



VILLAGE OF PINCKNEY

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

ZONING BOARD OF APPEALS

APPLICATION

JAN 12 2025

Case # 2026-001-ZBA Fee: 600⁰⁰

Date filed: 12-8-2025 Zoning District: R4

Tax ID#: 4714- Lot #: 5-8 Subdivision: JW Hinchey Addition

Address of Subject Property: 551 Hamburg Street

Legal description: See attached

(attach separate sheet if necessary)

Owner: HWPOET llc.

Address: 5755 Long Pointe Drive Howell Mi 48843

Phone: 517 202 1034 Email: CHrisbonk@b5contractor.com

Appellant (if different than owner): Chris Bonk

Address: 5755 Long Pointe Drive Howell Mi 48843

Phone: 517 202 1034 Email: Chrisbonk@b5contractor.com

Type of Appeal:

Interpretation of: Zoning Ordinance Zoning District Boundaries Other

Specify: _____

Variance: Dimensional Variance Use Variance

Specify: Side yard setback

Lot size: Front: 263.02 Rear: 263.02 Side: 132.18 Side: 132.18

Size of Existing structure: 10,380 square feet

Existing setbacks (if applicable) Front: 33.3 / 5.9 Rear: 64.7 Side: NA Side: NA (see narr.)

Proposed setbacks (if applicable) Front: 33.3 / 5.9 Rear: 64.7 Side: NA Side: 5

Section of Zoning Ordinance appealing or requesting interpretation: 152.123 (C) (2)

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:

Limitation of modification of existing building where strict zoning compliance will significantly compromise the use and viability of the existing structure & site

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

JAN 12 2020

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: See attached narrative

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: See attached narrative

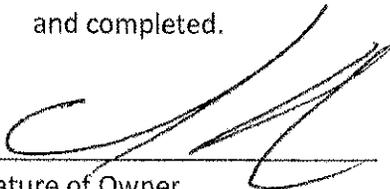
c) Allowing the variance will result in substantial justice being done, and considers the public benefits intended by the ordinance, the individual hardships that will be suffered by failure to grant the variance and the rights of others whose property would be affected by approval of the variance: See attached narrative

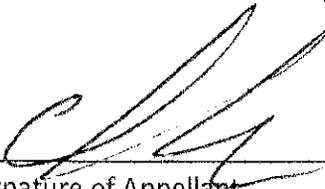
d) The variance will be consistent with the purpose and intent of the ordinance, will not adversely affect the purpose or objectives of the master plan of the village, will not be contrary to the public interest, will not injure the public or private rights of others and will not diminish the value of surrounding properties: See attached narrative

e) The conditions and circumstances on which the variance request is based have not been self-created by the applicant or predecessors in title: See attached narrative

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: See attached narrative

- 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 12/8/2025


 Signature of Appellant _____
 Date 12/8/2025

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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 \$ 600 & Escrow Deposit* \$ 1000⁰⁰

* 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: _____

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BY:

B5 CONTRACTOR SERVICES LLC
5755 LONG POINTE DR
HOWELL MI 48843-9143

3326
74443/724

PAY TO THE
ORDER OF

Walter O. Pickney
One thousand six hundred and no/100

\$ 1,600.00

choiceone
BANK

DOLLARS

FOR *SSI & Harburg IT*



⑆003326⑆ ⑆072408436⑆ 04726812⑆

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BY:
NARRATIVE EXHIBIT: Variance Request – Grants Place Apartments December 8, 2025

Requests Referring To:

R4 Zoning – Side Yard Setback

Building Setbacks – Zoning Ordinance Section 152.123 (C) (2) & (G): Requesting a 1-foot reduction of the side yard setback to allow the existing building to come into more conformity and be viable for a new use.

Narrative Summary:

Overall - Request Context: The existing site includes a former 'L'-shaped Church facility (St Mary's Catholic) constructed in 1964 on a 0.80-acre site (-080). It has not been in-use for several years. The proposed project is to utilize new Village housing grant monies and private financing to split/separate the 'L' (the former administration wing) from the former Church sanctuary (or chancel and nave) to create two new residential use buildings – a multi-family apartment building in the former sanctuary portion and a residential duplex in the former administration portion.

This is an extensive renovation that includes inherent limitations on working with existing walls and structure along with the existing site configuration. The project will allow a substantial improvement to the building(s) and site remaking it into an attractive asset to the immediately adjacent properties and the Village as a whole. However, the building has 'existing non-conforming' issues when reviewed against the current R4 zoning requirements.

It has been deemed that a variance is required to formally approve modification of requirements to allow the project to go forward while still meeting ordinance intent. The improvements cannot be completed without the variance.

The following narrative is organized around the required 'findings of fact' listed under the Variances Section 152.444 (B) and the Zoning Board of Appeals Application form.

Building Setback(s) (and Building Length):

Practical Difficulties: It is an existing non-conforming building where to bring it into technical conformance will significantly compromise the proposed use and viability of the building structures. It is a combination of ordinance conflicts and site history.

Request Reduction of Side Yard Setback by 1-foot: The existing building will be split/separated where the current chimney and primary mechanical equipment are located and where there is a stairway to the building basement level. This chimney and associated equipment will no longer be needed with the new apartment configuration. The stair will be reduced in width, needing only to serve 1 unit of the new duplex, but the stair width reduction and configuration is limited by building code and there are overall structural limitations on the total amount of removal/demolition. The overall separation distance achievable is 11-feet between the 2 new proposed buildings. It is proposed that the Parcel be re-configured into 2 lots with the interior property line located 5-feet from the new apartment east wall and 6-feet from the new duplex west wall. It is understood that the Lot Re-configuration approval is a separate process but this will allow the duplex to be in side yard compliance with the R4 zoning without variance need and a 1-foot minimum variance for the apartment, thereby simplifying the overall request.

The approval of the building split will also allow the building length to come into compliance. Zoning Ordinance Section 152.123 (G) states that 'No multi-family dwelling, two-family dwelling or group of

JAN 12 2026

attached single-family dwellings shall be longer than 160-feet.' The existing building is 192.2-foot long (200.0-foot with the garage bump out at the northeast corner). The split will reduce the overall building lengths to 114.1-foot (sanctuary/apartments) and 86.0-foot (administration/duplex) to be in compliance.

Reasonable Use: As described in the preceding paragraphs it is proposed that the requested setback will allow for continued reasonable use of the property. The restrictions of the R4 Zoning District will render conformity unnecessarily burdensome. The requested variance will allow modifications still meeting the intent of a building complimentary in proportion and landscaping to other surrounding buildings.

Public Benefit: Approval of the requested variance will allow the proposed rehabilitation of the former church to proceed. This will be substantial public benefit as it will convert an abandoned, derelict building, to a new private use onto the tax rolls.

Consistency in Purpose and Intent of the Ordinance: Converting a former derelict church property into a viable, private business on the tax rolls will create substantial value to surrounding properties. It will convert a property that has been vacant over several years back into a well-maintained property that will greatly improve the entrance to the Village from the north in the public interest. The project is intended to make this site considered 'existing, non-conforming' to come into substantial compliance with the current ordinances – in appearance, landscaping, and building quality.

Not Self-Created: The issues are a consequence of an existing structure in conflict with current zoning. They do not adversely change existing conditions and will not adversely impact neighboring properties.

Limitation Consistency / Minimum Variance: The request seeks to allow the existing building(s) to continue as a viable use. The request is the minimum in context.

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2025R-022408
RECORDED ON
11/05/2025 10:45:20 AM
BRANDON DENBY
REGISTER OF DEEDS
LIVINGSTON COUNTY, MI 48843
RECORDING: 26.00
REMON: 4.00
PAGES: 2

BY:.....

2

Quit Claim Deed

File No.: 20-39705-5

KNOW ALL MEN BY THESE PRESENTS: Chris Bonk

whose address is: 5755 Long Pointe Drive, Howell, MI 48843

Quit claim(s) to HWPOET LLC, a Michigan limited liability company

whose address is: 5755 Long Pointe Drive, Howell, MI 48843

Property 1:

The following described premises situated in the Village of Pinckney, County of Livingston and State of Michigan, more particularly described as follows:

Lot 5, 6, 7 and 8, Block 8 Range 8, of Original Plat of the Village of Pinckney, Livingston County, Michigan, according to the recorded Plat thereof, as recorded in Liber 2D, Page(s) 64, Livingston County Records.

AND

That part of Block 4, Range 1, of JW Hinchey Addition to the Village of Pinckney, Livingston County, Michigan, according to the recorded Plat thereof, as recorded in Liber 61D, Page(s) 452, Livingston County Records, beginning at the Southeast corner of Lot 8; thence South 86°10'13" West 263.02 feet; thence North 06°36'03" West 132.18 feet; thence North 86°10'13" East 263.02 feet; thence South 06°36'03" East 132.18 feet to the point of beginning.

Tax Parcel No.:

Property 1:
4714-23-301-010 & 4714-23-304-080

Commonly known as:

551 East Hamburg Street, Pinckney, MI 48169

for the sum of ONE Dollars (\$1.00) Exempt under MCL 207.526 Sec. 6a and MCL 207.505 Sec. 5a.

5 NOV 25 AM 10:49
RCID

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BY:

The Grantor grants to the Grantee the right to make (ALL) divisions under section 108 of the land division act, Act 288 of the Public Act of 1967.

If the land being conveyed is unplatted, the following is deemed to be included: "This property may be located within the vicinity of farmland or farm operation. Generally accepted agricultural and management practices which may generate noise, dust, odors, and other associated conditions may be used and are protected by the Michigan Right to Farm Act."

Dated: 9/4/2005


Chris Bonk

STATE OF MICHIGAN
COUNTY OF LIVINGSTON

Acknowledged before me in LIVINGSTON County, Michigan, on 4 day of November, 2005 by Chris Bonk.


Notary Public Signature

Joslynn Alessio
Notary Name

JOSLYNN ALESSIO
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF LIVINGSTON
My Commission Expires March 03, 2032
Acting in the County of LIVINGSTON

Notary public, State of Michigan, COUNTY OF LIVINGSTON
My Commission Expires: 03/03/2032

Transfer Tax: Exempt County Revenue Stamps: Exempt Recording Fee \$30.00

Drafted by:

Chris Bonk
5755 Long Pointe Drive
Howell, MI 48843

When recorded return to:

Chris Bonk
5755 Long Pointe Drive
Howell, MI 48843