

CHAPTER 2.10 “RE” RESIDENTIAL ESTATE OVERLAY DISTRICT

Section 2.10.01. Intent.

The intent of the “RE” Residential Estate Overlay District is to accommodate mixed-use buildings with neighborhood-serving retail, service, and other uses on the ground floor and residential units above the nonresidential space by utilizing pedestrian-oriented, storefront-style shopping streets thereby promoting the health and well-being of residents by encouraging physical activity, alternative transportation, and greater social interaction.

Section 2.10.02. Establishment/Delineation/Regulation of the “RE” Residential Estate Overlay District.

Boundaries for the “RE” Residential Estate Overlay District are shown on the “RE” Residential Estate Overlay District Map as referenced in Section 1.02.01. The “RE” Residential Estate Overlay District Map is hereby adopted by reference as part of these regulations as if the map was fully described herein.

Any proposed project within the “RE” Residential Estate Overlay District which is denied by the Building Official or Planning Commission may be appealed to the Board of Adjustment.

Section 2.10.03 Applicability.

The provisions of this Chapter shall apply to any project on a lot or parcel in the “RE” Residential Estate Overlay District as described herein.

The “RE” Residential Estate Overlay District may be expanded to include other areas as recommended by the Comprehensive Land Use Plan of the City of Gary or other ancillary studies by recommendation of the Planning Commission and action of the City Commission.

Where the provisions of Chapter 2.10 conflict with other provisions of this Title, the provisions of Chapter 2.10 shall prevail.

Standards, uses, and regulations not addressed in Chapter 2.10 shall be regulated as defined elsewhere in this Title.

Section 2.10.04. Prohibited Uses.

The following uses and structures shall be permitted in the “RE” Residential Estate Overlay District:

1. Multiple family dwellings, townhouses, and condominiums.
2. Any other use which is not listed as a Permitted, Accessory, Special Permitted, or Conditional Use in the underlying district.

Section 2.10.05. Permitted Uses.

The following uses and structures shall be permitted in the “RE” Residential Estate Overlay District:

1. Permitted Uses in the “RE” Residential Estate Overlay District include all Permitted Uses in the underlying district which each respective lot is located unless otherwise explicitly prohibited in this Chapter.

Section 2.10.06. Permitted Accessory Uses.

The following accessory uses and structures shall be permitted in the “RE” Residential Estate Overlay District:

1. Accessory uses and structures customarily incidental to permitted uses.

Section 2.10.07. Special Permitted Uses.

The following special permitted uses and structures shall be permitted in the “RE” Residential Estate Overlay District:

1. Special Permitted Uses in the “RE” Residential Estate Overlay District include all Special Permitted Uses in the underlying district which each respective lot is located.

Section 2.10.08. Conditional Uses.

The following uses may be permitted as a Conditional Use in the “RE” Residential Estate Overlay District by the Board of Adjustment, subject to such requirements as the Board deems necessary to protect and promote the health, safety and general welfare:

1. Conditional Uses in the “RE” Residential Estate Overlay District include all Conditional Uses in the underlying district which each respective lot is located unless explicitly prohibited in this Chapter.

Section 2.10.09. Area/Construction Regulations.

Minimum lot area, maximum building height, maximum lot coverage and minimum yard requirements in the “RE” Residential Estate Overlay District shall be regulated in accordance with the following tables:

Table 2.10.09.1

	Minimum Lot Area	Minimum Lot Width	Maximum Height
General Residential	2 acres	150'	35'
Towers or Steeples	To be determined by the Board of Adjustment		75'
Principal building excluding tower or steeple			45'
Other Conditional Uses	To be determined by the Board of Adjustment		

Table 2.10.09.2

	Minimum Front Yard		Minimum Rear Yard	Minimum Side Yard
	Primary Front Yard	Secondary Front Yard		
Permitted Uses	30'	20'	50'	30'
Conditional Uses	To be determined by the Board of Adjustment			