

Building Zone Regulations

for the

**Town of Milford,
Connecticut**



1930

As Amended to September 10, 1942

Building
Zone Regulations
for the
Town of Milford,
C o n n e c t i c u t

1930

As Amended to September 10, 1942

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BUILDING ZONE REGULATIONS

for the

Town of Milford, Connecticut

(Authorized by Chapters 26 and 29 of the General Statutes and Chapter 169 of the Special Acts of 1929, amended by Special Acts of 1931)

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" but does not include the word "fence"; the word "zone" includes the word "district." (As amended September 2, 1940.)

b. A "non-conforming building or use" is one that does not conform with the regulations of the zone in which is it 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. Private garages, boat houses, landings and docks when not conducted as a business; except that in the case of private garages space for not more than two motor vehicles may be rented to or occupied by others than residents of the premises.

As amended
July 11, 1932

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. Private garages shall be permitted as an accessory use. Garage space for not more than two motor vehicles may be rented to or occupied by others than residents of the premises.

As amended
July 11, 1932

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. Where land, available for or in process of subdivision or development is advertised for sale or letting, larger real estate signs shall be permitted on the premises to which they refer, such signs to be located and maintained behind the prevailing front building line of the block in which such premises are located; permits for the erection of such larger real estate signs must, however, be obtained from the Town Plan and Building Inspector.

As amended
July 11, 1932

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.

20. Trailer Camps or Trailer Parks, deemed to be any lot or parcel of land which is used or permitted to be used for the parking of two or more occupied trailers.

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. Abattoir, 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 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 regu-

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.

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 last 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									
			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.		15 feet	Minimum width of each side yard must equal 4 feet. Aggregate width of 2 side yards must equal 15% of lot width	70% if an interior lot. 90% if a corner lot.	Minimum depth 15% of lot depth, but need not exceed 15 feet.				
"D" Residence	2½	35	2,800 § square feet	30 § feet	2	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.	† 4 feet but not less than 1½ inches for each foot of building height.	† Twice the square of the last required dimension	† Minimum width of 4 feet, but not less than 1½ inches for each foot of building height.
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.	† Rear yard in case of interior lot.	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. †	† 4 feet but not less than 1½ inches for each foot of building height.	† Twice the square of the last required dimension	† Minimum width of 4 feet, but not less than 1½ inches for each foot of building height.
Industrial	6	75	Requirements same as for "B" Residence zones in case of residence buildings. †		†									

† 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 requirements 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.

lations. 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 a house a greater 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 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 described. 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 dwelling 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 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, boat-house, bath-house, sea-wall, bulkhead or fence shall be erected within a distance of twenty feet of the highwater mark along the shore of Long Island Sound or its tidal inlets.

As amended
Sept. 2, 1940

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.

p. No building to be occupied as a dwelling shall be erected, altered or reconstructed in an "A" residence zone to have a total area less than the following:

1-story building, 720 square feet.

As amended
June 11, 1942

1 $\frac{1}{2}$ -story building, 650 square feet on the first floor and 1,000 square feet on both floors.

2-story building, 575 square feet on each floor.

In computing such minimum floor area requirements the floor area of porches, verandas, attached garages, basement rooms or any attached or accessory structure shall not be included. In the case of a 1 $\frac{1}{2}$ -story building, in addition to the first floor, only the finished floor area of any room or rooms on the floor next under the roof shall be included in the computation of such minimum area requirements and then only that portion thereof where there is a finished ceiling at least five feet vertically above the finished floor, which room or rooms must be permanently connected with the lower floor by a permanent inside stairway, and which room or rooms must be finished off with lath and plaster, wall-board or paneling or with similar finishing material satisfactory to the Building Inspector. In the case of a two-story house the plate shall be level at the full ceiling height.

Adopted
June 11, 1942

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 ties 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, explosions, 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.

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 or buildings upon a lot occupied at the time of the passage of these regulations by a business or industrial establishment and which additional building or buildings are a part of such establishment, and permit the extension of the use or structure into a more restricted zone immediately adjacent thereto.

6. Permit a hotel, tea room or boarding house in a residential zone.

7. Grant temporary and/or conditional permits 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 such 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 re-

peal, 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 Board of Selectmen shall appoint a Town Plan and Building Inspector who shall serve during the pleasure of the Board of Selectmen.

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 office 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, with amendments to September 10, 1942.

HENRY C. C. MILES, Chairman

HAROLD S. HAWKINS, Secretary

JOHN N. FOEHR

JOHN W. CANNON

TRUBEE J. DOOLITTLE

JOHN L. POLE

HARRY M. MERWIN, *ex-officio*

APPENDIX

Amendments to Building Zone Map

Changes in Building Zone Regulations of Town of Milford, Conn.,
since June 11, 1930

Building Zone Map amended by changing the property extending from the South boundary line of Charles Ney's property, known as Lot Number 29 on Map of Laurel Manor, in a northerly direction along Laurel Beach Road for a distance of 100 feet, and extending westerly from Laurel Beach Road 100 feet, from a D Residence Zone to a Business Zone.

Adopted May 28, 1931.

Building Zone Map amended by changing the property between Broadway, Walnut Beach and Long Island Sound, and from Stowe Avenue to West Avenue, and the property on the Northerly side of Broadway from Stowe Avenue to West Avenue, from a D Residence Zone to a Business Zone.

Adopted May 28, 1931.

Building Zone Map amended by changing property on West-erly side of Seabreeze Avenue, extending from property of The Connecticut Company northerly for a distance of three hundred (300) feet, from A Residence Zone to Business Zone.

Adopted June 29, 1933.

Building Zone Map amended by changing from A Residence to B Residence Zone so much of both sides of Gulf Street as lies between the junction of Cherry Street and New Haven Turnpike on the North to the Industrial Zone now established northerly of the railroad right-of-way on the South.

Adopted April 11, 1935.

Building Zone Map amended by changing from A Residence to D Residence Zone land on Jane Bryan Hill as shown on map of property of Fred E. Kroker, Grover Properties, Inc., dated May, 1936 and filed in the office of the Town Clerk.

Adopted June 11, 1936.

Building Zone Map amended by changing from Industrial to A Residence Zone property of Annie B. Augur located on the westerly side of North Street southerly of property now or formerly of the Pruven Products Company.

Adopted December 10, 1936.

Building Zone Map amended by changing from A Residence to B Residence Zone, section of the Town bounded northwesterly by Milford Point Road; southeasterly by Meadows and Road; southerly by Old Point Road; and westerly by Kittery Street; including property on the westerly side of Kittery Street between Milford Point Road and Old Point Road.

Adopted December 10, 1936.

Building Zone Map amended by changing from D Residence to Business Zone the North side of Broadway between Brookdale Avenue and Beach Avenue, Walnut Beach.

Adopted May 13, 1937.

Building Zone Map amended by changing from Business to D Residence Zone property bounded by Deerfield Avenue, Welch's Point Road and Lawrence Avenue.

Adopted July 29, 1937.

Building Zone Map amended by changing from Business to D Residence Zone the Poli property at the intersection of Merwin Avenue and Mark Street, Woodmont.

Adopted December 30, 1937.

Building Zone Map amended by changing from A Residence to Business Zone property of Dello Torre bounded northerly by the "Cut-off" so-called, 750 feet, more or less, and southerly by Cherry Street, 450 feet, more or less.

Adopted February 10, 1938.

Building Zone Map amended by changing from A Residence to Business Zone property of Veit bounded northerly by the "Cut-off" so-called and southerly by Cherry Street.

Adopted February 10, 1938.

Building Zone Map amended by changing from Business to D Residence Zone property on the south side of Broadway extending from Cedar Street, Myrtle Beach, on the west, to Surf Avenue, Fort Trumbull, on the East.

Adopted December 8, 1938.

Building Zone Map amended by changing from A Residence to B Residence Zone, property on both sides of High Street extending from the "Cut-off" so-called northerly to the intersection of Wheeler's Farms Road and Oronoque Road.

Adopted February 8, 1940.

Building Zone Map amended by changing from A Residence to Industrial Zone tract of land bounded northwesterly by Old Gate Lane about 3,000 feet; easterly by land now or formerly of Glenny and southerly by existing Industrial Zone abutting the right-of-way of The New York, New Haven and Hartford Railroad Company.

Adopted May 22, 1940.

Building Zone Map amended by changing from A Residence to D Residence Zone, tract of land bounded northerly in part by a line 500 feet southerly of and parallel with Meadowside Road; in part by land of Stowe, in part by land of Andrew Baras, and in part by land of William Howarth; easterly by land of Nelson Smith; southerly by sundry owners; and westerly by Pumpkin Delight Road; containing approximately 24 acres.

Adopted April 23, 1942.