



VILLAGE OF PINCKNEY

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ZONING BOARD OF APPEALS APPLICATION

Case # _____ Fee: _____
Date filed: 7-10-2025 Zoning District: SBD
Tax ID#: 4714- Lot #: _____ Subdivision: _____
Address of Subject Property: 75 South Dexter Street
Legal description: 14-23-400-013 SEC 23 T1N R4E VILLAGE OF PINCKNEY UNPLATTED LAND
(attach separate sheet if necessary)
Owner: Pinckney - M36, LLC
Address: P.O. Box 708 HOWELL, MI 48844
Phone: 517-202-0232 Email: todd@cdo10.com; tj@cdo10.com

Appellant (if different than owner): _____
Address: _____
Phone: _____ Email: _____

Type of Appeal:

Interpretation of: ☐ Zoning Ordinance ☐ Zoning District Boundaries ☐ Other

Specify: _____

Variance: ☒ Dimensional Variance ☐ Use Variance

Specify: Set back requirement along M36 and Dexter Roads

Lot size: Front: 648' Dexter Rear: 358' on M-36 Side: 470' south Side: 455' east

Size of Existing structure: 11,500 square feet

Existing setbacks (if applicable) Front: 10 (Dexter) Rear: 23.8 (M-36) Side: _____ Side: _____

Proposed setbacks (if applicable) Front: 5 (Dexter) Rear: 12 (M-36) Side: _____ Side: _____

Section of Zoning Ordinance appealing or requesting interpretation: 152.281 General Requirements (D) Setbacks
152.331 Landscaping Adjacent to Roads Attached sheet lists Village of Pinckney Planner review comments being addressed

Reason for Request/ Basis of appeal or special conditions existing where a literal enforcement of the provisions of the Zoning Ordinance would involve practical difficulties or cause unnecessary hardship or practical difficulty:

Re-use of existing building. New use requires drive space for customer travel. Owner taking the following steps to make site function. Removing 23' feet from west end of (high quality) building, adding 20' of hard surface to both the South & East drive ways.

1/4

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: Position of existing building does not allow traffic flow for the new use. Additionally, subject property is a corner lot with dual frontages, and lastly it is a 4.95ac lot but because of wetlands only 2.05ac are usable.

b) Failure to grant the variance will deprive the property owner of his/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:
Properties in the same district and vicinity enjoy reduced setback requirements. Granting this variance request enables successful site use by customers. Further building modifications to achieve full set-backs would result in a loss of site functionality.

c) Allowing the variance will result in substantial justice being done, and considers the public benefits intended by the ordinance, 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 this variance provides for the positive re-use of an existing vacant building.

d) 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:
Granting this variance request brings a vacant building into productive, long term use. This business will employ community members and serve customers in a business class allowed under current zoning with (special use) as provided in the master plan.

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 conditions present were created when the site was originally developed and the building was constructed for a different type of business use.

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: The variance requested is similar to properties in the vicinity. The request is the minimum needed after significant modifications are made to the building and site by the applicant.

- 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 07.17.25
Date

Signature of Appellant

Date

Application Checklist:

- ☐ Zoning Board of Appeals Application
- ☐ Plot Plan showing:
 - Location and width of road(s)
 - Location and dimensions of existing/proposed construction.
 - Dimensions, designation, and heights of existing structures on property clearly marked. Dimensions of property (lot lines).
 - Location and dimensions of required setbacks and proposed setbacks
 - All easements and location of water & sewer lines
- ☐ Preliminary Sketch of proposed structure
- ☐ Proof of ownership
- ☐ Applicable Fee \$_____ & Escrow Deposit* \$_____

* All legal, engineering and planning consultant fees, publication costs, recording fees and all charges related to the request will be deducted from the escrow deposit. All remaining funds will be returned to the applicant.

Date Application Received: _____ Date of Publication: _____
Date of Meeting: _____

Approved ☒ Basis for approval: _____
Not approved ☐ Reason for denial: _____

Signature of ZBA Chair _____ Date: _____

The special use plan review letter by the Village planner asked that we address two specific items. The Planner wrote:

1. A minimum 25-foot parking setback from the M-36 right-of-way is required in compliance with Section 152.281 (D). This may be achieved by reducing the drive aisle width.
2. A minimum 10-foot parking/drive setback from the Dexter-Pinckney Road right-of-way is required to accommodate a required road frontage landscape strip.

Below are the sections of Village of Pinckney Ordinances that are being referred to.

152.281 GENERAL REQUIREMENTS.

(D) *Setbacks*. Off-street parking, loading and stacking spaces shall be setback from street lines and lot lines as required for structures in the zoning district in which the spaces are located.

152.331 LANDSCAPING ADJACENT TO ROADS.

All non-residential developments shall include one tree and five shrubs per 30 lineal feet or road frontage. Trees are not required to be evenly spaced and may be clustered. The required landscaping adjacent to public and private roadways shall be located on private property within a planting strip a minimum of ten feet adjacent to the road right-of-way.

Please see the ZBA application in full answer to these two points.