IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN

APOLLOS PROPERTIES, LLC, *et al.*, Plaintiffs, v. LELAND TOWNSHIP, MICHIGAN, *et al.*, Defendants.	Judge Paul L. Maloney No. 26-cv-2307

DECLARATION OF ROBERT W. PARKER
IN SUPPORT OF MOTION FOR PRELIMINARY INJUNCTION

I, Robert W. Parker, declare as follows:

1. I am over eighteen years of age and competent to testify concerning the matters stated in this Declaration. I make this Declaration based upon my personal knowledge. The following statements are true and correct to the best of my knowledge and belief.

2. I am an attorney licensed to practice law in the State of Michigan and am one of the founding members of Parker Harvey, PLC, a Traverse City law firm. I have, *inter alia*, more than 45years' experience in real estate, transactions, property law and municipal and land use law and procedure.

3. I represent Apollos Properties, LLC and James and Elizabeth VanSteenhouse in matters related to the purchase and use of the property Apollos purchased on North Lake Street in Leland Michigan. My representation includes the zoning and land use matters related to Leland Township's efforts to prohibit Youth for Christ Club from meeting at the private property located on North Lake Street in Leland, Michigan (the "North Lake Street property").

The Special Use Permit Proceedings

4. In the course of this representation, I became familiar with Leland Township's Zoning Ordinance, the zoning classification applicable to the North Lake Street property, the Township's position concerning Youth for Christ Club's proposed use of that property, and the proceedings before the Leland Township Planning Commission.

5. Apollos and Youth for Christ Club sought to use the North Lake Street property as a location where high school students could voluntarily gather for prayer, Bible study, fellowship, and other activities associated with Youth for Christ's Christian ministry.

6. Leland Township took the position that Youth for Christ Club could not continue these activities at the North Lake Street property without first applying for and obtaining a Special Use Permit.

7. Apollos Properties and Youth for Christ Club accordingly submitted an application for a Special Use Permit to Leland Township on October 17, 2025.

8. The application resulted in an extended series of proceedings before the Leland Township Planning Commission extending from approximately October 2025 through May 2026.

9. I represented Apollos Properties in connection with those proceedings and attended and participated in the Planning Commission hearings concerning the Special Use Permit application.

10. As part of my representation, I prepared several written memorandum addressing the application for a Special Use Permit that is described in the Memorandum in Support of the Motion for Preliminary Injunction.

11. Closing on the North Lake Street property occurred on February 28, 2025. Prior to closing and as part of our due diligence, I spoke with the Zoning Administrator Tim Cypher.

Specifically, I sent an email note to him on December 16, 2024 describing the proposed use and indicating my desire to speak with him to discuss zoning issues.

12. On December 20th, Mr. Cypher and I had a phone conference. It was during this conversation that Mr. Cypher stated that preliminarily, he thought the YFC use might be characterized as a "generally recognized retail business" and thus might be viewed as a use by right. However, he asked for a few days to considered before making a formal finding.

13. On December 31st I reached out to Mr. Cypher to determine if he had reached a formal conclusion. It was about this time that I learned that he was mostly likely out of the office over the Holidays and probably would not be returning until the week of January 6th. Because of this, we negotiated a two-week extension of the due diligence period.

14. Mr. Cypher called me on January 10th to discuss. He advised me that in his opinion the use as described was a *club* as that term is described by the Leland Township Zoning Ordinance and this would entail making an application for a special land use permit. He also advised that this would entail one public hearing before the planning commission but given the nature of the use he did not believe there would be any issues, and the permit should be granted. It was in part based upon these assurances that Apollos elected to proceed to closing.

15. I am aware that, on or about February 3, 2026, Leland Township's then-attorney, Brad Wierda, advised members of the Planning Commission that Youth for Christ Club's application was consistent with the Zoning Ordinance and that denying Youth for Christ the right to meet at the North Lake Street property raised significant constitutional issues and RLUIPA. Additionally, the Township's then-zoning administrator, Tim Cypher, reviewed the application and the ordinance and issued preliminary findings and conclusions which found that the

application met the standards set forth in the Township's zoning ordinance and should be approved.

16. Notwithstanding the constitutional and civil rights concerns that had been presented to the Planning Commission and the opinion of its Zoning Administrator, a majority of the Commission voted on April 15, 2026, to deny the Special Use Permit application.

17. The Planning Commission subsequently reconsidered the matter after its new attorney, Thomas Grier, advised the Commission that corrections were required to the Findings and Conclusions previously adopted by the Commission. Specifically, Mr. Grier concluded that the Commission's determination on April 15 was based upon an erroneous understanding of the legislative history of certain amendments to the Zoning Ordinance.

18. On May 6, 2026, the Planning Commission again voted to deny the application and thereby continued to deny Youth for Christ Club permission to assemble at the North Lake Street property.

Appeal to the Zoning Board of Appeals

19. Following the Planning Commission's denial of the Special Use Permit application, Apollos exercised its right to seek review before the Leland Township Zoning Board of Appeals ("ZBA").

20. Apollos filed two appeals of the Planning Commission's denial of the application for a special use permit. Apollos paid Leland Township $300 for each appeal and the Township also required Apollos to pay the Township an $8,000 escrow fee to pursue the appeal before the ZBA.

21. The ZBA appeal remains pending and has not yet been finally decided.

22. While the ZBA appeal is pending, Leland Township has refused to allow Youth for Christ Club to conduct its religious meetings at the North Lake Street property.

The Township's Refusal to Stay Enforcement

23. Because the ZBA appeal remains pending, in written correspondence dated April 28, 2026 I sought confirmation from Leland Township that the Township would refrain from enforcing its prohibition against Youth for Christ Club meeting at the North Lake Street property until the ZBA resolved the appeal.

24. In a phone conference with Mr. Grier on May 4, in response to my letter, he advised that he had been directed by the Township not to respond to my letter.

25. In an email note to me dated May 7, 2026, Mr. Grier advised that he would no longer be representing the Township and that the Township had engaged attorney Lauren Teichner to represent the Township regarding matters before the Board of Zoning Appeals.

26. On May 7th I reached out to Ms. Teichner for verification of her engagement and was advised by her that it had not yet been formally approved by the Board.

27. On May 13th I learned that the Board had approved Ms. Teichner's engagement and that same date I emailed her a copy of my April 28th letter to Mr. Grier.

28. On May 13th Ms. Teichner responded and advised that my letter had been sent along to the Zoning Administrator, Sara Schroeder as she will be addressing the issue.

29. On May 21, 2026, I spoke with Ms. Schroeder. She advised that she understood our reading of the Ordinance and would check with the Township to determine if there was any objection to Youth for Christ resuming activities while the appeal was pending.

30. On May 28th, as I had received no response from Ms. Schroeder, I followed up with an email to her asking for clarification. I received no response.

31. In an email note dated June 29th I reminded Ms. Teichner of this issue, that I had spoken with Ms. Schroeder and as of that date still had not received a response.

32. In an email note dated July 1, 2026, Ms. Teichner indicated that the issue would be addressed by Ms. Schroeder. Ms. Schroeder was copied on that email to which I received no response.

33. On July 15, 2026, I had a phone conference with Ms. Teichner. She advised that she was not the Township's general counsel, had been engaged solely to handle the appeal to the BZA and thus had no authority to address the issue of the resumption of Youth for Christ activities at North Lake Street.

34. I received the attached email and documents concerning the Township Clerk's disbursement of the $8,000 in fund paid to the Township by Plaintiffs to pursue their appeal of the Planning Commission's denial of the Special Use Permit application. **Exhibit 1**.

35. Attached as **Exhibit 2** are true and correct copies of my communications with Lauren Teichner and Tom Grier concerning a stay of enforcement.

36. Based upon these communications, Leland Township has not agreed to stay enforcement of its prohibition against Youth for Christ Club meeting at the North Lake Street property while the ZBA considers and resolves the pending appeal.

37. Accordingly, notwithstanding the pending administrative appeal, Apollos Properties, Youth for Christ Club, and persons wishing to attend Youth for Christ meetings at the North Lake Street property have received no assurance from the Township that they may meet at the property without being subject to enforcement under the Township's Zoning Ordinance and applicable penalty provisions.

38. The Zoning Ordinance and Township penalty provisions provide for a fine of up to $500 and/or imprisonment for up to 93 days for each violation. Leland General Code Penalty Ordinance 2016-02.

39. The ZBA has not yet decided the appeal, and currently is set to hold an initial public hearing in November. There is no date when the ZBA will issue a final decision.

40. Thus, absent relief from this Court or an agreement by Leland Township to refrain from enforcement, Youth for Christ Club remains prohibited from meeting at the North Lake Street property while the administrative appeal proceeds and remains exposed to the enforcement consequences asserted by the Township if it conducts those meetings.

41. I make this Declaration in support of Plaintiffs' Motion for Preliminary Injunction.

AFFIRMATION

I, Robert W. Parker, affirm under penalty of perjury, that the foregoing statements are true and correct to the best of my knowledge and belief.

ROBERT W. PARKER 9/16/26