

**CHAPTER 8**  
(ORGANIZATION OF BOARDS AND COMMISSIONS)

AN ORDINANCE TO AMEND SECTION 191 OF CHAPTER 8 (ORGANIZATION OF BOARDS AND COMMISSIONS) OF TITLE I OF THE CODE OF THE CITY OF ANN ARBOR, TO REPEAL CHAPTER 103 (HISTORICAL PRESERVATION) OF TITLE VIII OF THE CODE OF THE CITY OF ANN ARBOR, AND TO AMEND THE CODE OF THE CITY OF ANN ARBOR BY ADDING A NEW CHAPTER WHICH NEW CHAPTER SHALL BE DESIGNATED AS CHAPTER 103 (HISTORIC PRESERVATION) OF TITLE VIII OF SAID CODE.

The City of Ann Arbor ordains:

Section 1. That Section 1:191 of Chapter 8 of Title I of the Code of the City of Ann Arbor be amended to read as follows:

**1:191. Historic district commission.**

The historic district commission shall consist of 7 members who shall be appointed by the mayor with the approval of city council for 3-year terms. Each member shall reside in the city. The majority of the members shall have a clearly demonstrated interest in or knowledge of historic preservation. At least 2 members shall be appointed from a list submitted by 1 or more local historic preservation organizations. If such a person is available for appointment, 1 member shall be a graduate of an accredited school of architecture who has two years of architectural experience or who is registered in the State of Michigan.. A vacancy on the commission shall be filled within 60 calendar days. If possible, 1 member of the commission shall meet the professional qualifications for history as defined by the Secretary of the Interior's Historic Preservation Professional Qualifications Standards. The historic district commission shall have all powers and duties of commissions authorized by Chapter 103 of this Code and by Public Act 169 of 1970, as amended, MCL 399.201 et. seq., including but not limited to the following:

- 1 To hold public hearings and review applications for work in proposed and designated historic districts, and to issue certificates of appropriateness, notices to proceed, and denials of applications for work pursuant to Chapter 103 of this Code.
- (2) To conduct an ongoing survey to identify historically and architecturally significant properties, structures, and areas that exemplify the cultural, social, economic, political, or architectural history of the nation, state, or city;
- (3) To determine an appropriate system of markers and make recommendations for the design and implementation of specific markings of the streets and routes leading from one historic district to another;

- (4) To advise and assist owners of property or structures within historic districts on physical and financial aspects of preservation, renovation, rehabilitation, and reuse, and on procedures for inclusion on the state and national registers of historic places;
- (5) To review and comment on any national register nominations submitted to the commission;
- (6) To inform and educate the citizens of Ann Arbor concerning the historic and architectural heritage of the city by publishing appropriate maps, newsletters, brochures, and pamphlets, and by holding programs and seminars;
- (7) To appoint such citizen advisory committees as may be required from time to time;
- (8) To testify before and provide comments to all boards and commissions, including but not limited to the planning commission and the zoning board of appeals, on any matter affecting historically and architecturally significant property, structures, and area, as requested by a board or commission.
- (9) To confer recognition upon the owners of property or structures by means of certificates, plaques, or markers;
- (10) To develop preservation components in planning efforts undertaken by the city and to recommend such planning components to the planning commission and to the city council;
- (11) To review the current zoning ordinance and recommend to the planning commission and the city council any amendments appropriate for the protection and continued use of historically and architecturally significant property, structures, and areas;
- (12) To work with other interested organizations to record and promote an appreciation of local history and to preserve and designate historic buildings, structures, sites, districts and objects;
- (13) To develop design guidelines for work within historic districts;
- (14) To adopt bylaws and rules of procedure subject to city council approval.
- (15) To hold its meetings in compliance with the Open Meetings Act and to provide public notice of its meetings in accordance with that act;

- (16) To keep records of resolutions, proceedings and actions, and make records available to the public in compliance with the Michigan Freedom of Information Act; and
- (17) To undertake any other action or activity necessary or appropriate to the implementation of its powers and duties or to the implementation of the purpose of this ordinance.

(Ord. No. 11-71, 4-19-71; Ord. No. 14-88, § 1, 3-28-88; Ord. No. 54-89, § 1, 10-2-89)

Section 2. That Chapter 103 of Title VIII of the Code of the City of Ann Arbor be repealed.

Section 3. That Title VIII of the Code of the City of Ann Arbor be amended by adding a new chapter, which new chapter shall be designated as Chapter 103 and shall read as follows:

*(Approved by City Council on March 19, 2007.)*

**CHAPTER 103**  
**(HISTORIC PRESERVATION)**

**8:405. Title.**

This Chapter shall be known as the “Historic Preservation Ordinance” of the City of Ann Arbor.

**8:406. Purpose.**

Historic preservation is hereby declared to be a public purpose and the city may hereby regulate the construction, addition, alteration, repair, moving, excavation, and demolition of resources in historic districts within the city as provided in this chapter. The purpose of this chapter is to:

- (1) Safeguard the heritage of the city by preserving historic districts which reflect elements of the city’s history, architecture, archaeology, engineering, or culture;
- (2) Stabilize and improve property values in the districts and the surrounding areas;
- (3) Foster civic beauty;
- (4) Strengthen the local economy; and
- (5) Promote the use of historic districts for the education, pleasure and welfare of the citizens of the city and of the State of Michigan.

**8:407. Definitions.**

For the purposes of this chapter, the following words and phrases shall have the meanings described in this section:

- (1) *Alteration* means work that changes the detail of a resource but does not change its basic size or shape.
- (2) *Certificate of appropriateness* means the written approval of a permit application for work that is appropriate and that does not adversely affect a resource.
- (3) *Commission* means the historic district commission appointed by city council under Chapter 8 of this Code.
- (4) *Demolition* means the razing or destruction, whether entirely or in part, of a resource and includes, but is not limited to, demolition by neglect.
- (5) *Demolition by neglect* means neglect in maintaining, repairing, or securing a resource that results in deterioration of an exterior feature of the resource or the loss of structural integrity of the resource.

- (6) *Denial* means the written rejection of a permit application for work that is inappropriate and that adversely affects a resource.
- (7) *Design guideline* means a standard of appropriate activity that will preserve the historic and architectural character of a property, structure or area.
- (8) *Fire alarm system* means a system designed to detect and annunciate the presence of fire or by-products of fire. Fire alarm system includes smoke alarms.
- (9) *Historic district* means an area, or group of areas not necessarily having contiguous boundaries, that contains 1 resource or a group of resources that are related by history, architecture, archaeology, engineering, or culture.
- (10) *Historic preservation* means the identification, evaluation, establishment, and protection of resources significant in history, architecture, archaeology, engineering, or culture.
- (11) *Historic resource* means a publicly or privately owned building, structure, site, object, feature, or open space that is significant in the history, architecture, archaeology, engineering, or culture of the city, the State of Michigan, or of the United States.
- (12) *Local Historic Preservation Organization* means a duly organized local historic preservation organization, or neighborhood association representing a historic district, registered with the planning and development services unit.
- (13) *Notice to Proceed* means the written permission to issue a permit for work that is inappropriate and that adversely affects a resource pursuant to a finding under section 8:416.
- (14) *Open space* means undeveloped land, a naturally landscaped area, or a formal or man-made landscaped area that provides a connective link or a buffer between other resources.
- (15) *Ordinary maintenance* means keeping a resource unimpaired and in good condition through ongoing minor intervention, undertaken from time to time, in its exterior condition.

Ordinary maintenance does not change the external appearance of the resource except through the elimination of the usual and expected effects of weathering. Ordinary maintenance does not constitute work for purposes of this chapter.

- (16) *Proposed historic district* means an area, or group of areas not necessarily having contiguous boundaries, that has delineated boundaries and that is under review by a study committee for the purpose of making a recommendation as to whether it should be established as a historic district or added to an established historic district.
- (17) *Repair* means to restore a decayed or damaged resource to a good or sound condition by any process. A repair that changes the external appearance of a resource constitutes work for purposes of this chapter.
- (18) *Resource* means 1 or more publicly or privately owned historic or non-historic buildings, structures, sites, objects, features, or open spaces located within a historic district.
- (19) *SHPO* means the State Historic Preservation Office of the Department of History, Arts, and Libraries of the State of Michigan, or its successor.
- (20) *Smoke alarm* means a single-station or multiple-station alarm responsive to smoke and not connected to a system. A single-station alarm is an assembly incorporating a *detector*, the control equipment, and the alarm sounding device into a single unit, operated from a power supply either in the unit or obtained at the point of installation. A multiple-station alarm is 2 or more single-station alarms that are capable of interconnection such that actuation of 1 alarm causes all integrated separate audible alarms to operate.
- (21) *Standing committee* means a permanent body established by city council to conduct the activities of a historic district study committee on a continuing basis.
- (22) *Study Committee* means a historic district study committee appointed by City Council under section 8:408.
- (23) *Work* means construction, addition, alteration, repair, moving, excavation, or demolition.

**8:408. Historic District Study Committee.**

- (1) Before establishing a historic district, city council shall by resolution appoint a study committee.
- (2) The study committee shall contain a majority of persons who have a clearly demonstrated interest in or knowledge of historic preservation, and shall contain representation from 1 or more local historic preservation organizations. At least one member shall reside or work in the affected area, and additional members may include representation from registered neighborhood associations and merchants' groups in the affected area. The term of office for study committee members shall end when city council takes final action on the committee's recommendations or at such earlier date as the city council by resolution directs.

- (3) The study committee shall do all of the following:
  - (a) Conduct a photographic inventory of resources within any proposed historic district following procedures established or approved by the SHPO.
  - (b) Conduct basic research of each proposed historic district and the historic resources located within that district.
  - (c) Determine the total number of historic and non-historic resources within a proposed historic district and the percentage of historic resources of that total. In evaluating the significance of historic resources, the study committee shall be guided by the selection criteria for evaluation issued by the United States secretary of the interior for inclusion of resources in the national register of historic places, as set forth in 36 CFR part 60, as amended, and criteria established or approved by the SHPO, if any.
  - (d) Prepare a preliminary historic district study committee report that addresses at a minimum all of the following:
    - (i) The charge of the study committee.
    - (ii) The composition of the study committee membership.
    - (iii) The historic district or districts studied.
    - (iv) The boundaries for each proposed historic district in writing and on maps.
    - (v) The history of each proposed historic district.
    - (vi) The significance of each district as a whole, as well as a sufficient number of its individual resources to fully represent the variety of resources found within the district, relative to the evaluation criteria.
  - (e) Transmit copies of the preliminary report for review and recommendations to the historic district commission, the planning commission, the SHPO, the Michigan Historical Commission, and the State Historic Preservation Review Board.
  - (f) Make copies of the preliminary report available to the public as required by section 8:408(7).
- (4) Not less than 60 calendar days after the transmittal of the preliminary report under subsection 3(e), the study committee shall hold a public hearing in compliance with the Open Meetings Act. Public notice of the time, date, and place of the hearing shall be given in the manner required by the Open Meetings Act. Written notice shall be mailed by first-class mail not less than 14 calendar days before the hearing to the owners of properties within the proposed historic district, as listed on the tax rolls of the city.

- (5) After the date of the public hearing, the study committee and city council shall have not more than 1 year, unless otherwise authorized or extended by city council, to take the following actions:
  - (a) The study committee shall prepare and submit a final report with its recommendations and the recommendations, if any, of the historic district commission and the planning commission to the city council. If the recommendation is to establish a historic district or districts, the final report shall include a draft of a proposed ordinance or ordinances.
  - (b) After receiving a final report that recommends the establishment of a historic district or districts, city council, at its discretion, may introduce and pass or reject an ordinance or ordinances. If city council passes an ordinance or ordinances establishing 1 or more historic districts, the city clerk shall file a copy of that ordinance or ordinances, including a legal description of the property or properties located within the historic district or districts, with the Washtenaw County Register of Deeds.
- (6) If a majority of the property owners within a proposed contiguous historic district, as listed on the tax rolls of the city, submit a petition to city council requesting the establishment of a contiguous historic district, then city council shall not pass an ordinance establishing a historic district without waiting at least 60 days from the date of filing of the petition.
- (7) A writing prepared, owned, used, in the possession of, or retained by a study committee in the performance of an official function shall be made available to the public in compliance with the Michigan Freedom of Information Act.

#### **8:409 Standing Committee**

- (1) City Council may establish a standing committee to conduct the activities of a study committee on a continuing basis.
- (2) The standing committee shall contain not less than 7 members. The majority of persons shall have a clearly demonstrated interest in or knowledge of historic preservation, and shall contain representation from 1 or more local historic preservation organizations. If possible, one member shall meet the qualifications for history and one member shall meet the qualifications for architectural history of the Secretary of the Interior's Historic Preservation Qualifications Standards. All members shall be residents of the City.
- (3) Standing committee members shall be appointed for 3-year terms, except the initial appointments of some members shall be for less than three years so that the initial appointments are staggered and subsequent appointments do not recur at the same time.



- (4) At its discretion, City Council may from time to time appoint additional members to the standing committee to consider only specific proposed districts. Additional members shall only vote on matters concerning the specific proposed districts they were appointed to consider.

The term of an additional member shall automatically end upon the final consideration of the specific proposed district by City Council.

#### **8:410 Establishing, modifying, or eliminating historic districts.**

- (1) The city may at any time establish by ordinance additional historic districts, including proposed districts previously considered and rejected, may modify boundaries of an existing historic district, or may eliminate an existing historic district. Before establishing, modifying, or eliminating a historic district a study committee appointed by city council shall, except as provided for in subsection (2), comply with the procedures set forth in section 8:408 and shall consider any previously written study committee reports pertinent to the proposed action.
- (2) If considering elimination of a historic district, a study committee shall follow the procedures set forth in section 8:408 for issuing a preliminary report, holding a public hearing, and issuing a final report but with the intent of showing 1 or more of the following:
  - (a) The historic district has lost those physical characteristics that enabled establishment of the district.
  - (b) The historic district was not significant in the way previously defined.
  - (c) The historic district was established pursuant to defective procedures.
- (3) Upon receipt of substantial evidence showing the presence of historic, architectural, archaeological, engineering, or cultural significance of a proposed historic district, city council may, at its discretion, adopt a resolution requiring that all applications for permits within the proposed historic district be referred to the commission. The commission shall review permit applications with the same powers that would apply if the proposed historic district was an established historic district. The review may continue in the proposed historic district for not more than 1 year, or until such time as city council approves or rejects the establishment of the historic district by ordinance, whichever occurs first.

#### **8:411. Emergency moratorium.**

If city council determines that pending work will cause irreparable harm to resources located within an established historic district or a proposed historic district, city council may by resolution declare an emergency moratorium of all such work for a period not to exceed 6 months.

City council may extend the emergency moratorium for an additional period not to exceed 6 months upon finding that the threat of irreparable harm to resources is still present. Any pending permit application concerning a resource subject to an emergency moratorium may be summarily denied by the building official.

**8:412. Permit applications.**

- (1) A permit shall be obtained before any work affecting the exterior appearance of a resource is performed within a historic district or, if required under section 8:415(2), work affecting the interior arrangements of a resource is performed within a historic district.
- (2) The person, individual, partnership, firm, corporation, organization, institution, or agency of government proposing to do that work shall file an application for a permit with the planning and development services manager or designee. The application shall be referred together with all required supporting materials that make the application complete to the commission. The applicant shall pay the application fee established by resolution of city council before the city will process a permit application. Supporting materials may include plans, drawings, elevations, specifications, and other information as may be necessary for the commission to consider the application.
- (3) A permit shall not be issued and proposed work shall not proceed until the commission has acted on the application by issuing a certificate of appropriateness or a notice to proceed as prescribed by this chapter.

**8:413. Issuance of permits.**

- (1) Prior to the issuance of any permit, the commission shall hold a public hearing in compliance with the Open Meetings Act. Public notice shall be placed in a local newspaper of general circulation prior to the meeting, and shall include a meeting agenda that lists each permit application to be reviewed or considered by the commission.
- (2) The commission shall file certificates of appropriateness, notices to proceed, and denials for applications for permits with the building official within 5 working days of the date of decision.
- (3) A permit shall not be issued until the commission has acted as prescribed by this chapter. If a permit application is denied, the decision shall be binding on the building official.
- (4) For 3 years from the date of issuance of a certificate of appropriateness or notice to proceed, a permit may be issued for work that is consistent with the application approved by the commission. After 3 years no permit shall be issued without a new application being submitted and the commission issuing a new certificate of appropriateness or notice to proceed.

- (5) A denial shall be accompanied with a written explanation by the commission of the reasons for denial and, if appropriate, a notice that an application may be resubmitted for commission review when commission recommended changes have been made. The denial shall also include notification of the applicant's rights of appeal to the state historic preservation review board and to the circuit court.
- (6) The failure of the commission to act within 60 calendar days after the date a complete application is filed with the commission, unless an extension is agreed upon in writing by the applicant and the commission, shall be considered to constitute approval.

**8:414. Administrative approval.**

The commission may delegate the issuance of certificates of appropriateness for specified minor classes of work to the planning and development services manager or designee. The commission shall provide to the planning and development services manager with specific written standards for issuing certificates of appropriateness under this subsection. On at least a quarterly basis, the commission shall review the certificates of appropriateness, if any, issued by administrative approval in order to determine whether or not the delegated responsibilities should be continued.

**8:415. Standard of review.**

- (1) In reviewing plans for work, the commission shall follow the United States secretary of the interior's standards for rehabilitation and guidelines for rehabilitating historic buildings, as set forth in 36 CFR part 67, as amended. Design review standards and design guidelines administered by the commission that address special design characteristics of historic districts may be followed if they are approved by City Council, and are equivalent in guidance to the secretary of the interior's standards and guidelines and are established or approved by the SHPO.. The commission shall also consider all of the following:
  - (a) The historic or architectural value and significance of the resource and its relationship to the historic value of the surrounding area.
  - (b) The relationship of any architectural features of the resource to the rest of the resource and to the surrounding area.
  - (c) The general compatibility of the design, arrangement, texture, and materials proposed to be used.
  - (d) Other factors, such as aesthetic value, that the commission finds relevant.
  - (e) Whether the applicant has certified in the application that the property where work will be undertaken has, or will have before the proposed project completion date, a fire alarm system or a smoke alarm complying with the requirements of the Construction Code, as provided in Chapter 100.

- (2) The Commission shall review and act upon only exterior features of a resource, and excepting for noting compliance with the requirement to install a fire alarm system or smoke alarm, shall not review and act upon interior arrangements unless specifically authorized to do so by city council in the ordinance designating the historic district or unless interior work will cause visible change to the exterior of the resource.  
The commission shall not disapprove an application due to considerations not prescribed in subsection (1).
- (3) If an application is for work that will adversely affect the exterior of a resource the commission considers valuable to the city, state, or nation, and the commission determines that the alteration or loss of that resource will adversely affect the public purpose of the city, state, or nation, the commission shall attempt to establish with the owner of the resource an economically feasible plan for preservation of the resource.
- (4) The commission shall not issue a certificate of appropriateness unless the applicant certifies in the application that the property where the work will be undertaken has, or will have before the proposed project completion date, a fire alarm system or smoke alarm complying with the requirements of the Construction Code as provided in Chapter 100.

**8:416. Notice to proceed.**

- (1) Work within a historic district shall be permitted through the issuance of a notice to proceed by the commission if any of the following conditions prevail and if the proposed work can be demonstrated by a finding of the commission to be necessary to substantially improve or correct any of the following conditions:
  - (a) The resource constitutes a hazard to the safety of the public or to the structure's occupants.
  - (b) The resource is a deterrent to a major improvement program that will be of substantial benefit to the community and the applicant proposing the work has obtained all necessary planning and zoning approvals, financing, and environmental clearances.
  - (c) Retaining the resource will cause undue financial hardship to the owner when a governmental action, an act of God, or other events beyond the owner's control created the hardship, and all feasible alternatives to eliminate the financial hardship, which may include offering the resource for sale at its fair market value or moving the resource to a vacant site within the historic district, have been attempted and exhausted by the owner.
  - (d) Retaining the resource is not in the interest of the majority of the community.

**8:417. Evidence of undue financial hardship.**

- (1) Evidence supporting undue financial hardship shall be submitted by the applicant in conjunction with an application for work as set forth in section 8:415.
- (2) The commission may at its sole discretion solicit expert testimony and/or require that the applicant make submissions concerning any or all of the information set forth below:
  - (a) Estimate of the cost of the proposed construction, alteration, demolition, or removal and an estimate of any additional cost that would be incurred to comply with the recommendations of the commission for changes necessary for the issuance of a notice to proceed;
  - (b) A report from a licensed engineer or architect with experience in rehabilitation as to the structural soundness of any structures on the property and their suitability for rehabilitation;
  - (c) Estimated market value of the property in its current condition; after completion of the proposed construction, alteration, demolition, or removal; after any changes recommended by the commission; and, in the case of a proposed demolition, after renovation of the existing property for continued use;
  - (d) In the case of a proposed demolition, an estimate from an architect, developer, real estate consultant, appraiser, or other real estate professional experienced in rehabilitation as to the economic feasibility or rehabilitation or reuse of the existing structure on the property;
  - (e) Amount paid for the property, the date of purchase, and the party from whom purchased, including a description of the relationship, if any, between the owner of record or applicant and the person from whom the property was purchased, and any terms of financing between the seller and buyer;
  - (f) If the property is income-producing, the annual gross income from the property for the previous 2 years; itemized operating and maintenance expenses for the previous 2 years; and depreciation deduction and annual cash flow before and after debt service, if any, during the same period;
  - (g) Remaining balance on any mortgage or other financing secured by the property and annual debt service, if any, for the previous 2 years;
  - (h) All appraisals obtained within the previous 2 years by the owner or applicant in connection with the purchase, financing, or ownership of the property;

- (i) Any listing of the property for sale or rent, price asked and offers received, if any, within the previous 2 years;
  - (j) Assessed value of the property according to the 2 most recent assessments;
  - (k) Real estate taxes for the previous 2 years;
  - (l) Form of ownership or operation of the property, whether sole proprietorship, for-profit or nonprofit corporation, limited partnership, joint venture, or other;
  - (m) Any other information the owner chooses to provide.
- (3) In the event that any of the information is not reasonably available to the owner, cannot be obtained by the owner, or may not be disclosed without a substantial adverse impact upon the owner, the owner may file with the commission a description of the information which cannot be obtained and describe the reasons why such information cannot be obtained or provided.

#### **8:418. Appeals.**

- (1) An applicant aggrieved by a decision of the commission concerning a permit application may file an appeal with the state historic preservation review board within the SHPO. The appeal shall be filed within 60 calendar days after the decision is furnished to the applicant. The appellant may submit all or part of the appellant's evidence and arguments in written form. The review board may affirm, modify, or set aside the commission's decision and may order the commission to issue a certificate of appropriateness or notice to proceed. A permit applicant aggrieved by the decision of the state historic preservation review board may appeal the decision to the circuit court.
- (2) Any resident or duly organized historic preservation organization in the city, as well as resource property owners, jointly or severally aggrieved by a decision of the commission may appeal the decision to the circuit court, except that a permit applicant aggrieved by a decision of the commission may not appeal to the court without first exhausting the right to appeal to the state historic preservation review board.

#### **8:419. Ordinary Maintenance.**

Nothing in this chapter shall be construed to prevent ordinary maintenance or repair of a resource within a historic district, or to prevent work on any resource under a permit issued by the building official before this chapter was enacted.

**8:420. Demolition by neglect.**

- (1) Upon a finding by the commission that a historic resource within a historic district, or proposed historic district subject to its review and approval is threatened with demolition by neglect, the commission may do either of the following:
  - (a) Require the owner of the resource to repair all conditions contributing to demolition by neglect.
  - (b) If the owner does not make repairs within a reasonable time, the commission may request for the city to enter the property and make such repairs as are necessary to prevent demolition by neglect. The costs of the work shall be charged to the owner, and may be levied by the city as a special assessment against the property. The city may enter the property for purposes of this section upon obtaining an order from the circuit court.
- (2) The Commission may find that a resource is being demolished by neglect if any of the following criteria are met:
  - (a) Parts of the resource which are so attached that they may fall and injure members of the public or property.
  - (b) Deteriorated or inadequate foundation.
  - (c) Defective or deteriorated flooring or floor supports or flooring or floor supports of insufficient size to carry imposed loads with safety.
  - (d) Members of walls, partitions or other vertical supports that split, lean or buckle due to defective material or deterioration.
  - (e) Members of walls, partitions or other vertical supports that are of insufficient size to carry imposed loads with safety.
  - (f) Members of ceilings, roofs, ceiling and roof supports or other horizontal members which sag, split or buckle due to defective material or deterioration.
  - (g) Members of ceilings, roofs, ceiling and roof supports or other horizontal members that are of insufficient size to carry imposed loads with safety.
  - (h) Fireplaces or chimneys which list, bulge or settle due to defective material or deterioration.
  - (i) Fireplaces or chimneys which are of insufficient size or strength to carry imposed loads with safety.
  - (j) Deteriorated, crumbling or loose exterior plaster or stucco.

- (k) Deteriorated or ineffective waterproofing of exterior walls, roofs, foundations or floors, including broken windows or doors.
- (l) Defective or lack of weather protection for exterior wall coverings, including lack of paint, or weathering due to lack of paint or other protective covering.
- (m) Any fault or defect in the resource which renders the same structurally unsafe or not properly watertight.
- (n) The deterioration of any significant architectural feature of the resource as determined by the Commission.
- (o) The deterioration or overgrowth of landscape elements that are of historic significance to a resource, or that are endangering the structural stability or waterproofing of a resource.

**8:421. Violations and penalties.**

- (1) A person, individual, partnership, firm, corporation, organization, institution, or agency of government that violates this chapter is responsible for a civil infraction and is subject to a civil fine of not more than \$5,000.00.
- (2) A person, individual, partnership, firm, corporation, organization, institution, or agency of government that violates this chapter may be ordered by the court to pay the costs to restore or replicate a resource unlawfully constructed, added to, altered, repaired, moved, excavated, or demolished.
- (3) When work has been done upon a resource without a permit, and the commission finds that the work does not qualify for a certificate of appropriateness, the commission may require an owner to restore the resource to the condition the resource was in before the inappropriate work or to modify the work so that it qualifies for a certificate of appropriateness. If the owner does not comply with the restoration or modification requirement within a reasonable time, the commission may request for the city to seek an order from the circuit court to require the owner to restore the resource to its former condition or to modify the work so that it qualifies for a certificate of appropriateness. If the owner does not comply or cannot comply with the order of the court, the commission may request for the city to enter the property and conduct work necessary to restore the resource to its former condition or modify the work so that it qualifies for a certificate of appropriateness in accordance with the court's order. The costs of the work shall be charged to the owner, and may be levied by the city as a special assessment against the property. When acting pursuant to an order of the circuit court, the city may enter a property for purposes of this section.



- (4) At the request of city council or the commission the city attorney is authorized to seek an order from a court of competent jurisdiction to prevent any violation of this chapter or to require that property which has been altered in violation of this chapter be restored.

**8:422. Coordination with Washtenaw County.**

Coordination between the county historic district commission and the commission shall be maintained. The overall historic preservation plan of the city shall be submitted to the Washtenaw County Historic District Commission for review, and the commission shall review the Washtenaw county historic preservation plan.

Day-to-day activities of the commission will not be reviewed by the Washtenaw County Historic District Commission unless the activities affect resources of importance to the Washtenaw County Historic District Commission.

**8:423. City acquisition of historic resources.**

If all efforts by the commission to preserve a resource fail, or if it is determined by the city council that public ownership is most suitable, the city council, if considered to be in the public interest, may acquire the resource using public funds, public or private gifts, grants, or proceeds from the issuance of revenue bonds. The acquisition shall be based upon the recommendation of the commission. After receiving a recommendation from the commission, city council may sell resources acquired under this section with protective easements included in the property transfer documents, if appropriate.

**8:424. City acceptance of gifts or grants for historic preservation.**

The city council may accept state or federal grants for historic preservation purposes, may participate in state and federal programs that benefit historic preservation, and may accept public or private gifts for historic preservation purposes. The city council may make the historic district commission, a standing committee, or other agency its duly appointed agent to accept and administer grants, gifts, and program responsibilities.

**8:425. Districts Designated.**

Historic districts that were in effect on the date of enactment of this chapter, shall remain in effect, and shall be administered according to the terms, conditions and requirements of this chapter. These historic districts are codified in Sections 8:425.1 through 8:425.13 of this chapter. Properties previously designated by the city as complementary and/or significant shall be considered historic resources under this chapter.

**8:425.1. Division Street Historic District.**

The boundaries of the Division Street Historic District are as shown on the map on file in the office of the city clerk which is incorporated into and made a part of this chapter, and is comprised of the following described, non-contiguous parcels:

- (1) The easterly 99 feet of the northerly 41.25 feet of Lot 7 and the easterly 16.99 feet of the southerly 16.5 feet of Lot 8 of Block 3 south, R6E in the original plat of the Village (now City) of Ann Arbor, Washtenaw County, Michigan, commonly known as 312 South Division Street (Kempf House);
- (2) The easterly 33 feet of Lot 10 in Block 3 south, R9E in the Ann Arbor Land Company's Addition to the Village (now City) of Ann Arbor, Washtenaw County, Michigan, commonly known as 611 ½ East William Street (Omicron Literary Association);
- (3) Lots 1, 2 and 3 and the westerly half of Lot 4 in the plat of G. Wilcoxson's Land in the City of Ann Arbor and the southerly 40 feet of Lot A in Maynard and Gruner's Addition to the City of Ann Arbor, all in Washtenaw County, Michigan, according to the plats thereof as recorded in the Office of the Register of Deeds for the County of Washtenaw, commonly known as 208 North Division Street (Wells Babcock House);
- (4) Lot 8 and the easterly 50 feet of Lot 7, excepting and reserving therefrom the southerly 107 feet of the westerly 6 feet of said easterly 50 feet of Lot 7, in Block 2 north, R6E of the original plat of the Village (now City) of Ann Arbor, Washtenaw County, Michigan, commonly known as 205 North Division Street (Alonzo Palmer House);
- (5) Lots 1, 2 and 24 of Assessor's Plat No. 8 of the City of Ann Arbor, commonly known as 126 North Division Street (Wilson-Wahr House);
- (6) The north 70 feet of Lot 9 and the north 70 feet of the east 6 feet of Lot 10 in Block 1 north of R6E in the original plat of the Village (now City) of Ann Arbor, Washtenaw County, Michigan, commonly known as 121 North Division Street (Moses Rodgers House);
- (7) The easterly 62 feet of Lot 3 in Block 2 north of R6E in the original plat of the Village (now City) of Ann Arbor, Washtenaw County, Michigan, commonly known as 317 East Ann Street (Corselius House);
- (8) Lot 7 and the northerly 17 feet of Lot 8 in Block 3 of Ormsby and Page's Addition to the Village (now City) of Ann Arbor, Washtenaw County, Michigan, according to the recorded plat thereof, commonly known as 716 North Fifth Avenue (Tice House);
- (9) Lot 1 of Assessor's Plat No. 7 of the City of Ann Arbor, Washtenaw County, Michigan, commonly known as 300 North Division Street (St. Andrew's Episcopal Church); and
- (10) Block 10, Ormsby and Page's Addition, E 1/2 vacated Page Street, Part of Block A, Eastern Addition, SW 1/4 of Section 21 and SW 1/4 of Section 20, T2S, R6E, beginning at the intersection of the east line of North State Street and the north line of High Street extended; thence S 89 degrees, 31' W 187.73 feet; thence N 89 degrees, 48' W 268.74 feet; thence N 04 degrees, 4' E 292.92 feet to the east line of Broadway;

thence N 57 degrees, 5' E 6.90 feet; thence S 61 degrees, 13' E 499.23 feet; thence S 7degrees, 55' W to the Place of Beginning, except that land on which the Railroad Express Building is located. Also, Block 9 of Ormsby and Page's Addition, and parts of Lots 1, 2, and 3, east of the east line of Broadway and NW 52 feet of Lot 4, commonly known as The Michigan Central Depot and surrounding brick streets.

#### **8:425.2. Liberty Street Historic District.**

The boundaries of the Liberty Street Historic District are as shown on the map on file in the office of the city clerk which is incorporated into and made a part of this chapter, and is comprised of the following described parcels:

- (1) The east 40 feet of the west 80 feet of Lot 1 and the north 20 feet of the west 80 feet of Lot 2, Block 3 south, R3E, of the original plat of Ann Arbor, commonly known as 117-119 West Liberty Street, (First Walker Building);
- (2) The west 22 feet of the east 44 feet of Lot 1 and the south 24.55 feet of the west 22 feet of the east 44 feet of Lot 2, Block 3 south, R3E, of the original plat of Ann Arbor, commonly known as 115 West Liberty Street, (Second Walker Building);
- (3) The east 22 feet of Lot 1 and the north 18 feet of the east 22 feet of Lot 2, Block 3 south, R3E, of the original plat of Ann Arbor, commonly known as 113 West Liberty Street, (Haarer Building);

#### **8:425.3. Old West Side Historic District.**

The boundaries of the Old West Side Historic District are as shown on the map on file in the office of the city clerk which is incorporated into and made a part of this chapter, and is comprised of the following described area:

Commencing at a point in the north line of West Huron Street which is 307.12 feet west of the west line of Arbana for a Place of Beginning; thence northerly parallel to the west line of Arbana 142 feet; thence in an east-northeasterly direction along the north lot lines of the lots fronting on the north side of Huron Street to the west line of Arbana and across Arbana to the north lot lines of the lots fronting on the north side of Huron Street and along the north lines of the said lots and across the north end of the alley to the westerly line of North Seventh Street; thence easterly across North Seventh Street and easterly along the north lot lines of the lots fronting on the north side of Huron Street; thence to the west line of Park View Place; thence across Park View Place to the north lot line of the lot fronting on Huron Street between Park View Place and Chapin Street to the west line of the right-of-way of Chapin Street; thence across Chapin Street to the north lot line of lots fronting on Huron Street and easterly along the said north lot lines from the easterly edge of Chapin Street to the easterly line of Lot 1 of Siple's Subdivision; thence south along the said lot line to the north line of the right-of-way of West Huron Street;

thence southeasterly to the intersection of the south line of the right-of-way of West Huron Street with the west line of the right-of-way of the Ann Arbor Railroad to the centerline of South First Street; thence southerly in the centerline of South First Street to a point which is 327 feet south of the south line of West William Street; thence easterly along the south line of the Fingerle Lumber Company land to the westerly line of the Ann Arbor Railroad right-of-way; thence southerly along the westerly line of the right-of-way of the Ann Arbor Railroad to a point where the said westerly right-of-way line intersects the rear lot line of the lots fronting on the easterly side of South Ashley Street; thence south in the rear lot lines of the lots fronting on South Ashley Street to a point which is 66 feet north of the north line of West Madison Street; thence easterly 37.26 feet; thence southerly 66 feet north to the north line of West Madison Street; thence southwesterly across West Madison Street to a point on the south line of West Madison Street which said point is 113 feet west of the west line of South Main Street; thence south 132 feet; thence west to the east line of the right-of-way of South Ashley Street; thence southwesterly in a straight line to a point which is 166.32 feet west of the west line of South Main Street and which is in the south line of the right-of-way of West Mosley Street; thence south 74 feet; thence east to the west line of South Main Street; thence southerly in the west line of South Main Street to a point which is 40 feet south of the south line of Koch Avenue measured along said line of Koch Avenue; thence northerly 40 feet parallel to the 120 feet parallel to the south line of Koch Avenue; thence northerly 40 feet parallel to the westerly line of South Main Street to the south line of Koch Avenue; thence westerly in the westerly line of South Main Street to the south line of Koch Avenue to the northeast corner of Lot 36 of Koch's Subdivision to the south line of Koch's Subdivision; thence westerly along the south line of Koch's Subdivision and continuing westerly across South First Street and along the south line of G. P. Whaley's Subdivision and across Third Street and along the south line of Assessor's Plat No. 2 to the centerline of Fifth Street; thence northerly in the centerline of Fifth Street to a point which is 149 feet south of the south line of the right-of-way of West Madison Street; thence westerly from the centerline of Fifth Street continuing along the southerly boundary of the lots fronting on the south side of West Madison Street to the point where the east line of South Seventh Street intersects; thence northwesterly to the southeast corner of Lot 12 of Thompson, Spoor and Thompson's Addition; thence west 307.48 feet along the south line of Lot 12; thence north 165 feet parallel to the west line of South Seventh Street; thence east in the north line of Lot 11 to a point which is 132 feet west of the west line of South Seventh Street; thence northerly along the rear lot lines fronting on the west side of South Seventh Street across Lutz Avenue and across Jefferson Court to a point which is 90.75 feet west of the west line of South Seventh Street and 158 feet south of the south line of West Liberty Street; thence westerly along the rear lot lines of the lots fronting on West Liberty Street and across Eighth Street and continuing westerly across Eber White Boulevard and across Crest Avenue to the southwest corner of Lot 37 of Eber White First Addition; thence northerly along the west line of Lot 37 to the south line of the right-of-way of West Liberty Street;

thence northwesterly to a point in the north line of the right-of-way of West Liberty Street and 138.50 feet west-southwest from the west line of Crest Avenue and across Bemidji Drive and across West Washington Street to a point in the south line of the right-of-way of West Huron Street, which is 48.18 feet west of the west line of Crest Avenue; thence northeasterly to the Place of Beginning.

#### **8:425.4. Northern Brewery Historic District.**

The boundaries of the Northern Brewery Historic District are as shown on the map on file in the office of the city clerk which is incorporated into and made a part of this chapter, and is comprised of the following described area:

Commencing at the southwesterly corner of Lot 10 of Traver's Addition to the City of Ann Arbor, as recorded in Liber L, page 36, Washtenaw County Records; thence S 55 deg, 52' W 8.0 feet along the southeast line of Lot 9 of said subdivision and the northwest line of Jones Drive for a Place of Beginning; thence N 35 deg, 04' W 132.0 feet parallel with the northeast line of Lot 9 to the northwest line of Lot 9; thence N 44 deg, 11' 30" E 323.75 feet along the southeast line of land belonging to the City of Ann Arbor; thence S 35 deg, 04' E 197.52 feet; thence S 55 deg, 52' W 318.0 feet along the southeast line of Lots 9-16 and the northwest line of Jones Drive to the Place of Beginning, being the northeast 8.0 feet of Lot 9, all of Lots 10-15 and part of Lot 16 of said Traver's Addition, also being Lot 76 and part of Lot 77 of Assessor's Plat No. 48, as recorded in Liber 16, pages 55, 56, and 57, Washtenaw County Records, containing 1.20 acres of land, more or less.

#### **8:425.5. Ann Street Historic Block Historic District.**

The boundaries of the Ann Street Historic District are as shown on the map on file in the office of the city clerk which is incorporated into and made a part of this chapter, and is comprised of the following described parcels:

The east half of Lot 4, all of Lots 5, 6, 7, 8, 9 and the southwest portion of Lot 10, being the south 30.5 feet of the west 36 feet of Lot 10, and the west portion of Lot 11, being 36 feet on the north line of Lot 11 and 33 feet on Ann Street, as well as the remainder of Lots 10 and 11, except the area of Lots 10 and 11 north of line extending from a point 2.5 feet south of the northwest corner of Lot 11 to a point 2.5 feet north of the southeast corner of Lot 10, Plat of G. Wilcoxson's Land; also, Lots 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12, Assessor's Plat No. 8, all in the City of Ann Arbor, Washtenaw County, Michigan.

#### **8:425.6. Washtenaw Hill Historic District.**

The boundaries of the Washtenaw Hill Historic District are as shown on the map on file in the office of the city clerk which is incorporated into and made a part of this chapter, and shall be comprised of the following described parcels:

- (1) Assessor's Plat No. 26, Lot 2, commonly known as 1530 Hill Street (Baldwin/Hill House);
- (2) Assessor's Plat No. 18, Lot 17, commonly known as 1547 Washtenaw Avenue (Henry Simmons Frieze House);
- (3) Olivia B. Hall Subdivision, Lot 2, commonly known as 1310 Hill Street (Edward deMille Campbell House);
- (4) Olivia B. Hall Subdivision, Lot 7, commonly known as 1410 Hill Street (Freer/Shearer House);
- (5) Assessor's Plat No. 18, Lot 16, commonly known as 1555 Washtenaw Avenue (Campbell/Hays House);
- (6) Olivia B. Hall Subdivision, Lot 1, commonly known as 810 S. Forest Avenue (Lord of Light Lutheran Church);
- (7) R. S. Smith's 2nd Addition, Block 6, the south 125.25 feet of Lots 1 and 2 and the south 125.5 feet of the west 6.5 feet of Lot 3, commonly known as 1315 Hill Street (Amariah Freeman House);
- (8) R.S. Smith's 2<sup>nd</sup> Addition, Block 6, the south 125.5 feet of the east 60 feet of Lot 3, commonly known as 1319 Hill Street (vacant lot);
- (9) Olivia B. Hall Subdivision, Lot 3, also west 66 feet of Lot 4, commonly known as 1316-22 Hill Street (Alpha Gamma Delta Sorority);
- (10) Olivia B. Hall Subdivision, Lot 5, also the east 11.46 feet of Lot 4, commonly known as 1330 Hill Street (Oscar Robinson House);
- (11) R. S. Smith's 2nd Addition, Block 6, Lot 4, also the west 48 feet of Lot 5, commonly known as 1331 Hill Street (Delta Upsilon Fraternity);
- (12) R. S. Smith's 2nd Addition, Block 6, also the east 18 feet of Lot 5, also Lot 6, commonly known as 1335 Hill Street (Farwell Wilson House);
- (13) Olivia B. Hall Subdivision, Lot 6, commonly known as 1402 Hill Street (Floyd Mecham House);
- (14) Part of land bounded as follows: on west by Ranson S. Smith's 2nd Addition, south by Hill Street, east by Adam's land and Baldwin's Picnic Grove Addition, and north by Presbyterian Church land, being 162 feet more or less on Hill Street, commonly known as 1405 Hill Street (Albert Pattengill House);
- (15) Olivia B. Hall Subdivision, Lots 8 and 9, commonly known as 1416-20 Hill Street (John Rolfe House);

- (16) Part of Lots 4, 5, 12 and 13 bounded on the north by Presbyterian Church land, on the east by Bursley Keene land, on the south by Hill Street and on the west by Cooley land, being 8 rods on Hill Street, J. D. Baldwin's Plat of Picnic Grove, commonly known as 1421 Hill Street (Henry Carter Adams House);
- (17) Beginning at a point on the southerly lines of section 28, 271.7 feet east from the southerly 1/4 post of said section, thence northerly at right angles with Hill Street 237.3 feet to a point 249 feet southwesterly from the center line of Washtenaw Avenue, measured on line at right angles with said Avenue, thence northerly parallel to said center line 202 feet to the southwesterly line of Lot 4, J. D. Baldwin's Plat of Picnic Grove, thence southwesterly along boundary line of Lot 4, 1.4 feet to point from which west boundary of land must run to make 132 feet in width east and west, thence southerly parallel to the east boundary line to said section line, thence east on section line to Place of Beginning except land occupied by Hill Street, part of Lots 5, 6, 11 and 12, J. D. Baldwin's Plat of Picnic Grove, commonly known as 1429 Hill Street (B'nai Brith Hillel/Beth Israel House);
- (18) Olivia B. Hall Subdivision, Lot 10, except the south 56 feet, commonly known as 1430 Hill Street (800 Lincoln) (Kappa Nu Fraternity);
- (19) Assessor's Plat No. 26, Lot 5, commonly known as 1502 Hill Street (Delta Sigma Delta Fraternity);
- (20) Assessor's Plat No. 26, Lot 4, commonly known as 1508-10 Hill Street (Thomas Bogle House);
- (21) Assessor's Plat No. 26, Lot 3, except the south 148 feet, commonly known as 1520-22 Hill Street (John Cutting House); and
- (22) Lot 6, except the northwesterly triangular portion sold to Otto Hans, Lots 9 and 10, and the easterly portion of Lot 11, J. D. Baldwin's Plat of Picnic Grove, commonly known as 1550 Washtenaw Avenue (Phi Kappa Psi).

#### **8:425.7. Cobblestone Farm Historic District.**

The boundaries of the Cobblestone Farm Historic District are as shown on the map on file in the office of the city clerk which is incorporated into and made a part of this chapter, and is comprised of the following described area:

The east half of the east half of the southwest quarter of Section 3, T3S, R6E, excepting land conveyed to Arthur R. Drappatz and wife by warranty deed, recorded August 1, 1952, in Liber 602 of Records, page 637, Washtenaw County Records. Also known as 2781 Packard Road, Ann Arbor, Michigan.

## **8:425.8. Old Fourth Ward Historic District.**

The boundaries of the Old Fourth Ward Historic District are as shown on the map on file in the office of the city clerk which is incorporated into and made a part of this chapter, and is comprised of the following described area:

The Following Description lies within the Southeast  $\frac{1}{4}$  of Section 20, Northwest  $\frac{1}{4}$  of Section 28 and the Northeast  $\frac{1}{4}$  of Section 29, Ann Arbor Township, T2S, R6E, in the City of Ann Arbor, Washtenaw County, Michigan.

Beginning at the Northeast corner of Lot 5, B2N, R13E of "Eastern Addition" to the City of Ann Arbor as recorded in Liber 251 of Plats, Page 455, Washtenaw County Records, being a part of the NW $\frac{1}{4}$  of Section 28, T2S, R6E, Ann Arbor Township, in the City of Ann Arbor, Washtenaw County, Michigan, said Northeast corner also being on the westerly line of Glen Avenue (66 ft. wd.) and the southerly line of Catherine Street (66 ft. wd.); Thence westerly along said southerly line of Catherine Street, said southerly line also being the northerly line of Lots 4 and 5, B2N, R13E and Lots 9 and 10, B2N, R12E of said "Eastern Addition" and the northerly line of Lots 1, 2, 3, 4, and 5 of "Wood and Brooks Subdivision No. 2" as recorded in Liber 2 of Plats, Page 38, Washtenaw County Records, to the Northeast corner of Lot 5, B2N, R11E of said "Eastern Addition", said Northeast corner also being the Southwest corner of said Catherine Street and N. Ingalls Street (66 ft. wd.); Thence northerly along the westerly line of said N. Ingalls Street, said westerly line also being the easterly line of Lot 4, B3N, R11E of said "Eastern Addition" and the easterly line of Lots 5 and 6, B3N, R11E and Lots 5, 6, 7, and 8, B4N, R11E of "Lawrence and Maynard's Addition" to the City of Ann Arbor as recorded in Liber 27 of Plats, Page 471, Washtenaw County Records, to the Northeast corner of said Lot 5, B4N, R11E of "Lawrence and Maynard's Addition", said Northeast corner also being the Southwest corner of said N. Ingalls Street and E. Kingsley Street (66 ft. wd.); Thence westerly along the southerly line of said E. Kingsley Street, said southerly line also being the northerly line of Lot 5, B4N, R11E of said "Lawrence and Maynard's Addition", to the Northwest corner of said Lot 5, B4N, R11E; Thence northerly to a point on the northerly line of said E. Kingsley Street, said point being more specifically described as the Southeast corner of Lot 2, B5N, R11E of said "Lawrence and Maynard's Addition"; Thence northerly along the easterly line of said Lot 2, B5N, R11E to the Northeast corner of said lot 2, B5N, R11E; Thence westerly along the northerly line of Lots 2, 1, Lot B, 6 and 5, B5N, R11E, of said "Lawrence and Maynard's Addition", to a point on the northerly line of said Lot 5, B5N, R11E, said point being more specifically described as being on the easterly line (extended) of Lot 4 of Block B of said "Eastern Addition"; Thence northerly along the easterly line of Lots 4, 3, 2, and 1 of Block B of said "Eastern Addition" to the Northeast corner of said Lot 1, of Block B, said Northeast corner also being on the southerly line of Fuller Street (variable width); Thence westerly along the said southerly line of Fuller Street to a point on the easterly line of N. State Street (66 ft. wd.), said point also being the Northwest corner of said Lot 1 of Block B; Thence northerly along the easterly line of said N. State Street (extended) to a point on the northerly line of Depot Street (variable width); Thence northwesterly along the northerly line of said Depot Street to a point on the easterly line of Carey Street (variable width), said point also being on the northerly line of Lot 1, Block 9 of "Ormsby and Page's Addition" to the City of Ann Arbor, as recorded in Liber M of Plats, Pages 191 and 192 of Washtenaw County Records;



Thence southwesterly along the easterly line of said Carey Street, also being the westerly line of Lots 1, 2, 3, 4, 5, and 6 of Block 9 of said "Ormsby and Page's Addition" to the Southwest corner of said Lot 6, Block 9, also being the Northwest corner of said Carey Street and High Street (66 ft. wd.); Thence southwesterly to a point on the westerly line of Detroit Street, said point more particularly being described as the Northeast corner of Lot 125 of "Assessor's Plat No. 29" to the City of Ann Arbor, as recorded in Liber 9 of Plats, Page 20, Washtenaw County Records; Thence northwesterly to the Northwesterly corner of said Lot 125; Thence meandering in a southwesterly course along the westerly and northerly most lines of Lots 124, 123, 122, 121, 120, 119, and 118, of said "Assessor's Plat No. 29" to a point at the Southwest corner of said Lot 118, said point also being on the northerly line of said E. Kingsley Street and 68.22 feet westerly of the westerly line of said Detroit Street; Thence southwesterly to the Northwest corner of Lot 117 of said "Assessor's Plat No. 29", also being the Southeast corner of said E. Kingsley Street and N. Fifth Avenue (66 ft. wd.); Thence southerly along the easterly line of said N. Fifth Avenue to the Northeast corner of said N. Fifth Avenue and Catherine Street (66 ft. wd.), also being the Southwest corner of Lot 148 of said "Assessor's Plat No. 29"; Thence westerly to the Southeast corner of Lot 78 of said "Assessor's Plat No. 29", also being the Northwest corner of said Catherine Street and said N. Fifth Avenue; Thence northerly along the westerly line of said N. Fifth Avenue to the Northeast corner of said Lot 78; Thence westerly to the Northwest corner of said Lot 78, also being the easterly line of said Detroit Street; Thence southwesterly along the easterly line of said Detroit Street to the Northeast corner of said Detroit Street and said Catherine Street, also being the Southwest corner of said Lot 78; Thence southerly to a point on the southerly line of said Catherine Street, said point being more particularly described as the Northwest corner of Lots 5, B2N, R5E of the 'Original Plat' to the City of Ann Arbor as recorded in Liber TNA of Plats, Pages 152 and 153, Washtenaw County Records; Thence southerly along the westerly line of Lots 5, 6, 7, & 8, B2N, R5E, of said "Original Plat" to the Southwest corner of said Lot 8, B2N, R5E, also being on the northerly line of E. Ann Street (66 ft. wd.); Thence easterly along the northerly line of said E. Ann Street, also being along the southerly line of Lot 8, B2N, R5E and Lots 1, 2, and part of 3, B2N, R6E of said "Original Plat" to a point 4 feet east of the Southwest corner of Lot 3, B2N, R6E of said "Original Plat"; Thence northerly along a line 4 feet easterly of and parallel to the westerly line of said Lot 3, B2N, R6E, to the northerly line of said Lot 3, B2N, R6E; Thence easterly along the northerly line of said Lot 3, B2N, R6E to the Northwest corner of Lot 4, B2N, R6E of said "Original Plat"; Thence southerly along the westerly line of said Lot 4, B2N, R6E, to the Southwest corner of said Lot 4, B2N, R6E, also being on the northerly line of said E. Ann Street; Thence easterly along the northerly line of said E. Ann Street, also being the southerly line of Lots 4, 5, 6, and part of Lot 7, B2N, R6E of said "Original Plat" to a point 22 feet easterly of the Southwest corner of said Lot 7, B2N, R6E; Thence northerly parallel to the westerly line of said Lot 7, B2N, R6E to a point 25 feet southerly of and 22 feet easterly of the Northwest corner of said Lot, 7, B2N, R6E; Thence westerly parallel to the northerly line of said Lot 7, B2N, R6E, 6 feet; Thence northerly parallel to the westerly line of said Lot 7, B2N, R6E, 25 feet to the northerly line of said Lot 7, B2N, R6E; Thence easterly along the northerly line of Lots 7 and 8, B2N, R6E of said "Original Plat" to the Northeast corner of said Lot 8, B2N, R6E, also being on the westerly line of N. Division Street (66 ft. wd.); Thence northerly along said westerly line to a point 44 feet northerly of the Southeast corner of Lot 9, B2N, R6E of said "Original Plat";

Thence easterly to a point on the easterly line of said N. Division Street, said point being 63.5 feet southerly of the Northwest corner of Lot A of "Maynard and Gruner's Subdivision", as recorded in Liber 1 of Plats, Page 52, Washtenaw County Records; Thence continuing easterly to a point on the westerly line of Lot 1 of said "Maynard and Gruner's Subdivision", said point being 63.5 feet southerly of the Northwest corner of said Lot 1; Thence southerly along the westerly line of said Lot 1 to the Southwest corner of said Lot 1; Thence easterly along the southerly line of Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10 of said "Maynard and Gruner's Subdivision", also being the northerly line of Lots 3, 4, 5, 6, 7, 8, and 9 of "Plat of G. Wilcoxson Land" to the City of Ann Arbor, as recorded in the Liber 43 of Plats, Page 542, Washtenaw County Records, to the Northeast corner of said Lot 9; Thence southerly along the easterly line of said Lot 9, also being the westerly line of Lot 10 of said "Plat of G. Wilcoxson Land", to a point 30.5 feet northerly of the Southwest corner of said Lot 10; Thence easterly parallel to the southerly line of said Lot 10 to a point 36 feet east of said westerly line of Lot 10, said point being 30.5 feet northerly of the southerly line of said Lot 10; Thence southerly parallel to the westerly line of said Lot 10 to a point on the southerly line of said Lot 10, said point being 36 feet easterly of the Southwest corner of said Lot 10; Thence continuing southerly 2.5 feet; Thence easterly parallel to the northerly line of said Lot 10 to a point on the westerly line of N. State Street (66 ft. wd.), said point also being on the easterly line of Lot 11 of said "Plat of G. Wilcoxson Land", and 2.5 feet southerly of the Northeast corner of said Lot 11; Thence southerly along the westerly line of said N. State Street, also being the easterly line of Lot 11 of said "Plat of G. Wilcoxson Land" and the easterly line of Lots 11, 12, and 13 of the "Assessor's Plat No. 8" to the City of Ann Arbor as recorded in Liber 4 of Plats, Page 38, Washtenaw County Records, to a point 150.41 feet northerly of the Southeast corner of Lot 14 of said "Assessor's Plat No. 8"; Thence westerly parallel to the northerly line of E. Huron Street (74.25 ft. wd.), 57.75 feet; Thence southerly 150 feet to a point on the northerly line of said E. Huron Street, said point being 66 feet westerly of the Southeast corner of said Lot 14; Thence easterly along the southerly line of said Lot 14 to the Southeast corner of said Lot 14, also being the Northwest corner of said E. Huron Street and said N. State Street; Thence continuing easterly along E. Huron Street (now 66 ft. wd.), also being the southerly line of Lots 1, 2, 3, and 4, B1N, R10E, Lots 1, 2, 3 and 4, B1N, R11E of said "Eastern Addition" and the southerly line of Lots 1, 2, 3, 4, and 5 of "Plat of F.J.B. Crane's Subdivision of Block 1 North, Range 12 East, Eastern Addition to Ann Arbor" as recorded in Liber 43 of Plats, Page 148, Washtenaw County Records and the southerly line of Lots 1, 2, 3, and 4 of said "Eastern Addition", to the Southeast corner of Lot 4 of said "Eastern Addition", also being the Northwest corner of said E. Huron Street and Glen Avenue (66 ft. wd.); Thence northerly along the westerly line of said Glen Avenue, also being the easterly line of Lots 4, 5, 6, and 7, B1N, R13E and Lots 8, 7, 6 and 5, B2N, R13E of said "Eastern Addition" to the PLACE OF BEGINNING. Said parcel lies within the Southeast ¼ of Section 20, Northwest ¼ of Section 28 and the Northeast ¼ of Section 29, Ann Arbor Township, T2S R6E, in the City of Ann Arbor, Washtenaw County, Michigan.

#### **8:425.9. Main Street Historic District.**

The boundaries of the Main Street Historic District are as shown on the map on file in the office of the city clerk which is incorporated into and made a part of this chapter, and is comprised of the following described blocks and parcels within the Original Plat of Ann Arbor:

- (1) Lots 1 and 2, the south 22 feet of Lot 5, and all of Lots 6 through 8; block 1 south, R3E, commonly known as 117 South Ashley, 112-22 West Washington and 100-206 South Main;
- (2) The west 46 feet of Lot 2, and all of Lots 4 through 8; block 1 south, R5E, commonly known as 200-16 East Huron, 105-13 South Fourth Avenue, 201-23 East Washington, and 120 South Fifth Avenue;
- (3) Lots 5 and 6, the east 80 feet of Lot 7 and the south 9.33 feet of the east 80 feet of Lot 8; block 2 south, R2E, commonly known as 206-18 South Ashley and 208 West Liberty;
- (4) Block 2 south, R3E, commonly known as 207-17 South Ashley, 112-22 West Liberty, 200-24 South Main, and 113-23 West Washington;
- (5) Block 2 south, R4E, commonly known as 201-23 South Main, 113-23 East Liberty, 206-20 South Fourth Avenue, and 106-24 East Washington;
- (6) Block 2 south, R5E, commonly known as 201-21 South Fourth Avenue, 201-93 East Liberty, 208-16 South Fifth Avenue, and 200-20 East Washington
- (7) Lot 1, the north 22 feet of Lot 2, the north 55 feet of Lot 11 and all of Lots 12 through 16; block 3 south, R3E, commonly known as 300-12 South Ashley, 300-34 South Main, and 109-19 West Liberty;
- (8) The east 66 feet of Lots 9 and 10; block 3 south, R2E, commonly known as 303 South Ashley; and
- (9) Lots 1 through 3, the north 44.5 feet of Lot 4 and all of Lot 16; block 3 south, R4E, commonly known as 301-35 South Main and 106-22 East Liberty.

**8:425.10. Fourth/Ann Historic District.**

The boundaries of the Fourth/Ann Historic District are as shown on the map on file in the office of the city clerk which is incorporated into and made a part of this chapter, and is comprised of the following described blocks and parcels within the Original Plat of Ann Arbor:

- (1) Lot 1, the south 115.5 feet of lot 2 and the south 90 feet of the east 42 feet of lot 3; block 2 north, R4E, commonly known as 109-23 East Ann and 201-11 North Fourth Avenue; and
- (2) Lots 1 through 3; block 2 north, R5E, commonly known as 200-18 North Fourth Avenue and 201-11 East Ann; and

- (3) The north 66 feet of the west 34 feet of lot 3, the north 66 feet of lot 4 and all of lots 5 and 6; block 1 north, R5E, commonly known as 106-22 North Fourth Avenue.

#### **8:425.11. East William Street Historic District.**

The boundaries of the East William Historic District are as shown on the map on file in the office of the city clerk which is incorporated into and made a part of this chapter, and is comprised of the following described blocks and parcels within the Original Plat of Ann Arbor:

- (1) The east 99 feet of Lot 5, the south 66 feet of the east 99 feet of Lot 6, the south 90.5 feet of the east 160 feet and the east 99 feet of Lot 7 and the south 16.5 feet of the east 99 feet of Lot 8, Block 3 south, R6E, commonly known as 337 East William, and 312-44 South Division;
- (2) Lots 1 through 7 and the westernmost portions of Lots 8 through 14 that are part of the parcels fronting on South Division; Block 3 south, R7E, commonly known as 307-45 South Division;
- (3) The north 6 feet of Lot 15 and all of Lot 16, Block 4 south, R4E, commonly known as 114 East William and 402 South Fourth Avenue;
- (4) Lots 1 and 2, the north 31.5 feet of Lot 3, the north 11 feet of Lot 15 and all of Lot 16, Block 4 south, R5E, commonly known as 403-09 South Fourth Avenue, 212-14 East William, and 402-04 South Fifth Avenue;
- (5) The north 66 feet of the west 189 feet and the north 82.5 feet of the east 42 feet of Lot 1, the north 59.5 feet of the west 66 feet and the east 165 feet of Lot 8, Block 4 south, R6E, commonly known as 403 South Fifth Avenue, 308-40 East William, and 400-10 South Division; and
- (6) Lots 1 and 2, Block 4 south, R7E, commonly known as 403-09 South Division.

#### **8:425.12. State Street Historic District.**

The boundaries of the State Street Historic District are as shown on the map on file in the office of the city clerk which is incorporated into and made a part of this chapter, and is comprised of the following described blocks and parcels:

- (1) Lots 11 through 15, Assessor's Plat No. 27, commonly known as 521-625 East Liberty, and 204-30 South State;

- (2) The north 49.5 feet of Lot 2, all of Lots 3 through 8 and the west 33 feet of Lot 9, Block 2 south, R10E, Eastern Addition and all of J. S. Orr's Subdivision, commonly known as 209-317 South State, and 705-11 North University; and
- (3) Lot 1, the east 24 feet of Lot 2, all of Lots 8 through 15 and the east 116 feet of Lot 16, Block 3 south, R9E, the Ann Arbor Land Company's Addition, commonly known as 329-47 Maynard, 601-21 East William, and 300-42 South State.

**8:425.13. East Liberty Historic Block Historic District.**

The boundaries of the East Liberty Street Historic District are as shown on the map on file in the office of the city clerk which is incorporated into and made a part of this chapter, and is comprised of the following described blocks and parcels within the Original Plat of Ann Arbor:

- (1) The south 66 feet of the east 44 feet of Lot 2, the west 30 feet of Lot 12 and all of Lots 13 and 14, Block 2 south, R6E, commonly known as 311-25 East Liberty; and
- (2) Lot 1, Block 3 south, R6E, commonly known as 307-11-1/2 South Fifth Avenue, and 302-22 East Liberty.

Section 4. That this ordinance shall become effective 10 days after publication.

*(Approved by City Council on March 19, 2007)*