

Accessory Dwelling Unit Guidebook

City of Ann Arbor Planning Services



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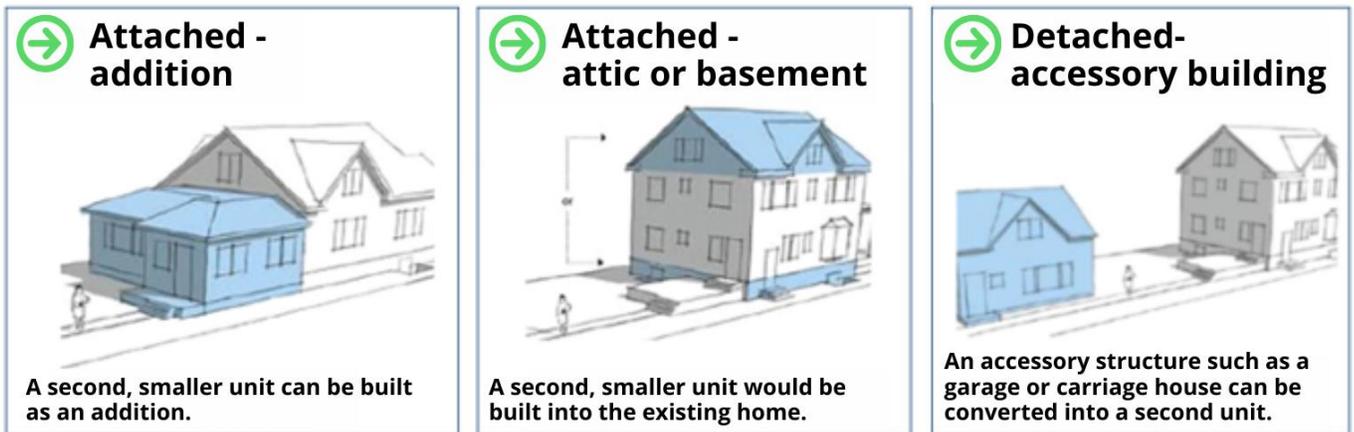
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I. OVERVIEW

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 Unified Development Code 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 building (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 because they 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, and R1E.
 - You can view the Ann Arbor Zoning map [here](#).

Eligible Lots

- An ADU is permitted **only** on a lot in single-family zoning districts (those beginning with R1) with a single-family dwelling. If the lot contains a duplex or other multiple-family residence even in an R1 district, an ADU is not permitted.
- 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 buildings over 200 square feet, the owner can demolish that accessory building and rebuild it with or as an ADU if desired (see timeline restrictions that follow).

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 building was not present on the lot on December 31, 2016, then no detached ADU is permitted.
 - Currently **conforming** accessory building:
 - If you have a conforming accessory building built before December 31, 2016, you can choose to replace or modify the building to incorporate an accessory dwelling unit.
 - Currently **nonconforming** accessory building:
 - If you have a nonconforming accessory building built before December 31, 2016, you can rebuild the building 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 main 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 main dwelling, whichever is less.
- **NOTE:** Finished or unfinished basements, accessed by a fixed stairway, with more than 90 inches of headroom, count as floor area.

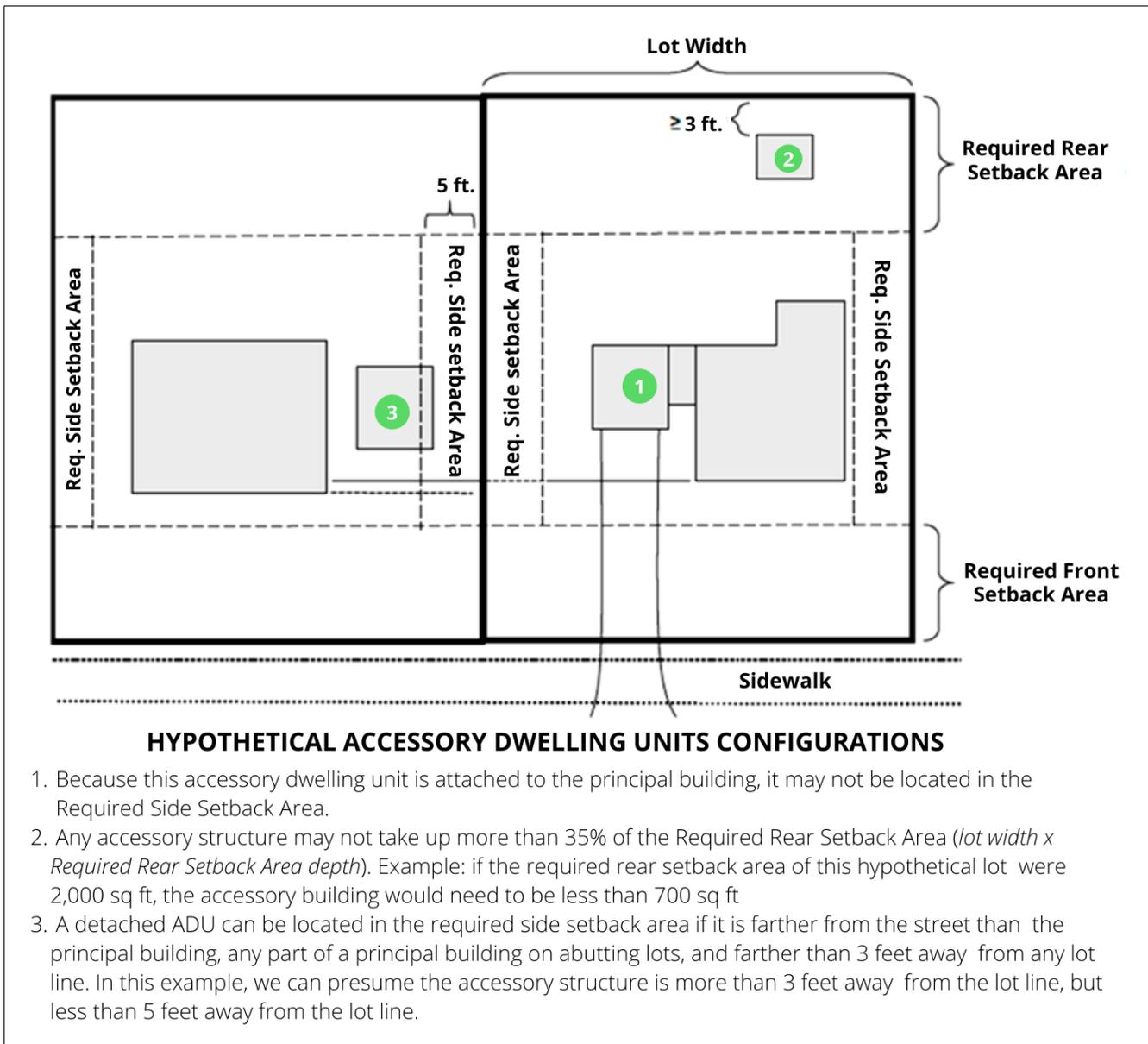
How tall can an ADU be?

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

What are required setbacks?

- *Definitions:*
 - **Front Setback Area** – The portion of a lot between the required front setback line and the lot line.
 - **Side Setback Area** – The portion of a lot between the required side setback line and the lot line.
 - **Rear Setback Area** – The portion of a lot between the required rear setback line and the lot line.
- *In General:*
 - Setback requirements for front, side, and rear setback area are determined by zoning district. Refer to the [Unified Development Code](#) for specific details.
 - Setbacks are always measured from the lot line, not the curb or center of the street. Usually, the house-side of the sidewalk edge is also the front lot line. A survey may be required to determine setbacks.
 - In established neighborhoods, the minimum required front setback is the average setback established by buildings within 100 feet on either side of the lot, up to 40 feet maximum.
 - The minimum front setback applies to every lot line that abuts a public street. Corner lots have two front lot lines, one side and one rear lot line. Thru-lots have two front lot lines, two side setbacks and no rear lot line.
- *Detached ADUs:*
 - **Required Front Setback Area:** Detached accessory dwelling units may not be located within the Required Front Setback Area.
 - **Side Setback Area :** A detached ADU may be located in the required in the Side Setback Area if:
 - It is farther from the street than the main building;
 - It is farther from the street than any part of main 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.
 - **Required Rear Setback Area:** A detached ADU may be located in the Rear Setback Area if:
 - The sum of all structures on the lot, including accessory buildings and parts of the main building that encroach upon the rear setback area, do not occupy more than 35% of the rear setback; 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:**
 - Attached ADUs are not permitted within the Required Side Setback Area.



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 5.16.1 of the Unified Development Code.
- Additionally, the total number of persons residing in the main 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 main dwelling unit, they could not have an ADU because they are already at the maximum occupancy for the lot.

Are there other occupancy or rental restrictions?

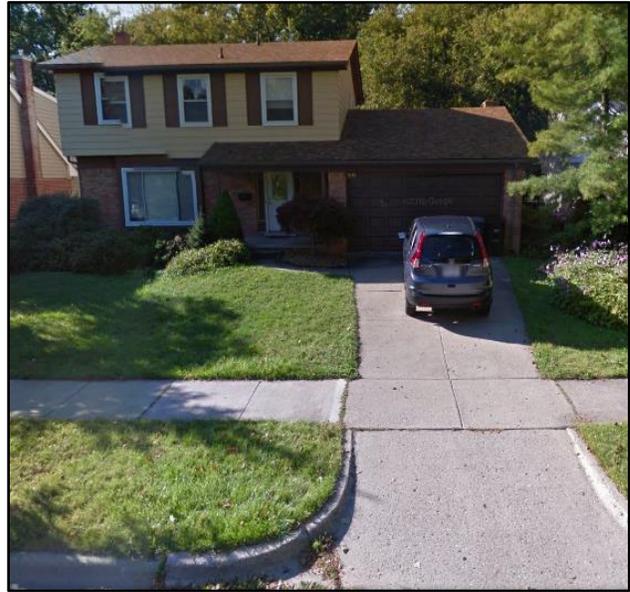
- One of the two dwelling units must be owner-occupied and the other unit can be rented.
- The owner of the lot must occupy either the ADU or the single-family dwelling on the lot, except for temporary absences not to exceed a combined total of 6 months in a calendar year.
- Leasing or rental of the ADU for less than 30 days is prohibited.
- Rental housing requirements will apply for any main dwelling unit or accessory dwelling unit that is rented out to another person. See the City's [Rental Housing Services](#) 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 5.16.1 of the Unified Development Code.
 - 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 lot is within a quarter-mile of a bus stop.
 - The lot 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. The front yard is the entire area between the front lot line and the front face of the main building.



Legal tandem parking space for ADU



Does NOT meet parking requirement, as located in required front yard

III. APPLICATION PROCESS

1. Determine if your property qualifies for an ADU.
 - a. Verify that your property is in an R1 zoning district by checking the City of Ann Arbor [zoning map](#).
 - b. Verify zoning compliance for required setbacks and minimum lot size by checking the [Unified Development Code](#).
2. If your lot 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. Request deed restriction with the Planning Department. This will be executed with proof of recording with the Washtenaw County Register of Deeds prior to issuance of certificate of occupancy (Step 8).
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. The following permits applications can be found online [here](#).
 - a. Trade Permit Application (for plumbing, electrical, and mechanical)
 - b. Grading Application and Impervious Area Checklist
 - c. Demolition Permit, if applicable

- d. Fire Suppression and Alarm Permit.
5. Start construction and building/trade inspections.
6. [Housing Inspection Program](#) registration. Contact Rental Housing Services at 734-794-6264 or rentalhousing@a2gov.org for more information.
7. Submit [Address Request Form](#) for new rental address.
8. Apply for [Certificate of Occupancy](#).