

ZONING BOARD OF APPEALS - STAFF OVERVIEW

406 Fairwood Road - Dimensional Variance

Hearing	September 28, 2026 at 7:00 p.m.	Case	2026-002-ZBA
Owner	Don E. Bignall	Zoning	R-1, Low Density Residential
Property	406 Fairwood Road, Pinckney, MI 48169	Parcel	4714-22-405-011
Relief	Approximately 4-foot side-yard setback for an accessory structure where 8 feet is required	Structure	Approximately 14 feet by 24 feet

Request

The applicant requests a dimensional variance to retain an accessory storage shed at an approximately four-foot side-yard setback. The Village Zoning Ordinance requires an eight-foot side-yard setback. The requested variance is therefore approximately four feet.

Application record

The submitted materials include the completed variance application, the applicant's written explanation, a current property survey, shed plans and structural information, photographs, proof of payment, and a written statement from the owner of the closest adjoining lot. The survey identifies the subject parcel, existing improvements, the shed, and applicable setback information.

Applicant's explanation

The applicant states that the shed is needed to store the belongings of his elderly mother, who recently moved into the home. The home has no basement. He states that he discussed the shed placement with neighbors, selected a finished structure intended to fit the residential setting, and is improving the surrounding area with crushed rock. The applicant acknowledges that another location may comply with the setback but reports neighbor opposition to that location.

Neighbor information

The owner of the nearest adjoining lot submitted a signed letter stating that he has no objection to the shed's location, believes the reduced setback is adequate, and supports a variance. Neighbor support is relevant to the potential impact of the request, although it does not replace the ZBA's obligation to apply the ordinance standards.

Zoning Administrator's preliminary assessment

The requested relief is limited to the side-yard setback for the existing accessory structure. Based on the application, survey, structure design, and adjoining owner's written support, I do not anticipate a substantial adverse effect on neighboring property or the residential character of the area, provided appropriate conditions are imposed.

REVIEW OF DIMENSIONAL-VARIANCE STANDARDS

406 Fairwood Road

The ZBA must evaluate the application under each standard in the Village Zoning Ordinance. The following comments summarize the record and identify matters for the Board's findings.

1. Conditions unique to the property

The record shows the shed in relation to the home, property line, and neighboring improvements. The applicant also identifies a possible compliant location. Personal needs and neighbor preferences alone are not unique property conditions; the ZBA must find that the site's physical layout creates a practical difficulty exceptional to this property.

2. Reasonable use and practical difficulty

The residential use remains reasonable and an accessory structure is generally permitted. The ZBA must decide whether strict compliance is unnecessarily burdensome because of the site layout, rather than merely inconvenient.

3. Substantial justice and effects on others

The closest adjoining owner supports the request, and the record identifies no specific adverse effect on neighboring property, public safety, or residential character. Conditions can preserve the purpose of the setback.

4. Consistency with the ordinance and public interest

The shed is residential in appearance and intended for accessory storage. Any approval should be limited to the surveyed location and protect drainage, maintenance access, and neighboring property.

5. Self-created circumstances

The shed was placed before variance approval, and the application identifies a possible conforming location. The ZBA must address these facts when deciding whether the difficulty is self-created.

6. Minimum variance necessary

The request reduces one side-yard setback from eight feet to approximately four feet. Approval should authorize only the surveyed location, with no additional encroachment or enlargement.

Zoning Administrator recommendation

I am comfortable recommending approval of the dimensional variance, subject to affirmative ZBA findings and the conditions below. My recommendation is based on the limited setback relief, surveyed placement, residential design and accessory use, and written support of the closest adjoining owner.

Recommended conditions of approval

1. Approval applies only to the shed and location shown on the submitted survey.
2. The side setback may be no less than approximately four feet; no added encroachment or enlargement is allowed.
3. Roof runoff, grading, and drainage must remain on the property and may not adversely affect adjoining land.
4. Sufficient access must be maintained for upkeep of the shed and side-yard area.
5. All required Village and Livingston County permits and applicable building and fire requirements must be satisfied.
6. Any material change to the shed or its location requires further Village review.

Prepared by: Jeff Buerman, Village President / Village Manager / Zoning Administrator

Date: September 28, 2026