

**STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
STATE BOUNDARY COMMISSION**

In the matter of:

Petition Number 19-AR-2

The proposed annexation of land in the Township of Pittsfield to the City of Ann Arbor,
Washtenaw County

Agency: Bureau of Construction Codes
Case Type: Annexation

Issued and entered

This 11th day of January 2023
By Orlene Hawks, Director
Department of Licensing and Regulatory Affairs

WHEREAS the petition was presented and found legally sufficient in a public meeting by the State Boundary Commission pursuant to MCL 123.1008 and MCL 123.1009 on April 24, 2019.

WHEREAS a public hearing was held on June 24, 2019, in the City Council Chambers at the Ann Arbor City Hall pursuant to MCL 123.1008. Written comments were also received from the public once the petition was found legally sufficient until the close of the public hearing.

WHEREAS the State Boundary Commission reopened public comment at the October 6, 2021, public meeting pursuant to MCL 123.1009 as a result of the circuit court of Washtenaw County remanding the decision back to them to clarify and/or explain the following:

- 1) The specific criteria the State Boundary Commission relied upon in reaching its decision.
- 2) Why the petition in 19-AR-3 petition was granted but not this one.
- 3) Whether, and if so to what extent, the historic annexation documents between Appellant and the township have bearing on the State Boundary Commission's decision with respect to the petition.

WHEREAS the State Boundary Commission held a special meeting on December 16, 2021, and pursuant to MCL 123.1010 recommends the petition be denied by the Director of the Department of Licensing and Regulatory Affairs as follows:

FINAL DECISION AND ORDER

IT IS ORDERED THAT the proposed annexation of territory in the Township of Pittsfield to the City of Ann Arbor as depicted in Petition 19-AR-2 as described in Exhibit A is **DENIED**.

With respect to the parcels identified in Exhibit A, the State Boundary Commission finds that the petition should be denied in view of the considerations enumerated in section 9 of the State Boundary Commission Act, MCL 123.1009, including specifically:

Section 9(b) of the State Boundary Commission Act includes consideration of “the probable increases in taxes in the area to be [annexed].” Here, it is found that annexation of the parcels identified in Exhibit A would result in property tax increases to the owner-occupied properties without commensurate benefits.

Section 9(b) of the State Boundary Commission Act includes consideration of “the need for organized community services[.]” “the present cost and adequacy of governmental services in the area [,]” “the probable future needs for services in the area to be [annexed][,]” and “the practicability of supplying such services in the area to be [annexed].” Here, it is found that the parcels identified in Exhibit A already have access to adequate community and governmental services and the costs to property owners of connecting to city utilities would outweigh the benefits.

Section 9(c) of the State Boundary Commission Act includes consideration of “[t]he general effect upon the entire community of the proposed action.” Here, it is found that, when weighing the effects of annexation of the parcels identified in Exhibit A, and in particular taking into account the concerns of the property owners with respect to the same, annexation would have a significant negative effect on said property owners while not conferring a substantial benefit to the community as a whole.

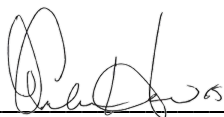
With respect to the State Boundary Commission’s findings and recommendations as to the instant petition versus those at issue in 19-AR-3, it is noted that each was considered on its own merits and that while its findings with respect to each are unique it nevertheless bears noting that the parcels identified in 19-AR-3 were vacant and, as such, did not present similar considerations to those identified in 19-AR-2 as to the “Exhibit A” parcels, especially when taking into account the need for, cost of, and adequacy of current and future services.

With respect to the “historic annexation documents,” namely the 1994 Policy Statement between the City and Township, the State Boundary Commission finds that such statements are neither dispositive nor binding on the question of whether the parcels may be annexed under the State Boundary Commission Act.

IT IS FURTHER ORDERED THAT the Order shall be effective on the date signed below by the Director of the Department of Licensing and Regulatory Affairs (LARA).

IT IS FURTHER ORDERED THAT the State Boundary Commission shall transmit a copy of this Order with the Summary of Proceedings, Findings and Conclusions to the clerks of the Township of Pittsfield, the City of Ann Arbor and the County of Washtenaw.

Pursuant to MCL 117.9 (12), **IT IS FURTHER ORDERED THAT** the State Boundary Commission shall mail a copy of this Order to each property owner the commission is required to provide notice in MCL 117.9 (2).



Orlene Hawks, Director
Michigan Department of Licensing and Regulatory Affairs

1/11/2023

Date

EXHIBIT A: DESCRIPTION OF DENIED PARCELS

Petition 1: 296 West Eisenhower

Beginning at a point in the North line of Waters Road, 363 feet westerly from the southwest corner of Lot 8, according to the recorded plat of South Main Woods; thence northerly parallel with the west line of Lots 8, 7, 6, and 5 to the prolongation westward of the south line of lot 4; thence westerly parallel with the north line of lot 12 to the west line of lot 12; thence southerly in the west line of lot 12 and in the west line of lot 15 to the north line of Waters Road; thence easterly in the north line of Waters Road, 123.99 feet more or less to the place of beginning, being all of lot 15 and a part of lots 14 and 12, South Main Woods, according to the plat thereof, as recorded in Liber 10 of Plats, Page 1, Washtenaw County Records.

Petition 2: 3579 Stone School Road

Commencing at the west quarter post of section 10; thence south 381.40 feet in the west line of section 10 for a place of beginning; thence south 165 feet in the west line of section 10; thence east 528 feet; thence north 165 feet; thence west 528 feet to the place of beginning. Being a part of the west half of the southwest quarter of section 10, Town 3 South, Range 6 East, Washtenaw County, Michigan.

Petition 3: 3950 Platt Road

Commencing at the Southeast corner of section 10, Town 3 South, Range 6 East, Pittsfield Township, Washtenaw County, Michigan; thence along the South line of said section 10, westerly 217.84 feet to the point of beginning; thence continue for 198.04 feet; thence Northerly deflecting 91° 09' to the right 278.55 feet; thence easterly deflecting 90° to the right 415.8 feet; thence southerly deflecting 90° to the right 50.0 feet; thence westerly deflecting 90°

to the right 217.8 feet; thence southerly deflecting 90° to the left 224.57 feet to the point of beginning.

Petition 4: 2080 South State Street

Commencing at the northeast corner of section 5; thence South 86° 39' 10" West 132.03 feet; thence South 24° 11' 20" East 25.60 feet; thence South 10° 18' 35" East 233.23 feet; thence South 87° 01' 10" West 48.30 feet to the point of beginning; thence South 87° 01' 10" West 324.12 feet; thence South 02° 02' 00" West 156.11 feet; thence North 87° 01' 10" East 343.94 feet to a point on the arc of a 2824.79 foot radius curve; thence Northerly 155.65 feet (158.24 feet record) along the arc of a 2824.79 foot radius curve to the left, chord North 04° 29' 10" West 155.64 feet to the point of beginning. Part of the Northeast quarter of Section 5, Town 3 South, Range 6 East, Washtenaw County, Michigan.

Petition 5: 2077 South State Street

Commencing at the Northwest corner of Section 4; thence West 96.72 feet; thence South 20° 53' 10" East 17.06 feet; thence South 06° 59' 30" East 330.61 feet to the point of beginning; thence South 06° 59' 30" East 67.61 feet; thence South 00° 07' West 116.92 feet; thence South 89° 25' East 449.80 feet; thence North 20° 48' 30" West 197.61 feet; thence North 89° 25' West 387.63 feet to the point of beginning. Part of the Northeast quarter of Section 4 and Northeast quarter of Section 5, Town 3 South, Range 6 East.

Petition 6: 2141 South State Street

Commencing at the Northwest corner of Section 4; thence South along the West line of Section 4, 915.09 feet to the point of beginning; thence North 84° 19' 02" East 587.39 feet; thence North 21° 32' 59" West 234.20 feet; thence South 87° 23' 43" West 511.43 feet to the East line of State Street; thence South 01° 52' 52" East 253.30 feet in said line; thence North 84° 19' 02" East 4.13 feet to the point of beginning. Part of the Northwest quarter of Section 4 and the Northeast quarter of Section 5, Town 3 South, Range 6 East, Washtenaw County, Michigan.

Petition 7:

Lots 1, 2, 3 & 4, Park Crest Subdivision, Washtenaw County Records.