

Article 04

Single Family Residential Districts

Section 04.01 Intent

- (a) **R1A Residence District.** The R1A Single Family Residential District is established to include areas of low density single-family residences and limited agricultural uses. Certain other institutional, social and recreational uses are also included in this district, such as schools, child care and recreational uses. The intent is to create a transitional residential area in the planned urban expansion areas of the county designated in the County Land Development Plan.
- (b) **R1B Residence District.** The R1B Single Family Residential District is established to include areas of moderate density single-family residences. Certain other institutional, social and recreational uses are also included in this district, such as schools, child care and recreational uses. This district may apply to outlying areas of incorporated cities with larger lot development. This district may also apply to unincorporated areas of the county that are identified in the County Land Development Plan for planned urban expansion adjacent to established cities where sufficient public services are available to support the density. This district is intended for areas where community sewer is available or scheduled in the near future.
- (c) **R1C Residence District.** The R1C Single Family Residential District is established to include urban neighborhoods with moderate sized lots and larger single family dwellings. Certain other institutional, social and recreational uses are also included in this district, such as schools, child care and recreational uses. The intent is to maintain and enhance traditional, walkable, pedestrian-oriented neighborhoods and to provide for infill development that is consistent with the established character of the neighborhood. The R1C is only intended for incorporated areas of cities where all necessary utilities and community services are available to serve a higher density population.
- (d) **R1D Residence District.** The R1D Single Family Residential District is established to include urban neighborhoods with small lots. This district will include single family and two family dwellings. Certain other institutional, social and recreational uses are also included in this district, such as schools, child care and recreational uses. The intent is to maintain and enhance traditional, walkable, pedestrian-oriented neighborhoods and to provide for urban infill development that is of a form and character consistent with established historic neighborhoods. The R1D is only intended for incorporated areas of cities where all necessary utilities and community services are available to serve a higher density population.
- (e) **R1E Waterfront Residence District.** The R1E Waterfront Residential District is established to apply to existing waterfront residential areas developed on small lots. This district will primarily include single family dwellings. Certain other community and recreational uses are also included in this district. The intent is to provide for continued maintenance of these older waterfront neighborhoods, but to prevent overbuilding of small lots and protect from new residential construction that is out of scale with surrounding smaller homes. The R1E is only intended for existing historic waterfront neighborhoods and small scale infill development in waterfront areas. This district is not intended for new development of large areas of undeveloped land.

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Section 04.02 Uses

Use and development of land and buildings shall only be for the following specified uses, unless otherwise provided for in this Ordinance. Uses are grouped into major categories and only those uses listed under each category are permitted. Land and/or buildings in the districts indicated at the top of the Table may be used for the purposes denoted by the following abbreviations:

- P: **Permitted Use.** Land and/or buildings in this District may be used for the purposes listed by right.
- S: **Special Exception Use.** Land and/or buildings in this District may be used for this purpose by obtaining Special Exception approval when all applicable standards cited in Article 24 Special Exception Review Requirements and Procedures.
- : **Not Permitted.** The use is not permitted in the district. Uses not listed in the table are also not permitted. Uses that are not listed in any district of the zoning ordinance, as shown in Appendix A, may be allowed based upon a similar use determination in accordance with section 02.06.

Table 04.02
Schedule of Permitted Uses

| Use | RIA | RIB | RIC | RID | RIE | Use Requirements |
|--|-----|-----|-----|-----|-----|------------------|
| Residential limited to the following: | | | | | | |
| Single-family detached dwellings | P | P | P | P | P | 14.01(a) |
| Two-family dwellings | - | - | - | P | - | 14.01(a) |
| Home occupations | P | P | P | P | P | 14.01(b) |
| Accessory Dwelling Units | S | S | S | S | S | 14.01(c) |
| Agriculture and animal-related uses limited to the following: | | | | | | |
| Agriculture | P | P | - | - | - | |
| Keeping of horses and livestock | P | P | - | - | - | 14.02(c) |
| Retail trade and Services limited to the following: | | | | | | |
| Planned neighborhood shopping centers | - | - | S | S | - | 14.03(c) |
| Accommodation and food services limited to the following: | | | | | | |
| Bed & breakfasts | S | S | S | S | S | 14.06(a) |
| Health care and social assistance limited to the following: | | | | | | |
| Day care centers, commercial | S | S | S | S | S | 14.08(a) |
| Day care homes, residential licensed for 12 or fewer children | P | P | P | P | P | |
| Foster care homes | P | P | P | P | P | |
| Funeral homes/mortuaries | - | - | S | S | - | 14.08(b) |
| Group homes licensed for 8 or fewer residents | P | P | P | P | P | |
| Nursing homes and senior assisted living | - | - | - | S | - | 14.08(c) |
| Entertainment and recreation limited to the following: | | | | | | |
| Boat clubs | S | S | S | S | S | |
| Forestry/wildlife preserve | P | P | P | P | P | |
| Golf course and county clubs | S | S | S | S | S | |
| Parks/playgrounds | P | P | P | P | P | |
| Civic, Religious and Social Organizations limited to the following: | | | | | | |
| Cemeteries | - | - | S | S | - | 14.10(a) |
| Churches, chapels, temples, synagogues and similar places of worship | S | S | S | S | - | 14.10(b) |
| Community centers | S | S | S | S | S | |
| Educational services limited to the following: | | | | | | |
| Libraries | P | P | P | P | P | |
| Schools, elementary, middle and high | P | P | P | P | P | |
| Public administration limited to the following: | | | | | | |
| Government buildings excluding correctional facilities | P | P | P | P | P | |
| Museums, civic buildings and landmarks preserved for public inspection | P | P | P | P | P | |

Table 04.02
Schedule of Permitted Uses

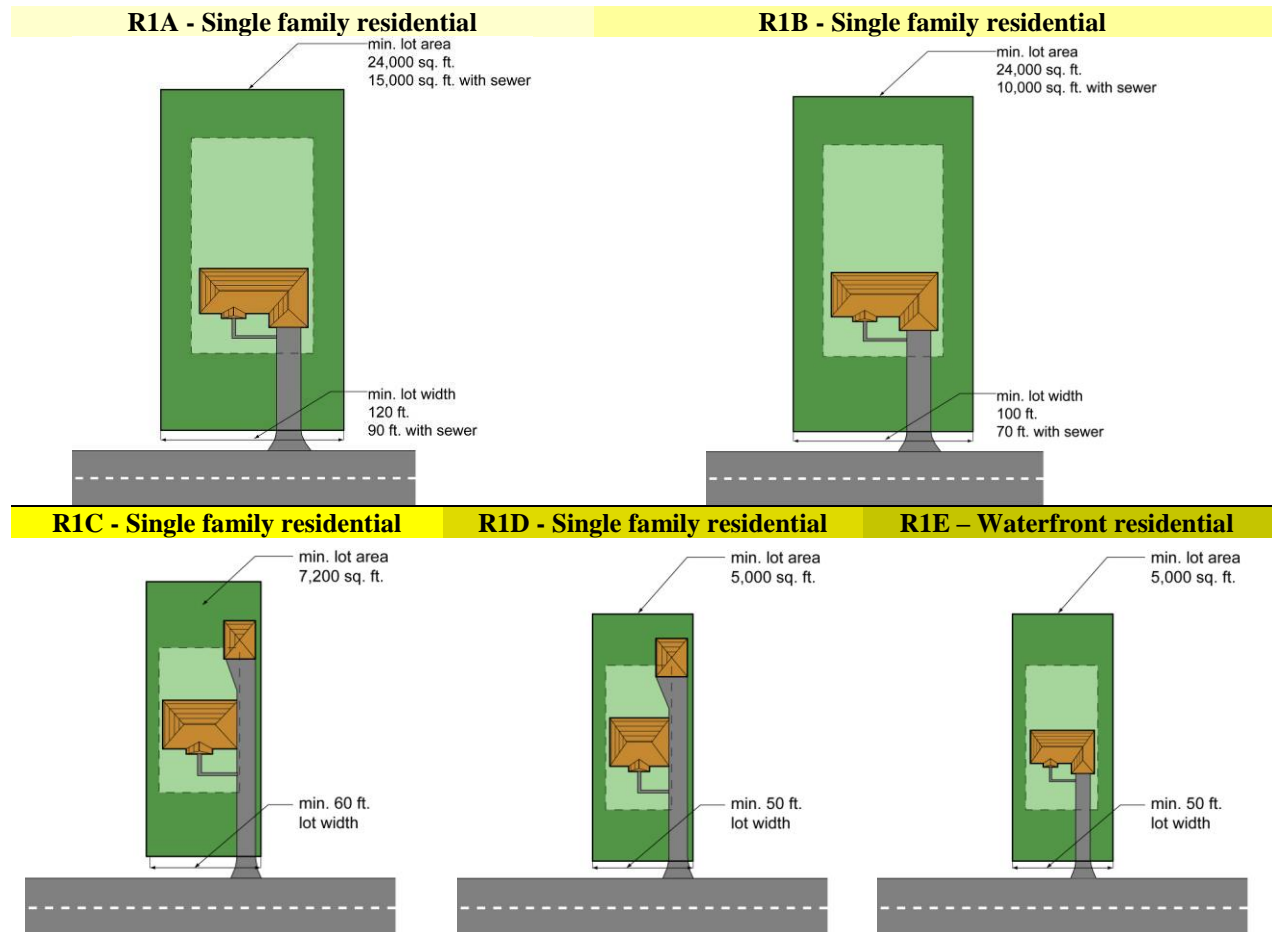
| Use | RIA | RIB | RIC | RID | RIE | Use Requirements |
|---|-----|-----|-----|-----|-----|------------------|
| Utilities limited to the following: | | | | | | |
| Public utility buildings | S | S | S | S | S | |
| Transmission lines for gas, oil and electricity | P | P | P | P | P | |
| Utility substations | S | S | S | S | S | |
| Single accessory wind energy conversion systems | S | S | S | S | S | 14.15(b) |
| Wireless communication facility - collocation | P | P | P | P | P | 14.15(c) |
| Wireless communication facility on institutional site | S | S | S | S | S | 14.15(c) |

Section 04.03 Lot Area and Width Requirements

All lots shall meet the following minimum area and width requirements. No new lots shall be created or altered in a manner that does not comply with the following requirements.

**Table 04.03
Lot Area And Width Requirements**

| District (a) | (b) | Min. lot size (h) | | Max. res. density (dwellings/ac.) |
|-------------------------------------|--|---------------------------|-----------------------------|-----------------------------------|
| | | Lot area (sq. ft.) (c)(d) | Lot width (ft.)(d)(e)(f)(g) | |
| R1A - Single family residential (h) | Individual septic | 24,000 | 120 | 1.8 |
| | Community sewer or cluster system | 15,000 | 90 | 2.9 |
| R1B - Single family residential (h) | Individual septic | 24,000 | 100 | 1.8 |
| | Community sewer or cluster system | 10,000 | 70 | 4.4 |
| R1C - Single family residential | Community sewer or cluster system required | 7,200 | 60 | 6.1 |
| R1D - Single family residential | Community sewer required | 5,000 | 50 | 8.7 |
| R1E – Waterfront residential | Community sewer required | 5,000 | 50 | 8.7 |



- (a) **Subdivision of Land.** All divisions to land shall be subject to the requirements set forth in the Subdivision Regulations of La Porte County, city of La Porte or city of Michigan City, as applicable.
- (b) **Community Sewer.** Community sewer refers to a community or municipal wastewater system. All lots not served by community sewer shall be subject to State and County Health Department regulations regarding accommodation of septic or other onsite wastewater treatment systems, which may require larger lot sizes than those indicated in Table 04.03. Any new lots created in the R1C, R1D or R1E must be served by community sewer. Community sewer may include onsite cluster systems.
- (c) **Lot Area Calculation.** Lot area is calculated based upon the net area of the lot, measured in the horizontal plane, exclusive of any area that is part of a public road right-of-way, private road easement or submerged land beneath the ordinary high water mark of a lake, river or stream.
- (d) **Lots not Part of a Major Subdivision.** In the unincorporated areas of the county, lots that are created through the recording of a minor subdivision plat shall be required to meet the following requirements:
 - (1) The minimum lot area shall be one (1) acre.
 - (2) The minimum lot width shall be 200 feet.
- (e) **Lot Width and Frontage.** Lot width shall be measured as a straight line between the side lot lines at the minimum front yard setback of the district. All lots shall have frontage along a public road or street. The width along the road shall be sufficient to meet the lot width requirement at the minimum front yard setback.
- (f) **Dominant Parcel.** The dominant tract or parcel from which any newly created lot has been divided from must also maintain the required lot width.
- (g) **Depth to Width Ratio.** All newly created lots shall have a lot depth of no more than four (4) times the width (i.e. maximum 4:1 depth to width ratio).
- (h) **Nonconforming Lots.** Lots of record that were in existence prior to the effective date of this ordinance may be used subject to the provisions of the nonconforming lot regulations of Section 29.03.
- (i) **Recreation Area.** All residential subdivisions containing more than 40 lots shall provide an active recreational area as required by the Subdivision Regulations.

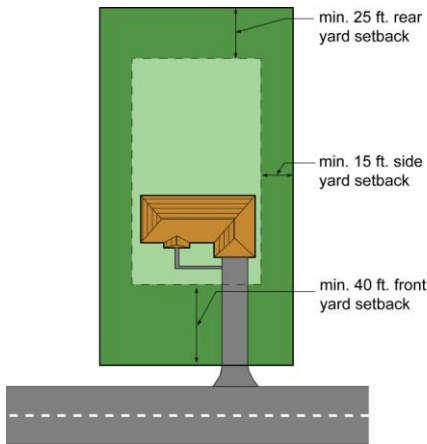
Section 04.04 Building Dimensional Requirements

All structures shall be subject to the dimensional regulations of the following table.

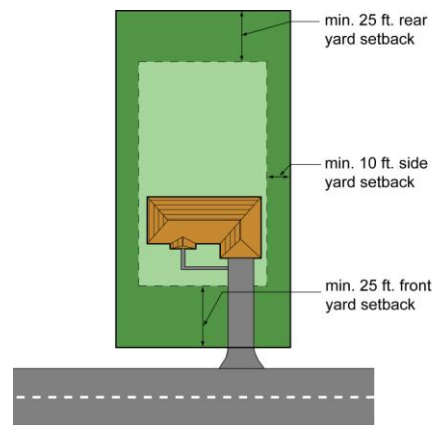
**Table 04.04
Building Dimensional Requirements (a)**

| District | Max. building height (b, j) | | Min. setbacks (ft.) (c, d, e, f, g, j) | | | | | % Lot coverage (k) | | Min. floor area | |
|---------------------------------|-----------------------------|--------------|--|-----------|------------------|-----------|-----------------|-------------------------|----------------|----------------------|-----|
| | Height (ft.) | Height (st.) | Front yard | Side yard | Total both sides | Rear yard | Waterway (h, i) | Imper. Building surface | Total (sq.ft.) | First floor (sq.ft.) | |
| R1A - Single family residential | 35 | 2.5 | 40 | 15 | 30 | 25 | 75 | 35% | 45% | 1000 | 800 |
| R1B - Single family residential | 35 | 2.5 | 25 | 10 | 20 | 25 | 75 | 35% | 45% | 1000 | 800 |
| R1C - Single family residential | 35 | 2.5 | 25 | 5 | 15 | 25 | 75 | 45% | 55% | 1000 | 800 |
| R1D - Single family residential | 35 | 2.5 | 20 | 5 | 15 | 20 | 75 | 45% | 55% | 1000 | 800 |
| R1E - Waterfront residential | 35 | 2.5 | 20 | 7 | 14 | 20 | 75 | 45% | 55% | 1000 | 800 |

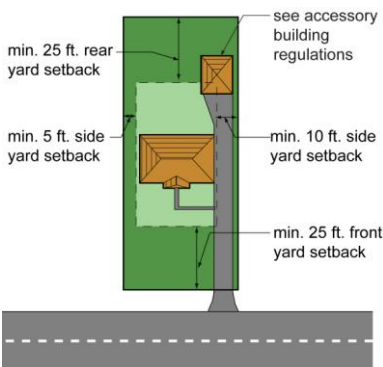
R1A - Single family residential



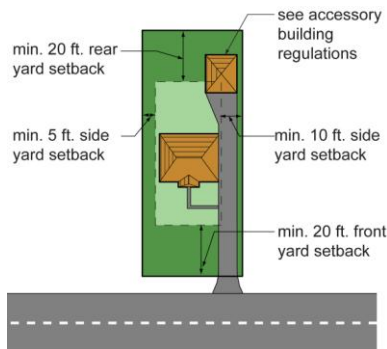
R1B - Single family residential



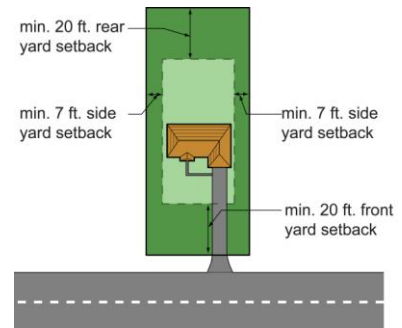
R1C - Single family residential



R1D - Single family residential



R1E - Waterfront residential



- (a) **Accessory Structures.** Accessory structures shall be regulated under the requirements of Article 16.
- (b) **Height Exceptions.** No structure shall exceed the maximum height of the district except for the allowable exceptions to the height limits contained in Section 15.02.

- (c) **Projections into Yards.** All required yard spaces shall remain as landscaped open space, except for pavement, accessory structures and architectural features that are allowed to extend or project into required setbacks under Section 15.01. Driveways and other paved or gravel areas for vehicles shall not cover more than 40% of the front yard area. At least 60% of the front yard shall remain as landscaped green space.
- (d) **Setback from Road.** The front yard setback shall be measured from the road right-of-way or private road easement.
- (e) **Corner Lots.**
- (1) In the R1A, R1B and R1C districts, corner lots shall provide the minimum front yard setback from both road frontages.
 - (2) In the R1D, R1E and R1F districts, corner lots shall provide the minimum front yard setback from the road that the lot has the narrowest along frontage. The longer road frontage shall be considered a side-street and shall be required to provide a minimum ten (10) foot side yard setback along that street. The enforcement official may adjust the front lot line designation based upon the orientation of the building on the lot and adjacent lots.
- (f) **Double Frontage Lots.** In all districts, where a double frontage lot backs-up to a roadway, the minimum required front or roadside setback shall be required from both road rights-of-way.
- (g) **Driveway Access.** Corner and double frontage residential lots shall only have driveway access from one road, which shall be the lesser traveled road as determined by the enforcement official.
- (h) **Wetlands.** A minimum setback of 50 feet shall be maintained from all wetlands. The setback may be adjusted according to requirements of natural resource preservation guidelines contained article 22.
- (i) **Waterway Setback.** The waterway setback shall be measured from the shoreline of the lake, river or stream. In no instance shall any structures other than docks, seawalls, retaining walls, sidewalks, boardwalks, and patios be permitted within the minimum waterway setback. The setback may be adjusted according to requirements of Natural Resource Preservation Guidelines.
- (j) **Waterfront View Protection.** See additional regulations of section 12.03 that apply to residential lots in the Waterfront View Protection overlay zoning district.
- (k) **Maximum Lot Coverage.** The maximum lot coverage for buildings and impermeable surface shall be measured as follows:
- (1) The building coverage shall be calculated as the ratio of the footprint of all buildings, including the principal building, garages and detached accessory buildings, to the net area of the lot.
 - (2) The total impermeable surface coverage shall be calculated as the ratio of the ground area covered by all buildings, accessory structures, decks, pools, pavement, parking, loading, storage areas and normal pool of wet detention basins to the net lot area.