



January 22, 2026

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

Subject:	Zoning Variance Request Grant's Place Apartments
Applicant:	HWPOET LLC - Chris Bonk, 5755 Long Pointe Drive, Howell, MI 48843
Location:	Former St. Mary's Church 551 E. Hamburg St. (Parcels # 4714-23-304-010 and 4714-23-304-080)
Zoning:	R4, Multiple-Family Residential

Dear Mr. Buerman:

At the Village's request, we have reviewed the variance request for Grant's Place Apartments and offer the following for the Zoning Board of Appeals' consideration. This review focuses on the variance approval standards and compliance with Section 152.442 of the Village Zoning Ordinance.

1. PROJECT BACKGROUND AND DESCRIPTION

The development proposal involves rehabilitating the former St. Mary's Church into apartment units. The project will use Village housing grants funds and private financing to separate the church sanctuary -which will be converted into seven apartments- from the rear L-shape building, which will be split and rehabilitated into two duplexes at a future phase.

The subject property is located at the corner of Pearl and Hamburg streets and consists of two parcels:

- a 0.78-acre West parcel (Parcel no. 4714-23-301-010, 34,103 sq. ft.), which is vacant.
- a 0.80-acre East parcel (Parcel no. 4714-23-304-080, 34,766 sq. ft.) including the former church and the attached building.

The church sanctuary, constructed in 1964, contains approximately 10,380 square feet. The attached building proposed for separation was added in 1978 and is approximately 3,285 square feet including an existing, attached two-car garage.

This project received site plan approval from the Planning Commission on January 5, 2026, contingent on both zoning variance approval and land division approval. This report focuses on the requested zoning variance. The applicant submitted:

- A variance application with a narrative describing the facts and conditions, and
- An exhibit illustrating the proposed variance.

The applicant requests the following non-use variance:

- From Section 152.123 (C)(2), Side Yard, to reduce the minimum side yard requirement from 6 to 5 feet between the proposed apartment building and the proposed property split.



TECHNICAL SKILL.
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Three variances were previously granted by the Village Zoning Board of Appeals on March 28, 2022:

1. A reduction in the required setback from the road right-of-way for the existing nonconforming sign, contingent on meeting current illumination standards (Section 152.306).
2. A reduction in required off-street parking spaces (Section 152.283).
3. Deferral of required landscaping adjacent to the road along the project's west parcel (parcel no. 4714-23-301-010) until a future development phase (Section 152.331).

While the 2022 variances remain, they may not be needed for the revised project.

2. **VARIANCE REVIEW**

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 Zoning Board of Appeals must approve or deny requests within 60 days unless the applicant agrees to additional time. Reasonable conditions may be attached to any approval to protect infrastructure, natural resources, nearby properties, and public health and safety. If the Board does not make a decision at the public hearing, they must set a specific future date for final action and record it in the minutes.

Under Section 152.444, the following facts and conditions must be considered:

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 project involves adapting an existing nonconforming building and site. Buildable space is limited due to the placement and configuration of the existing buildings. These circumstances are unique to this property and unrelated to the applicant's personal situation. They do not apply to other properties in the R4 Multiple-Family Residential District.

The proposed building separation will occur where the existing chimney, mechanical equipment, and stairway to the basement are located. While the chimney will no longer be needed, the stairway width is regulated by building code, limiting how much structure can be removed. These structural constraints allow for a total separation distance of 11 feet between the two detached buildings. The proposed lot split would place the interior lot line 5 feet from the new apartment building east wall and 6 feet from the duplex west wall. This configuration allows the duplex to meet R4 side-yard requirements, resulting in the need for a side yard variance from 6 to 5 feet for the apartment building.

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.***

Granting the variance will allow reasonable use of the property by enabling modifications that remain consistent with the intent of the zoning district. Strict adherence to the R4 side-yard requirement would impose unnecessary hardship due to the existing building placement.

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 variance will allow the rehabilitation of a long-vacant building into an active residential use, which will benefit the Village by increasing the tax base and improving neighborhood conditions.

- 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.***

Rehabilitating the former church building will enhance surrounding property values and improve the northern gateway into the Village. The project aims to bring the site into substantial compliance with current ordinance requirements for building appearance, landscaping, and maintenance.

The variance is consistent with the R4 District's purpose to promote safe, high-quality residential environments and supports the Master Plan objectives encouraging redevelopment of vacant properties and adaptive reuse of existing buildings. The improved building appearance will benefit the surrounding properties and the community as a whole.

- 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 need for the variance arises from the reuse of an existing structure and is not the result of 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.***

The variance allows continued viable use of the existing building and represents the minimum deviation required. It does not grant the applicant an advantage inconsistent with other properties in the district.

3. CONCLUSION

Given the unique circumstances of this site and the findings above, we recommend that the Village of Pinckney Zoning Board of Appeals grant the following variance requested by HWPOET, LLC for Parcel No. 4714-23-304-080, located at 511 E. Hamburg Street:

A variance to allow a reduced side setback from 6 to 5 feet on the west side of the rehabilitated and separated apartment building (Section 152.123 (C)(2)).

This approval should be contingent upon the project receiving land division approval from the Planning Commission/Village Council and compliance with all applicable approval requirements. All variances granted and utilized for the development must be clearly noted on the final approved site plan.

Lucie Fortin

Lucie Fortin,
Community Planner/Landscape Architect

Cc: Chris Bonk, chrisbonk@B5contractor.com