

NONCONFORMING STRUCTURES

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 STRUCTURES

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

- A. **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. **Alterations to residential *nonconforming structures*.** An *alteration* meeting the following standards shall be approved by the Planning Manager:
 - 1. The *alteration* does not extend closer to the *lot line* than any part of the existing *nonconforming structure*.
 - 2. The *alteration* does not create a new nonconformity on the *lot* or an adjacent *lot*.
 - 3. The *alteration* maintains compliance with all other dimensional standards of the zoning district for the *lot* on which it is located.
 - 4. The *alteration* will meet all other code and ordinance requirements.Otherwise, the *alteration* shall require *variance* approval by the Zoning Board of Appeals.
- C. For purposes of this Section, *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. 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.