

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.