



Accessory Dwelling Unit Guidebook

**Compiled by the City of Ann Arbor
Planning Division**

April 2017

Please direct all inquiries to:

planning@a2gov.org | 734.794.6265

TABLE OF CONTENTS

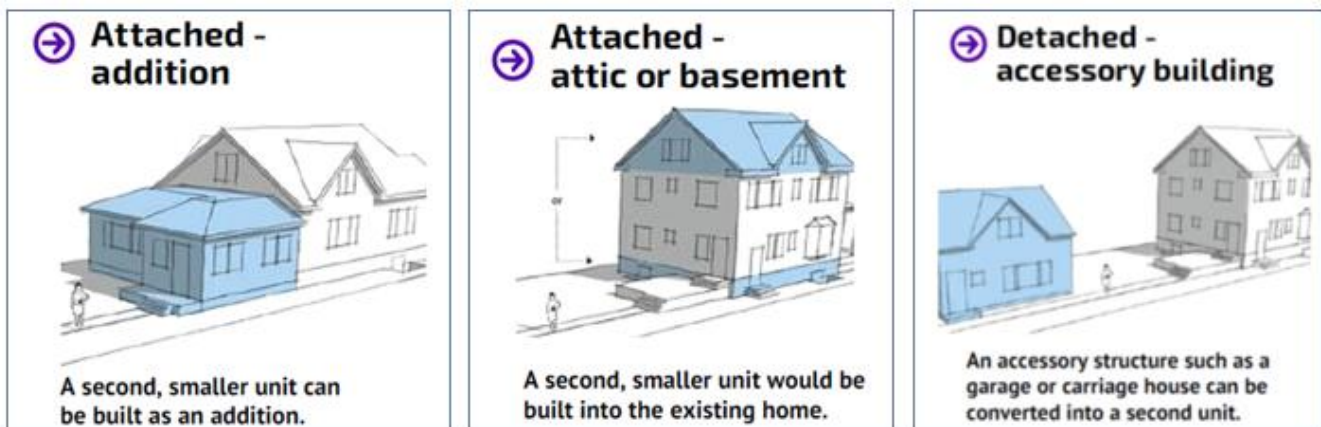
Overview	3
Zoning Requirements	4
Permitted Districts.....	4
Eligible Lots.....	4
Timeline Restrictions.....	4
Design Specifications.....	5
Occupancy Requirements.....	7
Parking Requirements.....	8
Application Process	9

I. OVERVIEW

The purpose of this guide is to assist homeowners, contractors, builders, and developers with the consideration, design, and construction of Accessory Dwelling Units (ADUs). This manual will give an overview of the design requirements per the City of Ann Arbor zoning ordinance and Michigan Residential Code, provide a checklist for the application process for building an ADU, and share other useful information.

What is an Accessory Dwelling Unit (ADU)?

An Accessory Dwelling Unit is a second, smaller dwelling unit either developed within an existing single-family house (such as in a basement, attic, or addition) or part of an accessory structure (such as a converted garage or carriage house).



Drawings courtesy of the City of Minneapolis

What are the advantages of ADUs?

The recent changes to the ADU policy in the City of Ann Arbor reflect efforts to increase the diversity of housing options within the city by introducing a new housing prototype that respects the look and scale of single-family neighborhoods. Accessory dwelling units are also a strategy for affordability in Ann Arbor in two ways—for the renter and the homeowner. ADUs can be more affordable than other new dwelling units because infrastructure (i.e., existing utilities, roads) and land costs have already been absorbed by the main dwelling unit, and are typically smaller in size. Conversely, the supplemental income a homeowner can receive from renting out an ADU on their property can offset their own expenses. In the case of seniors and others on fixed incomes, rental income can offset mortgage, tax or other costs allowing individuals to age in place. Such units also provide the potential for a homeowner to negotiate assistance in household maintenance in exchange for rent.

You may be familiar with the term “granny flat” or “mother-in-law suite” to describe these units and indeed, that describes one of their potential uses—as a way for a homeowner to care for their aging parents in a secondary dwelling on their property. Additionally, accessory dwelling units are a way to address declining household size. For example, the average household size

in Washtenaw County decreased from 3.3 people in 1960 to 2.43 people in 2015 (U.S. Census Bureau, American Community Survey 5-Year Estimate). ADUs can allow for reutilization of some of that space, without considerably expanding the existing footprint of a building. Furthermore, ADUs support more efficient and sustainable use of existing housing stock and infrastructure.

II. ZONING REQUIREMENTS

Permitted Districts

- ADUs are permissible in the following zoning districts only:
 - R1A, R1B, R1C, R1D, R1E and R2A.
 - You can view the Ann Arbor Zoning map [here](#).

Eligible Lots

- An ADU is permitted **only** on a lot with a single-family dwelling. If the lot contains a duplex or other multiple-family residence, an ADU is not permitted. For example, if you live in the R2A district in a duplex, you are **not eligible** to construct an ADU on your property. However, if you live in the R2A district in a single-family dwelling, you **are eligible** to construct an ADU.
- Only one accessory dwelling unit is permitted per single-family detached dwelling.
- The minimum lot size required to construct an ADU is **5,000 sq-ft** in any of the districts in which they are allowed.

Where can I locate an ADU on my property?

- ADUs can be located inside of an existing house on any of its floors, or all or part of a side or rear addition. This type is referred to as an *attached ADU*.
- Alternatively, an ADU can be part of an existing garage, carriage house, or other legal, conforming detached accessory structure over 200 square feet, and is referred to as a *detached ADU*. For existing legal accessory structures over 200 square feet, the owner can demolish the structure and rebuild with an ADU if desired.

Timeline Restrictions

- *Detached ADUs*: A detached ADU is only permitted in a legally conforming accessory building that was constructed **before December 31, 2016**. If an accessory structure was not present on the parcel on December 31, 2016, then no detached ADU is permitted.
 - Currently **conforming** accessory structures:
 - If you have a conforming accessory structure built before December 31, 2016, you can choose to replace or modify the structure to incorporate an accessory dwelling unit.
 - Currently **nonconforming** accessory structures:
 - If you have a nonconforming accessory structure built before December 31, 2016, you can rebuild the structure to comply with code and incorporate an accessory dwelling unit.

Design Specifications

How big can an ADU be?

- For lots between 5,000 and 7,199 sq-ft, the maximum size of an ADU is 600 sq-ft or the same size as the ground floor of the primary dwelling, whichever is less.
- For lots 7,200 sq-ft or greater, the maximum size of an ADU is 800 sq-ft or the same size as the ground floor of the primary dwelling, whichever is less.
- **NOTE:** Finished or unfinished basements, accessed by a fixed stairway, with more than 90 inches of headroom, count as usable floor area.

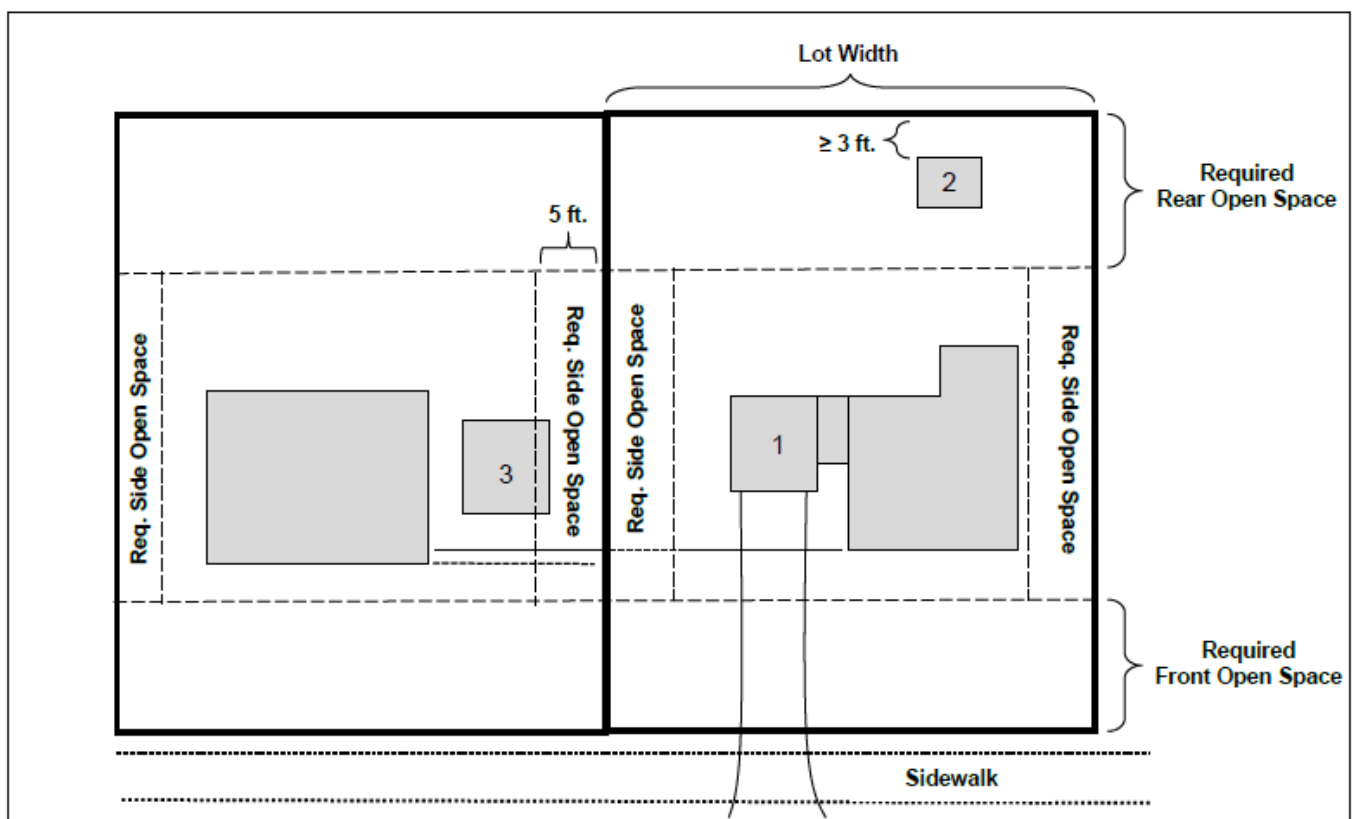
How tall can an ADU be?

- The standard height restrictions of the zoning district apply, meaning that:
 - An ADU within an accessory structure cannot exceed 21 feet.
 - An ADU that is part of the primary dwelling structure cannot exceed 30 feet.

What are the setback requirements?

- *Definitions:*
 - **Front open space** – The portion of a lot between the required front setback line and the lot line.
 - **Side open space** – The portion of a lot between the required side setback line and the lot line.
 - **Rear open space** – The portion of a lot between the required rear setback line and the lot line.
- *In General:*
 - Setback requirements for front, side, and rear open space are determined by zoning district. Refer to the [Zoning Code](#) for specific details.
 - Setbacks are always measured from the property line, not the curb or center of the street. Usually, the house-side of the sidewalk edge is also the front property line. A survey may be required to determine setbacks.
 - The minimum front setback is the average setback within 100 feet on either side of the lot, up to 40 feet maximum.
 - The minimum front setback applies to every property line that abuts a public street. Corner lots have two front property lines, one side and one rear property line. Thru-lots have two front property lines, two side setbacks and no rear property line.
- *Detached ADUs:*
 - **Front open space:** Detached accessory dwelling units may not be located within the required front open space. On corner lots, there is required front open space along each street frontage.
 - **Side open space:** A detached ADU may be located in the required side open space if:
 - It is farther from the street than the principal building;
 - It is farther from the street than any part of principal buildings on abutting lots;

- It is at least 3 feet from any lot line.
 - If between 3 and 5 feet from a lot line, the ADU must contain fire-rated walls.
 - **Rear open space:** A detached ADU may be located in the required rear open space if:
 - The sum of all structures on the lot, including accessory buildings and parts of the principal building that encroach upon the rear open space, do not occupy more than 35% of the required rear open space; and
 - It is at least 3 feet from any lot line.
 - If between 3 and 5 feet from a lot line, the ADU must contain fire-rated walls.
- **Attached ADUs:**
 - For ADUs incorporated into the primary dwelling, the setback requirements of that zoning district apply.



HYPOTHETICAL ACCESSORY DWELLING UNIT CONFIGURATIONS

1. Because this accessory dwelling unit is attached to the principal building, it may not be located in the side open space.
2. Any accessory structure may not take up more than 35% of the required rear open space (lot width x required rear open space depth). For EX: if the rear open space of this hypothetical lot were 2,000 sq ft, the accessory building would need to be less than 700 sq-ft (2,000 sq-ft * 0.35). A detached accessory structure may encroach upon the rear open space as long as it is 3 feet from any lot line.
3. A detached ADU can be located in required side open space if it is farther from the street than the principal building, any part of a principal building on abutting lots, and farther than 3 feet from any lot line. In this example, we can presume the accessory structure is more than 3 feet from the lot line, but less than 5 feet.

Occupancy Requirements

Who and how many people can live in an ADU?

- Occupancy in the accessory dwelling unit is limited to two persons and their offspring living as a single housekeeping unit, except in the case of a special exception use, following section 5:104 of the City of Ann Arbor Zoning Code.
- Additionally, the total number of persons residing in the primary dwelling unit and the ADU combined cannot not exceed four persons plus their offspring, except when a functional family is allowed by special exception use. For example, if there are four people plus their offspring living in the primary dwelling unit, they could not have an ADU because they are already at the maximum occupancy for the property.

Are there other occupancy or rental restrictions?

- One of the two residences must be owner-occupied and the other unit can be rented.
- The owner of the property must occupy either the ADU or the single-family dwelling on the property, except for temporary absences not to exceed a combined total of 6 months in a calendar year.
- Leasing or rental of the ADU for less than 30 days is prohibited.
- Rental housing requirements will apply for any primary residence or accessory dwelling unit that is rented out to another person. See the City's [Rental Housing Department webpage](#) for more information.
- A deed restriction that runs with the land, on a form to be provided by the City (see Additional Resources), must be filed with the Register of Deeds prior to occupancy, and it must incorporate the following restrictions:
 - The ADU may not be sold separately from the single-family dwelling.
 - The owner occupancy requirement of section 5:10.2(d)(2).
 - The deed restriction must be in effect until the ADU is removed.

Parking Requirements

- At least one additional off-street parking space is required when adding an ADU unless:
 - The property is within a quarter-mile of a bus stop.
 - The house already has two conforming parking spaces (such as a two-car garage), which meet the requirement.
- **NOTE:** Tandem or stacked parking in the driveway is permitted as long as it is not located in the front yard setback.



Legal tandem parking space for ADU



Does NOT meet parking requirement, as located in required front open space

III. APPLICATION PROCESS

1. Determine if your property qualifies for an ADU.
 - a. Verify that your property is in an R1 or R2A zoning district by checking the City of Ann Arbor [Zoning map](#).
 - b. Verify zoning compliance for setbacks and minimum lot size by checking the [Zoning Code](#).
2. If your property is located in a Historic District, you must apply for and receive a Certificate of Appropriateness from the [Historic District Commission](#) before your building permit will be reviewed.
3. File deed restriction with the Planning Department.
4. Apply for a [Building Permit](#). Submit building plans, including plans for mechanical, plumbing, and electrical work as needed. New houses will require a Michigan Energy Code Compliance form. Zoning compliance is reviewed as a part of building permitting process.
 - a. [Plumbing Permit](#)
 - b. [Electrical Permit](#)
 - c. [Mechanical Permit](#)
 - d. [Grading Application](#) and [Impervious Area Checklist](#)
 - e. [Demolition Permit](#), if applicable
 - f. [Fire Suppression Permit](#) and [Fire Alarm Permit](#).
5. Start construction and building/trade inspections.
6. [Housing Inspection Program](#) registration. Contact Ann Howard at 734.794.6000 x42667 or ahoward@a2gov.org for more information.
7. Submit [Address Request Form](#) for new rental address.
8. Apply for [Certificate of Occupancy](#).