

ANN ARBOR CITY APPROVAL NOTICE

ORDINANCE NO. ORD-25-05

NONCONFORMING STRUCTURE

AN ORDINANCE TO AMEND SECTION 5.32.2 OF CHAPTER 55 (UNIFIED DEVELOPMENT CODE) OF TITLE V OF THE CODE OF THE CITY OF ANN ARBOR – NONCONFORMING STRUCTURE

The City of Ann Arbor ordains:

Section 1. That Section 5.32.2 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor be amended as follows:

5.32.2 Nonconforming Structure

A. A *nonconforming structure* may be maintained or restored, but no *alteration* shall be made to a *nonconforming structure* unless one of the following two conditions ~~is~~ are met:

A.1. **Alterations to nonresidential nonconforming structures.** The *alteration* is approved by the Zoning Board of Appeals upon a finding that it complies as nearly as practicable with the requirements of this chapter and that it will not have a detrimental effect on neighboring property.

~~B.2. The *alteration* is approved by the Planning Manager upon finding that it conforms to all the requirements of this chapter and is made to a *building* which will be a *single family dwelling* on completion of the alteration and is located in an R1, R2, R3, or R4 district.~~
Alterations to residential nonconforming structures.

a. The alteration does not expand an existing nonconformity.

b. The alteration does not create a new nonconformity on the *lot*.

c. The alteration maintains compliance with all other dimensional standards of the zoning district for the *lot* on which it is located.

d. The alteration will meet all other code and ordinance requirements.

C.B. For purposes of this Section 5.32.2, *alteration* shall mean any change in a *building* that results in additional *floor area* being fit for occupancy, a greater number of *dwelling units* or rooming units or an increase in the exterior dimensions of the *building*.

D.C. A *nonconforming structure* shall not be replaced after damage or destruction of the *nonconforming structure* if the estimated expense of reconstruction exceeds 75% of the appraised value, as determined by the Building Official, of the entire *building* or *structure*, exclusive of foundations.

Section 2. That this ordinance shall take effect and be in full force on and after ten days from legal publication.

I hereby certify that the foregoing ordinance was adopted by the Council of the City of Ann Arbor, Michigan, at its regular session of April 7, 2025.

Jacqueline Beaudry, Ann Arbor City Clerk
Christopher Taylor, Mayor of the City of Ann Arbor

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