



August 19, 2025

Jeff Buerman
Village of Pinckney
220 S. Howell
Pinckney, Michigan 48169

Subject:	Zoning Variance Requests Mugg & Bopps
Applicant/Owner:	Todd Lekander, Pinckney-M36, LLC
Location:	75 S. Dexter Street (Former Rite Aid Drugstore) - Parcel # 4714-23-400-013
Current Zoning:	SBD, Secondary Business District

Dear Mr. Buerman:

At the Village's request, we have considered the above-referenced variance requests and offer the following for the Zoning Board of Appeals' consideration.

1. OVERVIEW AND BACKGROUND

The subject property is located at the southeast corner of M-36/Main Street and Dexter Street on a 4.95-acre parcel that includes an existing 11,100-square-foot building (former Rite Aid Drugstore), a drive-thru window, and a paved parking area. The site has frontage on both M-36 and Dexter Street.

The Applicant proposes to reuse the existing building and property as a gas station, convenience store, and coffee & donuts counter. The proposed development involves reducing the existing building to an approximately 9,220-square foot structure (86.1' X 107.1' based on previously submitted drawings). The renovated building will house a Mugg & Bopps convenience store, and a Dunkin' counter with drive-thru service located where the former Rite Aid pharmacy drive-thru window was situated. The parking lot would be reconfigured with the proposed gas pumps located on the west side of the renovated building along Dexter Street.

The Applicant is requesting variances from Section 152.281(D) of the Zoning Ordinance of the Village of Pinckney to reduce the required minimum 25-foot parking lot setback from the right-of-way lines of both M-36 and Dexter Street in the SBD District.

The first two variance requests are as follows:

1. Request a variance from Section 152.281(D) of the Village of Pinckney Zoning Ordinance to allow a 12-foot parking lot setback where 25 feet is required from M-36.
2. Request a variance from Section 152.281(D) of the Village of Pinckney Zoning Ordinance to allow

a 5-foot parking lot setback where 25 feet is required from Dexter Street.

Additionally, the owner is requesting a variance from Section 152.331 of the Village of Pinckney Zoning Ordinance to reduce the required minimum width of the planting strip adjacent to Dexter-Pinckney as follows:

3. Request a variance from Section 152.331 of the Village of Pinckney Zoning Ordinance to allow a 5-foot planting strip where 10 feet is required adjacent to Dexter Street right-of-way.

2. VARIANCE CRITERIA

The Zoning Board of Appeals has all the powers granted by state law and by Section 152.442 of the Village of Pinckney Zoning Ordinance. The following criteria apply:

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.***

The Applicant's project involves the reuse of an existing building and site. The new uses require additional maneuvering space for motorists' safety and accommodation. Additionally, buildable space is limited due to wetlands occupying the south end of the site. The circumstances are unique and specific to this property. Similar circumstances do not generally apply to other properties 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.***

Restricting the dimensional variances requested will limit the Applicant's ability to make this project viable due to the limited buildable space available. The proposed setbacks are also consistent with setbacks observed for neighboring properties. It is reasonable to allow parking within the M-36 setback and within the Dexter Street setback, and to reduce the landscape strip along Dexter Street .

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.***

Granting the variances will result in the renovation and occupation of a vacant building as well as provide additional commercial opportunities in the Secondary Business District. Both of these outcomes may be considered substantial public benefits.

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.***

The variances are generally consistent with the purpose and intent of the Zoning Ordinance. This is particularly true for the Secondary Business District, which is intended to accommodate those business activities that typically require larger areas of land, may generate high automobile traffic volumes, and need off-street parking areas. The variances are also consistent with the goals and objectives of the Village Master Plan, particularly the objectives to encourage redevelopment of vacant properties and the reuse of existing buildings as an alternative to new construction.

With the proposed enhancement of the building's exterior appearance, granting the variances will result in a substantially improved appearance of an existing building. It will not alter the essential character or quality of the area, endanger public health or safety, or substantially impair property values in the area.

5. *The conditions and circumstances on which the variance request is based have not been self-created by the applicant or predecessors in title.*

The reuse of an existing building and property is the main reason for these requests. The proposed variances are not the result of previous actions by the Applicant.

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.*

Because of the unique conditions on this site, the variances being requested do not constitute a special privilege or favor to the Applicant. As mentioned, the proposed setbacks are consistent with properties in the vicinity of the subject property. The Applicant is upgrading the existing site and providing significant improvements that will enhance the Village business district. The requested variances are reasonable and necessary to encourage redevelopment of this property.

3. CONCLUSION

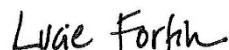
Given the unique circumstances of this site and based on the findings presented above, we recommend that the Village of Pinckney Zoning Board of Appeals grant the following variances requested by Pinckney-M36, LLC on Parcel # 4714-23-400-013, located at 75 S. Dexter Street:

1. To allow parking within the M-36 front yard setback (Section 152.281(D)).
2. To allow parking within the Dexter Street front yard setback (Section 152.281(D)).
3. To allow a 5-foot landscape strip along Dexter Street (Section 152.331).

Furthermore, we recommend that any granted variances be contingent upon the property development complying with a final site plan and landscape plan that meet ordinance regulations and receive Planning Commission approval.

Please do not hesitate to contact us if you have any questions.

Sincerely,



Lucie Fortin, AICP, PLA
Community Planner/Landscape Architect