

**Sequence of Events - Approval Process for year round Child Care Facility**

**For Kids' Sake - 125 E. Unadilla (Community Congregational Church)**

	Special Land Use abandoned/terminated for non-compliance and termination of the use		Proposed site plan included 2 playgrounds (40'x40' & 70'x51')	
8/3/2005	granted special Use with 106 sq. ft. per child playground as proposed by the applicant	Playground never installed & applicant moved from the facility after approx. 4 years per applicant		
Jul-23	ZA was contacted by applicant regarding the opening of a full-time child care facility at the same location - Process was explained in detail & that time is of the essence if she planned on opening by the start of the school season			
8/7/2023	applicant appeared before PC to plead case to not go through process			
8/8/2023	applied for Land Use Permit Waiver	waiver denied as this is not the procedure as explained in detail		
8/14/2023	applicant appeared before Council to plead case to not go through process			
8/17/2023	emailed applicant and outlined the process			
8/28/2023	emailed applicant again addressing comments made before Council & reiterating the 2005 approval termination & outlining process again including supporting document and application form			
8/31/2023	applicant submitted application and fee for SLU lacking site plan & other required information/documents			
9/5/2023	emailed response indicating deficiencies and outlining how to correct & providing code and explanatin as to what is expected. Eliminated many of the site plan requirements as unnecessary in this case			
9/6/2023	again responding to applicant about the lack of submittal documents - Sent information for the variance process			
Sep-23	ZA and Clerk met in person with the applicant & her representative to further explain what is necessary to proceed & what is required on the site plan. (ie: similar to what had been submitted in 2005)			
Sep-23	miscellaneous documents submitted by the applicant & collated			
9/18/2023	email to applicant requesting remaining documents and indicating that a public hearing can now be set for November			

11/6/2023	email to applicant regarding asking PC to allow the details of the equipment to be left to the discretion of the Planning Consultant & ZA to eliminate the need for the applicant to be "locked into" too many specifics and eliminating the need to come back to the PC for approval				
11/6/2023	SLU granted & approval of site plan as submitted - It was explained to the applicant at this meeting that this would be the appropriate time to ask for a variance from the ZBA if she does not want to complete the playground - applicant wished to proceed w/o variance				
	PC approved special conditions to allow for the occupancy of the building and use of the SLU prior to site plan completion based on weather conditions at the time and giving ample time to secure funding- must be completed by July 1, 2024				
11/9/2023	applied for LUP for occupancy-	Did not receive Certificate of Occupancy from Livingston County until 3/8/2024 although applicant conducted business for approximately 4-5 months without approval			
5/14/2024	sent a letter to the applicant inquiring about the completion of the site plan				
5/20/2024	Received email inquiring about a variance to the playground requirement				
5/22/2024	emailed response with detail of the consequences of not complying and outlining (in detail) the necessary steps to eliminate the playground				
6/4/2024	Received letter from applicant requesting an extension of SLU to explore the options				
6/4/2024	applicant emailed President Lavey ZBA application with no supporting documentation or fee or escrow to proceed with anything				
7/1/2024	PC granted an extension of the SLU until 9/1/2024	Applicant indicated at that meeting that she did not understand the process despite it being explained multiple times. She also indicated that she would not be dealing with the ZA but will deal only with President Lavey			
8/5/2024	Applicant submitted an alternate plan meeting only the state requirement of the minimum 1,200 sq. ft.	The applicant's state license is for 34 kids - Village Code requires 100 sq. ft. of outdoor playground per child for a minimum of 3,400 square. PC approved 3,850 per the applicant's site plan	The amended plan would still require 1) Variance of 2,200 square feet & 2) application for an amended SLU and site plan	No application/fee has been received by the office for variance or amendment plans	

most closely situated to the child care play area and entrance. Some other neighbors within 300 feet include the Village Elementary School and the Central Michigan Lumber Company. Mr. Keeney believed that the public notice was not required under the current zoning ordinance, and that the delay would prove unnecessarily burdensome at this date, since the Center plans to open within a month.

The Zoning Board of Appeals finds, upon deliberation, that the property in question is unique in that the primary use as a religious institution was established prior to adoption of the zoning ordinance, and that that the proposed accessory use of a child care center does not substantially alter the character of the district, as prescribed by the zoning ordinance.

Moved by Corwin, to approve a use variance to allow establishment of a child care center at the Community Congregational United Church of Christ, 125 E. Unadilla, conditioned upon provision of an approved State license and compliance with representations offered in applicant's letter of July 16, 2005. Second by Smith.

Roll Call vote: Helfer, yes; Corwin, yes; Smith, yes. Motion carries.

Meeting adjourned at 8:15 p.m.

VILLAGE OF PINCKNEY  
ZONING BOARD OF APPEALS

August 3, 2005

Meeting was called to order by Chairman Helfer at 7:40 p.m.

Roll Call: Present: Helfer, Corwin, Smith  
Absent: Fuson

Others Present: Mike Keeney, Zoning Administrator, Julie Picano, applicant

Motion by Smith, second by Corwin to approve the minutes of the September 16, 2004 meeting as presented. Approved by voice vote.

No public was present for comment at public forum.

#### NEW BUSINESS

Case: Land Use Variance to permit child care center at Community Congregational United Church of Christ  
Applicant: Julie Picano, For Kid's Sake Early Learning Center LLC.  
Location: 125 E. Unadilla

Applicant Julie Picano explained her proposed business plan to operate a child day care center at the existing church building at 125 E. Unadilla. Ms. Picano's business would "lease" space from the church—the church is not an active partner in the business. Ms. Picano would serve up to 15 infants and toddlers for day care, and 25 older children for before/after school care. Children would be separated in rooms by age group. Ms. Picano is prepared to satisfy all requirements for a state license to operate a child care center, although she cannot arrange for a final inspection until the end of the month.

Ms. Picano provided a letter describing her plans for outdoor play space and fencing, and a commitment to providing landscape for screening. The center will care for children from 6:30 a.m. to 6 p.m., Monday-Friday. Ms. Picano will apply for the necessary sign permits at a later date.

The property is located in the R-3 Zoning District. Under the current ordinance, only Group Day Care Homes are permitted through a Special Use Permit, not Child Care Centers. The site does meet the general site location principles described under Section 1907 DAY CARE FACILITIES, given its proximity to the Village Elementary Center and the fact it is not located on a major arterial. It is also noted that if the Church were operating the Child Care Center, it would be permitted in this location as part of the Special Use under Section 309, definition of Religious Institution

Under the proposed Zoning Ordinance expected to be adopted within a month, a Child Care Center would be permitted as a Special Use.

Ms. Corwin was not satisfied with the public notice process, since the use was not advertised, nor were notices distributed within the neighborhood. Ms. Picano noted that 80 percent of the Congregational Church members had ratified the use agreement, which includes the neighbor

July 16, 2005

Village of Pinckney

Attn: Mr. Mike Keeney, Zoning Administrator

220 S. Howell St.

Pinckney, MI 48169

**Re: For Kid's Sake Early Learning Center LLC, Statement of Purpose.**

**In accordance with Section 15.2 (General Approval Criteria) the following statement of purpose is provided for consideration by the Village of Pinckney Planning Commission.**

- a. FKS will be operated and maintained so as to be appropriate in appearance with the existing character of the general area.
- b. The Community Congregational United Church of Christ is in a R3 zone. Appropriate for child care centers Located in this building, FKS is able to meet all of the required Ordinance and site design requirements of this zoned district. It would also be adequately served by essential public services such as streets, fire protection, police, water, sewer, schools and refuse disposal.
- c. This facility would not only improve the church property but would also be of value to community as a whole by having a center within the Village that can serve families and support outreach programs.
- d. FKS will not create excessive additional requirements at public cost for facilities & services.
- e. FKS traffic flow will be consistent with traffic patterns already created during church functions or school functions within Village Elementary School. Sufficient sidewalks are already in place and on site parking will cut down the need for side street parking.
- f. FKS will not create conditions that are unmanageable in the way of excessive traffic, runoff, noise, vibration, smoke, fumes, odors, dust, glare, and light.
- g. Natural resources will not be affected by FKS use.
- h. Architecture of the building will not change.

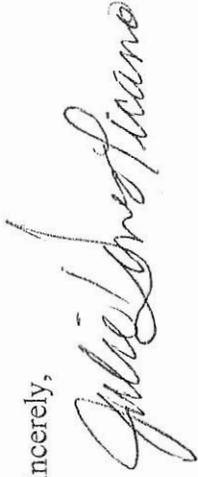
**In accordance with Article 15 (Special Land Uses), Letter F (Child Day Care) Section 15.03 F2,a,d,e, & f, for childcare centers.**

- a. FKS (*For Kid's Sake*) will maintain the appropriate license with the state of Michigan. Lic # DC470274217
- d. There will be a minimum of 35 sq. ft. of indoor play space for children 2 ½ and above. Infants/toddlers will have a minimum indoor play space of 50 sq. ft. per child.

- e. i. The playground shall not be located in the front yard. Proposed playgrounds will be for infants /toddlers on the side of the building and in the back yard in the future for pre-school and school age children.
- ii. The currently proposed infant/toddler playground would provide each child with 106 sq. ft. per child. Pre-school and school age children would use the playground at Village Elementary School until an appropriate space can be built for them on site.
- iii. Playground will be enclosed with a 4 ft. tall aluminum picket (pool style) fence with gates that include child safe locks. (purchased & installed by, The Fence Spot, in Brighton)
- iv. I understand that plant material may be required around the fence to obscure from abutting districts.

f. *For Kid's Sake* will care for children from 6:30 am to 6 pm, Monday-Friday.

Sincerely,



Julie Henes-Picano  
For Kid's Sake Early Learning Center LLC  
PO Box 952  
Pinckney, MI 48169  
517-540-1093  
734-878-1200



VILLAGE OF PINCKNEY  
PLANNING COMMISSION  
MONDAY, AUGUST 7, 2023

**CALL TO ORDER:**

The meeting was called to order by Chairperson Oliver at 7:00 p.m.  
Chairperson Oliver led those present in the pledge of allegiance.

Present: Joseph Hartman  
Ted Kinczkowski  
Christine Oliver  
Donald Oliver  
Trisha Wagner

Absent: Robert (Tim) Brown & Deborah Grischke

Also Present: Julie Durkin, Zoning Administrator & Planner Lucie Fortin (via Teams)

**APPROVAL OF AGENDA:**

Motion by Wagner, supported by D. Oliver

To approve the agenda as presented

VOTE: Ayes: 5      Nays: 0      Absent: 2      MOTION CARRIED

**APPROVAL OF MINUTES:**

Motion by Kinczkowski, supported by Wagner

To approve the minutes of the June 5, 2023 Regular meeting as presented

VOTE: Ayes: 5      Nays: 0      Absent: 2      MOTION CARRIED

Motion by Kinczkowski, supported by Wagner

To approve the minutes of the Joint meeting with Village Council on July 10, 2023 as presented

VOTE: Ayes: 5      Nays: 0      Absent: 2      MOTION CARRIED

**REPORTS:** None

**PUBLIC FORUM:**

Chairperson Oliver opened the public forum at 7:04 p.m.

Julie Amy of 4680 Sierra Drive, Howell stated that she is the owner and Executive Director of For Kid's Sake Learning Center. She explained that she opened in 2005 at the Community Congregational Church and left the church and moved to the Econo Print building on Dexter-Pinckney Road. They have had their summer camp program at the Church location. She explained the changes in child care since COVID19 and the new pre school program in Michigan. She contacted Village Hall to let them know that they planned on opening

the program in the church with approximately 25 3 & 4 year olds. She understands that it seems as though a special use permit would be required according to the zoning ordinance, but she is trying to get around that special use permit not because she disagrees with what the process is, but feels that it is irrelevant because it has been licensed there before and there have never been violations. It has had licensing inspections, health inspections, etc. It services the kids in the area and is something that the church needs to stay open. She further explained her staff, the head start program and the need for seats. She is providing an essential service and could challenge this under the Michigan Zoning Enabling Act. She would like to not pay the \$1,700. If she waits and go through the process, she would not be able to enroll kids until December.

Hearing no further comment, the forum was closed at 7:11 p.m.

**OLD BUSINESS:**

1. Sign Ordinance Amendments
  - a. Discussion

Chairperson Oliver stated that she spoke to Bush's floor manager about signs, and their response was that they did not know there was a sign ordinance.

Zoning Administrator Durkin stated that there are still two outstanding items. The first being temporary signs. There had been discussion at the joint meeting about allowing them without limitation, which she would highly recommend not doing. Currently our ordinance does not allow any temporary signs, and she only made the suggestion to help the business owners. Her suggestion was to allow temporary signage with restrictions twice per year. The second issue deals with churches and other organizations when they have special events. Her suggestion is to allow temporary signage at the site of the event up to two weeks before and removal within 24 hours after the event. This would also allow temporary signage in residential areas on private property, outside of the right-of-way within that same time frame.

Discussion was held on the joint meeting. It was stated that there were a couple of members who voiced their opinion that temporary signs should be allowed without limitation and no permits. Discussion was held on allowing temporary signage with some type of restrictions. It was stated that we want to make things easier for businesses but limit the number of signs and the size to the 2'x3' yard-type sign.

Discussion was held on the problems with enforcement. It was stated that we are already not enforcing the ordinance we have. Durkin stated that it would be much easier to enforce with permits.

Member Hartman also pointed out that the new ordinance limits two flags per pole, and they would like that eliminated.

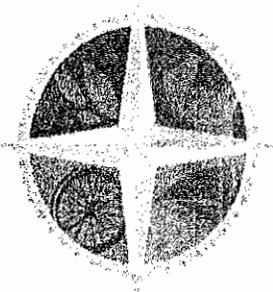
Motion by Kinczkowski, supported by Hartman

To direct that the proposed language for temporary signs be changed to limit temporary signs to four (4) signs per site not to exceed 2'x3' in size with no time restrictions and include all remaining suggested restrictions

VOTE: Ayes: 5 Nays: 0 Absent: 2

MOTION CARRIED

Durkin stated that she will revise the language that can still be changed at the next meeting prior to the recommendation to Council. Council may also make changes prior to adoption.



# VILLAGE OF PINCKNEY

220 S Howell Street, Pinckney MI 48169  
Phone: 734-878-6206 Fax 734-878-9749  
email: zoning@villageofpinckney.org

# Land Use Permit Waiver

Date: 8/8/23 Zoning District:           

Job Site Location: 125 East Unadilla Street Tax Code #: 14-           

### Owner Information

Property owner: Community Congregational Church UCC Phone #: 7346499901  
email: forkidssakeelc@sbcglobal.net  
Address of Owner: 125 East Unadilla Street PO Box 952

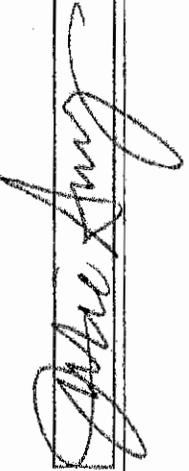
### Contractor Information

Contractor name: For Kids Sake Early Learning Center  
Address: PO Box 952  
Phone: 7346499901 email: forkidssakeelc@sbcglobal.net

### Type of Project:

- Driveway Sealcoat
- Re-roof
- siding/re-siding
- window replacement
- gutters
- Other: Explain: Use of the Community Congregational Church for child care program as is currently used.

**Certification:** I hereby certify that all uses for which this application is made will conform with Ordinances of the Village of Pinckney, Livingston County and the State of Michigan.

Applicant Signature:  Date: 8/8/23

Approved: \_\_\_\_\_  
Zoning Administrator Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## Julie Durkin

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**From:** Julie Durkin  
**Sent:** Tuesday, August 8, 2023 2:15 PM  
**To:** Julie Amy  
**Cc:** Linda Lavey  
**Subject:** Re: Land Use Permit Waiver  
**Attachments:** Scan.pdf

Julie

I think that you know that this is not the proper way to apply for the necessary permits to operate a daycare facility at the church. We have spoken about the procedure which you acknowledged during public forum yesterday evening. You will need to go through the Special Use application as required by Village Zoning Ordinance which I have explained. I will be in the office on Thursday if you would like to discuss this further.

Julie Durkin  
Zoning Administrator

Sent from my iPhone

On Aug 8, 2023, at 1:52 PM, Julie Amy <forkidssakeelc@sbcglobal.net> wrote:

Attached:

**Julie Amy**  
CEO & Executive Director  
For Kid's Sake Early Learning Center & ZANT Zone Summer Camp  
10300 Dexter-Pinckney Road PO Box 952  
Pinckney, Michigan 48169  
office 734-649-9901

<https://forkidssakeelc.com/>  
<https://www.facebook.com/forkidssake/>  
<https://www.facebook.com/zantzone/>

**Village of Pinckney  
Regular Council Meeting  
August 14, 2023**

President Lavey called the meeting to order in Village Council Chambers at 220 S. Howell, Pinckney, at 7:00 p.m. on August 14, 2023.

ROLL CALL:

Present: Buerman, Conquest, Kinczkowski, Spencer and Lavey  
Also Present: J. Chapman (Clerk), J. Durkin (Zoning Administrator), J. Garrison (Police Chief), D. Moma (DPW Director) and D. Stoker (Village Attorney)  
Absent: Bierman and Matson

PLEDGE OF ALLEGIANCE

PUBLIC FORUM:

Public Forum opened at 7:01 p.m.

Julie Amy, of 4680 Sierra Dr., Howell, runs a childcare center in Pinckney, For Kid's Sake Early Learning Center. She started the business in 2005 at the Community Congregational Church. After four years, she switched to a location outside of the Village but kept a summer program going at the Church. Julie currently wants to re-open her fulltime childcare business after having been closed for several years and has spoken to our zoning administrator about doing so. Julie Amy is not really interested in paying \$1,700.00 to go through the zoning process again.

Public Forum closed at 7:08 p.m.

CONSENT AGENDA:

President Lavey added an item to the agenda. Item No. 2 will be "Sidewalk Waiver Discussion" and the other items will be re-numbered in order below.

Motion by Kinczkowski to approve the amended Consent Agenda; seconded by Buerman.

Yeas: Buerman, Conquest, Kinczkowski, Spencer and Lavey

Nays: None

Absent: Bierman and Matson

Motion carried in a roll call vote.

PRESIDENT'S REPORT:

President Lavey has a meeting with SEMCOG scheduled in September regarding the pathway to the high school.  
Had a meeting with some of the principals from the Means Project. They are still optimistic about the business and want to go ahead. Thinking they can open next Spring. Discussion was also had as to whether they are aware of the cost of the water.

## Julie Durkin

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**From:** Julie Durkin  
**Sent:** Monday, August 28, 2023 4:10 PM  
**To:** Julie Amy  
**Cc:** Linda Lavey; Clerk (clerk@villageofpinckney.org)  
**Subject:** FW: Special Land Use for Child Care Facility  
**Attachments:** Special Land Use Application.pdf; Section 152.240 - Special Land Use.pdf

**Importance:** High

Tracking:	Recipient	Read
	Julie Amy	Read: 8/28/2023 5:18 PM
	Linda Lavey	Read: 8/28/2023 4:14 PM
	Clerk (clerk@villageofpinckney.org)	

Julie

I received your email sent today and just resenting what I had sent to you 12 days ago on 8/17/23 at 11:18 am. I checked with the other recipients who confirmed that they received it so I assumed you did as well.

I want to reiterate that you will NOT be able to operate the business/child care facility at this location until all approvals are granted.

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**From:** Julie Durkin <j.durkin@villageofpinckney.org>  
**Sent:** Thursday, August 17, 2023 11:18 AM  
**To:** Julie Amy <forkidssakeelc@sbcglobal.net>  
**Cc:** Linda Lavey <llavey@villageofpinckney.org>; Clerk (clerk@villageofpinckney.org) <clerk@villageofpinckney.org>  
**Subject:** Special Land Use for Child Care Facility

Good Morning Julie

I wanted to follow up our recent conversations and your appearance before Council on Monday evening.

I have spoken to the Village Attorney regarding the ZBA approval from 2005. After reviewing the case, the requirements of the Zoning Board of Appeals and what has taken place since 2005, the approval is not valid. The approval was contingent upon compliance with the representations you made in the letter of July 16, 2005 including playground, fencing and landscaping. These were not simply discussion items or suggestions. None of this took place within a year's time or even in the past 18 years thereby nullifying the approval. I provided you with copies of the minutes that are clear with what the expectations were. Furthermore, you indicated that after four years, your child care center was relocated to the current location. I understand that you have conducted a summer camp since that time, but not a full-time day care facility. By doing so, it did not give you any further rights to conduct this or any similar activity. That being said, you will need to go through the Special Land Use process as we discussed during our conversation in July. I am attaching Section 152.240 of the Village Code that lays out the process for the Commission to consider a request. I am also attaching a copy of the Special Land Use Permit Application. These as well as a full copy of the Zoning Ordinance are all available on the Village website at [www.villageofpinckney.org](http://www.villageofpinckney.org). To summarize the process again:

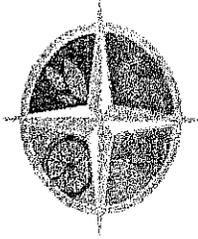
- Submit application with the appropriate documentations, site plan and fee plus escrow to cover the cost of public notices, planner or other consultant fees, etc. Any unused escrow funds would be returned (\$700 application fee and \$1,000 escrow).

- First meeting following the application (submittal deadlines are available at <https://villageofpinckney.org/planning-commission/>) the Planning Commission can set a public hearing for the following month.
- Public notices to all property owners within 300 feet will be sent and published in the Livingston Daily newspaper.
- Public hearing is held and the Commission can approve/approve with contingencies/deny/table for further review. This type of special land use would not require Council approval.

As I indicated, I will do my best to expedite things for you, but there are requirements that need to be met and there is a process. I also want to clear up any misunderstandings, neither the Clerk or I had any request from you to be placed on the Planning Commission or Council agenda as you indicated to Council. The public is always welcome to appear before the Commission or Council under public forum which is what Jill had suggested to you. Action by either Board is not customarily done without proper notification, review, preparation, etc. My suggestion in July was that you start the process so that we can get any approvals in a timely manner as you had hoped to open at this facility at the beginning of the school year in September. At this point, unfortunately, the first meeting that I would be able to get a request on the agenda would be September in order to schedule a public hearing in October. That is if you make the proper application. You will not be able to operate the business/child care facility at this location until all approvals are granted.

As you know, I am available any time via email for any questions or concerns you may have. I am typically in the office on Mondays and Thursdays and as needed.

Julie Durkin  
Zoning Administrator  
Village of Pinckney



# VILLAGE OF PINCKNEY

220 S. Howell Street  
Pinckney, MI 48169  
zoning@villageofpinckney.org

# SPECIAL LAND USE PERMIT APPLICATION

*Insubstantial*

**RECEIVED**  
AUG 31 2023

BY: *[Signature]*

Case #: SPR-003-2023

Owner: COMMUNITY CONGREGATIONAL

Address: 125 E. Unadilla St. Church

Phone: 734-878-3140

Email: cuccpinckney@gmail.com

Date of Application: 8/30/23

Applicant: Judie Amy

Address: P.O. Box 952, Pinckney MI

Phone: 734 649 9901

Email: forkidsakeeccc@skcglobal.net

Project Address: 125 E. Unadilla St

Tax Code: \_\_\_\_\_

Lot: \_\_\_\_\_ Subdivision: \_\_\_\_\_

Zoning: \_\_\_\_\_

Legal Description: \_\_\_\_\_

Description of Request/Project (Attach Proposal): see attached:

Check any that apply:

Marihuana Establishment  Residential Open Space  Condominium or other Planned Development

Submission requirements:

- Preliminary site plan containing all information required by Section 152.389 of the Zoning Ordinance
- Written statement and supporting evidence explaining how the special land use will comply with the general criteria in Section 152.242-152.243 of the Zoning Ordinance
- If the applicant is not the owner of record, a notarized statement from the owner that the applicant is acting on owner's behalf
- All appropriate fees

Signature of Applicant: *[Signature]* Date 8/28/23

Date of Submittal: 8/31/23

Fee Paid: \$ 700.00

Escrow Paid: \$ 1,000.00

(The applicant is responsible for replenishing the escrow account in \$2,000 increments to maintain 30% balance of the original escrow amount.)

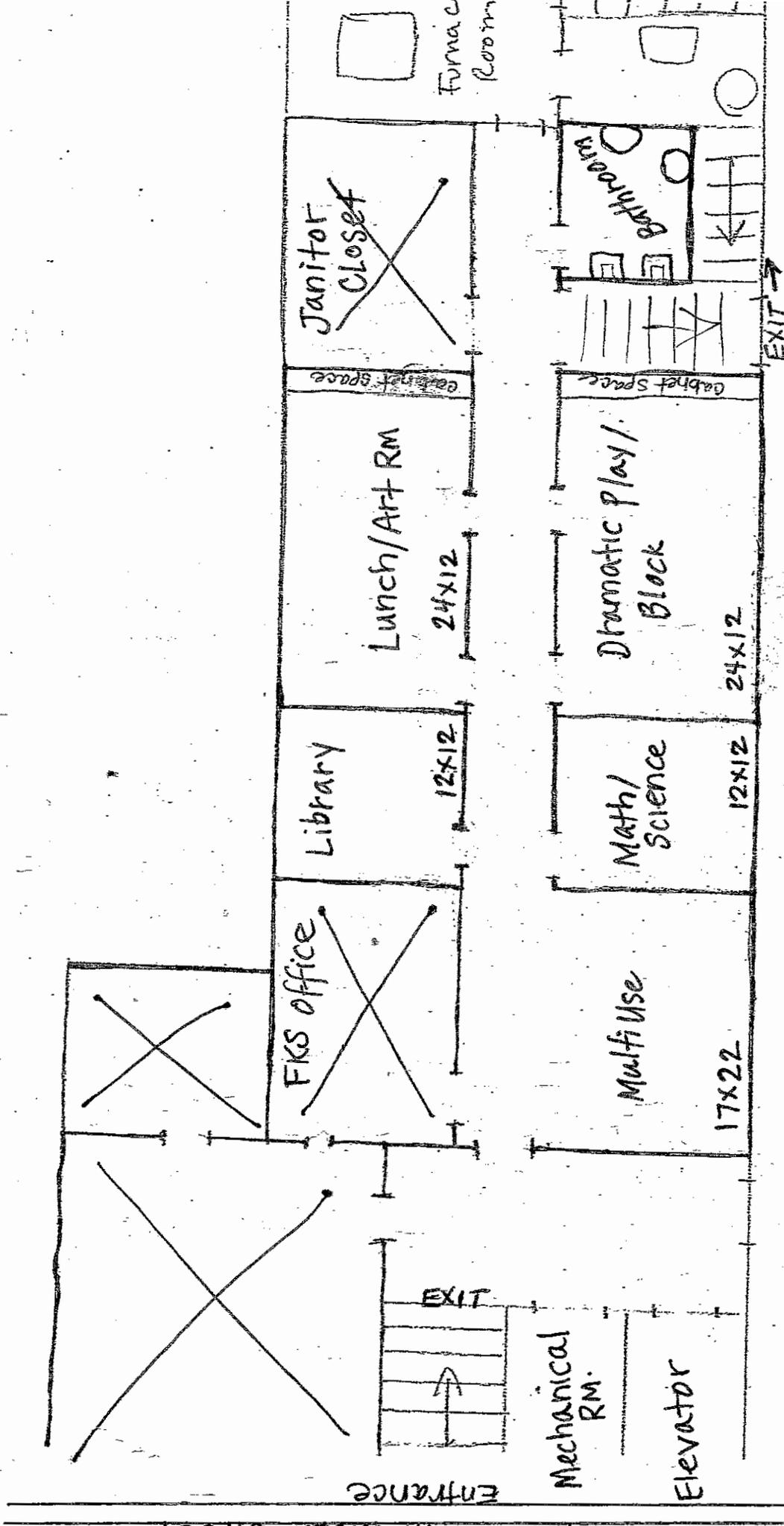
Action:

Public Hearing Date: \_\_\_\_\_

Decision of Planning Commission: \_\_\_\_\_

Council Meeting Date: \_\_\_\_\_

Granted  Denied



For kids Sake Early Learning Center - ZANT Zone Summer Camp  
 Within: Community Congregational Church - Pinckney  
 Contact: Julie Amy  
 preschool-Modification

125 East Unadilla St.

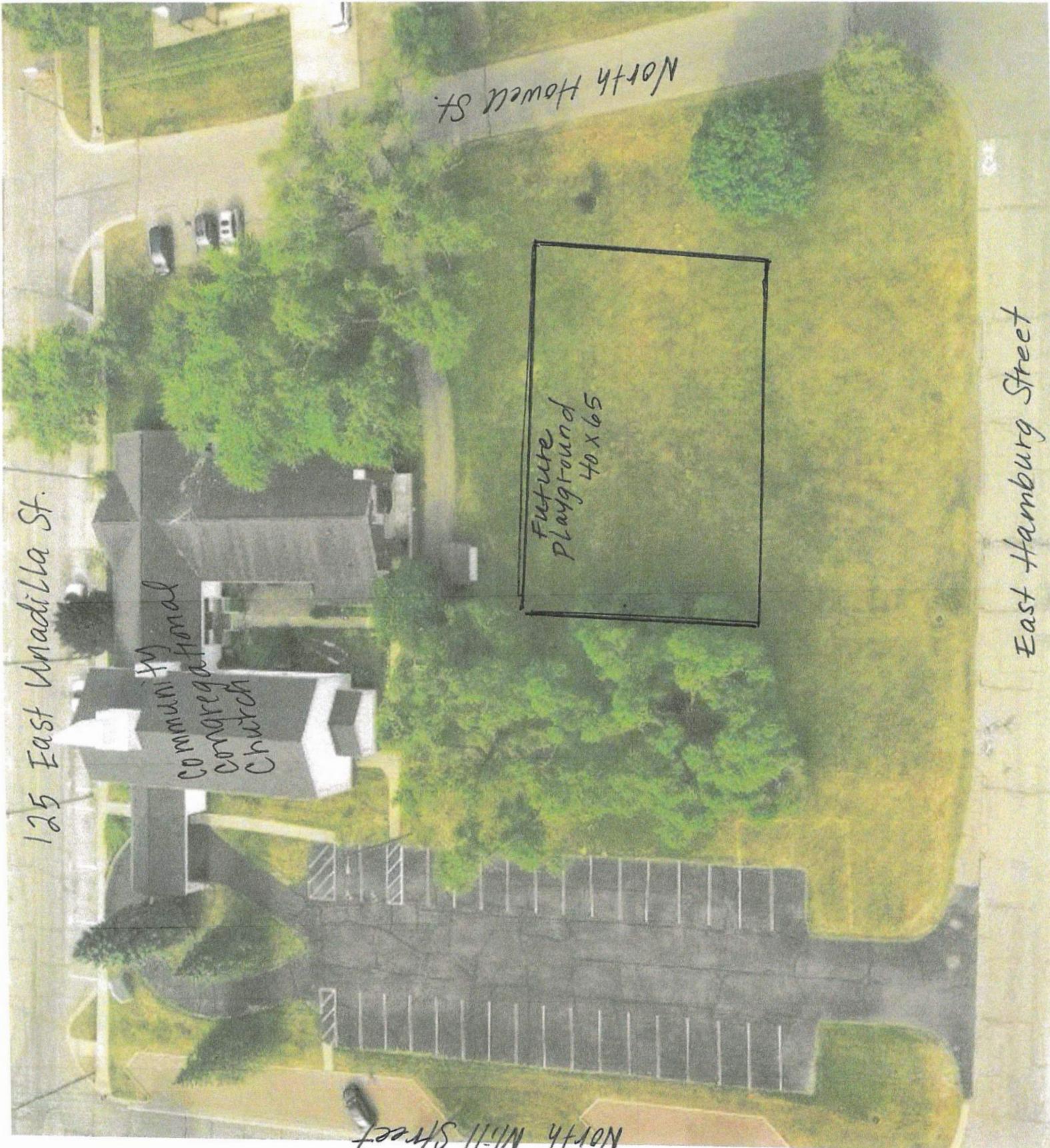
Community Home  
Congregational Church

North Mill Street

North Howell St.

Future  
Playground  
40 x 65

East Hamburg Street



**From:** Julie Amy <forkidssakeelc@sbcglobal.net>  
**Sent:** Wednesday, September 6, 2023 1:20 PM  
**To:** Julie Durkin <j.durkin@villageofpinckney.org>  
**Cc:** Linda Lavey <llavey@villageofpinckney.org>; Jeff Buerman <jeffbuerman@gmail.com>  
**Subject:** Re: 125 E. Unadilla

Julie,

Ive attached info about site plan, dimensions, lot size, neighboring streets & parcel numbers.

Ive also attached an excerpt from the State of Michigan, Department of Licensing and Regulatory Affairs Child Care Licensing Bureau as it relates to outdoor play space.

I hope this info helps to make my special use of the land more easily applicable to the rules & ultimately feasible.

Please let me know of anything else that you might require as it is my intention to get on the soonest meeting agenda possible.

Thanks!

**Julie Amy**  
CEO & Executive Director  
For Kid's Sake Early Learning Center & ZANT Zone Summer Camp

10300 Dexter-Pinckney Road PO Box 952  
Pinckney, Michigan 48169  
office 734-649-9901

<https://forkidssakeelc.com/>  
<https://www.facebook.com/forkidssake/>  
<https://www.facebook.com/zantzone/>

On Tuesday, September 5, 2023 at 02:56:47 PM EDT, Julie Durkin <[j.durkin@villageofpinckney.org](mailto:j.durkin@villageofpinckney.org)> wrote:

Good Afternoon Julie,

I had a chance to review your application for special land use permit this morning. Unfortunately, the application and submission are lacking some very important information, most importantly a site plan with information required by Section 152.389 of the Zoning Ordinance. I did indicate to you that I would work with you on the amount of detail required as you will be using the existing building, however nothing has been provided. I have attached Section 152.389 with requirements highlighted that need to be provided at a minimum. In addition, there are requirements specifically for Child Care Centers. You indicated that you were aware of these requirements based on an email from President Lavey including on premises indoor and outdoor play area, fencing, plant material, etc. that need to be on the site plan. These are requirements of Section 152.243, and any waiver of those conditions would require a variance request. I would also point out these are exactly the same requirements that you agreed to in your letter of July 16, 2005 and made part of the approval granted by the ZBA which is now void based on non-compliance and relocation of the child care center in 2014.

I also want to clarify some of your "supporting evidence". Child care centers **are** listed as a special use under Section 152.243 (3) within the R-3 zoning district. I am not sure what Section 1907 Daycare Facilities refers to. I am also not sure what Section 309, definition of Religious Institution refers to. A year around day care would not be a permitted use under our zoning ordinance regardless of who operates it.

A public hearing is required and public notice is necessary and must comply with the Michigan Zoning Enabling Act, the Open Meetings Act and the provisions of the zoning ordinance to consider a special use. It is not redundant or an unnecessary burden. It is not likely that all approvals, site plan requirements and permits will be fulfilled within a month's time. Operation without village approval would be in violation of the village code. Again, I refer back to our original conversation in July regarding the process and what is expected.

I am not trying to be difficult. I have been extremely upfront with you from the very beginning and encouraged you to begin the correct process to meet your ultimate goal and come close to meeting your timeline. Your attempt to circumvent the process has only delayed things. Even though your application was not submitted until close to closing on Thursday, I would still be willing to add setting the public hearing to the Planning Commission agenda for tomorrow evening. However, unless I have a complete, acceptable site plan meeting all of the requirements, by the end of the week, it would not be prudent to proceed with publication of a public hearing for October and could result in additional cost to you. If you could let me know what your intention is regarding submittal of a plan by 4:00 p.m. tomorrow so that I know whether or not to add it to tomorrow's agenda.

I have attached several sections of the Zoning Ordinance that relate to your request. Of course, a full copy of the Village code is available online.

Julie Durkin

Zoning Administrator

Village of Pinckney

## Julie Durkin

---

**From:** Julie Durkin  
**Sent:** Wednesday, September 6, 2023 3:51 PM  
**To:** Julie Amy  
**Cc:** Linda Lavey; Jeff Buerman  
**Subject:** RE: 125 E. Unadilla

Julie,

I am not sure how much more clear I can be. I have given you a copy of Section 152.389 of the Village Code with the information that is required on a site plan. I highlighted those items that **MUST** be included while leaving some items not required due to the fact that it is an existing building. In addition, you must show compliance with Sections 152.242 & 152.243 both of which I provided in my email to you as well. The aerial photo with a box drawn on it in no way represents a site plan. In addition, your application is incomplete, the letter from the property owner is not notarized nor does it give you permission to alter their site/property in any way which will be required to meet the requirements of the special land use permit for child care facilities. In addition, the letter that you submitted does not provide any supporting evidence explaining how the special land use will comply with the criteria. Despite the deficiencies in the application, property owner permission and evidence, to be dealt with prior to Planning Commission review, I was willing to move ahead with at least getting a public hearing scheduled if a sufficient site plan was submitted. You have failed to do so, therefore I am not willing to move forward with getting anything on an agenda unless I have something that I can review for compliance with our ordinances.

I also want to note that although the Department of Licensing and Regulatory Affairs Child Care Licensing Bureau addresses their requirement for outdoor play area and other facility requirements in their General Provisions, they in no way supersede any provision of the local zoning ordinance. Most communities will have similar regulations.

One of your emails requested information pertaining to requesting a variance. This along with all of our other forms and ordinances are available on the Village website but here is a link: <https://villageofpinckney.org/wp-content/uploads/2022/03/ZBA-application.pdf> I have also attached Section 152.444 of the Zoning Ordinances which specifically states that all of the conditions of this section must be met in order to be granted a variance. Financial savings or gain cannot be considered as reason to be granted a variance.

If you decide to request a variance to the zoning ordinance, a public hearing will need to be scheduled with proper notification to surrounding property owners prior to consideration. After a decision of the ZBA is made, those variances will need to be included on your site plan that is required for a Special Land Use request to be presented to the Planning Commission and an additional public hearing on that request would be scheduled with proper notification.

Given the above information, I am putting this back to you for proper submittal either beginning with a request to the ZBA for a variance to the applicable standards or proper submission of a Special Land Use Permit Application with **ALL** submission requirements as laid out for you numerous times (this is also spelled out very clearly on the application itself).

I am more than willing to help individuals/developers, etc. get through the processes as easily and efficiently as possible and provide any and all information needed. I have spent an exhaustive amount of time on this request with you, yet feel that you have been reluctant, to say the least, to comply with the Village in any way. I again must point out to you that you do not have the authority to open a day care facility at the location proposed without proper permits and licensing by the Village of Pinckney.

Julie Durkin  
Zoning Administrator  
Village of Pinckney

## Julie Durkin

---

**From:** Julie Durkin  
**Sent:** Monday, September 18, 2023 9:13 AM  
**To:** Julie Amy  
**Cc:** Linda Lavey  
**Subject:** RE: Community Congregational Church  
**Attachments:** 152.242 & 152.243 (f).pdf

Good Morning Julie,

I have compiled the various parts to your application, and we are almost complete. The only thing left would be a written statement and supporting evidence explaining how the special land use will comply with Section 152.242-152.243 (attached). You should also supply some information regarding the installation of the playground such as anticipated date and alternative recreation plan until completion, type of fencing proposed, any landscaping around the fence, if any, and any other details you feel pertinent. The original letter that you submitted did have some good information, but the supporting evidence was not quite accurate. We do have some time as the request will be heard in November. I can answer any questions or provide further guidance if you need it.

I do intend to put this on the October 2<sup>nd</sup> agenda for the Planning Commission to set a public hearing for the November 6<sup>th</sup> meeting at which time they can approve, deny or table the request. Proper notification will be sent to surrounding property owners and public input will be received at that public hearing as well.

Let me know what questions you may have.

Julie Durkin  
Zoning Administrator  
Village of Pinckney

**From:** Julie Amy <forkidssakeelc@sbcglobal.net>  
**Sent:** Monday, September 11, 2023 3:46 PM  
**To:** Julie Durkin <j.durkin@villageofpinckney.org>  
**Cc:** Jeff Buerman <jeffbuerman@gmail.com>  
**Subject:** Community Congregational Church

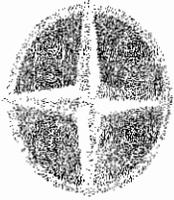
Hello Julie,

I was just at the Village offices and dropped off an original size copy of the attached Community Congregational Church building/property architectural drawing.

I thought you might also like an pdf copy.

**Julie Amy**  
CEO & Executive Director  
For Kid's Sake Early Learning Center & ZANT Zone Summer Camp

10300 Dexter-Pinckney Road PO Box 952  
Pinckney, Michigan 48169  
office 734-649-9901



VILLAGE OF  
**PINCKNEY**

220 S. Howell Street  
Pinckney, MI 48169  
zoning@villageofpinckney.org

**SPECIAL LAND USE PERMIT  
APPLICATION**

Case #: SPR-0032003  
Owner: Community Congregation  
Address: 125 E. Unadilla St  
Phone: 734 649 9901  
Email: for.kids@sbglobal.net

Date of Application: 8/8/23  
Applicant: Julie Amy  
Address: PO Box 952  
Phone: 734 649 9901  
Email: for.kids@sbglobal

Project Address: 125 E. Unadilla St.

Tax Code: 14-23-301-019

Lot: \_\_\_\_\_ Subdivision: N/A

Zoning: VR3

Legal Description: Sec. 23 TIN, R4E Village of Pinckney Original Plat 87-R5 Lots 5,6,7,8 Exempt

Description of Request/Project (Attach Proposal): Playground and childcare for 25 kids. year round, preschool only

Check any that apply:

Marijuana Establishment  Residential Open Space  Condominium or other Planned Development

Submission requirements:

- Preliminary site plan containing all information required by Section 152.389 of the Zoning Ordinance
- Written statement and supporting evidence explaining how the special land use will comply with the general criteria in Section 152.242-152.243 of the Zoning Ordinance
- If the applicant is not the owner of record, a notarized statement from the owner that the applicant is acting on owner's behalf
- All appropriate fees

Signature of Applicant: Julie Amy Date 8/8/23

Date of Submittal: 8/28/23  
 Fee Paid: ck # 463 \$700.00  
 Escrow Paid: \$1,000.00

(The applicant is responsible for replenishing the escrow account in \$2,000 increments to maintain 30% balance of the original escrow amount.)

Action: \_\_\_\_\_  
 Public Hearing Date: \_\_\_\_\_  
 Decision of Planning Commission: \_\_\_\_\_  
 Council Meeting Date: \_\_\_\_\_

Granted  Denied



www.forkidssakeeic.com  
forkidssakeeic@sbcglobal.net  
<http://www.facebook.com/forkidssake>  
<http://www.facebook.com/zantzone>

10300 Dexter Pinckney Road  
Pinckney, MI 48169  
734-878-1200

9/25/23

Village of Pinckney  
Attn: Julie Durkin, Zoning Administrator  
220 S. Howell Street  
Pinckney, MI 48169  
Re: For Kids Sake Early Learning Center-Traillside  
© Community Congregational Church  
PO Box 952  
125 East Umadilla Street  
Pinckney, MI 48169

Proposed use:

For Kids Sake Early Learning Center, currently licensed & inspected by the State of MI for a number of years in the proposed building and in the community for other child care programs, will modify the existing LARA license to include a year round child care option for kids 2.5 and older. This program will care for and assure food (using Meals on Wheels) for up to 25 private pay, DHS child care subsidy and specially qualified Great Start Readiness Program (GSRP) families that meet risk factors determined by Livingston Educational Service Agency (LESA).

As allowed by child day care licensing, children will walk with their teacher within their own community (as do the kids from Light of the World Academy already) and play in neighboring playgrounds within walking distance. As the opportunity presents itself through grants, a playground and fencing will be added to the property (see quote and drawing from Shields Child Care Supplies) with Village & church approval.

Business hours: 6:15-5:30 Monday-Friday

Supporting Evidence:

Section 152.242

- ✓ (1) Plans & objectives have been listed above.
- ✓ (2) As a previously approved space for this exact purpose, no special or building changes have been proposed, the consistency lies in the fact that the only change to the use of this space is that the current LARA child care license from the State of MI has been modified revert back to a year round program instead of a seasonal program. Lot access, yard design, have all been submitted with this application.
- ✓ (3) As a previously approved space for this exact purpose, no special or building changes have been proposed, the compatibility lies in the fact that the only change to the use of this space is that the current LARA child care license from the State of MI continues to be in place since 2005.
- ✓ (4) All essential services are in place and have been inspected by LARA/State of MI. Fire Inspections have been maintained and approved by a qualified fire inspector from the State of MI/LARA. Environmental Health Inspections have been maintained and approved by the Livingston County Health Department. The building is on city sewer and water and needs no special or additional services.
- ✓ (5) Drop off and pick up times will be between 6:15-9am and 4-5:30am. Our use during summer months for the same purpose during the same business hours proved to have no impact on the traffic flow or circulation during its busiest hours.

- ✓ (6) This adaptation to the current child care License will have NO impact on Natural Resources
- ✓ (7) This adaptation to the current child care License will have NO impact on Architecture
- ✓ (8) This adaptation to the current child care License already meets ALL compliances necessary except the renewal of this specific Special Use Permit.

Section 152.243.

- ✓ (1) N/A This adaptation to the current child care License is for a child care center.
- ✓ (2) N/A This adaptation to the current child care License is for a child care center.
- ✓ (3)
  - A license has been established.
  - Child care will be provided in 1 dwelling unit
  - There has not been and there are no plans to be any lot alterations
  - The square footage of child care space per child by far exceeds the ordinance requirements as well as licensing requirements.
  - A plan has been submitted with this application to install a commercial playground in the future. Until that time we would follow the rules of the State of MI Child Day Care Licensing as listed in this excerpt from the DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS CHILD CARE LICENSING BUREAU LICENSING CHILD CARE CENTERS (5) If outdoor space is not available adjacent to the center, then a center may use a park or other outdoor facility. The outdoor space must meet all of the following requirements: (a) The area must be easily accessible by a safe walking route. Local playgrounds nearby are within safe walking distance, have shaded areas and are equipped with developmentally appropriate choices for large motor play.
- ✓ (1) The proposed future playground is not proposed to be in the front yard.

In closing: If the purpose of the Special Land Use Ordinance is in fact the intention of the Village of Pinckney, as stated specifically below, this licensed child care space at 125 East Unadilla Street has easily met the needs of families & children over the last 18 years without any adverse effect in our community. It was approved as a Special Land Use and has continued to serve families in this location since 2005 and exemplifies 152.002 PURPOSE in its entirety.

152.002 PURPOSE.

It is the purpose of this Zoning Ordinance to promote public health, safety and welfare, encourage the use of land and natural resources in accordance with their character, adaptability and suitability for particular purposes, enhance social and economic stability, prevent excessive concentration of population, reduce natural and man-made hazards, lessen traffic congestion, promote the development of adequate improvements, provide recreation opportunities and open space, enhance the value of real property, allow for a variety of land uses and to facilitate the expenditure of funds for public facilities and services by establishing herein standards for physical development in accordance with the goals, objectives and policies contained in the Village of Pinckney Comprehensive Plan and Parks and Recreation Plan and to provide for the administration and enforcement of the standards

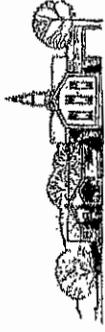
I appreciate your consideration.



Julie Amy  
 CEO/Executive Director  
 For Kids Sake Early Learning Center  
 For Kids Sake- Trailside  
 ZANT Zone Summer Camp



**Community Congregational**  
United Church of Christ



125 East Unadilla • Pinckney, Michigan 48169  
ccuccpinckney@gmail.com • www.pinckneycucc.weebly.com  
Ccuccpinckney • (734) 878-3140

Community Congregational Church UCC

125 East Unadilla Street

Pinckney, MI 48169

5/08/2023

Re:

Julie Amy/For Kids Sake Early Learning Center/ZANT Zone Summer Camp

P.O. Box 952

Pinckney, MI 48169

Julie,

You have our legal authorization to make improvements inside/outside our church space as well as any playground equipment improvements.

Sincerely,

Harry Templin, CCUCC Chairman of the Board of Trustees

## **Julie Durkin**

---

**From:** Julie Durkin  
**Sent:** Monday, November 6, 2023 3:05 PM  
**To:** Julie Amy  
**Subject:** RE: Public Hearing - Monday 11/6

That's perfect. We can eliminate the license as a contingency. As far as the details of the equipment, I have written the suggested motion to allow the planner & Zoning Administrator the ability to approve it rather than having the Planning Commission involved (knowing that the choices would be narrowed at the time of purchase). I didn't want you to have to "lock" anything in right now, but we will have to get specific when it is time for installation. As long as they are agreeable to allowing us to do that, we will be fine. That includes any details about the fence and landscaping. You can voice those concerns tonight. They will, most likely give you a date specific that it will need to be installed and provide input on any expectations they have for the aesthetics. Let me know if you have other questions, otherwise I will see you this evening.

Julie Durkin  
Zoning Administrator  
Village of Pinckney

**From:** Julie Amy <forkidssakeel@sbcglobal.net>  
**Sent:** Monday, November 6, 2023 2:49 PM  
**To:** Julie Durkin <j.durkin@villageofpinckney.org>  
**Cc:** Jeff Buerman <jeffbuerman@gmail.com>  
**Subject:** Re: Public Hearing - Monday 11/6

Hi Julie,

Thanks for sharing the link and the details of the meeting tonight.

Ive attached a copy of my license to this email.

Ive asked the playground company to try to provide specific details about the aesthetics of the planned playground and at this time, without a specific date in place, there is no way for them to know the availability of each individual product. We have submitted pictures already of the actual items that were quoted for the playground project based on what the developmental needs of the specific children in care would be but anything they would provide at this time past that, would be a guess at best. At the time of actually purchasing the playground package we will be working as close to that model as possible.

**Julie Amy**  
CEO & Executive Director  
*For Kid's Sake Early Learning Center.*  
*For Kids Sake ELC-Trailside*  
*& ZANT Zone Summer Camp*

10300 Dexter-Pinckney Road PO Box 952  
Pinckney, Michigan 48169  
office 734-649-9901

**OLD BUSINESS:**

1. Sign Ordinance Amendment – Recommendation to Village Council

Zoning Administrator Durkin explained that the last attempt went to Council. We learned that our temporary sign ordinance needs to be more generic. First amendment rights are being challenged. We can't put limits in it; the ordinance we had proposed was too specific. This latest attempt is very generic and deals with size, height, and zoning district. There is still a little bit of concern by the Village attorney as it relates to the differential between commercial and residential, specifically the real estate signs, because you have to read them to interpret what kind of sign they are.

Motion by Kinczkowski, supported by Gee

To present Sign Ordinance with changes to Council for their approval.

VOTE: Ayes: 6      Nays: 0      Absent: 1      MOTION CARRIED

2. Final Site Plan Review – Lakeland Knoll  
Applicant: Progressive Properties – Marshall Blau  
Location: Vacant land west of water tower  
Proposed 123-unit single family – Residential Open Space Development  
a. Progress Update

Zoning Administrator Durkin had hoped for the Planning Commission to have a plan to review. At this point, we still do not. There are a lot of engineering issues still outstanding.

Motion by Kinczkowski, supported by Grischke

To table the final site plan review of Lakeland Knoll until such time that they have actual drawings to review.

VOTE: Ayes: 6      Nays: 0      Absent: 1      MOTION CARRIED

**NEW BUSINESS:**

1. Special Land Use Request – Day Care  
Applicant: Julie Amy – For Kids' Sake  
Location: 125 E. Unadilla  
a. Public Hearing

Chairperson Oliver opened the public hearing at 7:13 p.m.  
Hearing no comment, the public hearing was closed at 7:14 p.m.

- b. Approve/deny Special Land Use & Site Plan

Planner Fortin reviewed her report recommending that the Planning Commission approve the special land use request for the childcare business. Information that was deficient in the submittal involved the addition of a playground, including screening, fencing and some kind of pathway to the proposed

playground. Fortin felt that this could be reviewed again in the future by herself and Zoning Administrator Durkin. Applicant Julie Amy was given the opportunity to speak. When asked when she intended to add the playground, she stated she'd like to put this off as long as necessary. Amy would not give an answer because she didn't want to commit to any time frame. Fortin suggested Amy should consider getting a variance. Durkin explained that a playground is one of the requirements of our Ordinance, so the choices would be to: 1) move ahead with the special land use requiring the playground; or 2) go before the ZBA and not get approval for the special land use without the variance. Durkin suggested delaying the playground until Spring and moving forward with the special land use. Amy wished to proceed with the special land use without requesting a variance. Discussion was then had between the Planning Commissioners, Durkin and Fortin regarding the details of the contingencies required.

Motion by Kinczkowski, supported by Smith

To approve the Special Land Use for For Kids' Sake Child Day Care, to be located at 125 E. Unadilla, and waive the requirement for further site plan review based on unchanged floor area of the existing structure, and no alteration to existing parking or features that would change compliance with the standards of the Zoning Ordinance, contingent upon the following:

- Detailed information regarding the type and height of the fence as well as the materials and finishes of the play equipment to be reviewed and approved by the Village Planner and Zoning Administrator.
- Playground, including approved fencing and landscaping, to be installed no later than July 1, 2024.

VOTE: Ayes: 6      Nays: 0      Absent: 1      MOTION CARRIED

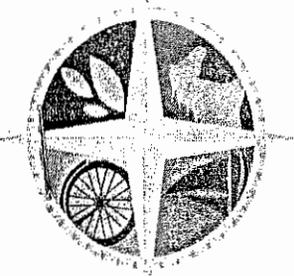
2. Special Land Use Request – Marihuana facility (Class A Microbusiness)  
Applicant: Pinckney Developments, LLC  
Location: 1268 E. M36 (Parcel #4714-23-400-007)
  - a. Schedule Public Hearing for December 4, 2023

Zoning Administrator Durkin explained this is merely scheduling a public hearing. The property is located between Taco Bell and Wendys. The vacant parcel has been purchased for an adult marihuana facility. In order to apply for the microbusiness license within the proposed time frame, the applicant needs to move forward and apply for special land use.

Motion by Hartman, supported by Gee

To schedule a public hearing for December 4, 2023

VOTE: Ayes: 6      Nays: 0      Absent: 1      MOTION CARRIED



# VILLAGE OF PINCKNEY

**RECEIVED**  
NOV 07 2023

## Land Use Permit Certificate of Compliance

220 S Howell Street, Pinckney MI 48169  
Phone: 734-878-6206 Fax 734-878-9749  
email: zoning@villageofpinckney.org

### Inspection

11/9/23

Items Attached  Site Plan or Plot Plan  Blue Prints  Fee 50.00

Date: 11/7/23 Zoning District: R3 Permit Number: 2023-023-LUP

#### Information

Job Site Location: 125. East. Unadilla St. Tax Code #: 14-  
Name of Applicant: Julie Amy Phone #: 734 649-9901  
Applicant email: toridssakeelc@sbcglobal.net  
Address of Applicant: P.O. Box 952  
Name of Owner: Community Congregational Phone #: 734-878 3140  
Address of Owner: 125. E. Unadilla Church  
Signature of Owner: \_\_\_\_\_

Type of Project:  Fence, Deck, Shed or On-ground Pool  Land Use  Interior Renovation  New Building

Project Description: adding year round childcare program  
to the building!

#### SETBACKS

Front (ROW) \_\_\_\_\_ Rear \_\_\_\_\_ Least Side \_\_\_\_\_ Other Side \_\_\_\_\_

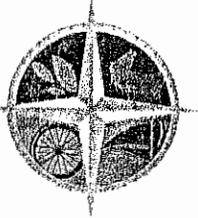
Dimensions of Structure: Width \_\_\_\_\_ Depth \_\_\_\_\_ Height \_\_\_\_\_

#### Primary Structure:

New Home  Addition  Garage  Commercial  Other \_\_\_\_\_

Sq Ft of first story \_\_\_\_\_ Sq Ft of second story \_\_\_\_\_ Sq Ft of garage \_\_\_\_\_ Attached/Detached \_\_\_\_\_

1. A site plan must be attached showing the minimum building set backs, sidewalk, drywell, sewer and water location, final grading plan, and first floor elevation.
2. If applicable, Sewer and Water permit will also be required by the Livingston County Building Department before the trench is buried.
3. If water is requested to be turned on, billing for water and sewer usage will begin from that date.



VILLAGE OF  
**PINCKNEY**

220 S. Howell  
Pinckney, Michigan 48169  
734.878.6206  
734.878.9749 Fax  
www.villageofpinckney.org

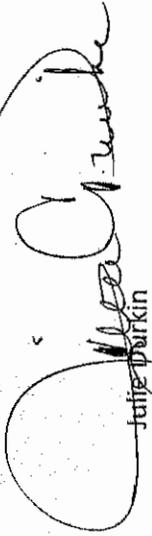
May 14, 2024

Julie Amy  
For Kids' Sake  
P.O. Box 952  
Pinckney, MI 48169

Dear Julie:

As you know, the special land use and site plan for the child day care facility at 125 E. Unadilla was granted November 6, 2023 with contingencies. At that time, you indicated that you did not wish to seek a variance of the required playground and fencing but did require extra time for design, funding, etc. Given your request, weather constraints, and the need for immediate operation of the facility, the Commission extended the requirement for these items for an additional eight months with completion by July 1, 2024. Due to the lack of specific design elements, the Commission required that the type and height of the fence as well as the materials and finishes of the play equipment would be reviewed and approved by the Village Planner and Zoning Administrator. This would alleviate the need for any additional appearance before the Commission. I was hoping for an update and/or schedule to accomplish this and meet these requirements.

Please let me know if you have any questions. I have enclosed the minutes for the November 6<sup>th</sup> Planning Commission meeting.



Julie Parkin  
Zoning Administrator

**From:** Julie Amy <[forkidssakeelc@sbcglobal.net](mailto:forkidssakeelc@sbcglobal.net)>  
**Sent:** Monday, May 20, 2024 2:11 PM  
**To:** Julie Durkin <[j.durkin@villageofpinckney.org](mailto:j.durkin@villageofpinckney.org)>  
**Cc:** Jeff Buerman <[jeffbuerman@gmail.com](mailto:jeffbuerman@gmail.com)>  
**Subject:** Forms

Hi Julie,

As Ive been looking at the website closely its not becoming clear to me what form is the appropriate one for me to use to apply for a variance to my on site child care center playground at 125 E. Unadilla St. I do see a Land Use Waiver or Waiver of Technical Standards but Id like to be sure to do it right the first time.

Can you email me a pdf copy of the correct application with the details of any info I might need to know/provide to assure that I can create the smoothest process possible.

Thanks in advance for your help,



**Julie Amy**  
CEO & Executive Director  
*For Kid's Sake Early Learning Center.*  
*For Kids Sake ELC-Trailside*  
*& ZANT Zone Summer Camp*  
*#prioritizingpinckneykids*

10300 Dexter-Pinckney Road PO Box 952  
Pinckney, Michigan 48169  
office 734-649-9901

<https://forkidssakeelc.com/>  
<https://www.facebook.com/forkidssake/>  
<https://www.facebook.com/zantzone/>

**From:** Julie Durkin <[j.durkin@villageofpinckney.org](mailto:j.durkin@villageofpinckney.org)>  
**Sent:** Wednesday, May 22, 2024 10:36 AM  
**To:** Julie Amy <[forkidssakeelc@sbcglobal.net](mailto:forkidssakeelc@sbcglobal.net)>  
**Cc:** Linda Lavey <[lavey@villageofpinckney.org](mailto:lavey@villageofpinckney.org)>  
**Subject:** RE: Forms

Julie,

Your special land use is contingent upon the completion of the playground by July 1<sup>st</sup> and completing the approved site plan. Not meeting that requirement will annul your permit and make this a non-compliant location (125 E. Unadilla) without SLU. This would also constitute a major change to your site plan requiring you to submit a revised site plan for review by the Planning Commission after a decision of the ZBA is made.

If you want to proceed with the variance request & revisions to your previous approvals, the following needs to be accomplished:

- Application for variance request: [www.villageofpinckney.org/wp-content/uploads/2022/03/ZBA-application.pdf](http://www.villageofpinckney.org/wp-content/uploads/2022/03/ZBA-application.pdf) - \$600 + \$1,000 escrow

If variance request is granted:

- Application for Special Land Use: [www.villageofpinckney.org/wp-content/uploads/2023/01/Special-Land-Use-Permit-Application.pdf](http://www.villageofpinckney.org/wp-content/uploads/2023/01/Special-Land-Use-Permit-Application.pdf) - \$700
- Application for Revision to Site Plan: [www.villageofpinckney.org/wp-content/uploads/2023/01/Site-Plan-Application.pdf](http://www.villageofpinckney.org/wp-content/uploads/2023/01/Site-Plan-Application.pdf) - \$350

You should note that the ZBA request does require a public hearing and proper publication and notification of surrounding property owners. If your request for a variance is approved, you can then proceed with the Special Land Use without the required playground, fencing and/or landscaping (whatever is decided). This constitutes a permit amendment that must comply with 152.241 (B). This will also require a public hearing and proper publication and notification. Then you must meet the requirements of 152.394 – Amendment to an Approved Site Plan. If all of the requirements of the site plan are granted variances, it is possible that we could handle that at the same time as the SLU.

If the variance request is not approved, you would be required to complete the site plan as approved.

Once again, if you choose not to build the playground and proceed with a variance request and amendment, there is no way to get this accomplished by July 1<sup>st</sup>, which is your deadline for completion. Absent that, you have no special land use to operate the day care at that location.

Below is the section of Village Code which lays out what I have re-capped above.

[Section 152.241](#)

(B) Process.

- (1) The Zoning Administrator shall transmit the full special land use permit application to the Planning Commission for review. The Planning Commission shall fix a reasonable time for a public hearing. The Zoning Administrator shall provide notice of the public hearing in accordance with the requirements of § 152.022(C).
- (2) Upon conclusion of the public hearing, the Planning Commission shall deny or approve, with or without conditions, or table for further consideration the special land use permit; or in the case of special land use permit applications for a marihuana establishment, residential open space development, condominium project, or other planned development, shall make a recommendation to the Village Council to deny or approve, with or without conditions, the special land use permit. If no decision or recommendation is made at the advertised hearing, disposition of the case must be set to a date certain at that time, and this date must be clearly stated in the meeting minutes. If no certain date is set and duly noted in the public record, notice of the next meeting at which the case will be considered shall be provided as required in division (B)(1) above. The Planning Commission shall make a decision or recommendation upon each case within 60 days of the public hearing, unless additional time is granted by the applicant.
- (3) For special land use permit applications for a marihuana establishment, residential open space development, condominium project, or other planned development, a summary of the Planning Commission recommendation and comments submitted at the public hearing shall be transmitted with the special land use permit application and staff report to the Village Council. The Village Council may hold additional public hearings if it considers it necessary. The Village Council shall make a decision upon each case within 60 days of the Planning Commission's recommendation or refer the proposal back to the Planning Commission for further consideration, unless additional time is granted by the applicant
- (C) Permit expiration. A special land use permit issued pursuant to this subchapter shall be valid for one year from the date of issuance. If construction has not commenced and proceeded meaningfully toward completion by the end of this one-year period, the Zoning Administrator shall notify the applicant in writing, no more than 30 days before the expiration date, that upon expiration, the permit will become null and void.
- (D) Permit amendment. Changes to an approved site plan shall comply with § 152.394. Changes to other condition(s) of approval, including but not limited to performance standards, shall be processed in compliance with division (B) above.
- (E) Permit renewal. Upon written request by the applicant, a one-year extension may be granted by the Planning Commission if it finds that the approved special land use permit and site plan still comply with the requirements of this chapter. A written request for permit renewal must be received by the village prior to the expiration date, or a new application for a special land use permit will be required. Upon expiration of the initial one-year extension on a special use permit. Planning Commission may grant, upon written request by the applicant, subsequent one-year extensions of the special land use permit, upon showing of good cause.
- (F) Revocation. Based upon a recommendation by the Zoning Administrator, the Planning Commission shall have the authority to revoke any special land use permit after it has been proved that the holder of the permit has failed to comply with any of the applicable requirements of this chapter and/or permit approval. The Zoning Administrator shall give written notice of the violation to the holder of the permit, and correction must be made within 30 days. After a 30-day period, the Zoning Administrator shall give a second notice, and the use for which the permit was granted must cease within 60 days from the date of second notice.
- (G) Re-application. No application for a special land use permit that has been denied wholly or in part by the Planning Commission shall be resubmitted until the expiration of one year or more from the date of denial, except on the grounds of newly discovered evidence or proof of change of conditions.

Lastly, as it relates to variance requests, below are the facts and conditions that must be met:

152.444 VARIANCES.

(A) Where owing to special conditions, a literal enforcement of the provisions of the Zoning Ordinance would involve practical difficulties or cause unnecessary hardship within the meaning of this chapter, the Zoning Board of Appeals shall have the power upon appeal in specific cases to authorize such variation or modification of the provisions of the Zoning Ordinance with such conditions and safeguards as it may determine as may be in harmony with the spirit of this chapter and so that public safety and welfare be secured and substantial justice done.

(B) No such variance or modification of the provisions of the Zoning Ordinance shall be granted unless it appears that all of the following facts and conditions exist:

- (1) The alleged practical difficulties, hardships or both, are exceptional and peculiar to the subject property or intended use of the property, that do not apply generally to other properties or class of uses in the same district;
- (2) Failure to grant the variance will deprive the property owner of his or her reasonable use as enjoyed by other property owners in the same district and vicinity. This shall include substantially more than mere inconvenience and/or inability to attain a higher financial return;
- (3) Allowing the variance will result in substantial justice being done, considering the public benefits intended to be secured by this chapter, the individual hardships that will be suffered by failure to grant the variance and the rights of others whose property would be affected by approval of the variance;
- (4) The variance will be consistent with the purpose and intent of this chapter, will not adversely affect the purpose or objectives of the master plan of the village, will not be contrary to the public interest, will not injure the public or private rights of others and will not diminish the value of surrounding properties;
- (5) The conditions and circumstances on which the variance request is based have not been self-created by the applicant or predecessors in title; and
- (6) The variance will not constitute a special privilege inconsistent with the limitations upon other properties in the vicinity and the same zoning district, and shall be the minimum variance that will make possible a reasonable use of the land or structure.

I apologize for the lengthiness of my response, but wanted to make sure that you had all of the information especially given the timing of your request, a little over a month from the completion deadline. Again, it was my understanding that you fully intended to comply with the Planning Commission requirements that were discussed with you at the meeting. I have attached a copy of the minutes reflecting the discussions.

I would be happy to discuss this with you if you would like to set up a time to meet or feel free to call me M-TH 8 am – 4 pm.

Julie Durkin  
Zoning Administrator  
Village of Pinckney  
734-878-6206

## Julie Durkin

---

**From:** Linda Lavey  
**Sent:** Tuesday, June 4, 2024 12:29 PM  
**To:** Julie Durkin; Julie Amy  
**Subject:** Re: catching up with requirements, needs attention ASAP

**Importance:** High

Sorry for the late reply.

Thanks, Julie Durkin, for the summary of the status on Julie Amy's business on Unadilla Street.

Julie Amy, based on this, it really does seem like the cheapest and easiest way to come into compliance is for the playground to be built, based on the site plan submitted. I think the Planning Commission was really generous in giving the amount of time they did. They do try to consider the practicalities of things, as in, you can't build a playground when the ground is frozen. The ground is not frozen now.

Julie, this is similar to the play space you have at your site on Dexter-Pinckney, so it should be familiar to you. I can definitely appreciate the components of the playground in the approved site plan that represent a notable improvement to your Unadilla Street campus that I'm certain the parents and especially the kids will enjoy.

Time is not on your side at this point because your Special Land Use will expire if your plans are not fulfilled. Then this whole thing would have to start again and cost even more. I understand it has always been your intention to create the playground on that site, and that's great (and also does satisfy the requirements of Village ordinances).

Alternatives for you are the trip through the ZBA to ask for a variance -- which should have happened already, by the way, and will require going back through Planning Commission AGAIN to approve to approve your site plan without the playground. OR, you could ask the Planning Commission for an extension to your original Special Land Use. Since you have delayed, you will be asking for an extension on the very day your Special Land Use will expire. So you can understand that this really has to be now.

To request the extension, please send a letter requesting it immediately to Julie Durkin so she can take it to the Planning Commission at their July meeting. It's really too bad that didn't happen before last night's Planning Commission meeting. It is especially important since of course you are already using the building and enjoying the Special Land Use permit that is yet to be fulfilled.

Let me or Julie know if you have any questions.

Thanks,  
Linda Lavey

---

**From:** Julie Durkin <j.durkin@villageofpinckney.org>  
**Sent:** Wednesday, May 22, 2024 10:36 AM  
**To:** Julie Amy <forkidssakeelc@sbcglobal.net>  
**Cc:** Linda Lavey <lavey@villageofpinckney.org>  
**Subject:** RE: Forms

Julie,

Your special land use is contingent upon the completion of the playground by July 1<sup>st</sup> and completing the approved site plan. Not meeting that requirement will annul your permit and make this a non-compliant location (125 E. Unadilla) without SLU. This would also constitute a major change to your site plan requiring you to submit a revised site plan for review by the Planning Commission after a decision of the ZBA is made.



www.forkidsakeeic.com  
10300 Dexter Pinckney Road  
Pinckney, MI 48169  
734-878-1200  
forkidsakeeic@sbcglobal.net  
<http://www.facebook.com/forkidsake>  
<http://www.facebook.com/zantzone>

6/4/24

Village of Pinckney  
220 S. Howell Street  
Pinckney, MI 48169  
Re: For Kids Sake Early Learning Center- Trailside  
@ Community Congregational Church  
PO Box 952  
125 East Unadilla Street  
Pinckney, MI 48169

Dear Zoning Administrator, Planning Commission, Zoning Board of Appeals &/or Village Board,

I am writing to you regarding the special use permit granted for our child care environment at 125 E Unadilla St. During the special use meetings in November 2023, it was our intention to install a playground with the aid of a \$50,000 grant from the \$59 million facilities improvement grant program for child care centers in Michigan. Unfortunately, when the grant program closed earlier this year, we were not selected as recipients for the funding for playgrounds at either our Dexter Pinckney Road location or our Unadilla Street location.

While the Planning Commission graciously provided a July 1<sup>st</sup>, 2024 deadline for the construction of the proposed playground, there was no contingency plan made in the event that the grant funds, which were expected to be available for two years, were exhausted much sooner than anticipated. As a result, we find ourselves in a situation where it would be a great hardship to install a \$50,000 playground as initially proposed.

Given these circumstances, I respectfully request an extension of the special use permit without the requirement for a playground until September 1st, 2024. This extension will allow us to carefully consider the use, need, and expectations for a play space that is not a detriment to our business or the families we serve.

I appreciate your understanding and flexibility in this matter. During this extension period, I look forward to exploring a solution that aligns LARA, with our commitment to providing a safe and nurturing environment for the children in our care and within our community. We also prioritize respecting the processes of the Village of Pinckney.

I appreciate your consideration,

Julie Amy  
CEO/Executive Director

For Kids Sake Early Learning Center  
For Kids Sake- Trailside  
ZANT Zone Summer Camp

OUR WORK IS CHILD'S PLAY!

**From:** Julie Amy <[forkidssakeelc@sbcglobal.net](mailto:forkidssakeelc@sbcglobal.net)>

**Sent:** Tuesday, June 4, 2024 5:02 PM

**To:** Linda Lavey <[llavey@villageofpinckney.org](mailto:llavey@villageofpinckney.org)>

**Subject:** Re: catching up with requirements, needs attention ASAP

Linda,

Thanks for the letter! I found it to be much more clear and I wish that it would have been the first piece of communication that i would have gotten when i inquired on May 22nd.

Coincidentally, I did print and complete the Zoning Board of Appeals application from Julies email this afternoon but in my effort to get every letter exactly right I passed my 4pm deadline. Ive attached it and all of the supporting documents to this email so that you can see that I have it done as I avoid coming to the village office to have that some experience as last year.

Id be glad to write a letter asking for an extension, Ill do that now. I was on the zoom for the planning commission & DDA meeting last night and I also wish that Id felt more able to go through this process with the Village so that I could have had better timing.

Thanks for your intervention.



**Julie Amy**

CEO & Executive Director

*For Kid's Sake Early Learning Center.*

*For Kids Sake ELC-Trailside*

*& ZANT Zone Summer Camp*

10300 Dexter-Pinckney Road PO Box 952  
Pinckney, Michigan 48169  
office 734-649-9901

<https://forkidssakeelc.com/>

<https://www.facebook.com/forkidssake/>

<https://www.facebook.com/zantzone/>



Please explain how the project meets each of the following standards:

- a) The alleged practical difficulties, hardships or both, are exceptional and peculiar to the subject property or intended use of the property, that do not apply generally to other properties or class of uses in the same district: The projected cost of the proposed playground was \$50k. A 2022 grant to improve facilities did not cover a playground for out center.
- b) Failure to grant the variance will deprive the property owner of his/her reasonable use as enjoyed by we were other property owners in the same district and vicinity. This shall include substantially more than mere awarded inconvenience and/or inability to attain a higher financial return: \$10K for a shed.  
Without this variance, as the ordinance is written, the yard space of the church will be unnecessarily limited. And the child care business will be intended by the ordinance, the individual hardships that will be suffered by failure to grant the variance turned to close!  
and the rights of others whose property would be affected by approval of the variance:  
With the variance awarded, children will continue to have quality child care, parents will continue to be able to go to work + children will play
- c) The variance will be consistent with the purpose and intent of the ordinance, will not adversely affect the purpose or objectives of the master plan of the village, will not be contrary to the public interest, will not injure the public or private rights of others and will not diminish the value of surrounding properties: By the space and neighborhood has been used by this business + local parks. Schools for MANY years. There will be no change.
- e) The conditions and circumstances on which the variance request is based have not been self-created by the applicant or predecessors in title: The grant in 2022 was a lottery. We were not awarded this upgrade.
- f) The variance will not constitute a special privilege inconsistent with the limitations upon other properties in the vicinity and the same zoning district, and shall be the minimum variance that will make possible a reasonable use of the land or structure: This variance will maintain a business as usual flow for all involved - NO changes are needed by honoring this variance.
- I hereby certify that I am the owner of the subject property or have been authorized to act on behalf of the owner(s) and that all of the statements and attachments are true and correct to the best of my knowledge and belief.
  - I acknowledge that approval of a variance only grants that which was presented to the ZBA.
  - I acknowledge that I have reviewed the Village of Pinckney Zoning Ordinance, The ZBA Application and the Application Checklist and have submitted all of the required information.
  - I understand that there will be a public hearing on this item and that either the property owner or appellants shall be in attendance at that hearing.
  - I understand that a Land Use Permit is required prior to construction if a variance is granted.
  - I understand that any order of the ZBA permitting the erection alteration of a building will be void after one (1) year (12 months), unless a valid building permit is obtained and the project is started and completed.

Signature of Owner \_\_\_\_\_

Date \_\_\_\_\_

Julia Amy 6-5-24  
Signature of Appellant \_\_\_\_\_ Date \_\_\_\_\_

Mr. Mike Panczyk of 9484 Wendover Ct., Brighton explained that he is a member representing a group of parents in Livingston County advocating for our youth, our community and the values that we represent. He would like to provide some public input on the two marihuana facility requests that are being heard tonight. Chairperson Oliver asked that he hold his comments until those items are discussed further on the agenda.

Hearing no further public comment, public forum was closed at 7:07 p.m.

## **OLD BUSINESS:**

### **1. Request for Extension of Special Land Use**

Applicant: For Kids' Sake  
Location: 125 E. Unadilla  
Request: The applicant is requesting an extension of the contingencies of the Special Land Use

ZA Durkin reviewed what had been approved, which was to allow the use of the facility prior to completion of the site plan with the understanding that the playground, fence and landscaping would be completed by July 1<sup>st</sup>. This was based on the weather conditions and need to acquire additional funding. At this time, we have a letter requesting the extension the requirements of the conditions of the special land use until September 1<sup>st</sup>.

Ms. Julie Amy, applicant indicated that this is not what she is asking for. She stated that she is asking that we explore what Plan B is. She explained a 2022-2024 facilities grant that had been available for child care centers. She had originally proposed a \$50,000 playground at the facility based on the fact that she was in a lottery for these funds. She did not receive the \$50,000 for the playground. She would like us to explore what the minimum requirement is based on the Commission's expertise on child development. She gave numerous definitions of outdoor play area and playground. She provided information on what the State says a play space should be. She further stated that the State allows for the use of other facilities within a safe walking route. She described the green space available, Lakeland Trail and other areas.

ZA Durkin stated that what we need to do is follow the special land use procedure and the site plan procedure. Ms. Amy stated that the question is - is it appropriate to put a burden on the business and put a burden on Community Congregational Church. Durkin stated that our ordinance requires the playground. We explored the option of asking for a variance which was explained. The applicant is enjoying the use of the special land use without completing the site plan which is an unusual exception. Typically, the site plan is required to be complete prior to the use of the special land use. She further stated that she has laid out the proper procedure that would have to be followed in order to request a variance to the playground, fencing and landscaping, step by step including the links to the applications, etc. Ms. Amy indicated that she did not understand the email that was sent. She stated that she filled out the variance request form. ZA Durkin stated that nothing has been submitted.

Member Cooke asked if her site plan could be extended to give her more time. ZA Durkin stated that the expiration of the site plan is not at issue. Because of weather, pending grant monies, etc., the Commission gave the applicant the ability to use the special land use to give her time to accomplish these items in accordance with the site plan that she submitted. An exception was given to the applicant to use the facility as the special use with the agreement that she would provide the required playground by July 1<sup>st</sup>. At this point, if she does not wish to install the playground as agreed, she would have to apply for a variance. If granted, she will have to apply for an amendment to the special land use and site plan. Absent those things, there is no special land use. The only action that can be taken tonight is the extension of the requirements.

Ms. Amy asked what the minimum is to be considered a playground. Durkin stated that the special land use was granted based on the site plan that she provided. We went a step further based on the Planner's recommendation that the details of the play equipment, etc. could be reviewed and approved administratively so that there would not be a need to come back before the Commission to work out the specific details. What is required is spelled out in our ordinance based on the number of children.

Discussion was held on when the approvals expire. It was stated that the deadline for the completion of the site work expires today. The site plan itself expires in November. Ms. Amy stated that she was not aware that she was suppose to provide a new site plan. Durkin stated again that all of the information was spelled out in her email. Ms. Amy asked if she is supposed to understand the Zoning Administrator's job through osmosis. Durkin stated that she could have called village hall or requested a meeting, etc. just as she has done in the past. Ms. Amy stated that she would prefer to communicate with President Lavey.

The question was asked what happens if the Commission does not grant an extension. Durkin stated that the Special Land Use expires today and she would not be able to continue using that site for this purpose.

Motion by Smith, supported by Hartman

To extend the completion of the conditions of the special land use until September 1, 2024

The question was asked if we should move that until October 1<sup>st</sup>. Durkin stated that the site plan expires November 1<sup>st</sup> which leaves very little time to accomplish everything. Ms. Amy indicated that she is fine with September 1. Durkin stated that again, if the applicant does not intend to complete the playground with fencing and landscaping, she will have to seek a variance through the Zoning Board of Appeals and then submit a revised plan accordingly. Public hearings will be required.

VOTE: Ayes: 7      Nays: 0      Absent: 1      MOTION CARRIED

2. Request for Extension of Special Land Uses (3)

Applicant: The Means

Location: 935 W. Main Street (4714-22-300-003)

Request: The applicant is requesting an extension of 3 Special Land Uses (Grower Class C, Process, Retailer)

ZA Durkin stated that she has laid out in her report what has taken place since the beginning of the project. The applicant is present to answer any questions. It has been roughly 14 months since construction ceased. Their site plan has expired and will require re-approval. Before that can happen, we need to consider the extension of the three special land uses for the grower, processor and retail. This should be in the form of a recommendation for approval or denial to the Village Council.

Jacob Kahn, Attorney for The Means Project explained the litigation that has taken place with the project over the past year and a half. That has since been resolved, and the partnership has changed slightly. They have applied for re-approval of the site plan which has remained unchanged. The owners are in the process of interviewing contractors who will post a new bond and proceed with pulling the necessary permits. They are asking for an extension on the special land use permits while they continue this process.

Motion by Hartman, supported by Gee

To recommend to Village Council approval of the one-year extension of the Special Land Use for The Means Project at 935 W. Main Street for the Marihuana Grower facility

## Julie Durkin

---

**From:** Linda Lavey  
**Sent:** Monday, August 5, 2024 4:17 PM  
**To:** Julie Durkin  
**Subject:** re: Subject: Outdoor Play Space Proposal for 125 East Unadilla St Child Care Center  
**Attachments:** Scan.pdf

FYI.

---

**From:** Julie Amy <forkidssakeelc@sbcglobal.net>  
**Sent:** Monday, August 5, 2024 3:44 PM  
**To:** Linda Lavey <llavey@villageofpinckney.org>  
**Cc:** Jeffrey Spencer <j-spencer@villageofpinckney.org>; Brian Matson <b.matson@villageofpinckney.org>; Stacy Conquest <s.conquest@villageofpinckney.org>; Julie Durkin <j.durkin@villageofpinckney.org>; Justin Bierman <j.bierman@villageofpinckney.org>; Jeffrey Buerman <j.buerman@villageofpinckney.org>  
**Subject:** Subject: Outdoor Play Space Proposal for 125 East Unadilla St Child Care Center

Dear Linda & interested party's,

Linda, thank you for your suggestion regarding the outdoor play space for the child care center at 125 East Unadilla St. As discussed, I've attached a simple proposal for your review.

### Key points of the proposal:

1. **Location:** Back yard of the Community Congregational Church, as previously planned at 125 East Unadilla St.
2. **Size:** 1200 sq ft, meeting the minimum size required by child daycare licensing.
3. **Features:**
  - o Sandbox
  - o Childrens playhouse for extended outdoor dramatic play
4. **Natural Elements:**
  - o Shade provided by existing trees
  - o Proximity to the existing children's garden for additional outdoor activities

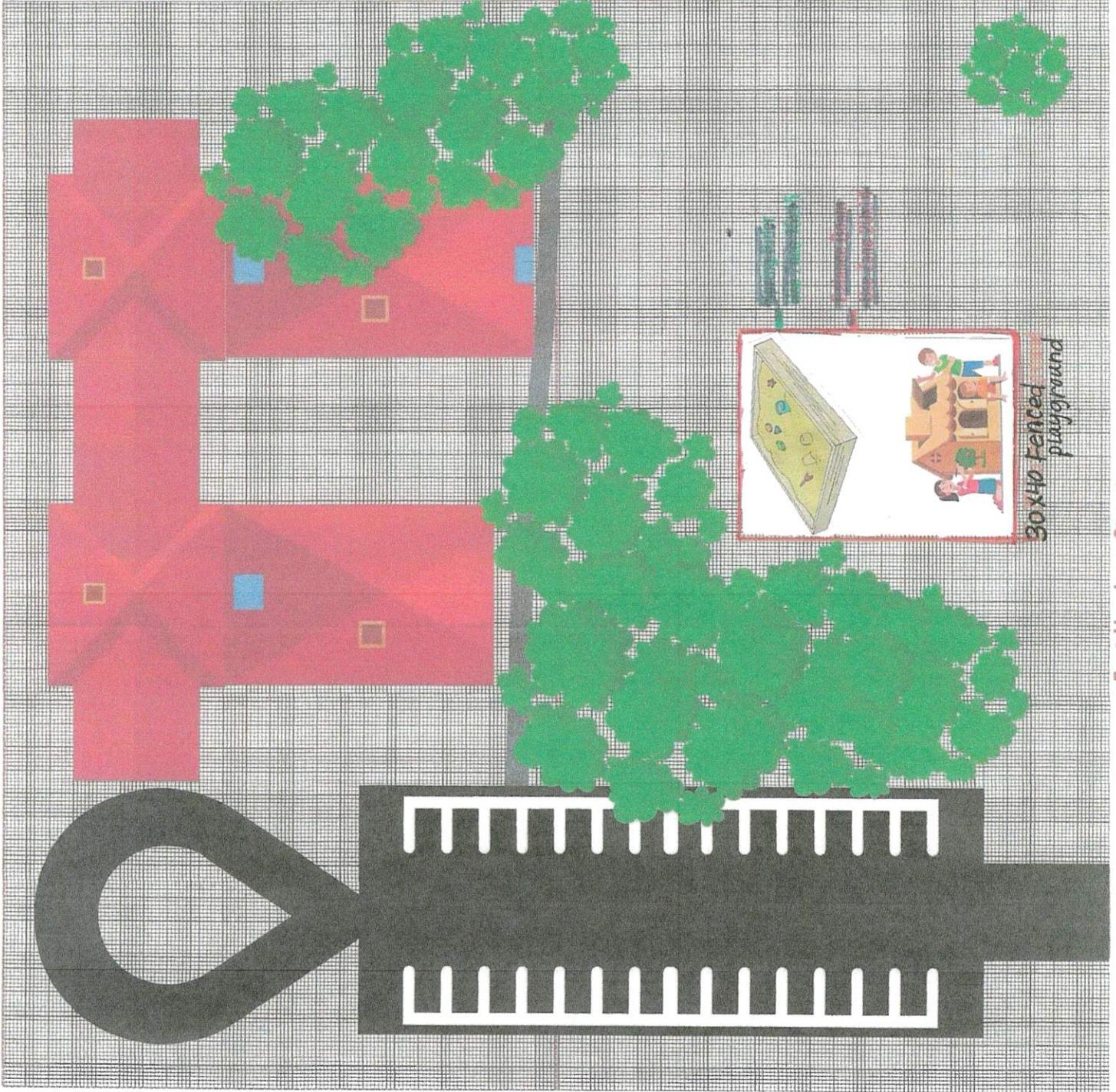
**The design is similar to the successful play space at my Dexter Pinckney Road location. This proposed space will offer unique play opportunities not currently available in nearby community areas, enhancing the overall experience provided to the children in our community.**

I believe this outdoor area will greatly benefit the children and meet all necessary requirements. I'm happy to discuss any questions you might have.

Looking forward to your feedback and the next steps in this process.

**Best regards,**

East Unadilla Street



North Mill Street

East Hamburg Street

1200  $\Phi$  very minimum per State

Capacity of 34 kids

Village Code requires 100  $\Phi$  per child 3,400 $\Phi$

P.C. approved 3,850  $\Phi$  per applicant's site plan

Would require a Variance of 2,200  $\Phi$  Amended site plan @ SLU



Howell, MI 10PM 48843



Howell, MI 10PM 48843

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### No-Dig Permanent 4 ft. x 6 ft. Nantucket Vinyl Picket Fence Panel with Post and Anchor Kit

★★★★☆ (230) Questions & Answers (216)



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