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TEL (734) 459-0062

April 29, 2016

[JBeaudry@A2gov.org](mailto:JBeaudry@A2gov.org)

Jacqueline Beaudry, City Clerk  
Ann Arbor City Clerk's Office  
Guy C. Larcom, City Hall  
301 E. Huron, 2nd Floor  
Ann Arbor, MI 48104

**RE: PUBLIC HEARING WOODBURY CLUB APARTMENTS  
ANNEXATION ZONING AND SITE PLAN  
ANNEXATION OF 54 ACRE PARCEL FROM ANN ARBOR TWP.  
REZONING THE PROPERTY R4A**

Dear Ms. Beaudry:

Please accept this notice on behalf of Barclay Park Association - the Association of all co-owners of units in the Barclay Park Condominium. This firm is legal counsel for the Association. Barclay Park Condominium is adjacent to the land that is the subject of the Woodbury Club Apartments Annexation Zoning and Site Plan matter currently under consideration.

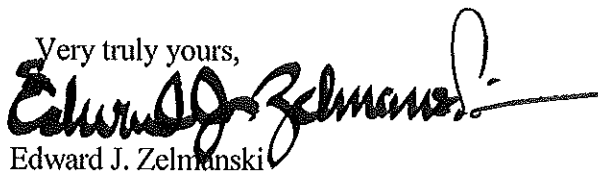
A public hearing was held by the Ann Arbor City Planning Commission at 7:00 p.m. on October 21, 2014 to consider the above matter – a copy of the Notice of Public Hearing is attached hereto. The notice requirements in the Michigan Zoning Enabling Act, Sections 125.3103 and 125.3306 were not followed at the time that the notice of the meeting was sent. Specifically, notice was not given to all persons whom real property is assessed within 300 feet of the property that is the subject of the request. A list of addresses was provided by the City Clerk pursuant to FOIA request in February of this year. A copy showing a listing of the property addresses to which such notice was sent is attached. Notice of the meeting was not sent to Barclay Park Association as a legal entity. Such notice was to be

Jacqueline Beaudry, City Clerk  
Guy C. Larcom, City Hall  
April 29, 2016  
**Re: Woodbury Club Apts**  
Page Two

provided to the Association's registered agent, Meadow Management Inc. at 27780 Novi Road, Suite 110, Novi, Michigan 48377. A copy of the public listing by the Michigan Department of Licensing and Regulatory Affairs showing the designation of Meadow Management Inc as registered agent for Barclay Park Association is attached. Meadow Management is the managing agent for Barclay Park Association and is responsible for the maintenance and administration of the club house and other common structures located in Barclay Park. The failure to send notice to the Association's registered agent constitutes a material defect in the conduct of the hearing. Notice of the planning commission meeting was required to be sent the registered agent for Barclay Park Association.

The Master Deed for Barclay Park Condominium provides that each co-owner in the condominium project shall have undivided and inseparable rights to share with other Co-owners in the Common Elements of the Condominium Project as are designated by the Master Deed. The land that is the subject of the proposed annexation and re-zoning is within 300 feet of various designated Common Elements within Barclay Park Condominium. Accordingly, each Co-owner of a Unit in Barclay Park Condominium is a person to whom real property is assessed within 300 feet of the property that is the subject of the annexation and rezoning and was required to be provided with notice of the hearing as well as was the manager of the common structures on the condominium site. Since such notice was not provided to all such persons, the meeting held on October 21, 2014 was not lawfully conducted and must be reconvened after proper notice is given in order to properly hear and consider the issue before the Planning Commission regarding the Woodbury Club Apartments Annexation Zoning and Site Plan. The due process rights of the property owners were violated and further action of the Proposal needs to be stopped until the defect is cured.

If you have any questions regarding the above matters, please feel free to contact me.

Very truly yours,  


Edward J. Zelmanski

Attorney at Law

[ezelmanski@zdfattorneys.com](mailto:ezelmanski@zdfattorneys.com)

EJZ:dlm  
Attachments  
Cc: Board of Directors

## NOTICE OF PUBLIC HEARING

A public hearing on the following items will be held by the Ann Arbor City Planning Commission in the Council Chamber, Second Floor, Guy C. Larcom, Jr. Municipal Building (City Hall), 301 E. Huron Street, Ann Arbor, Michigan on Tuesday, October 21, 2014 at 7:00 p.m.

Concordia University Kreft Center Landscape Modification – A request for a landscape modification on this 80.63 acres site at 4090 Geddes Road. No changes are proposed to the existing parking lots and the petitioner is asking permission to waive the requirement to install bioswales within the existing parking areas. Ward 2



Woodbury Club Apartments Annexation, Zoning and Site Plan - A proposal to annex this vacant 54 acre parcel located, at 3380 Nixon Road, from Ann Arbor Township, zone it R4A (Multiple-Family Dwelling District), and construct 282 apartment units in 4 buildings and a clubhouse on the western portion of the site. (Ward 2)

Nixon Farm North, 3381 Nixon Road – A proposal including several related petitions necessary to develop a 68-acre site at the northwest corner of Nixon and Dhu Varren Roads for multiple-family residential use with 209 attached dwelling units in 51 buildings, with community clubhouse and pool, storm water management and park donation. Petitions include Annexation, Zoning (to R4A Multiple-Family Dwelling), Site Plan and Natural Features Open Space Activity authorization, Landscape Ordinance modification request and Wetland Use permit. Ward 1.

Nixon Farm South, 2999 Nixon Road – A proposal including several related petitions necessary to develop a 40-acre site at the southwest corner of Nixon and Dhu Varren Roads for multiple-family residential use with 264 attached dwelling units in 51 buildings, with storm water management and park donation. Petitions include Annexation, Zoning (to R4A Multiple-Family Dwelling), Site Plan and Natural Features Open Space Activity authorization, Landscape Ordinance modification request and Wetland Use permit. Ward 1.

Additional information is available at the Planning and Development Services Unit (734-794-6265), First Floor, Guy C. Larcom, Jr. Municipal Building (City Hall), Ann Arbor, Michigan. After 3:00 p.m. on the Friday prior to the public hearing, staff reports will be available at the Planning and Development Services Unit or the electronic staff reports can be viewed at <http://a2gov.legistar.com/Calendar.aspx>. This meeting will be televised live on Cable TV, Channel 16. Persons with disabilities are encouraged to participate. Accommodations, including sign language interpreters, may be arranged by contacting the City Clerk's Office at 734-794-6140 (V/TDD) at least 48 hours in advance. To provide written comments prior to the meeting date, please email [planning@a2gov.org](mailto:planning@a2gov.org), or mail/hand deliver to Planning & Development Services, 1<sup>st</sup> floor, 301 E. Huron Street, Ann Arbor, MI 48107-8647 by noon of the meeting date.

Authorized by:  
Wendy L. Rampson  
Planning Manager



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**CORPORATE ENTITY DETAILS**

Searched for: BARCLAY PARK ASSOCIATION  
ID Num: 753513  
Entity Name: BARCLAY PARK ASSOCIATION  
Type of Entity: Domestic Nonprofit Corporation  
Resident Agent: MEADOWMANAGEMENT INC.  
Registered Office Address: 27780 NOVI ROAD, SUITE 110 NOVI MI 48377  
Mailing Address: MI  
Formed Under Act Number(s): 162-1982  
Incorporation/Qualification Date: 11-2-1998  
Jurisdiction of Origin: MICHIGAN  
Number of Shares: 0  
Year of Most Recent Annual Report: 15  
Year of Most Recent Annual Report With Officers & Directors: 15  
Status: ACTIVE Date: Present

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			Fishers
			Warren
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State	Country	Street	zip_code	Type
MI	USA	1045 Olivia Ave	48104-3928	Owner
MI	USA	2455 S Industrial Hwy Ste A	48104	Owner
MI	USA	2699 Barclay Way	48105	Resident
MI	USA	2701 Barclay Way	48105	Resident
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MI	USA	2763 Barclay Way	48105	Resident

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MI	USA	2789 Barclay Way	48105 Resident
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MI	USA	2801 Barclay Way	48105 Resident
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MI	USA	2809 Barclay Way	48105 Resident
MI	USA	2810 Barclay Way	48105 Resident
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MI	USA	3267 Dunwoodie Rd	48105 Resident
MI	USA	3271 Dunwoodie Rd	48105 Resident
MI	USA	3275 Dunwoodie Rd	48105 Resident
MI	USA	3380 Nixon Rd	48105 Resident
MI	USA	3381 Nixon Rd	48105 Resident
MI	USA	4001 GLACIER HILLS DR	48105 Owner
MI	USA	4001 Glacier Hills Dr 124	48105 Owner
IN	USA	9959 Rainbow Falls Ln	46037 Owner
MI	USA	PO BOX 9022	48090-9022 Owner
MI	USA	1730 David Court	48105 Tim Colenback/Neigh of Leslie Science Center, Black Pond Woods/Tr
MI	USA	3347 Elsinore Court	48105 Jane and Rob Klingsten/Arbor Hills Condo Assoc
MI	USA	1100 N. Main St. Suite 210	48104 Jason Frenzel/Huron River Watershed Council