

## CHAPTER 1167 "MRD" MILFORD RIVER DISTRICT

### 1167.01 PURPOSE

It is the purpose of the Milford River District to protect the unique small town and historic character of Downtown Milford while promoting the growth and development of new commercial and residential land uses. Specific District goals include:

- A. Allow for and encourage a broad mix of uses and a more urban pattern of development, while respecting the district's historic context and creating a vibrant, pedestrian-friendly environment.
- B. Establish clear standards to ensure that future development that occurs within Downtown is consistent with the community's vision, as expressed by the policies contained within the City's Comprehensive Plan and more specifically found within the Downtown Focus Area Plan.
- C. Assure that new construction, restoration, and expansion projects are compatible with the character of Downtown.
- D. Enhance the visual and aesthetic appeal of the Downtown.
- E. Improve the timeliness and predictability of the development review process for Downtown infill and redevelopment.

### 1167.02 PERMITTED USES

Permitted uses in this district shall be as follows:

- A. Clubs;
- B. Clinics on the Second Floor;
- C. Financial Institutions;
- D. Government Buildings;
- E. Offices on the Second Floor;
- F. Outdoor Eating Establishment;
- G. Personal Service Establishments;
- H. Municipal Recreation Areas;
- I. Rental Halls;
- J. Restaurants;
- K. Retail Businesses;
- L. Taverns;
- M. Theaters.

### 1167.03 CONDITIONAL USES

The following conditional uses shall be permitted only if expressly authorized by the Planning Commission in accordance with any applicable standards set forth in Chapter 1195, Conditional Uses.

- A. Bed and Breakfast Lodging Establishment;
- B. Clinics when located on the first floor of a primary structure;

- C. Commercial Parking Garages
- D. Convenience Stores;
- E. Microbrewery;
- F. Mixed Uses;
- G. Offices when located on the first floor of a primary structure.
- H. Religious Places of Worship;
- I. Single Family Residential Dwelling;
- J. Multi-Family Dwelling (6 units per acre or less)
- K. Two-Family Residential Dwelling;
- L. Brewpub
- M. Private Recreation Area

**1167.04 ACCESSORY USES**

The following accessory uses shall be permitted in accordance with Chapter 1181, Supplementary District Regulations, except for signs which shall be regulated by Chapter 1191, Signs.

- A. Accessory buildings and uses customarily incidental to the principal use of the lot.

**1167.05 SPECIAL USE STANDARDS**

The following permitted uses shall comply with the applicable standards as set forth in this subsection.

- A. Outdoor Dining Establishments. The regulations set forth in this section refer to both outdoor dining areas proposed to be located on private property and sidewalk dining areas proposed to be located within the public right-of-way:

1. The Planning Commission shall approve all locations and dimensions for outdoor dining areas proposed for placement in either the public right-of-way or those dining areas proposed to be located on public or private property.
2. When proposing a location in the public right-of-way, all outdoor furniture and table umbrella materials and styles must be approved by the Planning Commission.
3. A minimum unobstructed sidewalk width of five (5) feet measured from the edge of curb or edge of pavement must be maintained for outdoor dining areas located within the public right-of-way.
4. No permanent structure shall be placed in the public right-of-way.
5. When proposing a location in the public right-of-way, any proposed fencing or other separation materials and styles shall be approved by the Planning Commission.

- B. Multi-Family Dwelling. The following requirements shall apply to all applications to construct or convert a property to a multi-family dwelling:
1. All applicable standards found in this Chapter 1167 and Chapter 1195 shall apply.
  2. The maximum density for any multi-family project in this district shall be 6 units per acre and shall obtain a conditional use permit.
  3. Multi-family dwellings proposed inside this zoning district at a density of 7 units per acre, or higher, shall only be permitted with an approved PD overlay zoning district designation. All applicable standards and procedural requirements found in Chapter 1169, PD Planned Development District shall apply. In the event of any conflict between regulations found in this MRD zoning district and the PD zoning overlay district, the more restrictive regulation shall control.
- C. Microbrewery and Brewpub Standards. The following requirements shall apply to all applications to construct or convert a property to a microbrewery or a brewpub:
1. Microbrewery.
    - a. A microbrewery is an establishment primarily engaged in the production and distribution of beer, ale, or other malt beverages, and which may include accessory uses such as tours of the microbrewery, retail sales, and/or on-site consumption, e.g., a "taproom."
    - b. A microbrewery may sell beer at retail and/or act as wholesaler for beer of its own production for off-site consumption with the appropriate State licenses.
    - c. Annual production shall not exceed 15,000 barrels per year.
  2. Brewpub.
    - a. A brewpub is primarily an eating and drinking establishment (restaurant) with a small brewery on the premises which produces beer, ale, or other malt beverage, and where the majority of the beer produced is consumed on the premises.
    - b. A brewpub may sell beer at retail and/or act as wholesaler for beer of its own production for off-site consumption, with the appropriate State licenses.
    - c. Annual production shall not exceed 8,000 barrels per year.

**1167.06 ZONING CERTIFICATE REQUIRED**

- A. No Minor Building Improvements or Major Building Improvements, as defined in Section 1167.08, may be made to any property within the MRD district until a Zoning Certificate has been issued as provided for in Sections 1125-08 through 1125.10.
  - 1. Applicants seeking a Zoning Certificate for qualifying uses and actions within the MRD district shall follow the process set forth in this Chapter.
  - 2. After all the required information and plans has been submitted, the Zoning Inspector shall take one of the following actions:
    - a. Issue a Zoning Certificate.
    - b. Deny the Zoning Certificate.
    - c. Refer the Zoning Certificate Application to the Planning Commission for any reason. If referred, the Zoning Certificate Application shall be placed on the next regularly scheduled Planning Commission meeting for consideration as a regular agenda item.
- B. No Building Permit shall be issued for any non-exempt improvements to properties within the MRD district unless a Zoning Certificate has been issued.

**1167.07 EXEMPTIONS NOT REQUIRING A ZONING CERTIFICATE**

Unless specifically addressed in the MRD district, the following are exempted from the provisions of this Chapter and must only meet the requirements of the Zoning Ordinance or other applicable codes as adopted by the City:

- A. Any permit for interior alterations and repairs;
- B. Any permit for modification to facades not visible from any public right-of-way;
- C. Any permit necessary for compliance with a lawful order of the Building Official, including deficiencies listed in certificates of inspection;
- D. Any permit necessary for the immediate public health and safety as determined by the Building Official;
- E. Landscaping of existing single family residential uses.
- F. Ordinary maintenance and repairs provided such work involves no change in material, design, texture, color or exterior appearance of the structure.
- G. Any repair of the structural deficiency of a structure when the Building Official determines the repairs are required for public safety because of unsafe, insecure or dangerous conditions.

**1167.08 IMPROVEMENTS SUBJECT TO REVIEW**

Applications for a Zoning Certificate that are subject to review will require the submission of application requirements listed in Section 1167.09. Applications for the following improvements shall be grouped for review according to the following categories:

**A. Minor Building Improvements**

1. Minor demolition of non-significant parts of structures;
2. Fences, fire escapes, heating, ventilation and air-conditioning units;
3. Roof, cornice, window, step and wall repair or replacement, if the work matches the original;
4. Painting, if there is no change in the colors from the original
5. Work not requiring a building permit (cleaning and landscaping) for all existing and proposed developments unless exempted in Section 1167.07;
6. Curb-cuts and driveways.
7. Wall signs, ground and sandwich board signs that meet the height, type, size and location regulations in the Zoning Ordinance.
8. Any improvements made to an exterior door or garage door.

**B. Major Building Improvements**

1. New construction;
2. Excavation and/or fill;
3. Demolition, except where noted in Section 1167.08 under Minor Building Improvements;
4. Modification to facades visible from any public right-of-way that may change the original appearance of the structure, including painting;
5. Awnings and hardware attached to the structure;
6. All other non-exempt improvements not designated under the Minor Building Improvements category.
7. All proposed single family, two-family and multi-family projects shall be considered a Major Building Improvement. This shall include both new construction and property conversion development scenarios.

**1167.09 APPLICATION REQUIREMENTS**

All applications for review shall be submitted to the Zoning Inspector or the Zoning Inspector's designee. Submittal requirements will be based on the category of improvement.

A. **Minor Building Improvements.** Submittal requirements for any non-exempt improvements categorized as Minor Building Improvements in Section 1167.08 shall include:

1. **Application Form.** A standard form used for all review applications. This application form must be signed by the owner of the property or an authorized agent of the owner. This application will include a written description of the proposed improvements.
2. **Color Photographs.** Photographs shall be taken of the structure or site from viewing locations along the public right-of-ways.
3. **Materials and Color Samples.** Material and color samples shall be submitted with the application. The samples will be retained by the Planning Department for assurance of compliance with the reviewing body's approval.
4. **Elevations (for new signs).** Color rendered elevations of the building shall be included which illustrate the placement, size, color or style of any graphic treatment (sign, mural, logo, etc.) to be affixed or painted on the structure.
5. **The Zoning Inspector may request additional information to be provided in order to make an informed decision on the application including those items found in Chapter 1127.**

B. **Major Building Improvements.** Submittal requirements for any non-exempt improvements categorized as Major Building Improvements in Section 1167.08 shall include:

1. **Pre-Application Concept Plan.** Prior to the submission of an application for a Major Building Improvement under this chapter, the applicant shall submit a Pre-Application Concept Plan that provides an overview of the proposed improvements to be completed. Depending on the specific type of proposed improvements, the concept plan may consist of either a site plan or building elevation view plan, or both. The applicant should provide enough information on the concept plan to effectively convey the extent and nature of the proposed improvements. A more detailed site plan and/or building elevation plan shall be submitted as part of the completed application.
2. **Application Form.** A standard form used for all review applications. This application form must be signed by the owner of the property or an authorized agent of the owner. This application will include a written description of the proposed improvements.
3. **Color Photographs.** Photographs shall be taken of the structure or site from viewing locations along the public rights-of-way.

4. Written Project Description Report. Each application shall be accompanied by a written description of the project. This description should include the proposed changes to the building, structure, or site; the design concept; rationale for the design; project proposal in a written format; the relation to existing conditions on site; the existing and proposed uses; and materials; colors; construction methods;
5. Existing Conditions Site Plan. All applications shall contain a site plan showing the property and street on which it fronts with all existing site features including items such as site topography, buildings, pavements, utility structures, signs, walls, fences and trees having a trunk caliper of 6" or greater (measured at 6" above ground level.) The Existing Conditions Plan shall indicate all existing site features to be demolished as part of the proposed project. All property lines, right-of-way lines and easements affecting property shall also be shown.
6. Proposed Site Plan. All submittals shall include a site plan following the applicable submittal requirements found in Chapter 1127 of this Zoning Code.
7. Building Plans. Architectural renderings or drawings shall be submitted indicating elevations, details, catalog cuts, etc. Plans should provide sufficient detail to illustrate size, material, color, proportion and appearance of all proposed site features such as walls fences, signs, bollards and site furnishings.
8. Color Rendering. Submittals shall include one color-rendered perspective drawing of the proposed projects from a viewpoint along the public right-of-way at which the project will have the most visual impact. (Not required for single-family residential projects.)
9. Elevations (for awnings and signs). Color rendered elevations of the building shall be included which illustrate the placement, size, color or style of awning or signs to be affixed or painted on the structure.
10. Materials and Color Samples. Material and color samples shall be submitted with the application. The samples will be retained by the Building Department for assurance of compliance with the reviewing body's approval.
11. Additional Information. The Zoning Inspector or Planning Commission may request additional information as required to properly determine compliance with this Zoning Code or other applicable regulations.

#### **1167.10**

#### **REVIEW PROCESS**

- A. Upon receipt of a completed application and any required fees, the Zoning Inspector or their designee will have the prescribed amount of time to do the following:
  1. Approve Minor Building Improvement applications within 30 days, or at their discretion, refer Minor Building Improvement applications to the Planning Commission;
  2. Conduct a mandatory application review meeting with the Zoning Inspector and other designated City Staff within 30 days upon submission of a completed Major Building Improvement application or for a referred Minor Building

Improvement application. This meeting shall occur prior to the application being placed on the Planning Commission agenda for consideration.

3. Any Major Building Improvement Application or referred Minor Building Improvement Application shall be placed on the next available Planning Commission meeting agenda for consideration by the Commission. The Application shall be treated as a regular agenda item with no public hearing required.
  - a. The Zoning Inspector shall notify all property owners located within 400 feet of the subject property for which an application is being made. The notification shall be made via US Mail and provide a summary of the proposed improvements and provide the date and time of the Planning Commission meeting for which it is scheduled.
4. A proposed conditional use within this zoning district shall require a public hearing as set forth in Chapter 1195.03 and incorporate all conditional use review standards found in Chapter 1195.04-05 as applicable.

B. One of the following four actions may be taken for applications heard by the Planning Commission:

1. Approval - Approval of project as submitted. A Zoning Certificate is issued;
2. Approval with Conditions - Approval of project with conditions that must be met prior to a Zoning Certificate being issued;
3. Continuance - If the Planning Commission determines that additional information is required as part of their review process, the consideration of the application shall be continued until the information is provided to the Commission;
4. Denial - Proposed project is denied. The applicant can appeal to the Board of Zoning Appeals or modify the development and resubmit another application.

C. Construction must begin within one year of the Zoning Certificate being issued or the Zoning Certificate becomes invalid.

#### **1167.11**

#### **ADMINISTRATIVE WAIVERS**

A. The Zoning Inspector may grant administrative waivers for any area regulation contained in this chapter not to exceed 10% of the applicable maximum or minimum regulation. Applications for an administrative waiver shall be on a form provided by the Zoning Inspector. An administrative waiver may also include minor deviations from an approved site plan. In reviewing an administrative waiver, the Zoning Inspector shall consider the following:

1. The waiver will not impair the essential character of this MRD zoning district or any relevant objective contained within the Milford Comprehensive Plan.



2. The surrounding properties will be properly protected.
  3. The waiver request is minor in nature and does not substantially deviate from prior issuances of variances issued by the Board of Zoning Appeals.
  4. The waiver request does not deviate from the overall intent and objective of the original zoning regulation or the approved site plan.
- B. The Zoning Inspector may request assistance from the Planning Commission in determining the reasonableness of an administrative waiver request. An approved administrative waiver shall be transmitted to the applicant by an administrative order from the Zoning Inspector.

#### **1167.12 DIMENSIONAL STANDARDS**

- A. **Maximum Height.** The maximum height for all structures within this district shall be 45 feet.
- B. **Minimum Lot Area.** No minimum lot area requirement.
- C. **Minimum Lot Width.** For each principally permitted use within this district, the minimum lot width shall be the established average lot width of the existing lots within the block in question, to include both sides of the street within the block.
- D. **Minimum Front Yard Setback.** Building or use setbacks shall conform to the established average set back of the existing buildings within the block in question, to include both sides of the street within the block.
- E. **Minimum Rear Yard Setback.** Building or use setbacks shall conform to the established average set back of the existing buildings within the block in question, to include both sides of the street within the block.
- F. **Minimum Side Yard Setback.** No minimum side yard setback requirement.

#### **1167.13 DESIGN STANDARDS**

It is the intent of these design standards section to ensure, insofar as possible, that buildings or structures located within the Milford River District shall be in harmony and compatible with other buildings or structures located in the district. When considering new construction, restoration and other applicable improvements, the City shall assure that the design's scale, proportions and general character are harmonious with the predominant themes found in the district. In the event of any conflict between any regulation found in this MRD Chapter and any other referenced Chapter in this Zoning Code, the regulation found in this MRD Chapter shall control.

- A. **Setback**
  1. Buildings along Main Street, Mill Street, Elm Street, and Garfield Street, between Water Street and High Street, shall be set to the front property line.
  2. Open spaces between buildings that create courtyards or walkways to the rear of the property are encouraged.

B. Site Development

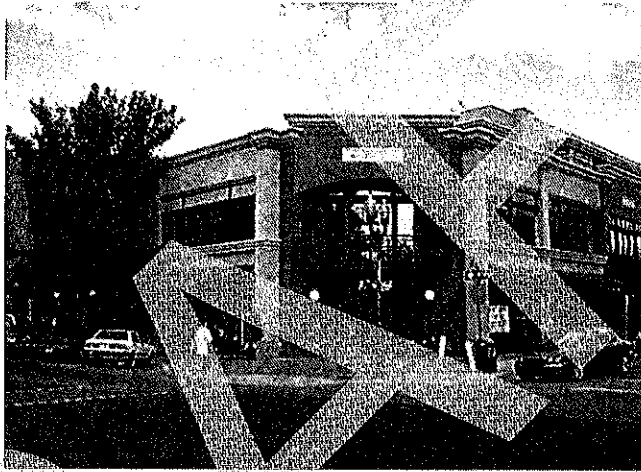
1. Utility services shall be placed underground for all new services.
2. Overhead utilities shall be consolidated on to new or existing poles, where possible, to minimize the number of utility poles in the streetscape.
3. Where a sidewalk exists in the public right-of-way, a pedestrian connection must occur from the building to the existing sidewalk.
4. Site features such as service entrances and loading zones shall be screened from adjacent properties and the public right-of-way and located in the side or rear lot.
5. The construction materials and colors of walls and fences that are visible from any public right-of-way shall be uniform and compatible with the architectural style, color and building material of the buildings and its surroundings.
6. Chain link fences are permitted only where they are not visible from any public right-of-way.
7. All new non-residential construction projects occurring within this zoning district shall provide for a minimum of one bicycle rack which is intended to be accessed and used by the general public.
  - a. The bicycle rack may be proposed to be placed in the public right-of-way sidewalk area adjacent to the applicant's building or lot if approved by the Zoning Inspector. If placed in the right-of-way, applicant shall be responsible for routine maintenance and replacement of the bicycle rack if needed.
  - b. The Zoning Inspector may waive this bicycle rack requirements if it is determined that the property cannot accommodate a bicycle rack accessible to the general public.



*Photo showing bicycle racks placement flexibility.*

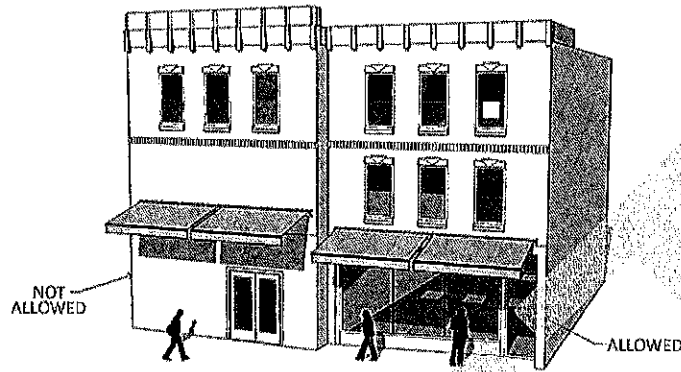
C. Building Design

1. All elevations of a building shall be subject to review. A front facade shall be architecturally emphasized, although all sides of a building shall be architecturally consistent with the front facade.
2. Buildings shall be architecturally oriented to the street and the main entrance shall be located on the street facade.
  - a. New building construction occurring on corner lots shall orient the main building entrance angled toward the corner as illustrated below.



*Building featuring the primary entrance oriented toward the corner.*

3. Screening for Roof-Mounted Mechanical Equipment.
  - a. All roof mounted mechanical, electrical, communication, and service equipment, including satellite dishes, air conditioning units, large vents and vent pipes, heat pumps and mechanical equipment, and other appurtenances shall be concealed by or integrated within the roof form or screened from view at ground level of nearby streets by parapets, walls, fences, landscaping, or other means approved by the Zoning Inspector.
4. Not less than 50 percent of the ground floor of the front façade, between a height of two and eight feet above grade, shall be transparent. Transparency includes window or door openings that allow views into and out of the interior of buildings.



*First Floor Window Transparency Goal*

5. Building projects must provide a design that emphasizes an activity level from the street.
6. Acceptable exterior building materials for all structures within this zoning district shall include brick, wood, stone, stucco or fiber cement siding products. The following materials are specifically not permitted in this zoning district:
  - a. Concrete block
  - b. Slick pervasive materials such as plastic, neon or metallic.
  - c. Back lighted or polyvinyl awnings.
  - d. Vinyl or aluminum siding.
7. The height of any principally permitted structure shall conform to the established average height of the existing buildings within the block in question, to include both sides of the street within the block.
8. The scale of building proportions such as height and width shall conform to the established average height and width of the existing buildings within the block in question, to include both sides of the street within the block.
9. The massing of the building shall be substantially similar in character to the predominant massing found in the surrounding buildings located within the zoning district.
10. Flat rooflines are permitted with the use of cornices, parapets or some form of architectural emphasis along the roofline where adjacent buildings have a similar roofline;
11. Existing natural brick and stone buildings shall not be painted. If stone or brick buildings are currently painted, repainting them rather than removing the paint shall be done to prevent damage to the underlying materials.

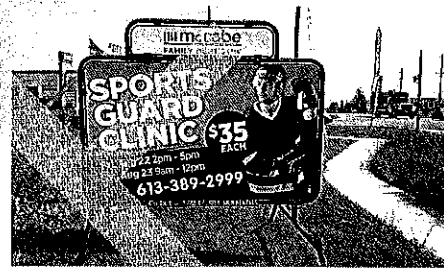
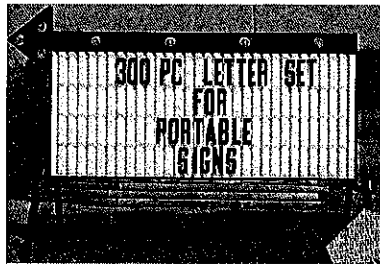
D. Colors

1. A palette of appropriate shades of colors for use on buildings or awnings within the MRD district shall be available for review through the Zoning Inspector or their designee.
2. In selecting paint colors, consider returning the building to its original color. Colors may be found through old postcards and photographs.
3. Always choose colors that blend well with the natural color of the buildings' unpainted brick or stone. If the building is framed, or is already painted, colors should be selected that will blend well with the predominant colors that already exist in this zoning district.
4. Limit the use of contrasting colors on the buildings within the MRD district. Color schemes should be kept simple, with no more than one or two trim colors used on any given building.
5. The chosen color scheme should help tie all of the parts of the building together. Typically, the color that is used in the storefront area should be repeated in the upper story windows or cornice area.
6. Bright primary colors, including shades of purple, turquoise, orange, pink, etc. are strongly discouraged in the MRD district.

E. Signs

1. In addition to the height, type, size and location regulations dictated in the Zoning Ordinance, permitted signs in the MRD district shall be designed to reflect the materials and style used in the associated building.
2. Ground mounted signs shall be designed to be permanent.
3. Bright or fluorescent colors are not permitted.
4. Lighting of signage in the MRD district shall be from an external source such as a spotlight. Internally lighted signs are not permitted.
5. Portable signs are prohibited.
6. Each business shall be permitted one sandwich board sign consistent with the following standards:
  - a. Such signs shall not exceed 24 inches in width per face and 36 inches in height.
  - b. Signs shall only be allowed in front of the building when a store is open for business and shall not remain in the public right-of-way overnight.
  - c. A minimum of five feet of sidewalk width must be kept clear for the safe passageway for pedestrians.

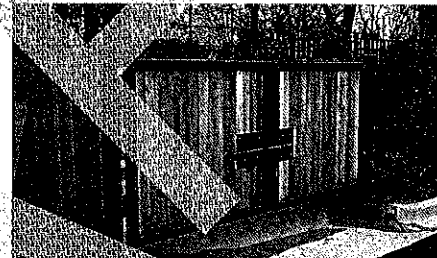
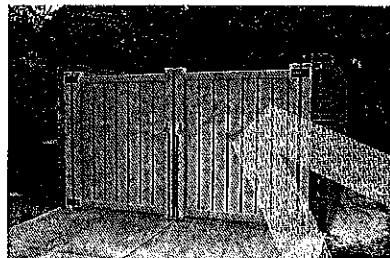
- d. Signs shall be stable, self-supporting, and not lean against landscaping or any public permanent fixtures such utility poles, benches, and trash receptacles.
  - e. The design and physical appearance of sandwich board signs shall be consistent in color and theme with the building for which it promotes.
7. Roof mounted signs shall be prohibited.
  8. Each business located within this zoning district shall be allowed one non-flashing open/close sign.



*Prohibited portable signs*

- F. Landscaping and Screening. All new proposed landscaping improvements in this zoning district shall conform to the applicable standards found in Chapter 1189. Below are specific guidelines to inform landscaping design within this district.
1. Plant materials shall be chosen which are indigenous, moderately fast growing, and require minimal maintenance. The landscape design shall incorporate the entire site and consist of a palette of plants with year-round appeal which may include: annuals, perennials, shrubs and trees.
  2. Parking areas and driveways shall be landscaped consistent with the requirements set forth in Chapter 1187.09.
  3. In locations where plants will be susceptible to injury by pedestrians or motor vehicles, they shall be protected by appropriate curbs, parking blocks or other devices.
  4. Dumpsters, loading docks, utility boxes, and open areas where machinery or vehicles are stored or repaired, and other similar facilities shall be screened from public rights-of-way and adjoining residential areas.
  5. Where landscaping is used as screening, it shall be opaque year-round.
  6. Landscape used as screening shall be of an initial planting height and density so that it provides the full desired effect within three years of growing time.

7. Whenever there are five (5) or more new parking spaces proposed to be created on a parcel, the parking lot perimeter shall be fully screened. Landscaping, walls, fences, planters or similar means shall be used to screen the parking lot. Whenever structures such as walls or fences are used to create a screen, plants shall be located on the sides of the structures and intended to be seen from the surrounding streets and other public rights-of-way, and other properties which are used by the public.
8. Mechanical equipment and dumpsters shall be located so as not to be visible from any public rights-of-way or adjacent residential areas.
  - a. Where such mechanical equipment or dumpster placement is not possible, the mechanical equipment and dumpsters shall be fully screened from public view with non-vegetation materials and styles compatible with those used on the building.



*Fully Screened Enclosures*

#### G. Lighting

1. The outdoor lighting standards found in Chapter 1187.10 of this zoning code shall apply to all applicable improvements within this zoning district.

#### H. Outdoor Storage

1. Outside storage of raw material, finished products and equipment is prohibited.
2. Utilize landscaping and fencing to fully screen all storage facilities.
3. Outdoor storage buildings shall be constructed in the same style and using compatible exterior materials as surrounding buildings.
4. Permitted outdoor storage shall be located a minimum of five feet from any side and rear property line and be kept out of view from the public right-of-way.
5. No outdoor storage is permitted in any front yard area.

#### I. Vehicular Circulation and Access

1. Minimize the number of vehicular turning movements and points of vehicular conflict by reducing the number of access points to the minimum required for

safe traffic flow. Points of ingress and egress shall be clearly defined and promote the safe movement of traffic.

- a. A Traffic Impact Study may be required as a part of an expansion or new building project within this zoning district.
2. Provide for the safe and functional movement of vehicles and pedestrians both on and off-site.
3. Give consideration to the location of existing access points, adjacent to and directly across the street from the site. Curb cuts shall be shared by adjoining uses whenever cooperation can be gained.
4. Driveways shall not be used as points of ingress and egress for individual parking spaces. Driveway placement shall be such that loading and unloading activities will not hinder vehicular ingress and egress.
5. All sites shall be designed so vegetation and structures on the site do not interfere with the safe movement of motor vehicle traffic, bicycles or pedestrians.
6. The minimum spacing of access points for commercial developments from centerline to centerline along any street within the MRD district is 100 feet.
7. On-site vehicular circulation between parcels is encouraged. Provisions for circulation between adjacent parcels shall be provided through a shared access or cross access easement to minimize curb cuts along the street.
8. No plants, foliage, wall, fence, or sign, higher than twenty-four (24) inches above the top of the curb, shall be located within the sight distance triangle on any corner of a property adjoining an intersection or along driveways. At intersections, the sight distance triangle is formed by joining with a straight line, points along intersecting street rights-of-way, twenty-five (25) feet from the intersection as illustrated on the following page. At driveways, the sight distance triangle is formed by joining with a straight line, points along the driveway curb and the street right-of-way twenty-five (25) feet from the intersection.
9. When two adjacent property owners agree to combine access points, the city may grant an incentive bonus as follows. The total lot size and road frontage required for each parcel may be reduced by fifteen percent (15%) for both landowners.

J. Parking

1. No privately owned surface parking lots are permitted along Main Street.

K. Demolition. Demolition of any structure shall not be permitted unless the applicant can demonstrate that one of the following conditions exists:

1. Demolition has been ordered by the Building Official for reasons of public health and safety;



2. The owner can demonstrate that the structure cannot be reused nor can a reasonable economic return be gained from the use of all or part of the building proposed for demolition;
3. The demolition of the building will not adversely affect the streetscape as determined by the Zoning Inspector.

**1167.14 RELATIONSHIP TO VARIANCES**

Whenever an application is made for a variance relating to property wholly or partially located within the MRD district, the Board of Zoning Appeals shall exercise its authority granted in Chapter 1131 of the Zoning Ordinance.

**1167.145 APPEALS**

Where it is alleged that the Planning Commission, the Zoning Inspector or the Zoning Inspector's designee has made an error in their decision on an application, the applicant may appeal the recommendation to the Board of Zoning Appeals within 20 days of the original recommendation from the reviewing body.