

Z-19-0

Zoning Regulations

OF THE

CITY of MILFORD

Connecticut



1961

CITY OF MILFORD, CONNECTICUT
AMENDMENTS TO ZONING REGULATIONS

PAGE

1. RESEARCH-OFFICE PARK ZONE Effective Feb. 4, 1963
Amend Chapter II, Sect. 1, by adding a new zone "Research-Office Park Zone".

1. WATERFRONT DESIGN DISTRICT Effective Nov. 5, 1963
Amend Chapter II, Sect. 1, by adding "Waterfront Design District".

3. GENERAL PROVISIONS Effective Nov. 20, 1964
Amend Chapter III, Sect. 1, by adding new paragraph "H",

ELEVATIONS FOR STRUCTURES - No property shall be used for the erection of a dwelling nor the erection of a principal business structure unless the grade of the required area of the lot is 10' above mean sea level of the U. S. Coast and Geodetic datum and no such structure shall have a first floor elevation of less than 12' U. S. C. & G. datum.

Amend Chapter III, Sect. 1, by adding new paragraph "I".

Special permits under Chapter IV, Sect. 13, shall be required for any type of construction or for the performance of any type of work incidental thereto, in all tidal waters, public ponds, or other water courses named or un-named, in or surrounding the City of Milford, from the high water mark to the U. S. Harbor or Bulkhead Line, if one exists and, in the absence thereof to the middle of the stream, pond or water course, as the case may be.

4. USES PERMITTED IN ALL RESIDENCE ZONES Effective Sept. 25, 1964
Amend Chapter IV, Section 1-A, by adding the following to list of uses:

"Radio Broadcasting Towers, control buildings and broadcasting stations on parcels of 5 acres or more with towers located a distance from any property line equal to the height of the tower and any other structure or parking area at least 50' from any other property zoned for residential use"*

Change 6th item Chapter IV, Sect. 1-A - Off-street parking to read:
Off-street parking lots for private passenger vehicles immediately adjacent to a business zone or light industrial zone and accessory to one or more permitted uses in said Business or Light Industrial Zone subject to the requirements of Chapter V, Sect. 2 as amended.

USES PERMITTED ONLY IN RESIDENCE ZONES

Business and Rooming Houses - Effective Oct. 11, 1965

Amend Chapter IV, Sect. 1-A by adding an asterisk (*) after the words "Boarding and Rooming Houses" making this item subject to the obtaining of a special permit under Chapter IV, Sect. 13 by adding the words "Subject to the standards outlined in Sect. 10 of Chapter V".

R-MF ZONE AMENDED Effective July 17, 1964

Amend Chapter IV, Sect. 1-A by adding an asterisk (*) to the R-MF designation of zones, in which multiple dwellings are permitted, and thereby requiring a special permit under Sect. 13 of Chapter IV.

6. BEACH CLUBS Effective Feb. 14, 1964

Amend Chapter IV, Sect. 1-E by changing paragraphs 2, 5, 8 and 9 to read as follows:

2. The land intended to be used must be at least four acres and have a shorefront location, contiguous to Long Island Sound or a navigable river except that the Board may allow beach clubs on parcels of at least one acre where historic buildings exist and are found suitable for this purpose.

5. All buildings, except those existing and approved for use under this section, shall be set back at least 100' from all property lines and at least 200' from any residential zoned land, and shall not cover more than 10% of the site. All recreation areas, other than golf courses, shall be located at least 50' from all property lines.

8. At least one (1) off-street parking space shall be provided for every member, except that in the case of memberships issued to families, there shall be at least one (1) off-street parking area for each family. Parking areas shall be located at least 25' away from all property lines and shall not occupy more than 25% of the site, the remainder of which, not occupied by buildings, must be suitably landscaped.

9. The club membership shall be limited by the number of parking spaces provided in compliance with paragraph 8, as above, and the number of bath houses, lockers, cabanas or similar accessory structures designed to serve individuals shall be limited accordingly.

7. R-AMF RESIDENCE APARTMENT ZONE Effective May 24, 1962.

Amend Chapter IV, Sect. 2, changing heading to read R-AMF RESIDENCE APARTMENT ZONE, HIGH RISE".

7-3. R-AMF RESIDENCE APARTMENT ZONE HIGH RISE Effective July 17, 1964

Amend Chapter IV, Sect. 2 to read as follows:

A. In the adoption of this regulation, it is contemplated that apartment zones will be located in the better residential areas of the City, and it is recognized that such apartment development must be carefully supervised and controlled to prevent the same from having a detrimental and retarding influence upon surrounding residential properties. It is hereby declared as a matter of legislative determination that it is necessary, in the promotion of the public health, safety and welfare, to prevent the overcrowding of land and avoid undue concentration of population, and in the accomplishment set forth in Chapter I of these regulations, that the limitations contained in this section are adopted and that the Planning and Zoning Board shall retain control over the development of land in apartment zones which is provided for in the following sections.

B. USES - Subject to all other applicable provisions and limitations contained in these regulations, the following uses will be permitted: Effective October 21, 1966.

Amend Chapter IV, Sect. 2, B-1 to read as follows:

...

- 7-8
1. Any use permitted in an R-AMF Residence zone and any other contiguous residence zone subject to the same special permit requirements therein stated, and subject to the limitations in Paragraph B and C below.
 2. Subject to obtaining a special permit from the City Planning and Zoning Board in accordance with Chapter IV, Sect. 13 of these regulations, a residence apartment as defined and limited herein.
 3. No quonset hut or similar type of building shall be permitted.
 4. No residential subdivision of any sort shall be permitted.

C. STANDARDS AND REQUIREMENTS

1. Definition: A residence apartment development for the purpose of this section is defined to mean and include any building, designed, constructed used as a residence building for 12 or more families living independently of each other.
2. Area Requirements: No such apartment structure shall occupy more than 25% of the area of the lot upon which it is constructed. The remainder of the lot shall be left open, and shall be appropriately landscaped, except such portions thereof shall be developed for the storage of automobiles of the residents thereof, as provided in Chapter V, Sect. 1. The entire tract area of a residence apartment development must be at all times maintained in a clean, sanitary, presentable condition and free of noxious weeds. The minimum lot size for R-AMF Zone use shall be 4 acres of contiguous land with a minimum frontage of 200 feet.
3. Open Space and/or Recreation Area of not less than 200 square feet shall be provided per dwelling unit and shall be in one contiguous piece with no dimension less than 40 feet. The land so set aside shall not be steeper than a 2% grade and shall be suitably landscaped.
4. Public Recreation and Open Space: To provide means for the acquisition of public open space and recreation area, a contribution shall be required to the Board's Park and Playground Fund in an amount per dwelling unit of not less than 1/2 the rate required for each lot in subdivisions under the Milford subdivision regulations.
5. Height Limitation: No part of such apartment building shall be erected or altered so as to be more than 5 stories in height and not to exceed 55 feet.
6. Outer Court Requirements: The minimum width of any outer court shall be 1/2 the sum of the heights of two side walls and the depth of such outer court shall not exceed the width thereof.
7. Front Yards: To provide an adequate front yard, such apartment building shall be set back a minimum of 20' but not less than 60% of the height of the building from the property line on each street upon which the lot has frontage. The board may allow lesser setbacks for buildings not over 3 stories in height to a minimum of 10' to conform to peculiar conditions of nearby structures.
8. Side and Rear Yards: The minimum width of each sideyard or rear yard shall be 60% of the height of the building but not less than 20'.

C. Standards and Requirements

9. Number of Family Units: One to each 2,000 sq. ft. of lot area.
10. Apartment Requirements: Not more than 40% of the apartments in any residence apartment building shall have three rooms and no apartment shall have more than three rooms provided, however, the Planning and Zoning Board may permit one apartment of more than three rooms in any apartment building for the use of a custodian or rental agent, which shall be computed in the total number of units. Each apartment shall contain a bathroom equipped with a water closet, washbasin and a bathtub or shower, a kitchen or kitchenette equipped with a sink and provided with facilities and space for a cooking range, refrigerator and suitable space for the dry storage of food. Each one-room efficiency type apartment shall have a total area of not less than 475 sq. feet; each two-room apartment shall have a total area of not less than 575 sq. feet; each three-room apartment shall have a total area of not less than 675 sq. feet. All rooms shall have a ceiling height of not less than 7'8" in the clear. All rooms shall have outside windows with a net glass area of not less than 1/8 of the floor area of the room, except that a kitchen, kitchenette or bathroom need not have outside windows provided a permanently installed mechanical ventilation system is included to meet State specifications. For the purpose of computing the number of rooms in an apartment, bathrooms, kitchen and closets shall not be considered to be rooms, but shall be included in the required square foot area. Garbage disposal units must be installed in each apartment or other adequate means of disposal must be installed on each floor and be accessible to each apartment. No more than two regular occupants shall be allowed in a one or two room apartment, and not more than four regular occupants shall be allowed in a three-room apartment.
11. Construction: To promote fire safety, all residence apartment buildings shall be of all steel and masonry construction, excepting interior decorative trim and finished wood floors and shall conform to Type 2-A non-combustible construction (Protected) as specified in the City of Milford Building Code (Page 14). All stairwells shall be of steel and masonry construction. Full basements, if provided, shall have a headroom of at least 7'6" below lowest joist or girder. If basements are utilized as garage space for automobiles they will conform to a two hour fire-rating and no more than two cars shall be stored in one fire protected unit.
12. Heating - All apartments shall be heated so as to maintain a 70° F. temperature when the outside temperature is zero degrees F. and each apartment shall have its own thermostatic control. Heating may be by individual thermostatically controlled gas or electric units, meeting the approval of the State and local Fire Marshal for each apartment or by a central heating system.
13. Storage Space: A separate storage space, having a minimum floor space of 5% of the apartment it serves, shall be provided for each apartment. Such storage space shall be located as to be conveniently accessible to the apartment it serves. Separation walls between storage spaces shall be of 4" cinder block

7-3 13. or hollow tile, extending from floor to ceiling. Fronts and doors shall be of 2' x 4' mesh 12-1/2 g. welded wire securely mounted on 1' x 1' x 1/8' angle iron supports.

14. Utilities and Street Improvements - No residence apartment may be constructed unless its building site is accessible to a city sanitary sewer line, public water supply, suitable power supply and a street improved as required by city specifications for subdivision improvements. No certificate of occupancy shall be issued for any residence apartment unit until such unit has been connected to said utilities and until the required street improvements have been made.

8. Amend Chapter IV, Sect. 2 by adding new Section 2.5 as follows:

R-MF Residence Multi-Family Zone

A. Before approving or disapproving plans for an apartment building, the Planning and Zoning Board shall consider the following:

1. The design of the building will be harmonious to the character of the surrounding neighborhood.
2. A site development plan will be presented to satisfactorily show the layout of the buildings, parking areas and roadways, recreation areas and landscaping details.

B. USES - Subject to all other applicable provisions and limitations contained in these regulations, the following uses will be permitted:

1. Any use permitted in a contiguous residence zone, subject to the same special permit requirements there stated.
2. Subject to obtaining a special permit from the City Planning and Zoning Board in accordance with Chapter IV, Sect. 13 of these regulations, a residence apartment as defined and limited herein.
3. No quonset hut or similar type of building shall be permitted.
4. No residential subdivision of any sort shall be permitted.

C. DEFINITIONS

1. Multi-Family Residence: A multi-family residence for the purpose of this section is defined to mean and include any building designed, constructed and used as a residence building for 4 or more families living independently of each other.

D. STANDARDS AND REQUIREMENTS

1. Recreation area: A space of not less than 200 sq. ft. shall be provided per dwelling unit and shall be in one contiguous piece with no dimension less than 40 feet. The land so set aside shall be properly laid out, graded and landscaped for recreational purposes.

2. Construction: All structures shall comply with the City of Milford Building Code, as amended, and the Housing Code, as amended, and all applicable State requirements.

8

3. Building Design: A minimum of 4 units per individual building shall be permitted, providing however that there will be no less than 12 units per site or complex under one management or control.
4. Storage Space: Storage space shall be provided for each apartment.
5. Utilities and Street Improvements: No multi-family residence apartment may be constructed unless its building site can be connected to a city sewer line, public water supply, suitable power supply and is located on a street improved as required by city specifications for subdivision improvement. No certificate of occupancy shall be issued for any multi-family residence apartment until such unit has been connected to such utilities and until the required street improvements have been made.
6. Sidewalks: All sidewalks except those within a public street right-of-way shall have a minimum width of 3 feet. Sidewalks shall be provided between apartments and parking areas, streets, and driveways.
7. Exterior Lighting: Exterior lighting shall be provided and maintained by the owner at all access points to streets, parking areas, building entrances and elsewhere, where required for the safety of vehicular or pedestrian traffic. Said lighting shall not be directed into any abutting properties.

3

RESEARCH OFFICE PARK ZONE Effective Feb. 4, 1963.

Amend Chapter IV by adding a new section 2.5 after Section 2:

Research Office Park Zone

A. Subject to all other applicable provisions and limitations contained in these regulations the following uses shall be permissible in a research office park zone:

1. Uses permitted in R-A and R-30 residential zone (a residential use of property located within this zone, which has been previously subdivided and said subdivision approved by the Planning and Zoning Board of the City of Milford; subsequent to January, 1960 shall not be required to comply with the side yard and lot area requirements of this zone to the extent that they are more restrictive).
2. Office buildings for executive or administrative purposes.
3. Scientific or research laboratories devoted to research, design and/or experimentation and processing and fabricating incidental thereto providing no materials or finished products shall be manufactured, processed or fabricated on said premises for sale, except such as are incidental to said laboratory research, design or experimentation conducted on said premises.
4. Accessory uses customarily incidental to the above.

B. The permitted uses, together with their customary accessory uses set forth in (A-1) of this section shall comply with all requirements of the R-A and R-30 residential zone. All other permitted uses of this zone are required to secure a special permit under Chapter IV, Sect. 13 and shall comply with the following special standards:

8. B-1. DIMENSION REQUIRED:

Area: At least 25 contiguous acres.

Frontage: Minimum of 400 feet on a municipally accepted or acceptable street or road.

Yards: No structures other than signs as permitted elsewhere in these regulations, walls and fences not exceeding 4 feet in height shall be permitted nearer than 200 feet to any street line or nearer than 100 feet to any other property line or nearer than 200 feet to any existing residence. Parking areas may be permitted only in rear or sideyards and all driveways and parking areas shall be no nearer than 100 feet to any side or rear property line or nearer than 200 feet to any residence except that parking in rear yards may be 50 feet from a rear line when at least 150 feet to any existing residence. All required side and rear yards toward residential property shall be suitably landscaped to provide an adequate screen from any abutting residential property.

LOT COVERAGE: Maximum lot coverage by all buildings shall not exceed 20% of the land area. At least 50% of the entire area shall be landscaped or seeded and used for no other purpose.

HEIGHT: No structure or any part thereof shall exceed in height an elevation of 40 feet above the finished grade line at the front elevation.

2. PERFORMANCE REQUIREMENTS: No use shall be established, maintained or conducted so that the same will cause any dissemination of smoke, fumes, gas, dust, odor, or any other atmospheric pollution beyond the boundaries of the lot occupied by such use; discharge of any waste material whatsoever into any water course except in accordance with existing State and local requirements; dissemination of glare or vibration beyond the immediate site on which such use is conducted; physical hazard by reason of fire, explosion, radiation or similar cause, to property in the same or an adjacent district.

3. OTHER REQUIREMENTS:

Storage: All materials and equipment shall be stored in completely enclosed buildings.

Parking - Off-street parking, loading and vehicular access shall be in accordance with Chapter V, Sect. 1 of these regulations except that one space shall be required for each employee or for each 1000 sq. ft. of floor area, whichever is greater.

Signs: Signs displayed shall be limited to those necessary for directional or safety purposes; and those adequate to identify the use, and designed as a part of the architectural design of the building or as a part of the site plan for the lot. Billboards or general advertising signs shall in no case be permitted.

4. PROCEDURE: Application for a special permit shall be made to the Planning and Zoning Board. Material to be submitted with the application shall include a detailed site plan which shall show or be accompanied by such information as boundaries, streets, easements, all applicable dimensions

3. 4. Procedure (Cont.)

and areas as set forth in these regulations, location of all existing, proposed structures, signs, fences and walls, egress and ingress, and parking areas. The Planning and Zoning Board shall review the entire matter with a view toward ascertaining whether the above requirements and standards have been met and the relationship of the proposed project to the comprehensive plan of the City. Any applicant wishing to make any changes in a duly approved application shall follow the same procedure for obtaining approval thereof as in an original application.

C. No residential subdivision of any sort shall be permitted.

D. No quanset hut or similar type building shall be permitted.

BUSINESS OFFICE ZONE Effective Jan. 9, 1962

Amend Chapter IV, Sect. 3, paragraph A by adding a new line to be called paragraph A-5 as follows:

Structures containing offices only at first floor or basement level with not more than 2 additional stories containing apartment conforming to the R-AMF apartment zone requirements except that a minimum lot area of 1800 sq. feet shall be required for each dwelling unit or office and each structure permitted under this paragraph shall have a total of at least 4 units.

9. BUSINESS MOTEL ZONE USES Effective Nov. 20, 1963.

Amend Chapter IV, Sect. 4, paragraph A-2C by deleting the words, "no liquor is to be sold on the premises under any circumstances".

11. PETROLEUM STORAGE Effective May 6, 1965

Amend Chapter IV, Sect. 7, B-2 Business Zone Uses, paragraph A-5 as follows: Garages and gas stations subject to Sect. 4, Chapter V and the State Statutes including the storage of petroleum products in underground tanks not to exceed 275 gallons on any one premises.

13. JUNK YARDS Effective October 15, 1963

Amend Chapter IV, Sect. 9, paragraph A-12, M-2 Heavy Industrial Zone Uses to read as follows: Motor vehicle junk yard or motor vehicle junk business as defined in Chapter VIII, paragraph 29-A of these regulations.

M-2 HEAVY INDUSTRIAL ZONE USES Effective Oct. 15, 1963

Amend Chapter IV, Sect. 9, paragraph A-12 to read as follows: Junk yards including any place in or on which old metal, glass, paper, cordage or other waste or discarded or second hand material, which has not been a part or is not intended to be a part of any motor vehicle, is stored or deposited.

14. M-2 HEAVY INDUSTRIAL ZONE USES Effective May 6, 1965

Amend Chapter IV, Sect. 9, paragraph A-28 to read as follows:

The storage of petroleum except as follows:

a. In licensed motor vehicles.

b. Gasoline in approved cans not to exceed 5 gallons on any one premise.

c. Fuel oil in approved tank up to 275 gallons in cellar or above ground or in unlimited quantity underground for retail sale or use on premises.

14. d. In locations and tanks of a size approved by the Fire Marshal to be used exclusively in a manufacturing plant other than a refinery in connection with its own operation on the premises.
15. WATERFRONT DESIGN DISTRICT Effective Nov. 5, 1963
Amend Chapter IV by adding new section 10.5 as follows:
- A. There exists in the City of Milford, community assets of such character that it is not in the public interest to establish specific development characteristics for each parcel of land.
The Comprehensive Plan of Development recognizes the asset of shorefront property and its great value to the community. Therefore in harmony with the principles of the Comprehensive Plan, a special district known as "Waterfront Design District" hereby may be established in any area which after public hearing is found to meet the following conditions:
1. The parcel must be at least 10 acres.
 2. The site must be served by public water supply and sewers.
 3. At least 1/4 of the perimeter of the site must abut Long Island Sound and have a minimum depth of 300 feet.
- B. In a design district the only allowable uses will be residential or related public uses such as: public or private beach with accessory use including bath houses, swimming pool and adequate off-street parking.
Marinas including dockage and repair facilities to serve the Marina but not including storage as a commercial operation.
A convention center which may or may not include a hotel, motel, a swimming pool, restaurant, convention hall and other usual uses.
A neighborhood shopping center.
- C. Upon receipt of a request for a special exception and a finding that the parcel meets the above conditions, the Planning and Zoning Board within 30 days of the receipt of said request, shall hold a public hearing thereon which hearing has been duly advertised in the same manner required for a zone change; fee for said application shall be \$50.00
- D. At the public hearing the petitioner for a special exception or his agent shall be required to appear and explain in detail with an illustrative site plan and architects drawing of the preliminary indication of land and structural uses in accordance with the following standards of development:
1. Density - in the proposed development, the net density per acre shall not exceed 10 family units (net density refers to the parcel of land exclusive of street right-of-way).
 2. Building Coverage - the coverage of the entire parcel shall be no greater than 30%.
 3. Set-back: all residential and residential supporting buildings will be set back 30 feet or more from right-of-way line of streets and all non-residential buildings will be set back 20 feet.

15. 4. Building types - residential structures greater than 3 but not more than 10 stories will be permitted, provided however that in no case shall more than 20% of the parcel be devoted to such buildings and further provided that any building in excess of 3 stories shall be located no less than 3/4 the height of the building from any adjacent building.
5. Off-street Parking will be provided for each dwelling unit at a ratio of 1-1/4 cars per unit. Off-street parking shall be so designated that it is in close proximity and relationship to the dwelling it serves and further provided where it abuts a public right-of-way of the walkway and shall be properly provided with bumper guard and the area between right-of-way and parking area be suitably landscaped.
Under no condition shall a parking lot be designed to contain more than 50 spaces and if more spaces are required in the general area, a green strip suitably landscaped at least 10 feet wide shall separate the parking areas.
6. Recreation areas suitable for all facilities shall be required.

At the conclusion of the public hearing, the Planning and Zoning Board will make a finding that the proposed development meets all the standards of this section before granting a special exception. The Planning and Zoning Board may reject the application in whole or in part and if it requires substantial modification a new hearing in accordance with the requirements herein stated will be held.

E. The allowable uses shall follow the applicable regulations governing the building type as follows except where the requirements of this section are more restrictive:

1. Apartment structures shall comply with Chapter IV, Sect. 2 Page 7 except paragraph C-5 (as amended July 17, 1964) shall not apply.
2. Motel structures shall comply with Chapter IV, Sect. 4 and Sec. 11, pg. 9 and 18, B-M Business Motel, except paragraph A-2, subparagraph b of Chapter IV, Sect. 4 "restaurants, group meetings or conventions may be allowed."
3. Marinas shall comply with Chapter IV, Sec. 5, pg. 9 and Sec. 11, "B-B Business Boating", pg. 18.
4. Business structures shall comply with Chapter IV, Sections 6, 7 and 11.

17. SCHEDULE OF REGULATIONS - Sec. 11 (Schedule Limiting Height and Bulk of Buildings). Effective Oct. 21, 1966.
Amend R-MF Residence - Multi-Family requirements to read as follows: (see also Chapter IV, Sec. 2)

Number of Families

Minimum - 4 units each building and 12 units each site or complex.

Maximum - Number of units limited by lot area - 6500 sq. ft. to which is added 1500 sq. ft. for each efficiency.
2000 sq. ft. for each 1 bedroom apartment; 2000 sq. ft. plus 500 sq. ft. for each additional bedroom.

17. Building Height - Two stories and basement, maximum or 35' when conforming to Milford Building Code Type 4 construction. (Walls, partitions, floor, roof construction of wood or other combustible materials).

Three stories and basement, maximum or 40' when conforming to Milford Building Code Type 3 construction. (All exterior fire, party walls and exitways of all masonry construction. Other elements may be of combustible materials).

Maximum Building Area - 25% of lot area.

Frontage: 100 foot minimum

Lot Area: 24,500 sq. ft. minimum

Floor Area: Efficiency Unit - 475 sq. ft.

One bedroom unit - 575 sq. ft.

Two bedroom unit - 675 sq. ft.

Over 2 bedrooms per unit - 676 sq. ft. plus 100 sq. ft. for each bedroom over 2.

Yard Requirements - All front, side and rear yards and the distance between buildings shall be 60% of the height of the building but not less than 20 feet.

Accessory Structures: All side and rear yard requirements same as main structure.

18. B-M BUSINESS MOTEL REGULATIONS Effective Aug. 22, 1962 by action of Court of Common Pleas

Change Chapter IV, Sect. 11 Schedule of Regulations as follows:

Number of Families - (see note #3)

Lot size (minimum) - 10 acres frontage (Minimum - 300 ft.)

Building Height Limit - 2 stories or 35 feet.

Floor area - Minimum 250 sq. ft. per unit with minimum of 10 units

Yard requirements: Front 100 ft. (see note #1)

Side 100 ft. - Rear 100 feet.

Accessory building: Side 100 ft. Rear 100 feet.

Maximum building area - 25% of lot area

Required parking space - one space for each unit

18. INDUSTRIAL BUFFER AREA Effective Oct. 15, 1963

Amend Chapter IV, Sect. 11 by adding the words, "See Sect. 12, Paragraph I for required buffer area" after 'Yard Requirements' under heading M-1 Light Industrial Zone.

19. BUSINESS OFFICE ZONE Effective Jan. 9, 1962

Amend Chapter IV, Sect. 11 by adding a new line to be called "e" to Note #3 as follows:

e. For multi-family use of B-0 zone the R-AMF zone regulations apply except as noted in Sect. 3, Para. A-5 of this Chapter.

20. GENERAL PROVISION RELATIVE TO AREA, SETBACK, HEIGHT AND USE REGULATIONS, YARDS - WALLS AND FENCES. Effective Oct. 15, 1963.

Amend Chapter IV, Sect. 12, Para B-6 to read as follows:

The yard requirements of these regulations shall not be deemed to prohibit any fence or wall placed on property lines, nor shall any

20. General Provisions (Cont.)

such fences or walls be deemed structures for the purposes of these regulations provided that in any residence district no fence or wall other than a retaining wall shall exceed four ft. in height on any front or side yard property line or six ft. on any rear yard property line, measured above the finished grade of the higher side.

Chapter IV, Sect. 12, Para. B Effective Oct. 15, 1963
Amend by adding a new item #10 to read as follows:

10. Sideyard requirements for residences - Wherever practicable residence structures proposed without garages shall be so located on the lot that all yard requirements may be complied with if an attached garage is later constructed.

21. INDUSTRIAL BUFFER AREA Effective Oct. 15, 1963

Amend Chapter IV, Sec. 12 by adding para. "I" as follows:

I. Buffer area required in industrial zones. To provide reasonable protection to adjacent residential properties a buffer strip shall be provided and maintained along every property line abutting properties zoned for residential use. Said buffer shall be a minimum of 25' for parcels of 2 acres and 10' for parcels under 2 acres and shall be of a width at least equal to 10% of the distance measured on a line drawn perpendicular to and from the center of the property line abutting the residential zoned property to the opposite property line. Said buffer shall also retain all natural woody growth and shall be supplemented with suitable evergreen trees and shrubs as necessary to provide dense screening. Where a buffer area is 15' or less in width a woven wire or other fence with openings not over 6' in greatest dimension shall be maintained.

22. SPECIAL PERMITS Effective May 24, 1962

Chapter IV, Sect. 13 amended by adding the following paragraph:

B-4. In residential zones and except where other specific standards of these regulations apply the board shall limit building coverage to the same as that required by the zone of the particular property and shall limit the total area of the buildings, off-street parking and any other intensified use activity to 75% of the total area.

25. OFF-STREET PARKING REQUIREMENTS Effective April 19, 1963

Chapter V, Sect. 1, Para. C-1 is changed to read as follows:

1 and 2 family dwellings - 2 spaces per family dwelling unit.

OFF-STREET PARKING REQUIREMENTS Effective Oct. 21, 1966
Chapter V, Sect. 1, Para. C-1 is amended to read as follows:

Multiple dwellings, efficiency or 1 or 2 bedroom apartment unit - 1-1/4 space per dwelling unit.

Multiple dwellings, 3 or more bedroom apartment unit - 2 spaces per dwelling unit.

Except that housing for elderly shall be provided with no less than 1 space for each two units.

Off Street Parking Requirements (cont.)

25. All driveways or parking areas shall be a minimum of 10' from any exterior property line and any building, except at entrances to structures for the housing of automobiles.

Change Para. 2-C Hospital-Convalescent Home to read as follows:
General Hospital - 1 space for each patient bed, excluding bassinets.

Chronic and Convalescent Hospital and Home for Aged: one space per four patient beds, plus 1 space per employee for a period of maximum employment.

Amend Chapter V, Sec. 1-C, Para. 2 by changing requirement for parking space on premises for Hotel-Boarding House, Tourist Home, Rooms - 1 space for each occupant and/or roomer plus 1 space for each 600 sq. ft. of non-rentable floor space.

26. OFF-STREET PARKING, LOADING, ETC. Effective Oct. 15, 1963
Amend Chapter V, Para. D., Loading Space Requirements by adding:
"Any enclosed loading space or garage entrance shall be at least 30' from the street line and shall be so located that trucks when loading or unloading will not project over any street line".

27. OFF-STREET PARKING IN RESIDENTIAL ZONES Eff. July 1, 1965
Chapter V, Sec. 2, Para. A is amended as follows:

A. A lot or parcel in a residence zone may be used for off-street parking accessory to one or more permitted uses in an adjoining business or M-1 light industrial zone provided that a special permit is obtained from the City Planning and Zoning Board under Chapter IV, Sec. 13, of these regulations, and provided that all of the following requirements are met:

1. Said lot or parcel shall be immediately adjacent and contiguous to the boundary line of a business zone or a light industrial zone but shall not be contiguous to more than two side lot lines in a residence zone. A lot or parcel across a street from a business zone or light industrial zone shall not be considered contiguous thereto.

2. Only that portion of said lot or parcel that lies within 250 feet of a business zone or light industrial zone boundary may be used for off-street parking purposes. The Planning and Zoning Board may limit this distance to less than 250 feet where necessary to protect the residential character of an established residential area.

3. Use of the parking area shall be limited to the currently registered private passenger vehicles of employees, proprietors, customers or visitors of one or more permitted uses in the contiguous business zone or light industrial zone. No motor vehicle sales or service and no motor vehicle storage shall be permitted.

4. There shall be no access to or exit from the parking area at a distance of more than 125' from the boundary of the business zone or industrial zone, and such access or exit shall be limited to a street on which the adjoining business zone or industrial zone abuts. The Planning and Zoning Board may limit this distance to less than 125' where necessary to protect the residential character of an established residential area.

27. 5. The parking area shall be suitably graded, surfaced, curbed, drained and maintained to the extent necessary to avoid nuisances of dust, erosion or storm water flow or damage to the buffer strip planting.
6. The parking area shall be bordered on all sides not contiguous to, or across the street from the boundary of a business zone or industrial zone, with a 15' wide buffer strip on which shall be located and maintained fencing and landscaping of suitable type and height to effectively screen the parking area and the lights of motor vehicles from neighboring residential areas.
8. The Board may allow signs on such parking area as follows:
- a. One identification sign not exceeding 4 sq. ft. each in area facing each street on which the parking has access.
 - b. Two or more traffic signs of not over 2 sq. ft. each as determined to be needed by the Board for traffic control.
 - c. One sign not exceeding 2 sq. ft. of area for identifying each business or industrial building entrance adjoining the parking area.
9. The general layout, access and traffic circulation of the parking area shall be designed so as to avoid unsafe conditions and traffic congestion in the streets upon which the parking area has access and to provide for the safety and adequacy of access for cars and pedestrians using the parking area.
10. A plan for the parking area, showing its access, layout, improvement, fencing, landscaping, lighting and its relationship to adjoining business and residential areas, shall be approved by the Planning and Zoning Board as fully complying with all the above requirements and any other applicable provisions of the zoning regulations. In approving such a plan, the Board shall also require satisfactory evidence that the parking area will be maintained in full compliance with the requirements.
11. The use of any property approved under this section shall not commence until all work required is completed or until the Board approves postponement of portions of the improvements and accepts a surety bond or certified check for any such postponed work.

30. SPECIAL REGULATIONS, SIGNS, ENFORCEMENT PENALTIES Eff. 10/4/65

Chapter V, Sec. 3, Para H: Delete the words "Building Inspector" and add words, "Zoning Enforcement Officer."

SIGN REGULATIONS Effective June 15, 1966

Amend Chapter V, Sec. 3, Para. F, add to b as follows:

(b) 2. Height - No roof sign shall be of an overall height exceeding 60% of the height of the building, provided however that the overall height of the sign shall be no greater than 25' above the surface of the roof, except that such sign may have a height greater than 25' above the surface of a roof so long as the total height of such sign is no greater than 20' above the surface of the highest street or roadway toward which such sign is oriented and provided said sign is located on a building which is within 200' of the edge of the pavement of such street or roadway.

PAGE Sign Regulations (Cont.)

30. (b) 3. Set Back - All roof signs shall be set back at least 5' from all edges of the roof and the bottom edge of the sign shall be of at least 5' above the roof.
 4. Length - No roof sign shall exceed in length 4 times its overall height.

31. SALE OF LIQUOR Eff. June 23, 1962
Amend Chapter V, Sec. 5, Para A-1 by adding the following:
"....and except that a restaurant as a part of a regulation size golf course of not less than 9 holes existing under a special permit issued by the Board may have a restaurant permit in any zone".

SALE OF LIQUOR Eff. October 5, 1964
Amend Chapter V, Sect. 5, Para A-1 of the zoning regulations as adopted on 11/12/63 to read as follows:

"Restaurants in a Business 2 or Business Motel Zone shall also be permitted to have a full restaurant permit when such restaurant is an accessory use to a motel under special permit issued by the Board in compliance with Sections 4 and 13 of Chapter IV, hereof.

32. SAND OR GRAVEL PITS AND QUARRIES AND REMOVAL OF SOIL Effective June 26, 1964.

Amend Chapter V, Sect. 6 to read as follows:

A. The removal of stone, sand and gravel or soil from banks or quarries may be permitted in any zone and the processing of said materials may be permitted in a heavy industrial zone, after public hearing and approval by the Planning and Zoning Board, subject to appropriate conditions and safeguards as follows:

1. Operations shall not affect the health and general welfare of the City.
2. Such removal of material shall not depreciate the land or surrounding property values.
3. Provisions shall be made to assure adequate surface gravity drainage after such removal to avoid possibility of ponding or flooding.
4. Unless a water area is a part of a definite land use plan, no excavation shall be carried to a depth greater than 10' above the mean high water mark, nor below any water table, brook or water course on any property unless provision is made to refill the area with suitable material.
5. Sufficient top soil or loam shall be retained to cover all areas to a depth of at least 6" in all residence zones. In business and industrial zones top soil or loam shall be retained sufficient to provide 6" of cover for all slopes of greater than 7% grade. The remaining area shall have a 6" cover of loam or top soil unless a development plan has been submitted and approved by the Board prior to the release of bond.
6. Where an embankment must be left upon the completion of operations it shall be at a slope of not steeper than one ft. vertical to one and one-half feet horizontal.

32. 7. No excavation shall extend below the grade of adjacent city streets unless 100' from the street line or unless the Board finds, after a study of proposed road grade changes and a development plan of the property, that the general welfare and safety of the city would be best served by a lesser distance.
8. The Board may require the filing of a development plan and the posting of a performance bond.

B. Legally established sand, gravel pits, quarries or soil removal projects in actual operation and not under special permit may continue operations provided that once each year within 60 days after notice by the Board, the owner or operator of such existing projects shall present plans showing the present condition of the property, the extent of excavations contemplated and proposed ultimate development of the property and further provided that the Board approves said plans subject to such conditions as may be in the best interest of the City and in harmony with these regulations.

33. SPECIAL REGULATIONS Effective Oct. 11, 1965
Amend Chapter V by adding a new section as follows:

10. Boarding and Rooming Houses

Any boarding or rooming house existing on the date of the adoption of this section shall within 60 days file a statement with the Planning and Zoning Board giving the number of rooms rented and the number of persons accommodated. Without the filing of such statement, any dwelling so used shall become a violation under this section unless or until application is presented for a special permit and approved by the Board complying with the following standards:

- a. Each single room shall have at least 100 sq. ft. floor area.
- b. Each double room shall have at least 150 sq. ft. floor area.
- c. All off-street parking requirements of Sec. 1 of Chapter IV shall be complied with.
- d. The manager or operator of the household shall live in the dwelling and shall be either owner or tenant.
- e. Certification of compliance with all provisions of the Milford Housing Code and the off-street parking regulations shall be obtained from the proper officials.

33. ADMINISTRATION AND ENFORCEMENT Effective Oct. 4, 1965

Chapter VI, Sec. 1-B, Enforcement: Delete words, "Building Inspector" and add the words, "Zoning Enforcement Officer".

34. ADMINISTRATION AND ENFORCEMENT Effective Oct. 4, 1965

Chapter VI, Sect. 1-C: Delete entire section and replace as follows:

In the event of the death, sickness, absence or other inability of the Zoning Enforcement Officer to act, and at other times when required by and subject to the direction and control of the Zoning Enforcement Officer, the duties and responsibilities and the powers vested in the Zoning Enforcement Officer under this chapter may be vested in and performed by an assistant zoning enforcement officer, who shall be appointed from the staff of the Planning and Zoning Department by the Planning and Zoning Board as deemed necessary to assist the Zoning Enforcement Officer in the performance of the various duties and functions imposed upon him by law.

34. Chapter VI, Sect. 2-A: Delete words "The 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 therefore".
- Replace as follows: No building permit shall be issued by the Building Inspector unless and until the application therefore shall have endorsed thereon, approval of the Zoning Enforcement Officer. The Zoning Enforcement Officer shall not approve any application or plan or amendment thereto that is not in conformance with the provisions of this regulation. In the event the Zoning Enforcement Officer shall not approve any application for a building permit, he shall set forth in writing the reason or reasons for such disapproval, specifying the provisions or sections hereof which prohibit such approval. The Zoning Enforcement Officer shall approve or disapprove all applications within a reasonable time, and shall forthwith transmit all approved applications to the Building Inspector. Upon the Building Inspector's approval of such applications, he shall promptly issue a permit therefor".
34. Chapter VI, Sec. 2-B - Delete the words "two copies". Add the words "three copies". Delete the words "when deemed necessary by the Building Inspector for any other structure". Add the words, "when deemed necessary by the Zoning Enforcement Officer and the Building Inspector for any other structure".
- Chapter VI, Sec. 3-A - Delete the words "until a Certificate of Occupancy shall have been issued by the Building Inspector". Add the words, "until such use shall have been approved by the Zoning Enforcement Officer and until a Certificate of Occupancy shall have been issued by the Building Inspector".
- Chapter VI, Sec. 3-B - Delete the words "...having first been issued....." Add the words "...having first been approved by the Zoning Enforcement Officer and issued...".
- Chapter VI, Sec. 3-C - Delete the words "...the Building Inspector..." Add the words "...the Zoning Enforcement Officer and the Building Inspector...." Delete the words "and if he". Add the words "and if they".
- Delete the words "applicable regulations, he shall...". Add the words, "applicable regulations, the Building Inspector, upon receipt of written approval therefor from the Zoning Enforcement Officer, shall..."
35. Chapter VI, Sec. 3-E - Delete the words "Upon written request from the owner, the Building Inspector..." Add the words "Upon written request, from the owner and with written approval of the Zoning Enforcement Officer, the Building Inspector..."
- 35-36. Chapter VI, Sec. 5-B - Delete the words "Building Inspector" Add the words "Zoning Enforcement Officer"

ZONING BOARD OF APPEALS Effective Oct. 4, 1965
Chapter VII, Sec. 2-A - Powers and Duties
Delete the words "Building Inspector" in the section caption and
the section. Add the words "Zoning Enforcement Officer" in the
section caption and the section.

Reduction of Front Yard Requirement Effective July 1, 1965
Amend Chapter VII, Sec. 2 by adding paragraph "H".

H. To grant permits for additions, alterations or the construction of accessory buildings, on non-conforming lots, when such non-conformity as it relates to total lot area, set-backs and/or side yard requirements, is the result of a land taking by the City for any reason whatsoever, where none prior thereto existed, providing however that the Zoning Board of Appeals shall be supplied with suitable plans and specifications to show that the addition, alteration or erection of accessory buildings will not diminish the necessary off-street parking, restrain access to the premises and/or create conditions detrimental to the health and general welfare of the community, but will be constructed in a manner to protect and enhance adjoining property values. Inasmuch as the non-conformity concerned with hereunder shall have had to have been created by a municipal land-taking, no application fee shall be charged for the hearing granted pursuant hereto.

40. DEFINITIONS Effective Oct. 15, 1963.
Amend Chapter VIII by adding new paragraph 29-A as follows:

29-A. Motor Vehicle Junk Business or Motor Vehicle Junk Yard shall include any business and any place of storage or deposit, whether in connection with another business or not, which has stored or deposited two or more unregistered motor vehicles on the public highways, or used parts of motor vehicles or old iron, metal, glass, paper, cordage or other waste material or discarded secondhand material which has been a part, or intended to be a part, of any motor vehicle, the sum of which parts or material shall be equal in bulk to two or more motor vehicles. Said terms shall also include any place or business or storage or deposit of motor vehicles for parts or for use of the metal for scrap and where it is intended to burn material which are parts of a motor vehicle or cut up the parts thereof.

42-43. AMENDMENT, VALIDITY AND EFFECTIVE DATE Effective Oct. 11, 1965

Chapter IX, Sec. 4: Delete the words "Building Inspector"
Add the words "Zoning Enforcement Officer"
Delete the words "... shall not issue any
building permit...."
Add the words "...shall not approve the
issuance of any building permit...."

Zoning Regulations

OF THE

CITY of MILFORD

Connecticut

1961

TABLE OF CONTENTS

		Page
CHAPTER I	PURPOSES	1
CHAPTER II	ESTABLISHMENT OF ZONES	1
Section 1	Classes of Zones	1
Section 2	Designations, "higher" or "lower"	1
Section 3	Zone Boundaries	2
CHAPTER III	GENERAL PROVISIONS	2
Section 1	General Provisions	2
CHAPTER IV	ZONE REGULATIONS	3
Section 1	Residence Zone Uses	3
Section 2	R-AMF Residence Apartment Zone	7
Section 3	B-O Business Office Zone	8
Section 4	B-M Business Motel Zone	9
Section 5	B-B Business Boating Zone	9
Section 6	B-1 Business Zone Uses	10
Section 7	B-2 Business Zone Uses	11
Section 8	M-1 Light Industrial Zone Uses	12
Section 9	M-2 Heavy Industrial Zone Uses	13
Section 10	Beach Erosion Zone	14
Section 11	Schedule of Regulations	15
Section 12	General Provisions Relative to Area, Set-Back, Height and Use Regulations	19
Section 13	Special Permits	22
Section 14	Non-Conforming Uses	22
CHAPTER V	SPECIAL REGULATIONS	24
Section 1	Off-Street Parking, Loading and Vehicular Access	24
Section 2	Off-Street Parking in Residential Zones	27
Section 3	Signs	28
Section 4	Garages and Service Stations	30
Section 5	Sale of Liquor	31

TABLE OF CONTENTS

		Page
Section 6	Sand or Gravel Pits and Quarries	32
Section 7	Water Courses, Drainage Ditches	32
Section 8	Removal of Soil	33
Section 9	Deposit of Waste Materials	33
CHAPTER VI	ADMINISTRATION AND ENFORCEMENT	33
Section 1	Enforcement	33
Section 2	Building Permits	34
Section 3	Certificate of Occupancy	34
Section 4	Outstanding Building Permits	35
Section 5	Violations and Penalties	35
CHAPTER VII	ZONING BOARD OF APPEALS	36
Section 1	Organization	36
Section 2	Powers and Duties	36
Section 3	Procedure	37
Section 4	Re-Hearing	37
CHAPTER VIII	DEFINITIONS	38
CHAPTER IX	AMENDMENT, VALIDITY and EFFECTIVE DATE	42
Section 1	Amendment of Regulations	42
Section 2	Protest of Zone Change	42
Section 3	Effective Date of Amendments	42
Section 4	Withholding of Building Permits During Pending Zone Change on Board Motion	42
Section 5	Validity	43
CHAPTER X	EFFECTIVE DATE OF THIS REVISION	43

INDEX

	Page
A	
Accessory Building — height and area	21
Accessory Uses and Buildings — Residential Zones	5
Amendment of Regulations	42
Animals — (fur bearing)	39
Chickens	5
Horses	5
Appeals — Zoning Board of Appeals	36
Architectural Control	3
Area of Residences	15
B	
Beach Club	6
Beach Erosion Zone Regulations	14
Boarding and Rooming Houses	4, 38, 41
Brooks and Watercourses	33
Business Boating Zone Regulations	9, 18
Business Motel Zone Regulations	9, 18
Business Office Zone Regulations	8, 18
Business #1 Zone Regulations	10, 17
Business #2 Zone Regulations	11, 17
C	
Certificate of Occupancy	34, 35
Corner Lots — setback, planting	20
Courts	20
Conversion of One Family Houses	37
D	
Definitions — General	38, 39, 40, 41, 42
Signs	28
Dumping, Waste Materials	33
Dwellings — On Undersized Lots	19
— in rear of other buildings	21
E	
Enforcement	33
F	
Fences and Walls — Height	20
G	
Garages and Service Stations	30, 37
Gasoline Stations	30, 37
General Provisions	2
Gravel Pits	32

INDEX

	Page
H	
Height Exceptions	21
Home Occupation	5, 39
Industrial Zone Regulations	
Heavy M-2	13, 14, 19
Light M-1	12, 13, 18
L	
Liquor	31, 32
Lots — Permits on undersized lots	3
Lots in two Zones	19
M	
Motel — (See Tourist Court)	12, 41
N	
Non-Conforming Lots — dwellings on	19
Non-Conforming Uses — building and land	22, 23, 24
Certificate of Occupancy required	34
P	
Penalties	35
Plot plan, required for building permit	34
Parking — Off street	24, 25, 26
— in Residence Zone	27
Porches	20
Poultry	5
R	
Residence Zone, parking	27
Residence Zone Schedule	15, 16, 17
Residence Zone Uses	3, 4, 5
Rooming Houses	4, 38, 41
S	
Sand, Gravel Pits	32
Set-back — corner lots	20
Signs — Definitions	28
non-conforming	24
in residence zones	28
Flashing	29, 30
Maintenance	29
Special Permits	22
Street — frontage required on accepted street	3

INDEX

T

	Page
Terraces	19
Topsoil removal	33
Tourist Court	12, 41
Trailer — Camp	41
— dwelling	39

V

Variances, Board of Zoning Appeals	37
Violations and Penalties	35
Visibility at Street Corners	20

W-X-Y-Z

Walls and Fences — Height	20
Waste Material, deposit of	33
Water Course — distance from	21
Water Courses and Drainage Ditches	33
Yards	19
Additional front yard depth required	20
Zoning Board of Appeals	36, 37
Zone Boundaries	2
Zones — Establishment of	1
Zones — lots in two zones	19

THE ZONING REGULATIONS

of the CITY OF MILFORD

Pursuant to the authority vested in it by law, the City Planning and Zoning Board of the City of Milford hereby establishes a comprehensive zoning plan for the City of Milford, which plan is set forth in the text, schedule and map which constitute the City Zoning Regulations.

Chapter I — PURPOSES

The purpose of these Zoning Regulations is to encourage the most appropriate use of land throughout the City and to conserve the value of property, with reasonable consideration for the character of the district and its peculiar suitability for particular uses; all in accordance with a comprehensive plan designed to lessen congestion in the streets; to secure safety from fire, panic and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population and to facilitate the adequate provision for transportation, water, sewerage, schools, parks and other public requirements; and to that end to regulate the height, design, appearance, number of stories and size of buildings and other structures; the percentage of the area of the 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 or other purposes; and the height, size and location of advertising signs and billboards within the limits of the City.

Chapter II — ESTABLISHMENT OF ZONES

SECTION 1. The City of Milford is hereby divided into the following classes of zones:

R-A	(Acre)		One-Family Residence Zone
R-30	(30,000 sq. ft.)		One-Family Residence Zone
R-18	(18,000 sq. ft.)		One-Family Residence Zone
R-10	(12,500 sq. ft.)		One-Family Residence Zone
R-7	(7,500 sq. ft.)		One-Family Residence Zone
R-2F			Two-Family Residence Zone
R-MF			Multi-Family Residence Zone
R-AMF			Residence Apartment Multi-Family Zone
B-B			Business Boating Zone
B-M			Business Motel Zone
B-O			Business and Professional Offices
B-1			Neighborhood Business Zone
B-2			Central Business Zone
M-1			Light Industrial Zone
M-2			Heavy Industrial Zone
Beach Erosion Zone			

SECTION 2. Where zones are referred to as "higher" or "lower", the designation shall refer to the order in which the zones are named above, the first named being the higher.

SECTION 3. A. The boundaries of these zones are hereby established, as shown on a map entitled "Building Zones Map of Milford, Connecticut", dated January 1, 1952, as amended, which, with all explanatory matter thereon, is hereby made a part of these Regulations. In cases of uncertainty, the City Planning and Zoning Board shall determine the location of the boundaries.

B. 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 between streets less than two hundred feet apart, the boundary of the higher classified zone shall be deemed to be one hundred feet back from the street line it faces.

C. Where two or more zone designations are shown between streets more than two hundred feet apart, the boundary of the lower classified zone shall be deemed to be one hundred feet back from the street line it faces.

D. Where zone boundaries are so indicated that they approximately follow lot lines, such lot lines shall be construed to be boundaries.

E. If all or any portion of any public street, alley, right-of-way, easement, or land, which is not included in any zone on the zoning map, shall ever revert to, come into or be in private ownership, or shall ever be used for any purpose other than a public purpose, at such time the land and any structures that are included within such public street, alley, right-of-way, easement, or land, or portion thereof, shall be subject to all of these regulations which apply within the zone immediately adjacent thereto or within the higher of the immediately adjacent zones if there be more than one.

Chapter III — GENERAL PROVISIONS

SECTION 1. — GENERAL PROVISIONS.

In interpreting and applying these Regulations, the requirements contained herein are declared to be the minimum requirements for the protection of the public health, morals, safety, comfort, convenience and general welfare. These Regulations shall not be deemed to interfere with, or abrogate, or annul, or otherwise affect, in any manner whatsoever, any easements, covenants, or other agreements between parties, provided however, that where these Regulations impose a greater restriction upon the use of buildings or land, or upon the erection, construction, establishment, moving, alteration or enlargement of buildings than are imposed by other ordinances, rules, regulations, licenses, certificates or other authorizations, or by easements, or covenants, or agreements, the provisions of these Regulations shall prevail. Except as hereinafter provided, the following general regulations shall apply:

A. No land, building, or premises, or part thereof, shall hereafter be used, and no building, of part thereof, or other structure shall be constructed, reconstructed, extended, enlarged, moved or altered, except in conformity with these Regulations, and no lot shall be less in area or width, nor have smaller yards, nor shall any building or buildings occupy in the aggregate a greater percentage of the lot, nor shall any building be greater in height than is prescribed in the schedule applicable to the zones in which it is located, except as otherwise provided in these Regulations.

B. Every building hereafter erected shall be located on a lot as herein defined and, except as herein provided, there shall be not more than one building on one lot.

C. No yard or other open space provided about any building for the purpose of complying with the provisions of these Regulations shall be included as any part of the yard or open space for any other building; no yard or any other open space on one lot shall be considered as a yard or open space for a building on any other lot. Where a lot is hereafter formed from the part of a lot already occupied by a building, such separation shall be affected in such manner as not to impair conformity with any of the requirements of these Regulations with respect to the existing building and all yards and other required spaces in connection therewith, and no permit shall be issued for the erection of a building on the new lot thus created unless it complies with all the provisions of these Regulations.

D. No building permit shall be issued for any structure unless the lot upon which such structure is to be built fronts on an accepted City street or a State Highway, which is then being currently maintained by the City, or on a street in a sub-division approved by the City Planning and Zoning Board, which street shall be improved or a bond posted for such improvements as required by the Planning and Zoning Board, in its approval; except that one single-family dwelling or one industry shall be permitted on parcels of two or more acres where a private street or other exclusive easement of access at least fifty feet wide is provided to an accepted City street or street in an approved subdivision, the area of such private street or easement of access not to be included in the required area of the parcel. This provision shall not be deemed to prevent the issuance of a building permit for farm or accessory buildings not designed or used for human occupancy.

E. The Building Inspector shall issue only such building permits as conform to the architectural control ordinance. In the absence of such an ordinance, the Building Inspector shall not issue a permit for any one-family residence structure if, within the same block and within 150 feet of the premises for which such permit is sought, the front elevation of any other one-family residence structure in existence or for which plans have been filed with the Building Inspector is excessively similar in design to that of the structure for which the permit is sought.

F. Any other provision to the contrary notwithstanding, the Planning and Zoning Board is authorized to approve subdivision plans containing lots having frontage or area measurements below the minimum, provided such subdivision plan was submitted to the Planning and Zoning Board not less than thirty (30) days prior to October 30, 1958, and further provided such lot sizes did conform to the minimum frontage and area requirements at the time the plan was submitted.

G. Any other provision to the contrary notwithstanding, the Building Inspector is authorized to issue a building permit for a building to be erected on an undersized lot, provided such lot is shown on a subdivision plan approved by the Planning and Zoning Board subsequent to December 1, 1956, or such lot was legally created by the division of land into two parcels conforming as to frontage and area prior to October 30, 1958, and further provided the application for and issuance of such building permit shall take place prior to October 30, 1960.

Chapter IV — ZONE REGULATIONS

SECTION 1. — RESIDENCE ZONE USES

A. The following uses are permitted in the various residential zones as indicated under the appropriate zone designation in the table below. Specific uses, not included but related or equivalent to a listed use may be permitted subject to study and approval by the City Planning and Zoning Board.

Uses Permitted in all Residence Zones

ONE-FAMILY DWELLINGS +

Beach Clubs conforming to the standards of paragraph "E" below, and subject to obtaining a special permit from the City Planning and Zoning Board, in accordance with the procedure outlined in Section 13 of this Chapter.

Community and other public buildings *

Day Schools*, Day Nurseries*, Churches*, Cemeteries*, and Religious Institutions*.

Farms (see Definitions)

Golf Courses *

Off-street parking lots for private passenger vehicles immediately adjacent to a Business Zone and accessory to one or more permitted uses in said Business Zone, subject to the requirements of Chapter V, Section 2*.

Public Parks and Playgrounds*.

Private Boathouses, Landings, and Docks, not operated for profit*.

Public Charitable Institutions*.

Public Utility buildings having no service yards*.

Schools — Public and Private (non-profit)*. Colleges and College Dormitories*.

Signs are permitted under Chapter V, Section 3 (Page 28).

Truck Gardens and Nurseries when only products raised or grown on the premises are sold therefrom.

Accessory Buildings and Uses customarily incident to the above uses within the limitations of the specific provisions of sub-sections B, C and D below.

Removal of Sand and Gravel subject to requirements of Chapter V, Section 6.* (Page 32)

Uses Permitted Only in Residence Zones Listed Below

Use	Residence Zone
Boarding and Rooming Houses (see definition)	R-A, R-10, R-7, R-2F, R-MF,
Hospitals* and Convalescent Homes*	R-10, R-7, R-2F, R-MF,
Multiple Dwellings	R-MF, R-AMF *
Two-Family Dwellings	R-2F, R-MF

Accessory Buildings and Uses customarily incident to the above uses within the limitations of the specific provisions of sub-sections B, C and D below.

* Subject to the obtaining of a special permit from the City Planning and Zoning Board in accordance with the procedure outlined in Section 13, of this Chapter.

+ Conversion of one-family dwellings existing prior to June 11, 1930, to two-family use may be permitted subject to Zoning Board of Appeals approval as provided in Chapter 7, Section 2-E. (Page 37)

B. The following accessory uses shall be permitted in Residence Zones under the following conditions:

1. The OFFICE of persons such as an architect, artist, chiropodist, chiropractor, dentist, dressmaker, engineer, lawyer, musician, osteopath, physician or surgeon, provided the office is situated in the same structure occupied by any such listed person as his private dwelling, and provided that not more than one non-resident assistant is employed.
2. HOME OCCUPATIONS, as defined by these Regulations.
3. A PRIVATE GARAGE with space for not more than one vehicle for each 2,000 square feet of lot area and not exceeding three spaces, except on a regularly operated farm of three acres or more, and in the case of multiple dwellings in the R-MF Zone or Business B-2 Zone, one car space for each unit of the dwelling. Except on a regularly-operated farm, there shall not be garaged more than one commercial-type vehicle, and it shall not exceed 1/2 ton capacity.
4. The keeping of POULTRY not exceeding thirty (30) birds, except when on a regularly-operated farm as defined in these Regulations; but in any case, they must be fenced so that the birds cannot pass or fly to the property of another.

C. The term "ACCESSORY USE" shall not include or permit:

1. The use of an accessory building for residence purposes except by domestic employees of the occupant of the premises.
2. The parking or storing of commercial vehicles on residential property except housed as permitted in item B-3 above, or on a regularly-operated farm as defined in these Regulations.
3. Signs or billboards other than permitted in Chapter V, Section 3. (Page 28)
4. A driveway, walk or similar easement in or through a residential zone used for access to a business or industrial use or zone.

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

1. No accessory building shall be erected or altered so as to encroach upon:
 - a. that fourth of the lot depth nearest every street the lot faces in the case of interior lots having frontage on more than one street.
 - b. that half of the lot nearest each and every street in the case of other lots.
2. No accessory building shall be located within a distance from the street line equal to the front yard setback for the zone in which the lot is located.
3. 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.
4. No accessory building shall be less than 12 feet from a residence.
5. No accessory farm building shall be constructed to house animals unless 100 feet from any street and 50 feet from any property line.

E. All applicants for a special permit to operate as a Beach Club under this section must prove that the following standards and conditions will be met:

1. Application for a special permit to operate a Beach Club under this section may be made only by a membership group whose purposes are solely recreational and social and which owns land in Milford suitable for bathing, boating and other water-connected activity.
2. The land intended to be used must be at least four acres and have a shore-front location, contiguous to Long Island Sound or a navigable river.
3. Sufficiently large shore front boundary to provide bathing, boating or other water-connected activity, suitable for club use shall be included.
4. Privileges of the club shall be limited to bona fide, regularly enrolled, dues-paying members and guests accompanying them.
5. All buildings shall be set back at least 100 feet from all property lines and at least 200 feet from any Residential Zoned land, and shall not cover more than 10% of the site. All recreation areas, other than golf courses, shall be located at least fifty feet from all property lines.
6. The main club building only may have provisions for a restaurant or snack bar for members and guests accompanying them.
7. All sales of intoxicating liquor shall be prohibited.
8. At least one off-street parking space shall be provided for every member, except that in the case of memberships issued to families, there shall be at least one off-street parking area for each family. Parking areas shall be located at least 25 feet away from all property lines.
Access drives from existing streets and highways shall be located so as to avoid unsafe conditions and traffic congestion.
The planning and Zoning Board may prohibit access to a club site from local residential streets, where other reasonable access is available.
9. There shall be no more than forty members for every acre of site area, and the number of bath houses, lockers, cabanas or similar accessory structures designed to serve individuals shall be limited accordingly.
10. No more than one single-family dwelling may be located on any club site, provided, however, that the dwelling conforms to all the regulations of the district in which it is located. Alternatively, one dwelling unit may be located in the club house for the use of the club manager or caretaker and his family.
11. There shall be no more than one sign facing each public street announcing the name of the club. Such sign shall not exceed six square feet in area and shall not be of the flashing type.
12. Outdoor public address systems may be permitted by the Board of Appeals if it can be shown that no sound will carry beyond the limits of the club site.
13. Landscaping of suitable height and density shall be provided to obscure the view permanently from neighboring residential properties. The Planning & Zoning Board may also require suitable fencing and such other facilities as may be necessary to reasonably safeguard the peace, comfort and safety of the neighbors.
14. No business or commercial activity shall be allowed, except in conjunction with the club use.

Section 2. — R-AMF Residence Apartment Zone

A. Subject to all other applicable provisions and limitations contained in these regulations, the following uses shall be permissible in a R-AMF Residence Zone:

1. Any use permitted in a contiguous Residence Zone, subject to the same special permit requirements there stated, and subject to the limitations in Paragraph B and C below.
2. Subject to the obtaining of a special permit from the City Planning and Zoning Board in accordance with the procedure outlined in Section 8, of this Chapter, a residence apartment as defined and limited herein:
3. DEFINITION: A residence apartment development for the purpose of this Chapter is defined to mean and include any building designed, constructed, or used as a residence building for twelve (12) or more families living independently of each other.
4. APARTMENT REQUIREMENTS: Not more than 40% of the apartments in any residence apartment development shall have two rooms, not more than 40% of the apartments shall have 3 rooms and not less than 20% of the apartments shall be one room efficiency type and no apartment shall have more than 3 rooms except the Board may permit one larger apartment for the use of a custodian or rental agent. Each apartment shall contain a bathroom equipped with a water closet, wash basin and a bathtub or shower, a kitchen or kitchenette equipped with a sink and provided with facilities and space for a cooking range and refrigerator, at least one room shall be not less than 300 sq. ft. in area, and if the apartment shall have three or more rooms, one additional room which shall be not less than 100 sq. ft. in area. No room in any apartment, other than the bathroom, shall be less than 80 sq. ft. in area and each room including the bathroom, shall have a ceiling height of not less than 7 ft. 8" in the clear and outside windows with a net glass area of not less than one-eighth of the floor area of the room. For the purpose of computing the number of rooms in an apartment, a bathroom, kitchen and closets shall not be considered to be a room nor included in the required area. Garbage disposal units in each apartment or other means of disposal must be installed on each floor and be accessible to each apartment. No more than two occupants allowed in a one-room apartment.
5. AREA REQUIREMENTS: No such apartment structure shall occupy more than 25% of the area of the lot upon which it is constructed. The remainder of the lot shall be left open, and shall be appropriately landscaped, except such portions thereof shall be developed for the housing of automobiles of the residents thereof, as provided in Chapter 5, Section 1. The entire tract area of a residence apartment development must be at all times maintained in a clean, sanitary presentable condition and free of noxious weeds.
The minimum lot size for R-AMF use shall be 4 acres of contiguous land except that a minimum lot of one acre may be permitted when adjoining at least three acres of land in other ownership and of the same zone or when adjoining Business #2 Zone or public lands of three or more acres such as a park, lake or other open waters.
Any roads, either private or proposed for dedication for public use, within the apartment project shall be constructed to the same standards and specifications, including curbs and sidewalks, as required for subdivisions by the Subdivision Regulations for the City of Milford.
6. HEIGHT LIMITATION — No part of such apartment building shall be erected or altered so as to be more than 5 stories in height and not to exceed 55 ft.
7. OUTER COURT REQUIREMENTS — The minimum width of any outer court shall be one-half of the sum of the heights of two side walls and the depth of such outer court shall not exceed the width thereof.
8. FRONT YARDS. To provide an adequate front yard, such apartment building shall be set back a minimum of 20 feet but not less than 60% of the height of the building from the property line on each street upon which the lot has frontage. The Board may allow lesser setbacks for buildings not over 3 stories in height to a minimum of 10 feet to conform to peculiar conditions of nearby structures.

9. SIDE AND REAR YARDS. The minimum width of each side yard or rear yard shall be 60% of the height of the building but not less than 20 feet.

10... CONSTRUCTION. To promote fire safety all residence apartment buildings shall be of all steel and masonry construction, excepting interior decorative trim and finished wood floors and shall conform to "Type 2-A Non-combustible construction (protected) as specified in the City of Milford Building Code (Page 14). All stairwells shall be of steel and masonry construction.

Full basements if provided, shall have headroom of at least 7 feet 6 inches below lowest joist or girder. If basements are utilized as garage space for automobiles they will conform to a two hour fire rating and no more than two cars shall be stored in one fire protected unit.

11. HEATING. All apartments shall be heated so as to maintain a 70 degree F. temperature when the outside temperature is zero degrees F. and each apartment shall have its own thermostatic control. Heating may be by individual thermostatically controlled gas or electric units, meeting the approval of the State and Local Fire Marshal for each apartment or by a central heating system.

12. STORAGE SPACE. A separate storage space, having a minimum floor space of 5% of the apartment it serves shall be provided for each apartment. Such storage space shall be located as to be conveniently accessible to the apartment it serves. Separation walls between storage spaces shall be of 4 inch cinder block or hollow tile, extending from floor to ceiling. Fronts and doors shall be of 2" x 4" mesh 12 1/2 ga. welded wire securely mounted on 1" x 1" x 1/8" angle iron supports.

13. SANITARY DISPOSAL. No certificate of occupancy shall be issued for any Residence Apartment Unit until such unit has been connected to the City Sanitary sewer system, or to the private sanitary disposal facilities meeting the requirements of both the City and State Departments of Health.

14. WATER SUPPLY. No certificate of Occupancy shall be issued for any Residence Apartment unit until such unit has been connected to a supply of potable water sufficient to furnish at least 100 gallons of water per day. If said water is supplied from any system other than a public water supply, its potability shall be certified by the Health Officer of the City of Milford.

B. 1. No Quonset Hut or similar type of building shall be permitted.

C. 1. No residential subdivision of any sort shall be permitted.

Section 3. — B-O Business Office Zone Uses

A. Subject to all other applicable provisions and limitations contained in these regulations, the following uses shall be permissible in a B-O Business Zone:

1. Any use permitted in a Residence R-2F Zone subject to parking requirements and the same special permit requirements there stated, and subject to the limitations in Paragraph B and C below.

2. An office for business or professional purposes except funeral homes, printing plants, music and dance studios, excepting also any office activity that creates any objectionable noise, smell or smoke noticeable off the premises.

3. Signs are permitted and regulated by Chapter V, Section 3, limited further to one identification sign for each individual tenant, not to exceed 1 sq. ft.

4. Parking lot to be used in conjunction with the permitted use.

B. No residential subdivision of any sort shall be permitted.

C. No Quonset Hut or similar type of building shall be permitted.

D. Any applications for new business office structures or for structural alterations for such use must be accompanied by plans and elevations by a Registered Architect.

E. Any property used for B-O purposes shall have and shall be maintained thereon, a buffer area of at least 10 feet in width consisting of a planting screen at the boundaries to all residential zones.

Section 4. — B-M Business Motel Zone Uses

A. Subject to all other applicable provisions and limitations contained in these regulations, the following uses shall be permissible in a B-M Business Zone:

1. Any use permitted in a contiguous Residence Zone, subject to the same special permit requirements there stated, and subject to the limitations in Paragraph B and C below.

2. Subject to the obtaining of a special permit from the City Planning and Zoning Board in accordance with the procedure outlined in Section 13 of this chapter, a motel or tourist court including the following accessory structures:

a. A gasoline service station without a repairer's license.

b. A restaurant without facilities for group meetings or conventions.

c. An inside stand for the sale to motel occupants only, of refreshments, tobacco products and local souvenirs. No liquor is to be sold on the premises under any circumstances.

d. A swimming pool or other recreational facilities for motel occupants only.

3. All structures, uses, and permits under Paragraph A-2 above, shall conform to the following standards:

a. Each unit of sleeping quarters and bathroom shall have not less than 250 square feet per unit.

b. There shall be provided Lobby and common rooms equal to 5% of the total area of rooms, or 300 square feet, whichever is greater.

c. No commercial activity of business or other nature shall be carried on, except in conjunction with the administration of the Motel.

d. A minimum of 10 units must be constructed.

e. All required sideyard and rear yard areas toward residential areas shall be planted and maintained with a landscaping screen suitable to obscure the view of the motel activities from adjoining properties.

f. Each unit shall have private bathing, lavatory and flush toilet facilities, but no cooking facilities.

4. Signs as permitted and regulated by Chapter V, Section 3, except that the total area of all signs on the property shall not exceed 75 square feet of visible area.

5. Parking area for motor vehicles, consisting of one space for each unit, but no part of the property shall be used for the storage of new or used motor vehicles for sale, hire, or the storage of unregistered motor vehicles.

6. Any applications for new structural or structural alterations under section "2" above, must be accompanied by plans and elevations by a Registered Architect.

B. 1. No residential subdivision of any sort shall be permitted.

C. 1. No Quonset Hut or similar type of building shall be permitted.

Section 5. — B-B Business Boating Zone Uses

A. Subject to all other applicable provisions and limitations contained in these regulations, the following uses shall be permissible in a B-B Zone:

1. Any use permitted in a contiguous residential zone subject to the same conditions or special permit requirements and subject to the limitations in paragraphs B, C, D and E below.
 2. Subject to obtaining a special permit from the City Planning and Zoning Board in accordance with the procedure outlined in Section 13, of this chapter, a private or public boat club, a marina or boat yard conforming to the following standards:
 - a. All boat storage and parking of motor vehicles shall be no closer than the required setbacks for structures from any adjacent property lines.
 - b. A parking area which shall be hard-surfaced so as to create no nuisance from dust or dirt, and so prepared so as to create no drainage onto land of others, which parking area shall be adequate to serve the facility, but in no case shall there be provided less than 1 (one) space for each boat for which docking or mooring facilities are provided.
 - c. All required side yard and rear yard areas toward residential properties shall be planted and maintained with a landscaping screen suitable to obscure the view of storage or parking or other unsightly areas from adjoining properties.
 - d. A boat way or ramp may be constructed and maintained and such boat way or ramp shall be considered an accessory structure.
 - e. Rubbish containers shall be maintained and the contents removed from the property periodically as needed.
 - f. Adequate land toilet facilities shall be provided and located so as to be easily accessible to boat owners and guests.
 - g. In determining the acreage of property in a B-B Zone the boundary line on the water shall be understood to be U. S. Harbor Line or Bulkhead Line as established by the U. S. Corps of Engineers or whichever is farthest from the shore line.
 3. Accessory uses to any of the above uses including the following:
 - a. A building for repair or service and equipment sales to boat owners.
 - b. A boat way, ramp or dock.
 - c. A storage yard for winter storage of boats.
 - d. A refreshment stand or snack bar attached to or inside the main building with a seating capacity not to exceed 8 persons per acre of the property.
 - e. Structures to house storage lockers for rental.
 - f. A temporary building or special structure to be used for the overhaul and repair of boats, and not conforming to the building codes for permanent structures; but such structure must be dismantled at the end of a 6 month period.
 - g. Overnight sleeping facilities when such property is contiguous to a Business or Industrial Zone.
 4. Signs as permitted and regulated by Chapter V, Section 3, except that the total area of all signs on the property shall not exceed 75 square feet of visible area.
- B. No residential subdivisions of any sort shall be permitted.
- C. All sales of alcoholic liquors, beer, ale or wine shall be prohibited.
- D. The Board may restrict or prohibit winter boat storage in areas where such winter storage of boats would be objectionable or damaging to adjoining residential or public areas.

Section 6. — B-1 BUSINESS ZONE USES

- A. Subject to all other applicable provisions and limitations contained in these Regulations, the following uses shall be permissible in a B-1 Business Zone:

1. Any use permitted in a Residence Zone, subject to the same special permit requirements there stated and subject to the limitations in paragraphs B, C and D below.
 2. A store for sale of goods at retail, or performance of customary personal services, or services clearly incident to retail sales, but no fabrication, manufacturing, converting, altering, finishing or assembly, except incidental to such retail sale on the premises. The sale of alcoholic liquor, beer, ale and wine shall not be permitted. Public garages and gas stations shall not be included in the permitted uses. No retail sales shall be permitted outdoors, from open counters, or with curb service.
 3. An office for business, banking or professional purposes.
 4. Restaurants, tea rooms (without entertainment and liquor).
 5. Signs as permitted and regulated by Chapter V, Section 3, except that the total area of all signs on the exterior of the building shall not exceed one square foot of area for each foot of building frontage.
 6. Parking lot for motor vehicles, but not for storage of new or used motor vehicles for sale, hire, or the storage of unregistered motor vehicles.
- B. 1. No residential subdivision of any sort shall be permitted.
- C. 1. No Quonset Hut or similar type of building shall be permitted.
- D. 1. No dwellings accommodating more than 2 families shall be permitted.

Section 7. — B-2 BUSINESS ZONE USES

- A. Subject to all other applicable provisions and limitations contained in these Regulations, the following uses shall be permissible in a B-2 Business Zone:
1. Any use permitted in a B-1 Business Zone, subject to the limitations of Paragraphs C and D below.
 2. Printing and publishing establishment.
 3. Places of amusement or assembly, including theaters, clubs, billiard rooms and bowling alleys, provided they are located at least 200 feet from any residence zone measured along a street line, but not including a carousal, roller coaster, whirligig, merry-go-round, ferris wheel, open-air theater, race tracks or similar amusement device.
 4. Hotels.
 5. Garages and Gas Stations subject to Section 4, Chapter V, and the State Statutes.
 6. Metal or woodworking shop employing not more than four persons.
 7. Laundry employing not more than four persons.
 8. Dry cleaning or dyeing establishment using non-inflammable solvents and employing not more than four persons, provided the local Fire Marshal shall have approved the solvent to be used as non-inflammable under applicable State Rules and Regulations, and provided the City Engineer shall have approved the method of disposal of waste materials from the cleaning process, and provided that odors and fumes from the establishment are sufficiently dissipated so that they are not offensive or detrimental to neighboring property.
 9. Public passenger terminal.
 10. Stoneryard or monument works, but only when immediately adjoining or opposite a cemetery.
 11. Sale of alcoholic liquor, beer, ale and wine, subject to the provisions of Chapter V, Section 5. (Page 31)
 12. Signs as permitted and regulated by Chapter V, Section 3, except that the total area of all signs on the exterior of the building shall not exceed three (3) square feet for each lineal foot of building frontage.

B. The following uses may be permitted by special permit under Section 13, of Chapter IV. (Page 22).

1. Tourist Courts under the same standards as specially provided hereinafter.

C. No residential subdivision of any sort shall be permitted.

D. No dwellings accommodating more than two families shall be permitted.

Section 8. — M-1 LIGHT INDUSTRIAL ZONE USES

A. In a Light 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. Acid manufacturing.
2. Asphalt manufacture or refining, or manufacture of products with asphalt.
3. Asbestos manufacture, or manufacture of products made with asbestos.
4. Acetylene gas manufacture.
5. Animal black, lamp black or bone black manufacture.
6. Blast furnaces.
7. Brick, pottery, tile or terracotta manufacture.
8. Boiler works.
9. Brewery or distillery.
10. Bronze or aluminum powder manufacture.
11. Cement manufacture or manufacture of shingles made with cement.
12. Chemical manufacturing.
13. Coke ovens.
14. Crematory.
15. Creosote treatment or manufacture.
16. Disinfectant, insecticide or poison, manufacture.
17. Dye manufacture.
18. Excelsior and fiber manufacturing.
19. Emery cloth and sand paper manufacture.
20. Forge plant.
21. 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.
22. Gas (illuminating or heating) storage.
23. Grain drying or feed manufacture from refuse, meal or grain.
24. Iron, steel, brass, or copper works or foundry.
25. Lime, cement or plaster of paris manufacture.
26. Match manufacture.
27. Paint, oil, varnish, turpentine, lacquer, shellac, enamel manufacture.
28. Potash works.
29. Printing ink manufacture.
30. Pyroxlin plastic manufacture.
31. Race track and other sporting activities conducted for profit, except on special permit in accordance with the procedure in Section 13, Chapter IV.
32. Rock or stone crusher or other processing of sand and gravel.
33. Rubber or gutta percha manufacture.

34. Shoeblicking or stove polish manufacture.

35. Steel furnace, blooming or rolling mill.

36. Sugar refining.

37. Synthetic and plastic manufacture.

38. Tar roofing or waterproofing manufacture.

39. Tobacco (chewing) manufacture or treatment.

40. Vinegar and sauerkraut manufacture or treatment.

41. Wool pulling and scouring.

42. Yeast plant.

43. Any other trade or use which is injurious to health or is noxious or offensive by reason of the emission of odor, dust, smoke, gas, noise or vibration.

44. Any trade, industry or use prohibited in a Heavy Industrial zone.

B. No use permitted in a residence zone or a business zone shall be excluded from Light Industrial zone except:

1. A dwelling accommodating more than two families.
2. A residential subdivision of any sort.
3. The retail sale of alcoholic liquor, beer, ale or wine.
4. Tourist Courts shall be subject to the same special permit as required under Business #2 zone.

Section 9. — M-2 HEAVY INDUSTRIAL ZONE USES

A. In a Heavy 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 specified trades, industries or uses:

1. Ammonia, chlorine or bleaching powder manufacture.
2. Arsenal.
3. Automobile junk yard or wrecking area including sale, storage or reduction to junk metal of used automotive vehicles of all kinds, or the sale or storage of parts thereof.
4. Candle manufacturing.
5. Cemeteries.
6. Distillation of petroleum, refuse, grain, wood, or bones except in manufacturing of gas.
7. Explosives, manufacture or storage except small arms manufacture.
8. Fat rendering.
9. Fertilizer manufacture.
10. Gas liquefaction.
11. Glue, size or gelatine manufacture.
12. Junk yards, storage, sorting, baling and processing of scrap paper, iron, bottles or rags.
13. Oilcloth or linoleum manufacture.
14. Petroleum refining.
15. Race Track or other sporting activities conducted for profit, except on special permit in accordance with the procedure outlined in Section 13. (Page 22).
16. Raw hides or skins, storage curing or tanning.
17. Reduction of garbage, dead animals offal or refuse.

18. Rock or stone crusher or other processing of sand and gravel except as permitted under Chapter V, Section 6. (Page 32).
19. Slaughtering of animals.
20. Soap manufacture.
21. Starch, glucose or dextrine manufacture.
22. Stock yards.
23. Sulphurous, sulphuric, nitric or hydrochloric acid manufacture.
24. Tallow, grease or lard manufacture or refining.
25. Tar distillation or manufacturing.
26. Trailer camp.
27. Smelting of Iron, copper, tin, zinc or lead from ores.
28. The storage of petroleum in excess of 10,000 gallons except that the storage of petroleum or petroleum products to be used exclusively in a manufacturing plant, except a refinery in connection with its own operations on the premises, shall be permissible.
29. Any other trade or use which is injurious to health or that is noxious or offensive by reason of the emission of odor, dust, smoke, gas, noise or vibration.

B. No Quonset Huts or similar type of building shall be used as a residence.

C. No use permitted in a Residence, Business, or a M-1 Light Industrial Zone shall be excluded from a M-2 Heavy Industrial Zone except as follows:

1. A dwelling accommodating more than two families.
2. A residential subdivision of any sort.
3. A retail liquor outlet for the sale of alcoholic liquors, beer, ale or wine.
4. Tourist Courts shall be subject to the same special permit as required under Business #2 Zone.

Section 10. — BEACH EROSION ZONE

A. LIMITS OF BEACH EROSION ZONE.

1. The Beach Erosion Zone shall include all land area created by fill operations or other engineering works after January 1, 1955, as part of any beach improvement, beach maintenance, erosion control, or flood control program instituted by a public agency and located to the water side of the mean high water line of Long Island Sound as it existed or exists on the date such project is begun, and as shall be more specifically determined by the Director of Public Works. Such map of the existing mean high water mark will be part of this regulation.

B. USES PERMITTED IN THE BEACH EROSION ZONE.

1. Public parks and playgrounds, public beach facilities, and accessory uses to such public facilities.
2. Private beach or recreation facility accessory to a residential use located on the same lot or an adjoining lot, provided such facility not be operated as a club.
3. Private beach or recreation facility accessory to a club, association, or similar organization not operated for profit.
4. Parking area accessory to a use permitted on the lot or an adjoining lot.

C. STRUCTURES PERMITTED IN THE BEACH EROSION ZONE.

1. No structure shall be erected in this zone, except buildings, piers, seawalls, bulkheads, docks or fences constructed as part of a public program for beach maintenance or protection.
2. Groins or jetties constructed by non-public persons, clubs, or associations, for the purpose of preventing erosion, may not be erected higher than two feet above mean high water mark and may not extend into Long Island Sound further than mean low water mark.
3. Such other structures intended and designed to protect the beach and uplands from erosion, may be constructed after special application and consent of the Planning and Zoning Board.

Section 11. — SCHEDULE OF REGULATIONS

The following schedule of regulations defines the height of buildings, the yards, courts, and other open spaces to be provided contiguous to or in connection with buildings, the area of lots, the number of families per lot or building, the maximum coverage of land by buildings, and the minimum floor area per dwelling unit for the zone in which such building is located. The Regulations listed for each district as designated, are subject to any other pertinent provisions of these Regulations, and unless otherwise indicated, shall be deemed to be the minimum requirements in every instance of their application.

Schedule Limiting Height and Bulk of Buildings

R-A RESIDENCE — 1 ACRE

Number of families — One

Building height limit — 2½ stories or 35 ft.

Lot size — (min.) — 1 acre or 43,560 sq. ft.

Frontage — (min.) — 200 ft.

Floor area (min.) — all on one floor — 1,000 sq. ft.

1½ or more stories — 800 sq. ft. first floor — total 1,200 sq. ft.

Yard requirements: Front - 50 ft. (see note #1).

Side - 25 ft. each side (see note #2). Rear - 50 ft.

Accessory buildings: Side - 15 ft. Rear - 10 ft.

R-30 RESIDENCE — 30,000 SQ. FT.

Number of families — One
Building height limit — 2½ stories or 35 ft.
Lot size — (min.) — 30,000 sq. ft.
Frontage — (min.) — 150 ft.
Floor area (min.) — One story — 1,300 sq. ft.
1½ or more stories — 1,000 sq. ft. first floor — total 1,500 sq. ft.
Yard requirements: Front - 50 ft. (see note #1).
Side - 25 ft. each side (see note #2). Rear - 40 ft.
Accessory buildings: Side - 15 ft. Rear - 10 ft.
Maximum building area — 20% lot area.

R-18 RESIDENCE — 18,000 SQ. FT.

Number of families — One
Building height limit — 2½ stories or 35 ft.
Lot size — (min.) — 18,000 sq. ft.
Frontage — (min.) — 125 ft.
Floor area (min.) — One story — 1,200 sq. ft.
1½ or more stories — 900 sq. ft. first floor — total 1,300 sq. ft.
Yard Requirements: Front - 40 ft. (see note # 1).
Sides - 15 ft. one side — 20 ft. other (see note #2). Rear - 30 ft.
Accessory buildings: Side - 10 ft. Rear - 10 ft.
Maximum building area — 25% lot area.

R-10 RESIDENCE — 12,500 Sq. Ft.

Number of families — One
Building height limit — 2½ stories or 35 ft.
Lot size — (min.) — 12,500 sq. ft.
Frontage — (min.) — 100 ft.
Floor area (min.) — One story — 1,000 sq. ft.
1½ or more stories — 800 sq. ft. First floor — Total 1,200 sq. ft.
Yard Requirements: Front - 30 ft. (see note # 1).
Sides - 10 ft. one side — total of two sides 25% of lot width (see note # 2).
Rear — 25 ft.
Accessory Buildings: Side - 4 ft. Rear - 5 ft.
Maximum building area — 30% of lot area.

R-7 RESIDENCE — 7,500 Sq. ft.

Number of families — One
Building height limit — 2½ stories or 35 ft.
Lot size — (min.) — 7,500 sq. ft.
Frontage — (min.) — 75 ft.
Floor area (min.) — One story — 900 sq. ft.
1½ or more stories — 800 sq. ft. First floor, total 1,000 sq. ft.
Yard Requirements: Front - 20 ft. (see note # 1).
Sides - 10 ft. one side — total of two sides 25% of lot width. (see note # 2).
Rear — 25 ft.
Accessory Buildings: Side - 4 ft. Rear - 5 ft.
Maximum building area — 40% of lot area.

R-2F RESIDENCE — 2 FAMILY.

Number of families — two.
Building height limit — 2½ stories or 35 ft.
Lot size — (min.) — 10,000 sq. ft.
Frontage — (min.) — 100 ft.
Floor area — (min.) per family unit) — One story - 900 sq. ft. Duplex, first floor - 650 sq. ft. — Total all floors, 1,000 sq. ft.
For one family house, R-7 applies.
Yard Requirements: Front - 20 ft. (see note # 1).
Sides - 10 ft. one side — total of two sides 25% of lot width (see note # 2).
Rear — 25 ft.
Accessory Buildings: Side - 4 ft. Rear - 5 ft.
Maximum building area — 40% of lot area.

R-MF RESIDENCE — MULTI-FAMILY

Number of families — One to each 1,500 sq. ft. lot area.
Building height limit — 3 stories or 35 ft.
Lot size — (min.) — 6,500 sq. ft.
Frontage — (min.) — 65 ft.
Floor area — (min. per family unit) — One story - 800 sq. ft.
For 2 family house, R-2F regulations applies.
For 1 family house, R-7 regulations applies.
Yard Requirements: Front - 25 ft. (see note # 1).
Sides - 10 ft. one side, other 6 ft., or attached garage may be not less than 4 ft.
Total may not be less than 25% of lot width. (see note # 2).
Rear - 25 ft.
Accessory Buildings: Side - 4 ft. Rear - 5 ft.
Maximum Building Area — 40% of lot area.

R-AMF RESIDENCE APARTMENT MULTI-FAMILY

See Chapter IV, Section 2, for requirements.

B-1 NEIGHBORHOOD BUSINESS ZONE

Number of families — (see note # 3).
Building height limit — 2½ stories or 35 ft.
Lot size — Optional; Frontage — Optional; Floor area — Optional.
Yard Requirements: Front - 20 ft. (see note # 1).
Side — None required but if provided must be at least 4 ft. Where adjacent to boundaries of Residential Zones - 15 ft. side yard must be provided.
Rear — 15% of lot depth or more, as required by off-street parking regulations.
Accessory Buildings: Side — None required but if provided must be at least 4 ft.
Rear — Same as for side.
Maximum Building Area — 70% of lot area or less as required by off-street parking regulations.

B-2 CENTRAL BUSINESS

Number of families — (see note # 3).
Building height limit — 3 stories or 35 ft.
Lot size — Optional; Frontage — Optional; Floor area — Optional.
Yard Requirements: Front - 10 ft. — (see note # 1).
Side — None required but if provided must be at least 4 ft. Where adjacent to boundaries of Residential Zones - 15 ft. side yard must be provided.
Rear — 15% of lot depth or more as required by off-street parking regulations.
Accessory Buildings: Side and Rear — None required but if provided must be at least 4 ft.
Maximum building area — 70% of lot area or less as required by parking regulations.

B-O. BUSINESS OFFICE

Number of families — (see note # 3).
Building height limit — 2½ stories or 35 ft.
Lot size — (min.) — 7,500 sq. ft.
Frontage — (min.) — 50 ft. Floor area — Optional.
Yard Requirements: Front - 20 ft. (see note # 2).
Side — 10 ft. each side. Rear — 25 ft.
Accessory buildings: Side - 4 ft. Rear - 5 ft.
Maximum Building area — 30% of lot area.

B-M BUSINESS MOTEL

Number of families — (see note # 3).
Building height limit — 2 stories or 35 ft.
Lot size — (min.) — 4 acres. Frontage — (min.) — 200 ft.
Floor area — (min.) — 250 sq. ft. per unit with minimum of 10 units.
Yard Requirements: Front: - 50 ft. (see note # 1).
Side — 50 ft. Rear — 50 ft.
Accessory Building: Side - 50 ft. Rear - 50 ft.
Maximum Building area — 25% of lot area.
Required Parking space — One space for each unit.
The following requirements apply to Motel use of Business and Industrial Zones:
Building height limit — 2 stories or 35 ft.
Lot size — (min.) — 1 acre. Frontage — (min.) — 200 ft.
Floor area — (min.) — 250 sq. ft. — Minimum of 10 units.
Yard Requirements: Front - 50 ft. (see note # 2).
Side and Rear — 10 ft. each.
Accessory Building: Side - 10 ft. — Rear - 10 ft.
Maximum Building area — 25% of lot area.

B-B BUSINESS BOATING

Number of families — (see note # 3).
Building height limit — 2 stories or 35 ft.
Lot size — (min.) — 4 acres.
Frontage — (min.) — 50 ft. on road — 200 ft. on water.
Floor area — (min.) — 400 sq. ft.
Yard Requirements: Front - 25 ft. or 50 ft. if contiguous to Residential Zones,
(see note # 1).
Side - 25 ft or 50 ft. if contiguous to Residential Zones.
Harbor Line — Optional.
Accessory Buildings: Side - 25 ft. or 50 ft. if contiguous to Residential Zones.
Harbor line — Optional.
Maximum Building Area — 25% of lot area.

M-1 LIGHT INDUSTRIAL

Number of families — (see note # 3).
Building Height Limit — 3 stories or 50 ft.
Lot size — Optional; Frontage — Optional; Floor area — Optional.
Yard Requirements: Front - 10 ft. (see note # 1).
Side — None required but if provided must be at least 4 ft. Where adjacent to boundaries of Residential Zones, 15 ft. side yard must be provided.
Rear — 15% of lot depth or more as required by off-street parking regulations.
Accessory buildings: Side and Rear — None required but if provided must be at least 4 ft.
Harbor Line — Optional.
Maximum Building Area: 70% of lot area or less as required, by off-street parking regulations.

M-2 HEAVY INDUSTRIAL — (Same as for Light Industrial)

NOTES:

1. For streets under 50 ft. wide add 25 ft. to these figures and measure from the center line of existing pavement. See also Chapter IV, Section 12 - B, for additional requirements
2. Lots 75 ft. or more in width — 10% of lot width one side, total however, not less than 25% of lot width.
Lots 50 ft. but less than 75 ft. in width — 10 ft. one side, other side 6 ft., or attached garage may be not less than 4 ft. Total, however, may not be less than 25% of lot width.
Lots under 50 ft. in width — 5 ft. one side, other side 10 ft., or attached garage may be not less than 6 ft.
3. The following regulations shall apply to miscellaneous use of Business and Industrial Zones:
 - a. For 1 family use, requirements of R-7 apply.
 - b. For 2 family use, requirements of R-2F apply.
 - c. For Motel use, see B-M regulations.
 - d. For residential use of Business Motel Zones, see Business Motel Regulations.

Section 12. — General Provision Relative to Area, Setback, Height and Use Regulations.

A. LOTS

1. LOTS IN TWO ZONES

Where a zone boundary line divides a lot in one ownership of record at the time when such line is adopted, regulations for the lower zoned portion of such lot may be applied not more than twenty-five (25) feet into the higher zoned portion, provided the lot has frontage on a street in the lower zone.

2. DWELLINGS ON NON-CONFORMING LOTS

A permit may be issued for the erection of a one-family dwelling on a lot or parcel which is below the standards for area or frontage required by the regulations for the particular zone, if:

1. the lot was of legal size on the date on which it was created as a lot; and
2. the owner of such lot owns no adjacent land which could be combined with it to decrease or eliminate the non-conformity; and
3. the present owner or any prior owner did not illegally create this non-conforming lot; and
4. all yard, set-back and other requirements can be complied with.

B. YARDS

1. TERRACES

A paved terrace shall not be considered in determination of lot size or yard coverage, provided, however, that such terrace is unroofed and without walls, parapets or other forms of enclosure. Such terrace, however, may have an open guard railing not over three feet high, and shall not project into any yard to a point closer than four feet from any lot line.

2. UNENCLOSED PORCHES

No porch may project into any required yard.

3. ENCLOSED PORCHES

Any two-story or any enclosed porch, or one having a solid foundation or capable of being enclosed, shall be considered a part of the building in the determination of the size of yard or amount of lot coverage.

4. PROJECTING ARCHITECTURAL FEATURES

The space in any required yard shall be open and unobstructed except for the ordinary projection of the window sills, belt-courses, cornices, eaves, and other architectural features, provided, however, that such features shall not project more than four (4) inches into any required yard.

5. FIRE ESCAPES

Open metal fire escapes may extend into any required rear or side yard not more than six feet, provided, however, that such fire escape shall not be closer than four feet at any point to any lot line.

6. WALLS AND FENCES

The yard requirement of these Regulations shall not be deemed to prohibit any necessary retaining wall nor to prohibit any fence or wall, providing that in any residence district no fence or wall shall exceed four feet in height in any front or side yard, or six feet in height in any rear yard, measured above the finished grade.

7. CORNER LOTS

On a corner lot in any zone the structure shall conform to the front yard set-back requirements on both streets.

8. EXCEPTION FOR EXISTING ALIGNMENT OF BUILDINGS

If on one side of a street within a given block and within 150 feet of any lot there is pronounced uniformity of alignment of the fronts of existing buildings and of the depths of front yards greater than the depths specified in the accompanying schedule, a front yard shall be required in connection with any new building which shall conform as nearly as practicable with those existing on the adjacent lots, except that no such building shall be required to set back from the street a distance greater than 50 feet.

9. VISIBILITY AT STREET INTERSECTIONS

On a corner lot in any zone, no planting, structure, fence, wall or obstruction to vision more than three feet in height above the center line of the road shall be placed or maintained within the triangular area formed by the intersecting street lines and a straight line connecting points on said street lines each of which points is twenty-five (25) feet distant from the point of intersection.

C. COURTS

1. INNER COURT

The least dimension of any inner court at the sill level of the lowest windows shall be equal to the height of the highest wall forming part of such court.

2. OUTER COURT

The depth of any outer court shall not exceed one-half its width, and such width shall not be less than fifteen (15) feet.

D. DWELLINGS IN REAR OF OTHER BUILDINGS

No building to be used as a dwelling shall be constructed or altered in the rear of, or moved to the rear of, a building situated on the same lot. Nor shall any building be constructed in 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, and after the person so desiring any such permit has appeared before the Zoning Board of Appeals and signed an affidavit to that effect.

E. HEIGHT AND AREA OF ACCESSORY BUILDINGS

Accessory buildings may occupy no more than 40% of the required rear yard area, and in a residence zone, such accessory buildings shall have an average height not exceeding fifteen (15) feet above the average ground level of the lot.

F. HEIGHT EXCEPTIONS

1. The height provisions of these regulations shall not apply to church spires, belfries, and towers designed exclusively for ornamental purposes and not used for human occupancy, flagstaffs, chimneys, flues, gas holders, electric generating plants, wireless towers, water tanks, standpipes, bulkheads, stage towers, scenery lofts and other necessary mechanical appurtenances usually carried above the roof level. Such features, however, shall be erected only to such height as is necessary to accomplish the purpose they are intended to serve.
2. The height provisions of these regulations shall not prevent the erection of a church, school, central telephone building, public library, public hospital or public museum, to a height not exceeding seventy-five (75) feet in a residence zone.
3. Nothing in these Regulations shall prevent the erection of a parapet wall or cornice extending above the height limit not more than three (3) feet.

G. AREA OF RESIDENCES

In computing minimum floor area requirements required by these Regulations, 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 1½ 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 two-thirds of which second floor area shall have a ceiling height of not less than seven (7) feet, 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.

H. DISTANCE FROM WATERCOURSE

No structure other than a pier, 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. No groin shall be constructed further into Long Island Sound than the low water mark, nor more than two (2) feet high. In any zone no structure to be used as a dwelling shall be erected within a distance of twenty-five (25) feet of any brook or watercourse that is not piped.

Section 13. — SPECIAL PERMITS

- A. The types of uses for which special permits are required by these regulations shall be deemed to be permitted uses in their respective zones, subject as to each specific use, to the satisfaction of the requirements and standards set forth herein. All such uses are declared to possess characteristics of such unique and special forms that each specific use shall be considered as an individual case.
- B. Applications for required special permits shall be made to the City Planning and Zoning Board. The City Planning and Zoning Board may, after public notice and hearing, in the same manner as required by law for zoning amendments, authorize the issuance of said permits provided it shall find that:
1. The location and size of the use, the nature and intensity of the operations involved in or conducted in connection with it, and its relation to streets giving access to it, shall be such that it will not be hazardous, inconvenient or detrimental to the character of the neighborhood, or impair the value thereof, or the use shall not be inconsistent with the Plan of Development or policy for future development of the area.
 2. The location, nature and height of buildings, walls and fences, and the nature and extent of landscaping on the site, shall be such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings or impair the value thereof.
 3. The proposed use will be provided with off-street parking adequate for its needs, including the assemblage of persons and vehicles in connection with the use, and such parking area or areas will be suitably screened from adjoining residential uses, and the entrance and exit drives will be laid out so as to prevent traffic hazards and nuisance.
- C. Any Special Permit granted under this section shall become null and void two years after such granting if such use has not commenced.
- D. If the Planning and Zoning Board in granting a Special Permit under this section shall impose any conditions or limitations upon the use of any property such Special Permit shall be subject to revocation by the Board if said conditions or limitations are not adhered to strictly. Before it shall revoke its action in granting such permit the Board shall hold a Public Hearing thereon, of which the owner and occupant of the premises shall be given notice and afforded an opportunity to be heard.

Section 14. — NON-CONFORMING USES

A. CONTINUING EXISTING USES

Except as otherwise provided in this section, the lawfully permitted use of land or buildings existing at the time of the adoption of these Regulations may be continued although such use does not conform to the requirements specified by these Regulations for the zone in which such land or building is located. Said uses shall be deemed non-conforming uses.

B. NON-CONFORMING USE OF LAND

Where no building is involved, the non-conforming use of land may be continued provided, however, that no such non-conforming use shall be enlarged or increased, nor shall it be extended to occupy a greater area of land than that occupied by such use at the time of adoption of these Regulations, nor shall any such non-conforming use be moved in whole or in part to any other portion of the lot or parcel of land occupied by such non-conforming use at the time of the adoption of these Regulations; provided, further, that if such non-conforming use of land, or any portion thereof, ceases for any reason for any continuous period of more than thirty (30) days, or is changed to a conforming use, any future use of the land shall be in conformity with the provisions of these Regulations.

C. NON-CONFORMING USE OF BUILDINGS

1. A building or structure, the use of which does not conform to the use regulations for the zone in which it is situated shall not be enlarged or extended unless such building or structure, including such enlargement or extension, is made to conform to all regulations, including use, for the zone in which it is situated.
2. Such non-conforming building shall not be structurally altered unless such alterations are required by law; provided, however, that such maintenance and repair work as is required to keep a non-conforming building or structure in sound condition shall be permitted; and provided further that any such non-conforming use may be extended throughout any parts of the building which were manifestly arranged or designed for such use at the time of the adoption of these Regulations. Structural alteration shall in no case exceed 50 per cent of its assessed value on the last completed tax assessment list of the City of Milford at the time the original permit for alteration is granted.
3. If no structural alterations are made, a non-conforming use of a building may be changed to another non-conforming use which, in the opinion of the Zoning Board of Appeals, either by general rule adopted on a request by the Building Inspector or on a specific finding on appeal of a particular case, is of the same or of a more restricted nature, except that a non-conforming use in a Residence, Business or Light Industrial Zone shall not be changed to a use permitted only in a Heavy Industrial Zone or excluded from a Heavy Industrial Zone, and except that a non-conforming use in a Heavy Industrial Zone may not be changed to a use excluded from such zone.
4. If any non-conforming use of a building ceases for any reason for a continuous period of more than one year, or is changed to a conforming use, or if the building in or on which such use is conducted or maintained is moved any distance for any reason, then any future use of such building shall be in conformity to the Regulations for the zone in which such building is located.
5. If any building in or on which any non-conforming use is conducted or maintained is hereafter removed, the subsequent use of the land on which such building was located and the subsequent use of any building thereon shall be in conformity with the Regulations for the zone in which such land or building is located.

D. RESTORATION OF DAMAGED BUILDINGS

If any non-conforming building shall be destroyed by any means to an extent of more than eighty (80%) per cent of the assessed valuation on the last completed tax assessment list of the City of Milford, no repairs or reconstruction shall be made unless every portion of such building and the use thereof is made to conform to all the Regulations for the zone in which it is located. Where the destruction of such non-conforming building is less than eighty (80%) per cent of the assessed valuation, as above determined, it may be restored and the non-conforming use continued, provided that the total cost of such restoration does not exceed eighty (80%) per cent of the assessed valuation of the building at the time of the destruction, and further provided that such restoration is started within a period of one year and is diligently prosecuted to completion.

E. NON-CONFORMING SIGNS

Regardless of any other provisions of these Regulations, every sign as defined in these Regulations which may be non-conforming as to location, shall be discontinued, removed or changed to conform to these Regulations within a period of 60 days from the adoption of this amendment. Regardless of any other provision of these Regulations, every sign which shall be non-conforming because of Zone restrictions, size or other reason, other than location, shall be discontinued, removed or changed to conform to these Regulations within a period of 6 months from the date of this amendment.

F. COMPLETION OF BUILDINGS UNDER CONSTRUCTION

Any building for which a permit has been duly granted, and the construction of which shall have been started before the effective date of these Regulations, may be completed in accordance with plans on file with the Building Inspector, provided that such construction is diligently prosecuted and such building is completed within one year of the date of these Regulations.

G. EXISTING SPECIAL USES DEEMED CONFORMING

Any use lawfully existing at the time of the adoption of these Regulations in the zone in which such use is classified herein as a special use shall, without further action, be deemed to be a conforming use in such zone.

Chapter V. — SPECIAL REGULATIONS

SECTION 1. — OFF-STREET PARKING, LOADING AND VEHICULAR ACCESS

- A. It is the intention of these Regulations that all structures and land uses be provided with a sufficient amount of off-street automobile parking and loading space to meet the needs of persons employed at or making use of such structures or land uses. No permit for the erection or substantial alteration of a structure, or for the development of a land use, shall be issued unless off-street automobile parking and loading facilities shall have been laid out in the plan, in accordance with the appropriate requirements for structures and uses set forth in the Schedule in Sub-Section C & D below, and approved by the Director of Public Works as provided in Paragraph E of this sub-section.
- B. Structures and land uses in existence, or for which building permits have been approved, at the time of the adoption of these Regulations, shall not be subject to the requirements set forth in the schedule in sub-section C below, provided that any parking facilities now existing to serve such structures or uses shall not be reduced in the future, except where they exceed such requirements, in which case they shall not be reduced below such requirements. Required parking facilities for any enlargement or extension, shall, however, be provided as a condition for the issuance of any building permit for such enlargement or extension in the future. Any such existing structure which does not have sufficient off-street parking space to comply with these Regulations may be replaced by a new structure provided the replacement contains no more floor area than the existing building and further provided, the amount of existing off-street parking space and lot area available for off-street parking is not reduced. Required off-street parking facilities which after development are later dedicated to and accepted by the City shall be deemed to continue to serve the uses or structures to meet the requirements for which they were originally provided.

C. OFF-STREET PARKING REQUIREMENTS

Off-Street automobile parking facilities shall be provided as follows:

1. TYPE OF BUILDING OR USE:	REQUIRED PARKING SPACE ON PREMISES:
1 and 2 family dwellings; —	1 space per family dwelling unit.
Multiple dwellings.	— 1 1/4 space per family dwelling at least 1/3 of which parking space shall be directly accessible to and within 100 ft. of each main entrance so as to be convenient for use by visitors, as well as occupants.

Home Occupation or Professional Office in Home:	1 space in addition to residence requirements.
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2. TYPE OF BUILDING OR USE:	REQUIRED PARKING SPACE ON PREMISES:
	Required Parking Space shall be on the same lot as the building which it is required to serve, but the Board of Appeals may permit all or part of the required parking space to be located on any lot within 500 feet walking distance from the structure, but not in a residential zone, if the Board of Appeals determines that it is impractical to provide part or all on the same lot with the structure. Any such approval by the Board of Appeals shall be recorded in the Land Records of the City as an encumbrance on the land designated for off-street parking, and such land shall not be released from parking use unless alternative space is provided and approved as above.

Church, Auditorium, Theater, Stadium or other place of public assembly.	1 space for each 8 seats or equivalent .
Restaurant - Club - Tavern Bar - Dance Hall.	1 space for each 50 sq. ft. of public floor area.
Hotel - Boarding House Tourist Home Rooming House	1 space for each 2 guest rooms or suites, plus 1 space for each 600 sq. ft. of non-rentable floor space.
Motel - Tourist Court	1 space for each room.
Retail Establishment	1 space for each 250 sq. ft. of ground floor area, plus 1 additional for each 500 sq. ft. of floor area on any upper floor or floors.
Business or Professional Offices	One space for each 250 sq. ft. of entire floor area; or two spaces for each office or tenant, whichever is greater.
Hospital Convalescent Home	1 space for each patient bed, excluding bassinets.
Wholesale Establishment Warehouse Industrial Plant	1 space for each two employees or 1 space for each 500 sq. ft. of floor area, whichever is greater.
Passenger Transportation Terminal.	Adequate space to facilitate arrivals and departures and, further, 1 space for each 3 employees employed on the premises.

3. Reasonable and appropriate off-street parking requirements for structures and land uses which do not fall within the categories listed above shall be determined in each case by the Board of Appeals, which shall consider all factors entering into the parking needs of such use.
4. Where two or more different uses occur on a single lot, the total amount of parking facilities to be provided shall be the sum of the requirements for each individual use on the lot; except that the Zoning Board of Appeals may approve the joint use of parking space by two or more establishments on the same or on contiguous lots, the total capacity of which space is less than the sum of the spaces required for each, provided the Board finds that the capacity to be provided will substantially meet the intent of the requirements by reason of variation in the probable time of maximum use by patrons or employees among such establishments, and provided such approval of such joint use shall be automatically terminated upon the termination of the operation of any such establishments.

D. LOADING SPACE REQUIREMENTS

Every hospital, institution, hotel, retail store, office building, wholesale house, or industrial building, or additions thereto, totaling 8,000 sq. ft. or more hereafter erected or established, shall have on the premises, one permanently maintained loading space of not less than 10 ft. in width, 30 feet in length and 14 feet in height, and one additional loading space of the same size for each additional 8,000 square feet of floor area, or portion thereof, excluding basements.

E. LAYOUT AND LOCATION OF OFF-STREET PARKING FACILITIES

1. The plans for any new building or any replacement or reconstruction of an existing building when submitted to the Building Inspector for a building permit shall show specifically the location and size of the off-street parking facilities required to comply with this section, and the means of access to such space from the public streets or highways; and except for a single-family and two-family residences, the plan of such parking area shall be approved by the Director of Public Works with regard to safety to traffic on the public street, to safety to pedestrians on public sidewalks, and to safety and adequacy of access to cars and pedestrians using the parking facility, and the Building Inspector shall not issue a building permit until the plan of required parking for such building has been endorsed with such approval.
2. Required off-street parking facilities may be enclosed in a structure, or may be open, provided that all required facilities shall be graded, surfaced, drained and suitably maintained to the satisfaction of the Director of Public Works to the extent necessary to avoid nuisances of dust, erosion, or excessive waterflow across public ways. In appropriate situations the Director of Public Works may require suitable markings to indicate individual parking spaces, maneuvering area, entrances and exits.
3. Off-street parking areas shall be laid out in conformance with standards for space, arrangement, driveways and circulation approved by the Board.

F. OPERATION AND MAINTENANCE OF OFF-STREET PARKING FACILITIES

Required off-street parking facilities shall be maintained as long as the use or structure exists which the facilities are designed to serve. Required parking areas developed for specific structures and uses shall be reserved at all times to those persons who are employed at or make use of such structures and land uses, except when dedicated to and accepted by the City as public parking areas.

G. DRIVEWAYS

No driveway or road, to or from any property, shall be so located at its juncture with a public highway as to create a danger or menace to the community or to the convenience or proper use of the adjoining property.

Section 2. — Off-Street Parking in Residential Zones

- A. A lot or parcel in a Residential Zone may be used for off-street parking accessory to one or more permitted uses in an adjoining Business Zone, provided that a special permit is obtained from the City Planning and Zoning Board, and that all of the following requirements are met:
 1. Said lot or parcel shall be immediately adjacent and contiguous to the boundary line of a Business Zone, but shall not be contiguous to more than two side lot lines in a Residence Zone. A lot or parcel across a street from a Business Zone shall not be considered contiguous thereto.
 2. Only that portion of said lot or parcel that lies within 250 feet of a Business Zone boundary may be used for off-street parking purposes. The Planning and Zoning Board may limit this distance to less than 250 feet where necessary to protect the residential character of an established residential area.
 3. Use of the parking area shall be limited to the private passenger vehicles of employees, proprietors, customers or visitors of one or more permitted uses in the contiguous Business Zone. No motor vehicle sales or service and no motor vehicle storage shall be permitted.
 4. There shall be no access to or exit from the parking area at a distance of more than 125 ft. from the boundary of the Business Zone, and such access or exit shall be limited to a street on which the adjoining Business Zone abuts. The Planning and Zoning Board may limit this distance to less than 125 feet where necessary to protect the residential character of an established residential area.
 5. The parking area shall be suitably graded, surfaced, drained and maintained to the extent necessary to avoid nuisances of dust, erosion or storm water flow.
 6. The parking area shall be bordered on all sides not contiguous to or across the street from the boundary of a Business Zone with a 15 ft. wide buffer strip on which shall be located and maintained fencing and landscaping of suitable type and height to effectively screen the parking area and the lights of motor vehicles from neighboring residential areas.
 7. Necessary lighting of parking areas shall be permitted, but there shall be no unshaded light sources, and lights shall be so located that their beams are not directed into neighboring residential lots and homes or onto an adjacent street. The Planning and Zoning Board may limit hours of lighting, also the number and location of lights.
 8. No sign shall be displayed on such a parking area except one identification sign not exceeding 10 square feet in area facing each street on which the parking area has access, and not more than 125 feet from the boundary of the adjoining Business Zone. Necessary small traffic control signs shall also be permitted. No signs shall be erected facing such a parking area larger than two square feet identifying rear entrances of business buildings adjoining the parking area.
 9. The general layout, access and traffic circulation of the parking area shall be designed so as to avoid unsafe conditions and traffic congestion in the streets upon which the parking area has access and to provide for the safety and adequacy of access for cars and pedestrians using the parking area.
 10. A plan for the parking area, showing its access, layout, improvement, fencing, landscaping, lighting and its relationship to adjoining business and residential areas, shall be approved by the Planning and Zoning Board as fully complying with all the above requirements and any other applicable provisions of the Zoning regulations. In approving such a plan, the Board shall also require satisfactory evidence that the parking area will be maintained in full compliance with the requirements.

Section 3. — SIGNS

A. DEFINITIONS

1. **OUTDOOR ADVERTISING SIGN** means any sign fabricated, constructed, attached, erected, fastened, painted, or manufactured in any manner whatsoever, and displayed out-of-doors for recognized advertising purposes.
2. **GROUND SIGN** means a sign which is supported by one or more uprights or braces in or upon the ground.
3. **ROOF SIGN** means a sign erected, constructed and maintained above or attached to the roof of any building.
4. **WALL SIGN** means a sign which is affixed to an exterior wall of any building, and projecting not more than 15 inches from the building wall or parts thereof. When a wall sign is to be illuminated by shades or reflectors on gooseneck arms, said gooseneck arms and reflectors may extend beyond the sign surface a distance not greater than six feet from the building proper.
5. **PROJECTING SIGN** means a sign which is affixed to any building wall or structure and extends beyond the building walls or parts thereof more than 15 inches.
6. **IDENTIFICATION SIGN** means any of the above type of signs described in (1) to (5) inclusive, which shall be used to advertise the business conducted on the premises where the sign is located.
7. **COMMERCIAL SIGN** means any of the above type of signs described in (1) to (5) inclusive, which are owned or operated by any person, firm or corporation engaged in the business of outdoor advertising for direct profit gained from the rental of such signs, or any sign advertising a commodity not sold or produced on the premises.

B. SIGNS, as defined in these Regulations, and excepting those exempted below, and by Section F 1-a, shall be deemed to be structures for the purposes of these Regulations and shall require permits and conform to all applicable regulations governing buildings. The Regulations as set forth in this section shall not apply to:

1. An unilluminated sign not exceeding 1 sq. ft. of display surface stating merely the name and/or the profession of the occupant.
2. A sign advertising the prospective sale or rental of the premises upon which it is maintained when such sign does not exceed 25 sq. ft. of display surface.
3. A sign erected by the City, State, or Federal Government.
4. Signs erected by a public carrier for direct information concerning its service at the location.
5. A sign erected by any fraternal, civic, religious or service organization or club, merely announcing its presence in the City of Milford and the time and place of its regular meeting, provided such sign shall not exceed three feet in diameter, or be more than 9 sq. ft. in area.
6. Any flag, badge, insignia or device of any governmental agency, or civic, charitable, religious, patriotic, political, fraternal or similar non-profit organization when located on its own premises, or displayed along a line of march of any parade, or in sockets along any street during a fund raising drive.
7. **Temporary Signs:** A temporary sign may be placed on the premises or on a temporary protective fence around a building being constructed, repaired, altered or demolished, provided the cost of the sign is included in the building permit for such work.

C. PROHIBITED SIGNS

The following types of signs shall not be permitted in any zone:

1. A projecting sign affixed to any building wall or structure and extending beyond the building walls or parts thereof more than 15 inches.
2. A flashing or animated sign or device with revolving lights or beacons or which creates intermittent or varying light intensity except as permitted under paragraph F-2c of this section.
3. Signs with any lighting or control mechanism which may cause radio or television interference.
4. Any sign so erected, constructed or maintained as to obstruct or be attached to any fire escape, window, door or opening used as a means of egress or ingress, or for fire fighting purposes, or placed so as to interfere with any opening required for legal ventilation.

D. BOND OR LIABILITY INSURANCE

No person, firm, or corporation shall be granted a permit under the provisions of Paragraph A above, without first having filed with the Building Inspector Department a surety bond, or evidence of liability insurance in the sum of \$10,000.00. The condition of such bond or liability insurance to be that such person, firm or corporation shall faithfully comply with all the provisions of these Regulations, and further shall save and keep the City of Milford and all its officials or agents harmless from all damages, losses, or judgments that may be claimed against them by reason of the negligent erection, the negligent construction or the negligent maintenance of any outdoor advertising sign.

E. MAINTENANCE OF SIGNS

Any person, firm or corporation occupying any vacant lot or premises by means of a ground sign shall be subject to the same duties and responsibilities as the owner of the lot and premises with respect to keeping the same clean, sanitary, inoffensive and free and clear of all obnoxious substances and unsightly conditions on the ground in the vicinity of such ground sign or said premises for which they may be responsible. All signs, together with all their supports, braces, guys, and anchors, shall be kept in repair and in a proper state of preservation.

F. SIGN REGULATIONS

1. LOCATION:

- a. No sign subject to these Regulations shall be erected or maintained so as to extend in front of an established building line, except (1) that one identification ground sign not exceeding 32 sq. ft. on each face, two sides maximum, including embellishments, may be erected between the setback and street lines on a property operated as a gas station, restaurant or other drive-in service business. Such sign or any part thereof shall not extend beyond the street line, (2) Signs which are parallel to and against the face of a wall, which signs may extend not more than six inches in front of said building line.
- b. **AN IDENTIFICATION SIGN** (See Definitions) shall be permitted only in business and industrial zones.
- c. **COMMERCIAL SIGN** (See Definitions) shall be permitted only in Industrial Zones or in a B-2 Business Zone where the zone extends at least 250 feet along the street on each side of the site of the proposed sign.

2. OTHER REQUIREMENTS:

a. GROUND SIGNS:

HEIGHT: No permit shall be granted for the erection of any ground sign, the top of which shall be more than 24 feet above the center line of the roadway adjacent to the sign, except that all steel constructed signs may be constructed to a height not to exceed 40 feet in industrial zones.

b. ROOF SIGNS:

PROJECTION: No roof sign shall project beyond the exterior wall or walls of any building, but, if illuminated, lighting reflectors may project beyond the face of the sign.

c. **FLASHING and ANIMATED** portions of signs that are not a public nuisance, no larger than 75 sq. ft. display area may be permitted in heavy industrial zones upon receipt of a special permit under Chapter IV, Section 13, from the Planning and Zoning Board after a public hearing and finding by the Board that:

1. No traffic or safety hazards would be created.
2. There would be no interference with Radio or Television reception.
3. Variation of light intensity will not exceed 25% of the total foot candle power of the entire sign.

Any such special permit granted by the Board may be revoked after a public hearing has been held to determine whether such sign is, or has become a public nuisance.

G. EXISTING SIGNS:

Any sign which violates the provisions of this section shall be removed, altered or replaced in conformity with the provisions herein, as provided in Chapter IV, Section 14, Paragraph E.

H. ENFORCEMENT AND PENALTIES:

The Building Inspector may order the removal of any signs that are not erected or maintained in accordance with the provisions of this section. Any person, firm, or corporation, violating any of the provisions of this section shall be punishable by a fine of not more than \$50.00 for each offense.

Section 4. — GARAGES AND SERVICE STATIONS

A. No gasoline filling station, place for the repair or servicing of motor vehicles, or garage or group of garages accommodating more than five motor vehicles shall have any entrance or exit, or driveway, within a distance of 300 feet from:

1. Any public park or playground.
2. Any building in which there is established:
 - a. A public school or 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.
 - b. A church with a seating capacity of 50 or more persons.
 - c. Public library or building for civic assembly.
 - d. A theater containing 200 or more seats.
 - e. Hospital.

B. No existing garage or group of garages for more than five motor vehicles, or motor vehicle service garage or gas filling station, shall be deemed to become a non-conforming use through the subsequent erection of one of the buildings listed under Paragraph A-2 above.

C. No gasoline filling appliance shall be located within 20 feet of a street line or within 25 feet of an adjacent property line.

Section 5. — SALE OF LIQUOR

A. **LIMITATIONS ON LOCATIONS** and any type of permits. In no case hereafter shall any building or premises be permitted to be used for the sale of alcoholic liquors except as follows:

1. **RESTAURANTS AND TAVERNS** as the same are defined by the State "Liquor Control Act" shall be permitted in a Business #2 zone when at least 1500 feet from any location, other than a club as defined in Paragraph A-3 below, where the consumption of alcoholic liquor on the premises is permitted and where the premises are at least 300 feet in a direct line from the premises of any public school or duly organized school as defined in these regulations, church, charitable institution, whether supported by public or private funds, hospital or library, except that such restaurants and taverns as may exist within such prescribed area at the time of the passage of these regulations may continue to exist, and no existing premises shall be considered non-conforming by the subsequent erection of a school, church, charitable institution, whether supported by public or private funds, hospital or library.

2. **PACKAGE STORES AND DRUG STORES** — shall be permitted to sell alcoholic liquors when located in a Business #2 zone and not less than 1500 feet from any other premises where alcoholic liquors are sold.

3. **CLUBS, LODGES AND FRATERNAL ORGANIZATIONS** as defined in Section 30-I, Paragraph (7) of the General Statutes of Connecticut, Revision of 1958, as amended may be permitted to sell alcoholic liquors for consumption on the premises upon obtaining a Special Permit from the Planning and Zoning Board after public hearing under Chapter IV, Section 13, of these regulations and conforming to the following standards:

- a. The premises must be in a Business #2 zone.
- b. All parking areas must be at least 50 feet from any residence zone boundary.
- c. All main buildings must be at least 100 feet from any residence zone boundary.
- d. All entrances, exits and parking lots shall be so located so as to create no noticeable nuisance to residential areas.

4. **SHOPPING CENTERS** containing six (6) or more stores in Business #2 or Industrial Zones where the land, buildings and required parking are under one management or ownership shall be permitted, upon request of said owner or manager, to have one permit for each 40,000 sq. ft. of sales area in said shopping center, provided that any shopping center shall not have more than one package store permit.

5. **GROCERY STORES** in business or industrial zones may be permitted to sell canned or bottled beer or ale upon Special Permit from the Planning and Zoning Board under Chapter IV, Section 13, when such store has at least 3,000 sq. ft. sales area.

6. **REMOVAL OF PERMIT TO ANOTHER LOCATION** — This regulation, however, shall permit any permittee using such building or premises under a permit issued by the Liquor Control Commission of the State of Connecticut to move said place of business to another building or premises within such 1500 feet, provided, said other building or premises is not more than 750 feet distant, when measured within the street right-of-way from the building or premises being moved from and provided said new location is within a zone permitting such use and provided, further, said removal shall be in accordance with the provisions of the rules and regulations of the said Liquor Control Commission.

B. EXEMPT BUILDINGS AND PREMISES — Buildings or premises used exclusively for the sale of alcoholic liquors at wholesale are exempt from the liquor provisions of these regulations.

C. ONE-DAY PERMITS — The Executive Secretary of the City Planning and Zoning Board, or the person designated by him to act in his absence, shall have authority to approve applications for one-day permits for the sale of beer or ale at picnics, provided they are not at public parks or public beaches.

D. ENDORSEMENT OF STATE APPLICATIONS — When a municipal officer is asked or required under the provisions of the Liquor Control Act or any regulation of the Liquor Control Commission to certify that the sale of alcoholic liquors, beer, ale or wine is or is not prohibited by local ordinance or resolution at the location for which an application to the Liquor Control Commission is being made for any other purpose in connection with said location, such certification shall be made by the Executive Secretary of the City Planning and Zoning Board or by the person designated by him to act in his absence.

E. PRIOR APPLICATIONS AND SEASONAL PERMITS. — Nothing in these regulations shall be construed to deny to any applicant who has duly applied for a permit to the Liquor Control Commission before the effective date of these Regulations from thereafter receiving such permit pursuant to said application for the premises applied for in the City of Milford. The foregoing regulations shall also not be considered to deny any applicant who heretofore conducted any premises on a seasonal basis from applying to the Liquor Control Commission thereafter for a renewal permit, provided that the permit for said location was in effect six months prior to the effective date of these regulations.

Section 6. — Sand or Gravel Pits and Quarries

A. The removal of stone, sand and gravel from banks or quarries may be permitted in any zone and the processing of said materials may be permitted in a Heavy Industrial Zone, after public hearing and approval by the Planning and Zoning Board, subject to appropriate conditions and safeguards as follows:

1. Operations shall not affect the health and general welfare of the city.
2. Such removal of material shall not depreciate the land or surrounding property values.
3. Consideration must be given to assure adequate surface gravity drainage after such removal.
4. No excavation shall be carried to a depth greater than ten feet above the mean high-water mark on any property unless provision is made to refill the areas with suitable material.
5. Sufficient topsoil or loam shall be retained to cover all areas to a depth of at least six inches in all residence zones.
6. Where an embankment must be left upon the completion of operations it shall be at a slope of not steeper than one foot vertical to one and one-half feet horizontal.
7. No excavation shall extend below the grade of adjacent City roads unless 100 feet from the street line or unless provisions have been made for reconstructing the road at a different level.
8. The Board may require the filling of a development plan and the posting or a performance bond.

B. Legally established sand, gravel pits, or quarries, in actual operation, may continue operations provided that within 60 days after notice by the Board of the passage of these Regulations, the owner or operator of such existing pits shall present plans showing the extent of excavations contemplated and also provided the Board approves said plans subject to such conditions as may be in the best interest of the City and in harmony with these Regulations.

Section 7. — Water Courses, Drainage Ditches

A. No brook, water course, or drainage ditch shall be walled up, filled in or otherwise narrowed down or obstructed or changed except for necessary clearing of debris unless permission is first granted by the City Engineer.

B. Any such brook or water course may be piped by a property owner provided the size, type and grade of the pipe is first approved by the City Engineer.

C. Any new drainage ditch shall be so constructed that it shall have a flat bottom of sufficient width to carry the normal flow of water and shall have sides sloping at a grade of not greater than one foot vertical to one and one-half feet horizontal, such sides shall be laid in stone, rip-rap fashion or maintained in grass.

Section 8 — Removal of Soil

Removal of soil from any premises shall be permitted from areas to be used for roads, foundations or basements when a building permit for such work has been issued. However, the removal of soil shall not be permitted from other areas, except as provided in Section 6 above, unless and until a special permit to do so has been obtained from the Planning and Zoning Board.

Section 9. — Deposit of Waste Materials

Garbage, rubbish, refuse, or other waste material, shall be dumped or deposited only in areas designated by the Planning and Zoning Board, except that soil, gravel, rock or other natural material may be deposited for the purpose or re-grading or landscaping the land on which it is deposited.

The Planning and Zoning Board in designating such areas shall consider:

1. The requirements of the Sanitary Code of the State of Connecticut.
2. The regulations of the City Board of Health.
3. That such dumping will not be objectionable by reason of dust, fumes, smoke, vermin, or odor, or be otherwise detrimental to the Public health or safety.
4. That such dumping will not interfere with drainage to the extent of being injurious to adjacent land or buildings.

Chapter VI. — ADMINISTRATION AND ENFORCEMENT

Section 1. — Enforcement

A. No Board, agency, officer, or employee of the City shall issue, grant, or approve any permit, license, certificate or other authorization, including special permits by the Planning and Zoning Board and variances by the Zoning Board of Appeals, for any construction, reconstruction, alteration, enlargement, or moving of any building, or for any use of land or building that would not be in full compliance with the provisions of these Regulations. Any such permit, license, certificate, or other authorization, issued, granted, or approved in violation of the provisions of these Regulations shall be null and void and of no effect without the necessity of any proceedings or revocation or nullification thereof, and any work undertaken, or use established, pursuant to any permit, license, certificate or authorization shall be unlawful, and no action shall be taken by any Board, agency, officer or employee of the City purporting to validate any such violation.

B. The Regulations shall be enforced by the Building Inspector of the City of Milford. He is authorized and empowered to cause any building, structure, place or premises to be inspected and 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.

C. In the event of the death, sickness, absence or other inability of the Building Inspector to act, and at other times when required by and subject to the direction and control of the Building Inspector, the duties and responsibilities and the powers vested in the Building Inspector under this Chapter may be vested in and performed by an Assistant Building Inspector who shall be appointed by the Mayor as deemed necessary to assist the Building Inspector in the performance of the various duties and functions imposed on him by law.

Section 2. — Building Permits

A. It shall be unlawful to commence the moving, removal, construction or alteration of any building or structure, wholly or partly, or the excavation for any building, structure or use, until a building permit therefor has been issued by the Building Inspector. The 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. Any permit issued by the Building Inspector under the provisions of these Regulations, but under which no work is commenced within one year from the date of issuance, shall expire by limitation.

B. There shall be submitted with all applications for building permits two copies of a layout or plot plan drawn to scale, showing the actual shape and dimensions of the lot to be built upon, the exact size and location on the lot of the building and accessory buildings existing and the lines within which the building or structure is to be erected or altered, the existing and intended use of each building or part of a building, the number of families or housekeeping units that the building is designed to accommodate, and such other information with regard to the lot and neighboring lots that may be necessary to determine and provide for the enforcement of these Regulations. One copy of such plans shall be returned to the owner when such plans shall have been approved by the Building Inspector. All dimensions shown on this plan relating to the location and size of the lot to be built upon and to the location of buildings and structures on the lot, shall be based on an actual survey by a duly licensed Civil Engineer or Surveyor if the building permit sought is for a principal building, and such procedure shall be followed when deemed necessary by the Building Inspector for any other structure. The lot shall be staked out on the ground before construction is started.

Section 3. — Certificate of Occupancy

A. No land shall be used except for farming or gardening purposes, and no building or structure or part thereof hereafter created, erected, changed, converted or enlarged, wholly or partly in its use or structure, shall be occupied or used until a certificate of occupancy shall have been issued by the Building Inspector. Such certificate shall state that such land, building, or structure, or part thereof, and the proposed use thereof, are in complete conformity with the provisions of these Regulations.

Conditional certificates of occupancy may be issued where an alteration does not require the vacating of the premises, or where parts of a building may be ready for occupancy before the completion of the entire structure.

B. No non-conforming use shall be maintained, renewed, changed, or extended without a certificate of occupancy, having first been issued by the Building Inspector therefor, stating that the use legally existed at the time of the adoption of the Regulations, making it non-conforming, or that the renewal, change or extension of the non-conforming use is in conformity with the provisions of these Regulations.

C. A certificate of occupancy shall be applied for at the same time as application is made for a building permit. Within ten (10) days after notification by the applicant that the building or structure is ready for occupancy, the Building Inspector shall make an inspection and if he shall determine that the building or structure, and the uses to be made thereof, comply with these Regulations, the building code and any other applicable regulations, he shall thereupon issue a Certificate of Occupancy.

D. A Certificate of Occupancy shall be deemed to authorize and is required for, both initial and continued occupancy and use of the building or land to which it applies, and shall continue in effect as long as such building and the use thereof, or of such land, is in full conformity with the provisions of these Regulations and any requirements made pursuant thereto. On the serving of notice of any violation of any of the said provisions or requirements in respect to any building or the use thereof, or of land, the certificate of occupancy for such use shall thereupon become null and void and a new certificate of occupancy shall be required for any further use of such building or land.

E. The Building Inspector shall maintain a record of all certificates and copies shall be furnished, upon request, to any person having a proprietary or tenancy interest in the building affected. Upon written request from the owner, the Building Inspector shall issue a certificate of occupancy for any building or premises existing at the time of the enactment of these Regulations, certifying, after inspection, conformity with the provisions of these Regulations. A fee of One Dollar and Fifty Cents (\$1.50) shall be charged for each original certificate of occupancy, and Seventy-five Cents (\$.75) for each copy thereof.

Section 4. — Outstanding Building Permits

All buildings or structures for which permits have been issued prior to the enactment of any part of these Regulations, which are contrary to the provisions of these Regulations, may be completed in accordance with the approved building permit, provided such construction is diligently prosecuted and such building or structure is completed within one year of the date of these Regulations.

Section 5. — Violations and Penalties

A. The owner or agent of any building or premises where a violation of any provision of such regulations shall have been committed, or shall exist, or the lessee or tenant of an entire building or entire premises where such violation shall have been committed, or 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 fined not less than Ten (\$10.00) Dollars, nor more than One Hundred (\$100.00) Dollars for each day that such violation shall continue; but, if the offense be wilful, the person convicted thereof shall be fined not less than One Hundred (\$100.00) Dollars, nor more than Two Hundred and Fifty (\$250.00) Dollars for each day that such violation shall continue, or imprisoned not more than ten (10) days for each day such violation shall continue, or both; and the Milford City Court shall have jurisdiction of all such offenses, subject to appeal as in other cases. Any person who, having been served with an order to discontinue any such violation, fails to comply with such order within ten (10) days after such service, or continues to violate any provision of these regulations, shall be subject to a civil penalty of Two Hundred and Fifty (\$250.00) Dollars, payable to the Treasurer of the City.

B. Any building or structure erected, constructed, altered, enlarged, converted, moved, or used contrary to any of the provisions of these Regulations, and any use of any land or any building which is conducted, operated, or maintained contrary to any of the provisions of these Regulations, shall be and the same is hereby declared to be unlawful. The Building Inspector may institute an injunction, mandamus, abatement or any other appropriate action to prevent, enjoin, abate, or remove such erection, construction, alteration, enlargement, conversion, or use in violation of any of the provisions of these Regulations. Such action

may also be instituted by any property owner who may be particularly damaged by any violation of these Regulations. The Building Inspector shall serve notice by regular mail addressed to the premises of such violation on the person or corporation committing or permitting the same, and if such violation does not cease within such time as the Building Inspector may specify, he shall institute such of the foregoing actions as may be necessary to terminate the violation. Such notice may also be served by posting on the premises.

C. The remedies provided for herein are cumulative and not exclusive and shall be in addition to any other remedies provided by Law.

Chapter VII. — ZONING BOARD OF APPEALS

Section 1. — Organization

A Zoning Board of Appeals is hereby created as provided by statute, and said Board shall have the power to adopt from time to time such rules and procedure not inconsistent with law, as it may determine to be necessary, to carry out the provisions of these Regulations and to exercise the authority vested in it by statute.

Section 2. — Powers and Duties

The Zoning Board of Appeals shall have the following powers and duties, all of which shall be exercised in harmony with the general purposes of these Regulations as set forth in Chapter I, hereof, and with their general intent and subject to such conditions and safeguards as it may determine are required in the public interest.

A. APPEALS FROM DECISIONS OF THE BUILDING INSPECTOR

To hear and decide appeals where it is alleged that there is an error in any order, requirement, or decision made by the Building Inspector of the City of Milford, in his capacity as the official charged with the enforcement of these Regulations.

B. VARIANCES

To determine and vary the application of these Regulations in harmony with their general purpose and intent, and with due consideration for conserving the public health, safety, convenience, welfare, and property values, solely with respect to a parcel of land, where owing to conditions, especially affecting such parcel but not affecting generally the district in which it is situated, a literal enforcement of these Regulations would result in exceptional difficulty or unusual hardship, so that substantial justice will be done and the public safety and welfare secured.

Before any variance is granted, the Zoning Board of Appeals must make a written finding in its minutes as part of the record in each case, stating specifically:

(1) the special circumstances, described in detail, that attach to the property but do not generally apply to other property in the neighborhood and have not resulted from any act of the applicant subsequent to the adoption of the part of these Regulations from which a variance is requested and that constitute the hardship.

(2) that relief can be granted without detriment to the public welfare or impairment of the integrity of these Regulations, and that the variance granted is the minimum necessary to relieve the hardship.

Any variance or exceptions in the use of buildings or land which are granted by the Zoning Board of Appeals shall be placed upon the land records of the City by filing a record of such variances or exceptions with the City Clerk.

C. CHANGE OF NON-CONFORMING USE

To permit the change of a non-conforming use of a building to another non-conforming use as provided in Chapter IV, Section 14.

D. GARAGES AND MOTOR VEHICLE SERVICE STATIONS

To permit a garage or motor vehicle service station in a Business Zone, as provided in Chapter V, Section 4.

E. CONVERSION OF ONE-FAMILY HOUSES

To grant permits for the remodeling and permanent occupancy by two families of any dwelling existing on the date of the original adoption of Zoning Regulations in the City (June 11, 1930), when the Appeals Board is supplied with suitable plans and specifications to show that the remodeling will be done in a manner to protect and enhance adjoining property values with proof that one of the apartments will be owner-occupied, and provided that the floor area and lot area per family unit complies with the requirements of the zone in which the property is located.

F. POWER OF REVOCATION

If the Zoning Board of Appeals in varying the application of these Regulations as to any premises or in permitting any property use to be made thereof, shall impose any conditions or limitations upon the use of said premises thereunder, such variance or permission shall be subject to revocation by the Board of Appeals if the said conditions or limitations are not adhered to strictly. Before it shall revoke its action in granting such variance or permission, it shall hold a public hearing thereon, of which the owner and occupant of the premises shall be given notice and afforded an opportunity to be heard.

G. EFFECTIVE TERM OF VARIANCE

Any variance hereafter granted for a non-conforming use shall become null and void twelve months after such granting, if such non-conforming use shall not have commenced.

Section 3. — Procedure

A. The Board of Appeals shall hold a public hearing on all applications and appeals, notice of which hearing shall be published in accordance with the provisions of the General Statutes.

B. Before a public hearing on any petition for a variance or renewal of a variance, the petitioner shall present proof that notice has been deposited in a Post Office box regularly maintained by the U. S. Government, directed to each of the owners of land, within two hundred (200) feet of the property with regard to which a variance is requested, as their names appear upon the last completed assessment roll of the City. Such Board may also require that a sign be posted and maintained on the premises where the variance is requested for at least one week prior to the public hearing.

C. All applications and appeals shall be accompanied by a fee of Ten (\$10.00) Dollars to cover the cost of advertising and processing.

Section 4. — Re-Hearing

No application or petition for a re-hearing shall be presented to the Zoning Board of Appeals within a period of 12 months from the date of a decision of the Board of Appeals, which decision denied the application or petition, unless, in the opinion of the Zoning Board of Appeals there has been an unusual change in conditions, or an error in the decision, or new evidence warrants a re-hearing. Approval of justification for re-hearing must be granted by said Board before acceptance of application or petition.

Chapter VIII. — DEFINITIONS

In the construction of these regulations, words and phrases shall be construed according to the commonly approved usage of the language; and technical words and phrases, and such as have acquired a peculiar and appropriate meaning in law, shall be construed and understood accordingly. All words used in the present tense include the future tense; all words in the plural number include the singular number, and all words in the singular number include the plural number, unless the natural construction of the wording indicates otherwise. The word "shall" is mandatory and not directory. The word "use" shall be deemed also to include "designed, intended, or arranged to be used." Unless otherwise specified, all distances shall be measured horizontally. Except as otherwise defined in these Regulations, or as the context may otherwise require, the following words, as used in these Regulations, are defined for the purpose thereof as follows:

1. **THESE REGULATIONS**, etc. The words "These Regulations" and "the regulations" shall be deemed to refer to the Zoning Regulations of the City of Milford herein contained as the same shall from time to time be modified and amended.

2. **ACCESSORY BUILDING OR USE**: A building which is subordinate and customarily incidental to the main building and use on a lot, providing that such accessory building shall not exceed 15 feet in height. The term "accessory building" when used in connection with a farm shall include all structures customarily used for farm purposes and they shall not be limited in height or size. A building attached to the principal building by a covered passageway, or by having a wall or a part of a wall in common with it, shall be considered an integral part of the principal structure and not an accessory building.

3. **ALCOHOLIC LIQUOR** — The term "alcoholic liquor" as used in Chapter V, Section 5, of these regulations shall have the same meaning as that defined in Section 30-I of the General Statutes of Connecticut, Revision of 1958, as amended.

4. **BOARDING HOUSE**: A building in which lodging and meals are provided for compensation to not more than five paying guests other than members of the family of the owner or lessee who must live in said establishment. The five paying guests are not to be "roving or transient persons" as that phrase is used in the Lodging House Regulations of the General Statutes and particularly Section 21-48 of the Revision of 1958.

5. **BUILDING**: A "building" shall be regarded as any structure having a roof supported by columns or walls for the housing or enclosure of persons, animals or chattels, and shall include each of the independent units into which it is divided by party walls. Except as otherwise indicated, buildings as used in these Regulations shall be deemed to include structures.

6. **BUILDING AREA**: The aggregate of the maximum horizontal cross section area of all buildings on a lot, excluding cornices, eaves, gutters or chimneys projecting not more than 30 inches, steps, one-story open porches, and balconies and terraces. Porches arranged for or altered for use as living rooms and enclosed against the weather become a part of the main building.

7. **BUILDING HEIGHT**: The vertical distance measured from the average level of the finished grade adjacent to the exterior walls of the building to the highest point of the roof for flat roofs, to the deck line for mansard roofs, and to the mean height between eaves and ridge for gable, hip and gambrel roofs, and to the highest point of any other type of roof.

8. **CONVALESCENT HOMES**: A "Convalescent Home" is a dwelling in which three or more persons, other than members of the family of the person owning or renting said dwelling, and recuperating from illness or suffering from the infirmities of old age, are provided with lodging, care and/or treatment.

9. **COURT**: An unoccupied open space, other than a yard, on the same lot with a building and which is bounded on two or more sides by the walls of such building. An **OUTER COURT** extends to a street line or opens upon a front, side, or rear yard. An **INNER COURT** is enclosed on all sides by the walls of a building.

10. **CURB LEVEL**: Is the permanently established grade of the street in front of the lot.

11. **DORMITORY**: A building or group of buildings designed or altered for the purpose of accommodating students or members or religious orders with sleeping quarters with or without communal kitchen facilities and administered by a bona fide educational or religious institution. Dormitory includes fraternity and sorority houses, convents, priories and monasteries, but does not include clubs or lodges.

12. **DWELLING**: A building or portion thereof designed exclusively for residential occupancy, including one-family, two-family and multiple dwellings, but not including hotels or boarding houses. Any trailer house, or trailer coach not located in a Trailer Camp as defined herein, which remains on any lot within the limits of this City for more than forty-eight (48) hours within any six month period, shall be construed to be a dwelling and as such shall be subject to the building zone regulations of the City of Milford, except that trailers not used for human habitation may be displayed for sale in Business #2 or Industrial Zones.

13. **DWELLING UNIT**: A building, or portion thereof, providing complete house-keeping facilities for one family.

14. **FARM**: A body of land of three (3) acres or more devoted either to the raising of crops or pasture, or both. Stock-raising, dairying, poultry raising and kindred activities are to be considered as a part of and included within farming only when carried on in connection with, and incidental and subordinate to, the tillage of the soil. The raising of fur-bearing animals shall not be included in the uses permitted on a farm.

15. **FAMILY**: One or more persons occupying a dwelling unit and living as a single housekeeping unit with kitchen facilities and other rooms used in common.

16. **GARAGE, PRIVATE**: An accessory building or part of a main building used for the storage of motor vehicles as an accessory use.

17. **GARAGE, PUBLIC**: A building, or part thereof, used for the storage, care and repair of motor vehicles for remuneration, including any sale of motor vehicle accessories, or where motor vehicles are kept for hire.

18. **GASOLINE STATION**: Any area of land, including structures thereon, or any building or part thereof that is used for the sale of gasoline, or other motor vehicle accessories, and which may or may not include facilities for lubrication, washing, or otherwise servicing motor vehicles, but not including painting thereof by any means.

19. **HOME OCCUPATION**: Any use customarily conducted entirely within a dwelling and carried on only by the residents thereof, which use is clearly incidental and secondary to the use of the premises for dwelling purposes, does not change the residential character thereof, creates no objectionable noise, smell or smoke noticeable off the premises and no interference with radio or television sets on other premises. The conducting of a clinic, hospital, barber shop, beauty parlor, tea room, tourist home, animal hospital, or any other similar use shall not be deemed to be a home occupation.

20. HOTEL: A building or portion thereof designed for or containing either individual guest rooms or suites of rooms occupied primarily by transients, and such business as may be incidental thereto for the sole convenience of the occupants.

21. HOSPITAL: Unless otherwise specified, the term "Hospital" shall be deemed to include sanitarium, rest home, nursing home, convalescent home, and any other place for the diagnosis, treatment, or other care of human ailments, and not including contagious diseases except incidentally, alcoholism, drug addiction, epilepsy, or mental diseases.

22. LOT: A parcel of land occupied or to be occupied by a building or a building group and its accessory buildings, together with such open spaces as are required under the provisions of these Regulations, and having the required frontage as required in Chapter III, Section 1-D.

23. LOT, CORNER: A lot situated at the intersection of two or more streets having an angle of intersection of not more than 135 degrees. A lot abutting upon a curved street shall be deemed a corner lot if the tangents to the curve at its points of beginning with the lot or at the points of intersection of the side lot lines within the street line intersect at the interior angle of less than 135 degrees. A corner lot shall maintain front yard requirements for each street frontage.

24. LOT, DEPTH: 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.

25. LOT, INTERIOR: A lot other than a corner lot.

26. LOT LINES: The property lines bounding a lot.

27. LOT, THROUGH: A lot having both front and rear yards abutting on a street. Front yard requirements shall be maintained on both street frontages.

28. LOT, WIDTH: The distance between the side lines of a lot measured along the front lot line. Where the front lot line is an arc or the side lines converge toward the front lot lines, the distance may be measured along the front yard set-back line.

29. MOTEL: See Tourist Court.

30. NON-CONFORMING BUILDING OR USE: See Chapter IV, Section 14.

31. NURSERY, DAY: Any premises used to provide daytime care or instruction for five or more children under sixteen years of age.

32. PARKING LOT: An area other than a street used for the temporary parking of automobiles.

33. PARKING SPACE: An off-street space available for the parking of one motor vehicle; specifically, a rectangular area of not less than nine (9) feet in width and twenty (20) feet in length, and having direct access to a street.

34. PREMISES: The word "premises" as used in Chapter V, Section 5, of these regulations shall mean that structural unit or portion of the building which is owned or leased by and under the control of the proprietor of the establishment licensed to sell alcoholic liquor.

35. ROOMING HOUSE: A building in which rooms for lodging purpose, with no provisions for meals, are rented for compensation to not more than five paying guests other than members of the family of the owner or lessee, who must live in said establishment. The five paying guests are not to be "roving or transient persons" as that phrase is used in the Lodging House Regulations of the General Statutes and particularly Sec. 21-48 of the Revision of 1958.

36. SCHOOL: A public school or a duly organized school other than a public school, conducted for children under 19 years of age and giving regular instruction at least five days a week for eight or more months a year.

37. SIGNS: See Chapter V, Section 3. (Page 28).

38. STORY: 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 basement shall be counted as a story if the ceiling is more than five feet above the level from which the height of the building is measured, or if it is used for business purposes or for dwelling purposes by other than a janitor or watchman.

39. STREET: A public thoroughfare including road, highway, drive, lane, avenue, place, boulevard, and any other thoroughfare permanently open to common and general use which affords the principal means of access to abutting property.

40. STREET LINE: The dividing line between the street and the lot.

41. STRUCTURE: Anything constructed or erected which requires location on the ground or attachment to something having a location on the ground.

42. STRUCTURAL ALTERATION: Any change in or addition to the structural or supporting members of a building, such as bearing walls, columns, beams or girders.

43. TOURIST COURT: A building or group of buildings containing one or more guest rooms for roving or transient persons having a private outside entrance for each room or suite of rooms and for each of which rooms or suites of rooms automobile parking space is provided on the premises.

44. TOURIST HOME: A building of residential character, offering lodging with or without meals to transients for compensation.

45. TRAILER CAMP: A parcel of land on which there is located or intended to be located two or more trailer coaches occupied for living purposes.

46. TRAILER COACHES: A vehicle with or without motive power designed to be self-propelled or to be drawn by a motor vehicle and to be used for human habitation or for the carrying of persons. (See Definitions, #12 Dwelling).

47. USE: The specific purpose for which land or a building is designed, arranged, intended, or for which it is or may be occupied or maintained. The term "permitted use" or its equivalent shall not be deemed to include any non-conforming use.

48. YARD, FRONT: An open, unoccupied space extending across the full width of the lot between the front wall of the principal building and the front lot line. The depth of the required front yard shall be measured horizontally from the nearest point of the front lot line toward the nearest part of the building or buildings on the lot.

49. YARD, SIDE: An open, unoccupied space between a main building and the side lot line extending from the front yard, or front lot line where no front yard is required, to the rear yard. The sides of the required yard shall be measured horizontally from the nearest point of the side lot line toward the nearest part of the main building.

50. YARD, REAR: An open, unoccupied space extending across the full width of the lot between the most rear main building and the rear lot line. The depth of the required rear yard shall be measured horizontally from the nearest part of the main building toward the nearest part of the rear lot line.

Chapter IX. — AMENDMENT, VALIDITY, and EFFECTIVE DATE

SECTION 1. — The City Planning and Zoning Board, on its own motion or on petition, may amend the Zoning Regulations or the Zoning Map, after public notice and hearing, in accordance with the Statutes.

SECTION 2. — PROTEST OF ZONE CHANGE

Where a protest is filed with the Planning and Zoning Board at a public hearing on a proposed amendment signed by the owners of twenty (20) per cent or more of the area of the lots included in such proposed change, or of the lots within 500 feet in all directions of the property included in the proposed change, such change shall not be adopted except by a vote of two-thirds of the entire membership of the Board.

SECTION 3. — EFFECTIVE DATE OF AMENDMENTS

Zoning Regulations, boundaries or zoning districts, and any amendments or changes therein shall become effective at such time as may be fixed by the Planning and Zoning Board, provided notice shall have been published in a newspaper having a substantial circulation in the City of Milford before such effective date.

SECTION 4. — WITHHOLDING OF BUILDING PERMITS DURING PENDING ZONE CHANGE ON BOARD MOTION.

Whenever there shall be pending before the City Planning and Zoning Board, any proposal for a change of zone or alteration of an existing zone boundary, which change or alteration shall have been initiated or promulgated upon its own motion, the Building Inspector, for a period of not more than 60 days from the public call of the hearing, shall not issue any building permit for the construction or substantial alteration of any building

or buildings, upon any premises likely to be affected by the final determination of such motion for a change of zone or variance of an existing zone boundary, as the case may be, pending the Public Hearing and final decision by the City Planning and Zoning Board upon such motion. The Secretary of the City Planning and Zoning Board shall immediately give notice in writing to the Building Inspector of the pendency of such motion and of the final decision thereof.

SECTION 5. — VALIDITY.

If any chapter, section, sub-section, paragraph, sentence, clause or provision of these Regulations shall be adjudged invalid, such adjudication shall apply only to the chapter, section, sub-section, paragraph, sentence, clause or provision so adjudged invalid, and the rest and remainder of these Regulations, as they shall now or hereafter exist, shall be deemed to be valid and effective.

CHAPTER X.

Effective Date of These Regulations

SECTION 1. — These Regulations shall be effective beginning December 1, 1961.

Public Hearing held November 14, 1961. Regulations adopted November 14, 1961.

SECTION 2. — All zoning Regulations previously adopted for the City of Milford are hereby repealed as of December 1, 1961.

JOHN F. HEALY, Chairman
JAMES V. WHITE, Vice-Chairman
LOUIS BAAS
FRANK DUBUQUE
WARREN A. FIELD
STANLEY KAMYKOWSKI
WALTER LURIX
BERNARD F. McGOVERN
H. KENNETH TAYLOR
ALAN WALKER

GEORGE C. LAY, Executive Secretary