board of Appeals may in a specific case after public hearing and subject to appropriate conditions and safeguards determine and vary the application of the regulations herein established in harmony with their general purpose and intent as follows:

1. Hear and decide appeals where it is alleged there is error in any order, requirement, or decision by the Town Plan and Building Inspector in the enforcement of these regulations.

2. Where a zone boundary line divides a lot in a single ownership at the time of the passage of these regulations, permit a use authorized on either portion of such lot to extend to the entire lot, but not more than twenty-five feet beyond the boundary line of the zone in which such use is authorized.

3. Permit the extension of a non-conforming use or building upon the lot occupied by such use or building at the time of the passage of these regulations.

4. Permit the reconstruction of any non-conforming building that may be destroyed either in whole or in part by fire.

5. Permit the erection of an additional building upon a lot occupied at the time of the passage of these regulations by a business or industrial establishment where carrying out the strict letter of the provisions would result in practical difficulties or unnecessary hardships.

6. Permit a hotel or boarding house in a residence zone.

7. Grant without renewal in undeveloped sections of the town, temporary and conditional permits for not more than two years for structures and uses in contravention of these regulations.

8. Permit in a "C" residence zone, subject to appropriate conditions and safeguards an accessory garage or group of accessory garages not more than one story high nor in the aggregate accommodating more cars than the number of families provided for in a building upon the same lot, provided such garage or group of garages conforms in every respect with the provisions of Section VIII of these regulations.

9. Adopt from time to time such rules and procedure as may be deemed necessary to carry into effect the provisions of these regulations.

10. Vary any requirement of these regulations in harmony with their general purpose and intent, so that substantial justice may be done. This authority shall be exercised in a manner to secure the public health, safety and welfare solely in instances where there are practical difficulties and unnecessary hardships in the way of carrying out the strict letter of these regulations.

Section XVII Certificate of Occupancy

No land shall be occupied or used and no building hereafter erected or altered shall be occupied or used in whole or in part for any purpose whatsoever, except for the alteration of or addition to a dwelling until a certificate of occupancy shall have been issued by the Town Plan and Building Inspector stating that this premises or building complies with all the provisions of these regulations.

No change or extension of use and no alteration shall be made in a non-conforming use or premises without a certificate of

occupancy having first been issued by the Town Plan and Building Inspector that such change, extension or alteration is in conformity with the provisions of these regulations.

Certificate of occupancy shall be applied for at the same time that the building permit is applied for and shall be issued within ten days after the erection or alteration of the building shall have been completed. A record of all certificates shall be kept on file in the office of the Town Plan and Building Inspector and copies shall be furnished upon request to any person having a proprietary or tenancy interest in the building affected. A fee of one dollar and fifty cents shall be charged for each original certificate and seventy-five cents for each copy thereof.

No excavation shall be undertaken without a permit issued therefor by the Town Plan and Building Inspector. No permit for excavation shall be issued before application has been made for a certificate of occupancy. No building or premises for which a certificate of occupancy is required may be occupied until such certificate shall have been issued.

Section XVIII Changes in Regulations

These regulations may from time to time be amended, changed or repealed by the Commission on Town Plan as provided in Chapter 242 of the Public Acts of 1925.

Section XIX Interpretation of Regulations

In their interpretation and application, the provisions of these regulations shall be held to be the minimum requirements adopted for the promotion of the public health, safety, comfort, convenience and general welfare. It is not intended by these regulations to repeal, abrogate, annul or in any way to impair or interfere with any existing provision of the law or ordinance, or any rules, regulations or permits previously, adopted or issued or which shall be adopted or issued pursuant to law, relating to the use of buildings or premises; nor is it intended by these regulations to interfere with or abrogate or annul any easements, covenants or other agreements between persons, provided, however, that where these regulations impose a greater restriction upon the use of buildings or premises or upon the height of buildings, or require larger yards, courts or other open spaces than are imposed or required by existing provisions of law or ordinance or by such rules, regulations or permits, or by such easements, covenants or agreements, the provisions of these regulations shall control.

Section XX Enforcement

The Commission on Town Plan shall appoint a Town Plan and Building Inspector who shall serve during the pleasure of the Commission on Town Plan.

The zoning regulations shall be enforced by the Town Plan and Building Inspector, subject to appropriate supervision and direction by the Commission on Town Plan and the Board of Appeals, respectively. The Town Plan and Building Inspector is authorized to cause any building, structure, place, premises or use to be inspected or examined, and to order in writing the remedying of any condition found to exist therein or thereon in violation of any provision of these regulations.

Before the construction or alteration of any building or structure or any part of either, the owner or lessee thereof or the agent of such owner or lessee, or the architect or builder employed by such owner or lessee in connection with the proposed construction or alteration, shall submit to the Town Plan and Building Inspector a detailed statement of the specifications of the proposed work, on appropriate blanks to be furnished to applicants by the Town Plan and Building Inspector, and such plans and structural detail drawings of the proposed work as the Town Plan and Building Inspector may require. Such statement, constituting an application for a permit to construct or alter shall be accompanied by a further statement in writing, sworn to before a notary public or other officer authorized to administer oaths, giving the full name and residence of each of the owners of said building or proposed building, structure or proposed structure, and by diagram of the lot or plot on which such construction or alteration is to be made, showing the exact location of any proposed new construction and all existing buildings or structures that are to remain.

It shall be unlawful to construct or alter any building or structure, or any part thereof, until the application and plans herein required shall have been approved by the Town Plan and Building Inspector and a written permit issued by him. The Town Plan and Building Inspector shall approve or reject any application or plan, or amendment thereto, filed with him pursuant to the provisions of this section within a reasonable time and, if approved, shall promptly issue a permit therefor.

Nothing in this section shall be construed to prevent the Town Plan and Building Inspector from approving and issuing a permit for the construction of part of a building or structure when plans and detailed statements have been presented for the same, before the

entire plans and detailed statements of said building or structure have been submitted or approved.

Any permit issued by the Town Plan and Building Inspector under the provisions of this section, but under which no work is commenced within one year from the time of issuance, shall expire by limitation.

Section XXI Penalties

The owner or agent of a building or premises where a violation of any provision of these regulations shall have been committed or shall exist or the lessee or tenant of any entire building or entire premises where such violation shall have been committed or shall exist or the owner, agent, lessee or tenant of any part of the building or premises in which such violation shall have been committed or shall exist or the agent, architect, builder, contractor, or any other person who shall commit, take part or assist in any such violation or who shall maintain any building or premises in which any such violation shall exist shall be guilty of a misdemeanor punishable by a fine of not more than one hundred dollars for each and every day that such violation continues, but if the offense be willful, on conviction thereof the punishment shall be a fine of not more than two hundred and fifty dollars for each and every day that such violation shall continue, or by imprisonment for ten days for each and every day that such violation shall continue or by both such fine and imprisonment in the discretion of the court, and the Town Court of the Town of Milford shall have jurisdiction of all such offenses subject to appeal as in other cases.

Any such person who having been served with an order to remove any such violation shall fail to comply with said order within ten days after such service or shall continue to violate any provisions of the regulations in the respect named in such order shall also be subject to a civil penalty of two hundred and fifty dollars, payable to the Town Treasurer of the Town of Milford.

Section XXII Validity of Ordinance

If any section, paragraph, subdivision, clause or provision of these regulations shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged, and the remainder of these regulations shall be deemed valid and effective.

Section XXIII When Effective

These regulations shall take effect immediately.

Adopted by the Commission on Town Plan, June 11, 1930,
James T. Rose, chairman, Cornelius A. Stowe, secretary.

JAMES T. ROSE, Chairman
GEORGE E. SOUTHWORTH
WALTER M. IRVING
LOUIS E. GUYOTT
JOHN W. CANNON
CORNELIUS A. STOWE
HARRY M. MERWIN, ex-officio