

November 24, 2010

Planning and Development Services
City of Ann Arbor Planning Committee
100 N. Fifth Ave.
Ann Arbor, MI, 48107-8647

RE: Arbor Dog Daycare Special Exception Use Petition
(Public Hearing: October 19, 2010)

Dear Sir/Ms.:

I wish to bring to the attention of the Planning Committee two significant and material misrepresentations of facts, one in the written Application submitted for this Petition and a second in its presentation to the Planning Committee at the Public Hearing on October 19, 2010. These misrepresentations are summarized briefly below.

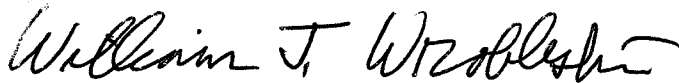
1. During the Public Hearing, a *Letter* from Mr. Vishal Shah was presented to the Planning Committee by the Owner of Arbor Dog Daycare. It was proffered as a letter from the President of the Board of Directors of the Balmoral Park Condominium Association of Co-Owners and was very persuasive in its endorsement of the Petition. Indeed, Mr. Shah is a condominium co-owner who resides at 210 W. Oakbrook Dr. in Balmoral Park; and he also was, at that time, President of the Board of Directors of the Association. The Board of Directors was elected for the first time by the fifty-eight Co-Owners of the Association in January 2010; and because of Mr. Shah's inexperience, he has conflated his role as a condominium co-owner with his position as President of the Board of Directors of the Association in his correspondence related to the several Arbor Dog Daycare Special Exception Use Petitions that have been presented to the Planning Committee. In these communications, Mr. Shah failed to clearly and unambiguously identify his support for these Special Exception Use Petitions as his personal opinions only rendered as a condominium co-owner and not as the President of the Board of Directors. Mr. Shah has acknowledged that his *Letter* presented to the Planning Committee on October 19, 2010 expressed only his personal support for the Special Exception Use Petition; and he has attested to this interpretation of this *Letter* in a recent email communication he sent to the Planning Committee.

2. A second misrepresentation appears in the written Application for the Special Exception Use Petition submitted to the Planning Committee by the Owner of Arbor Dog Daycare. In this Application, it is claimed that "**The board members** [of the Balmoral Park Condominium Association's Board of Directors] **support the proposed special exception use permit.**" The members of the Board of Directors have stated that they have never made an endorsement for or against any Arbor Dog Daycare Special Exception Use Petition; and the members of the Board of Directors have attested to their statement in a recent email communication sent to the Planning Committee.

In summary, these two significant and material misrepresentations of fact have created the misleading impression that the Arbor Dog Daycare Special Exception Use Petition had the full support of both the President and the Board of Directors of the Balmoral Park Condominium Association; and, therefore, as the elected Agents of the Co-Owners of the Association, the support of at least a majority of the Association's Co-Owners. This misleading impression has effectively marginalized the statements of other condominium co-owners who have expressed their concern and opposition to the Arbor Dog Daycare Special Exception Use Petition. To date, however, only one condominium co-owner, Mr. Vishal Shah, has expressed support for this Petition; and his personal opinion should not be accorded any special credence due to his position on the Board.

Because these two significant and material misrepresentations of fact have so tainted the validity of the proceedings related to the Arbor Dog Daycare Special Exception Use Petition, I am requesting that the Planning Committee issue a **Summary Rejection** of this Petition without the need for any additional proceedings.

Respectfully,



William J. Wroblewski
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