



COMMUNITY DEVELOPMENT DEPARTMENT

45175 Ten Mile Road
Novi, MI 48375
(248) 347-0415 Phone
(248) 735-5600 Facsimile
www.cityofnovi.org

ZONING BOARD OF APPEALS STAFF REPORT

FOR: City of Novi Zoning Board of Appeals

ZONING BOARD APPEALS DATE: October 12, 2021

REGARDING: 30001 Cabot Drive, Parcel # 50-22-01-400-032 (PZ21-0055)

BY: Larry Butler, Deputy Director Community Development

I. GENERAL INFORMATION:

Applicant

Harman International

Variance Type

Dimensional Variance

Property Characteristics

Zoning District:	Office Service Technology
Location:	West of Haggerty Road and North of Thirteen Mile
Parcel #:	50-22-01-400-032

Request

The applicant is requesting a variance from the Novi Zoning Ordinance Section 5.11.2A. for the installation of a fence in the exterior side yard. The ordinance states "no fence shall extend into a front or exterior side yard." This property is zoned Office Service Technology (OST).

II. STAFF COMMENTS:

III. RECOMMENDATION:

The Zoning Board of Appeals may take one of the following actions:

1. I move that we **grant** the variance in Case No. **PZ21-0055**, sought by _____, for _____ because Petitioner has shown practical difficulty requiring _____.
 - (a) Without the variance Petitioner will be unreasonably prevented or limited with respect to use of the property because _____.
 - (b) The property is unique because _____.
 - (c) Petitioner did not create the condition because _____.

_____.

(d) The relief granted will not unreasonably interfere with adjacent or surrounding properties because_____.

_____.

(e) The relief if consistent with the spirit and intent of the ordinance because

_____.

_____.

(f) The variance granted is subject to:

1. _____.

2. _____.

3. _____.

4. _____.

2. I move that we **deny** the variance in Case No. **PZ21-0055**, sought by _____, for _____ because Petitioner has not shown practical difficulty requiring _____.

(a) The circumstances and features of the property including _____ are not unique because they exist generally throughout the City.

(b) The circumstances and features of the property relating to the variance request are self-created because _____.

(c) The failure to grant relief will result in mere inconvenience or inability to attain higher economic or financial return based on Petitioners statements that _____.

(d) The variance would result in interference with the adjacent and surrounding properties by _____.

(e) Granting the variance would be inconsistent with the spirit and intent of the ordinance to _____.

Should you have any further questions with regards to the matter please feel free to contact me at (248) 347-0417.

Larry Butler
Deputy Director Community Development
City of Novi



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ZONING BOARD OF APPEALS APPLICATION

APPLICATION MUST BE FILLED OUT COMPLETELY

I. PROPERTY INFORMATION (Address of subject ZBA Case)				Application Fee: _____	
PROJECT NAME / SUBDIVISION Harman International Secure Parking Fence				Meeting Date: _____	
ADDRESS 30001 Cabot Drive, Novi, MI 48377		LOT/SIUTE/SPACE #		ZBA Case #: PZ _____	
SIDWELL # 50-22-01 - 400 - 032		May be obtain from Assessing Department (248) 347-0485			
CROSS ROADS OF PROPERTY 13 Mile & M-5					
IS THE PROPERTY WITHIN A HOMEOWNER'S ASSOCIATION JURISDICTION? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		REQUEST IS FOR: <input type="checkbox"/> RESIDENTIAL <input checked="" type="checkbox"/> COMMERCIAL <input type="checkbox"/> VACANT PROPERTY <input type="checkbox"/> SIGNAGE			
DOES YOUR APPEAL RESULT FROM A NOTICE OF VIOLATION OR CITATION ISSUED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO					
II. APPLICANT INFORMATION					
A. APPLICANT		EMAIL ADDRESS msutter@noreq.com		CELL PHONE NO. 810-691-8867	
NAME Melissa S. Utter		TELEPHONE NO. 248-848-6400			
ORGANIZATION/COMPANY Harman International		FAX NO. 248-848-6700			
ADDRESS 30001 Cabot Drive		CITY Novi		STATE MI ZIP CODE 48377	
B. PROPERTY OWNER <input type="checkbox"/> CHECK HERE IF APPLICANT IS ALSO THE PROPERTY OWNER					
Identify the person or organization that owns the subject property:		EMAIL ADDRESS sbaxter@elmtreefunds.com		CELL PHONE NO. (314) 680-7436	
NAME Stephen Baxter		TELEPHONE NO. (314) 880-7203			
ORGANIZATION/COMPANY ElmTree Funds		FAX NO.			
ADDRESS 120 S. Central Ave., Suite 300		CITY St. Louis		STATE MO ZIP CODE 63105	
III. ZONING INFORMATION					
A. ZONING DISTRICT					
<input type="checkbox"/> R-A <input type="checkbox"/> R-1 <input type="checkbox"/> R-2 <input type="checkbox"/> R-3 <input type="checkbox"/> R-4 <input type="checkbox"/> RM-1 <input type="checkbox"/> RM-2 <input type="checkbox"/> MH <input type="checkbox"/> I-1 <input type="checkbox"/> I-2 <input type="checkbox"/> RC <input type="checkbox"/> TC <input type="checkbox"/> TC-1 <input checked="" type="checkbox"/> OTHER <u>OST</u>					
B. VARIANCE REQUESTED					
INDICATE ORDINANCE SECTION (S) AND VARIANCE REQUESTED:					
1. Section <u>5.11.2.A</u> Variance requested <u>Fence located in side yard</u>					
2. Section _____ Variance requested _____					
3. Section _____ Variance requested _____					
4. Section _____ Variance requested _____					
IV. FEES AND DRAWINGS					
A. FEES					
<input type="checkbox"/> Single Family Residential (Existing) \$200 <input type="checkbox"/> (With Violation) \$250 <input type="checkbox"/> Single Family Residential (New) \$250 <input checked="" type="checkbox"/> Multiple/Commercial/Industrial \$300 <input type="checkbox"/> (With Violation) \$400 <input type="checkbox"/> Signs \$300 <input type="checkbox"/> (With Violation) \$400 <input type="checkbox"/> House Moves \$300 <input type="checkbox"/> Special Meetings (At discretion of Board) \$600					
B. DRAWINGS 1-COPY & 1 DIGITAL COPY SUBMITTED AS A PDF					
<ul style="list-style-type: none"> • Dimensioned Drawings and Plans • Site/Plot Plan • Existing or proposed buildings or addition on the property • Number & location of all on-site parking, if applicable • Existing & proposed distance to adjacent property lines • Location of existing & proposed signs, if applicable • Floor plans & elevations • Any other information relevant to the Variance application 					



ZONING BOARD OF APPEALS APPLICATION

V. VARIANCE

A. VARIANCE (S) REQUESTED

DIMENSIONAL USE SIGN

There is a five-(5) hold period before work/action can be taken on variance approvals.

B. SIGN CASES (ONLY)

Your signature on this application indicates that you agree to install a **Mock-Up Sign ten-(10) days** before the schedule ZBA meeting. Failure to install a mock-up sign may result in your case not being heard by the Board, postponed to the next schedule ZBA meeting, or cancelled. A mock-up sign is **NOT** to be actual sign. Upon approval, the mock-up sign must be removed within five-(5) days of the meeting. If the case is denied, the applicant is responsible for all costs involved in the removal of the mock-up or actual sign (if erected under violation) within five-(5) days of the meeting.

C. ORDINANCE

City of Novi Ordinance, Section 3107 – Miscellaneous

No order of the Board permitting the erection of a building shall be valid for a period longer than one-(1) year, unless a building permit for such erection or alteration is obtained within such period and such erection or alteration is started and proceeds to completion in accordance with the terms of such permit.

No order of the Board permitting a use of a building or premises shall be valid for a period longer than one-hundred and eighty-(180) days unless such use is establish within such a period; provided, however, where such use permitted is dependent upon the erection or alteration or a building such order shall continue in force and effect if a building permit for such erection or alteration is obtained within one-(1) year and such erection or alteration is started and proceeds to completion in accordance with the terms of such permit.

D. APPEAL THE DETERMINATION OF THE BUILDING OFFICIAL

PLEASE TAKE NOTICE:

The undersigned hereby appeals the determination of the Building Official / Inspector or Ordinance made

CONSTRUCT NEW HOME/BUILDING ADDITION TO EXISTING HOME/BUILDING SIGNAGE
 ACCESSORY BUILDING USE OTHER _____

VI. APPLICANT & PROPERTY SIGNATURES

A. APPLICANT

Melissa S. Utter
Applicant Signature

8/31/21
Date

B. PROPERTY OWNER

If the applicant is not the owner, the property owner must read and sign below:

The undersigned affirms and acknowledges that he, she or they are the owner(s) of the property described in this application, and is/are aware of the contents of this application and related enclosures.

[Signature]
Property Owner Signature

8/31/2021
Date

VII. FOR OFFICIAL USE ONLY

DECISION ON APPEAL:

GRANTED

DENIED

The Building Inspector is hereby directed to issue a permit to the Applicant upon the following and conditions:

Chairperson, Zoning Board of Appeals

Date



Community Development Department

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Novi, MI 48375
(248) 347-0415 Phone
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**REVIEW STANDARDS
DIMENSIONAL VARIANCE**

The Zoning Board of Appeals (ZBA) will review the application package and determine if the proposed Dimensional Variance meets the required standards for approval. In the space below, and on additional paper if necessary, explain how the proposed project meets each of the following standards. (Increased costs associated with complying with the Zoning Ordinance will not be considered a basis for granting a Dimensional Variance.)

Standard #1. Circumstances or Physical Conditions.

Explain the circumstances or physical conditions that apply to the property that do not apply generally to other properties in the same zoning district or in the general vicinity. Circumstances or physical conditions may include:

- a. Shape of Lot.** Exceptional narrowness, shallowness or shape of a specific property in existence on the effective date of the Zoning Ordinance or amendment.
 Not Applicable Applicable If applicable, describe below:

and/or

- b. Environmental Conditions.** Exceptional topographic or environmental conditions or other extraordinary situations on the land, building or structure.
 Not Applicable Applicable If applicable, describe below:

and/or

- c. Abutting Property.** The use or development of the property immediately adjacent to the subject property would prohibit the literal enforcement of the requirements of the Zoning Ordinance or would involve significant practical difficulties.
 Not Applicable Applicable If applicable, describe below:

Standard #2. Not Self-Created.

Describe the immediate practical difficulty causing the need for the Dimensional Variance, that the need for the requested variance is not the result of actions of the property owner or previous property owners (i.e., is not self-created).

Standard #3. Strict Compliance.

Explain how the Dimensional Variance in strict compliance with regulations governing area, setback, frontage, height, bulk, density or other dimensional requirements will unreasonably prevent the property owner from using the property for a permitted purpose, or will render conformity with those regulations unnecessarily burdensome.

Standard #4. Minimum Variance Necessary.

Explain how the Dimensional Variance requested is the minimum variance necessary to do substantial justice to the applicant as well as to other property owners in the district.

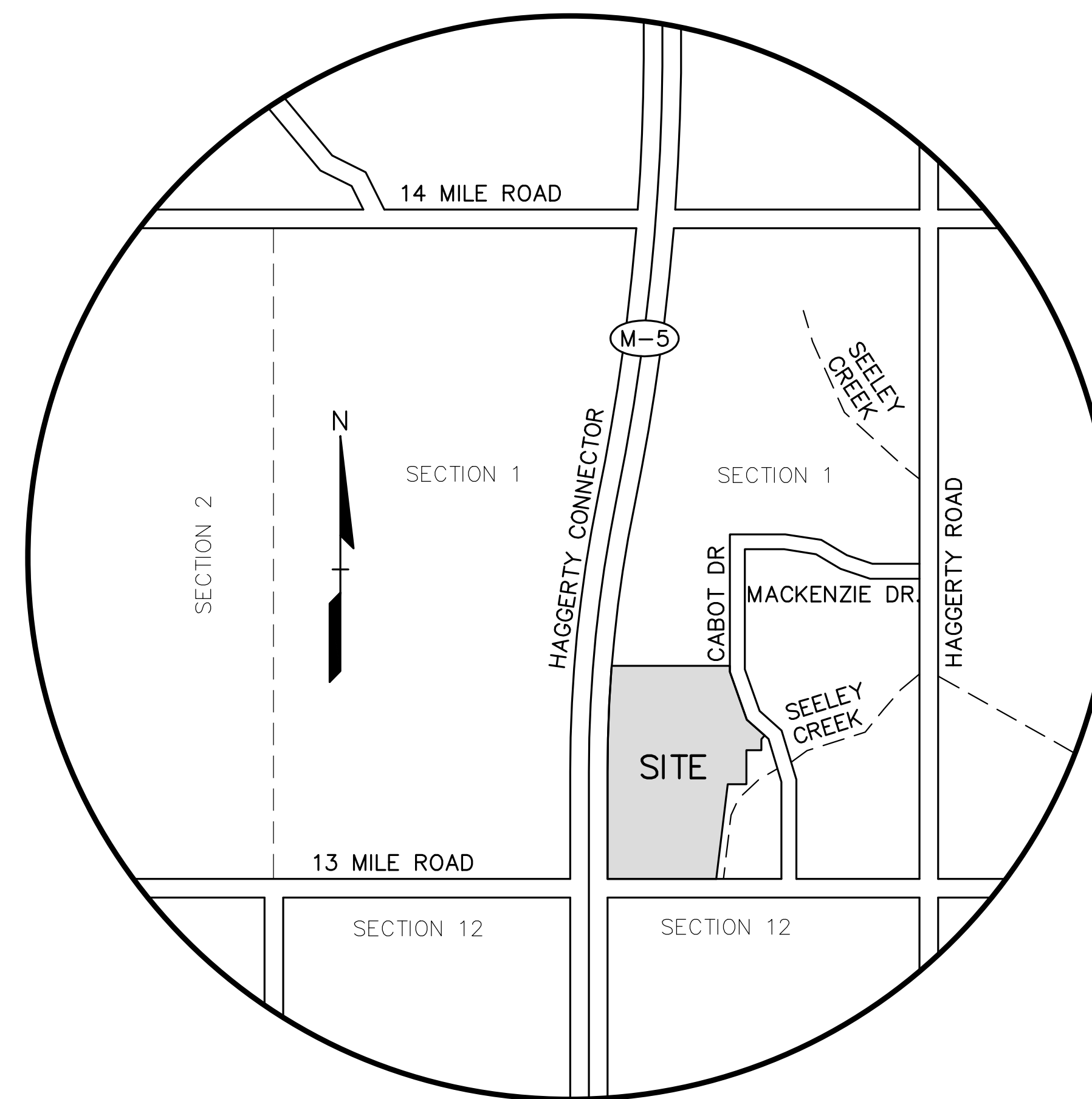
Standard #5. Adverse Impact on Surrounding Area.

Explain how the Dimensional Variance will not cause an adverse impact on surrounding property, property values, or the use and enjoyment of property in the neighborhood or zoning district.

SITE PLANS FOR
HARMAN BECKER AUTOMOTIVE SYSTEMS, INC.
 NORTHWEST CORNER OF 13 MILE ROAD & CABOT DRIVE
 CITY OF NOVI, OAKLAND COUNTY, MICHIGAN



CAUTION!!
 THE LOCATIONS AND ELEVATIONS OF EXISTING UNDERGROUND UTILITIES AS SHOWN ON THIS DRAWING ARE ONLY APPROXIMATE. NO GUARANTEE IS EITHER EXPRESSED OR IMPLIED AS TO THE COMPLETENESS OR ACCURACY THEREOF. THE CONTRACTOR SHALL BE EXCLUSIVELY RESPONSIBLE FOR DETERMINING THE EXACT UTILITY LOCATIONS AND ELEVATIONS PRIOR TO THE START OF CONSTRUCTION.



LOCATION MAP
NO SCALE

INDEX OF DRAWINGS:

C-1.0	COVER SHEET
C-2.1	OVERALL PLAN
C-2.1	SITE PLAN FOR NEW SECURITY FENCING
C-3.1	SECURITY FENCING DETAILS

CLIENT
NORTHERN EQUITIES GROUP
 39000 COUNTRY CLUB DRIVE
 FARMINGTON HILLS, MICHIGAN, 48331

PROJECT TITLE
HARMAN BECKER AUTOMOTIVE SYSTEMS, INC.
 NWC 13 MILE ROAD & CABOT DRIVE
 NOVI, MICHIGAN, 48377

REVISIONS

Per Pre-Application Comments	08-31-2021

ORIGINAL ISSUE DATE:
 JUNE 9, 2021
 DRAWING TITLE
COVER SHEET

PEA JOB NO.	2014-109
P.M.	JPB
DN	PB
DES.	PB
DRAWING NUMBER:	

COVER

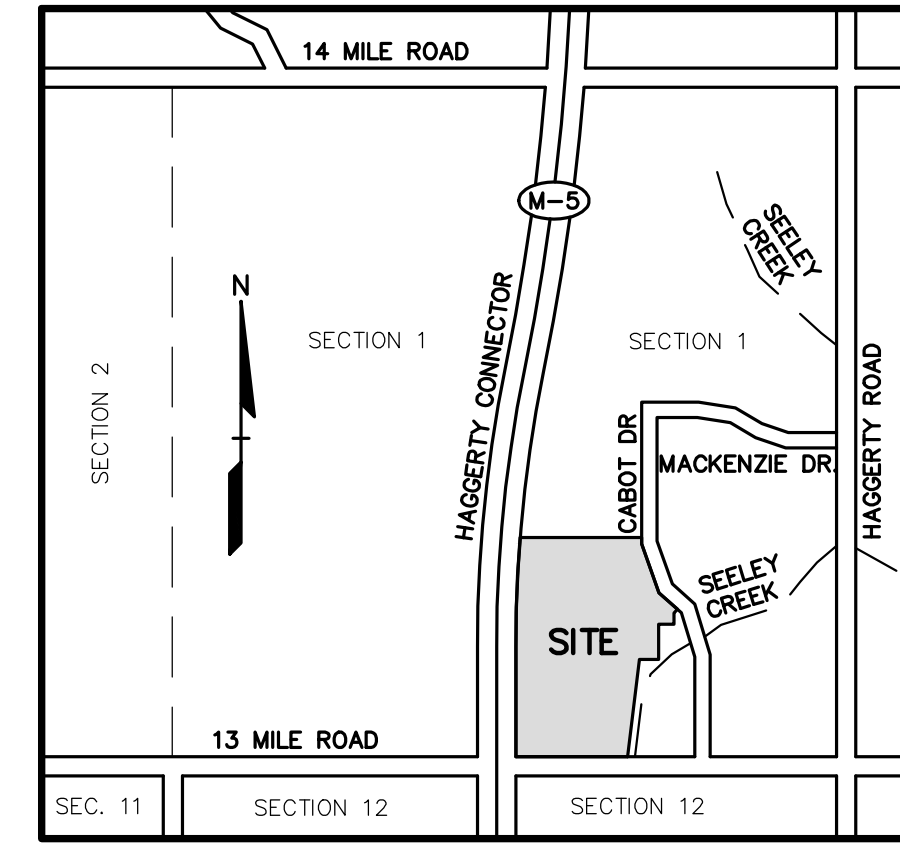
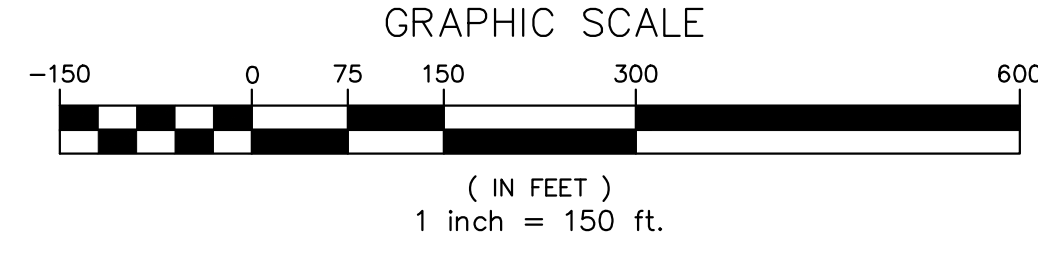
NOTE:
 ALL WORK SHALL CONFORM TO CURRENT CITY OF NOVI STANDARDS AND SPECIFICATIONS.

NOT FOR CONSTRUCTION
XREF: S:\PROJECTS\2014\2014109\DWG\CONSTRUCTION\FENCED PARKING\TOPBASE-14109.DWG
 XREF: S:\PROJECTS\2014\2014109\DWG\CONSTRUCTION\FENCED PARKING\CBASE-14109.DWG
 XREF: S:\PROJECTS\2014\2014109\DWG\CONSTRUCTION\FENCED PARKING\TBK-14109.DWG

APPLICANT:
 NORTHERN EQUITIES GROUP
 39000 COUNTRY CLUB DRIVE
 FARMINGTON HILLS, MICHIGAN, 48331
 PHONE: (248) 848-6400
 CONTACT: BRIAN J. HUGHES

CIVIL ENGINEER/LANDSCAPE ARCHITECT:
 PEA GROUP
 2430 ROCHESTER CT., SUITE 100
 TROY, MICHIGAN, 48063
 PHONE: (248) 689-9090
 CONTACT: JAMES P. BUTLER, P.E.

S:\PROJECTS\2014\2014109\HARMAN-PEA\DWG\Construction\Fenced Parking\UC-01\CONTRACTOR-H109.dwg



LEGEND

● IRON FOUND	⊗ BRASS PLUG SET	⊙ SEC. CORNER FOUND
⊗ IRON SET	⊙ MONUMENT FOUND	⊙ RECORDED
⊗ NAIL FOUND	⊙ MONUMENT SET	⊙ MEASURED
⊗ NAIL & CAP SET		⊙ CALCULATED

EXISTING

- OH-ELEC-W: ELEC. PHONE OR CABLE TV O.H. LINE, POLE & GUY WIRE
- UG-CATV: UNDERGROUND CABLE TV, CATV PEDESTAL
- UG-PHONE: TELEPHONE U.S. CABLE, PEDESTAL & MANHOLE
- UG-ELEC: ELECTRIC U.S. CABLE, MANHOLE, METER & MANHOLE
- UG-GAS: GAS MAIN, VALVE & GAS LINE MARKER
- WATERMAN, HYD. GATE VALVE, TAPPING SLEEVE & VALVE
- SANITARY SEWER, CLEANOUT & MANHOLE
- STORM SEWER, CLEANOUT & MANHOLE
- COMBINED SEWER & MANHOLE
- CATCH BASIN, INLET, YARD DRAIN
- POST INDICATOR VALVE
- WATER VALVE BOX/HYDRANT VALVE BOX, SERVICE SHUTOFF
- MAILBOX, TRANSFORMER, IRRIGATION CONTROL VALVE
- UNIDENTIFIED STRUCTURE

PROPOSED

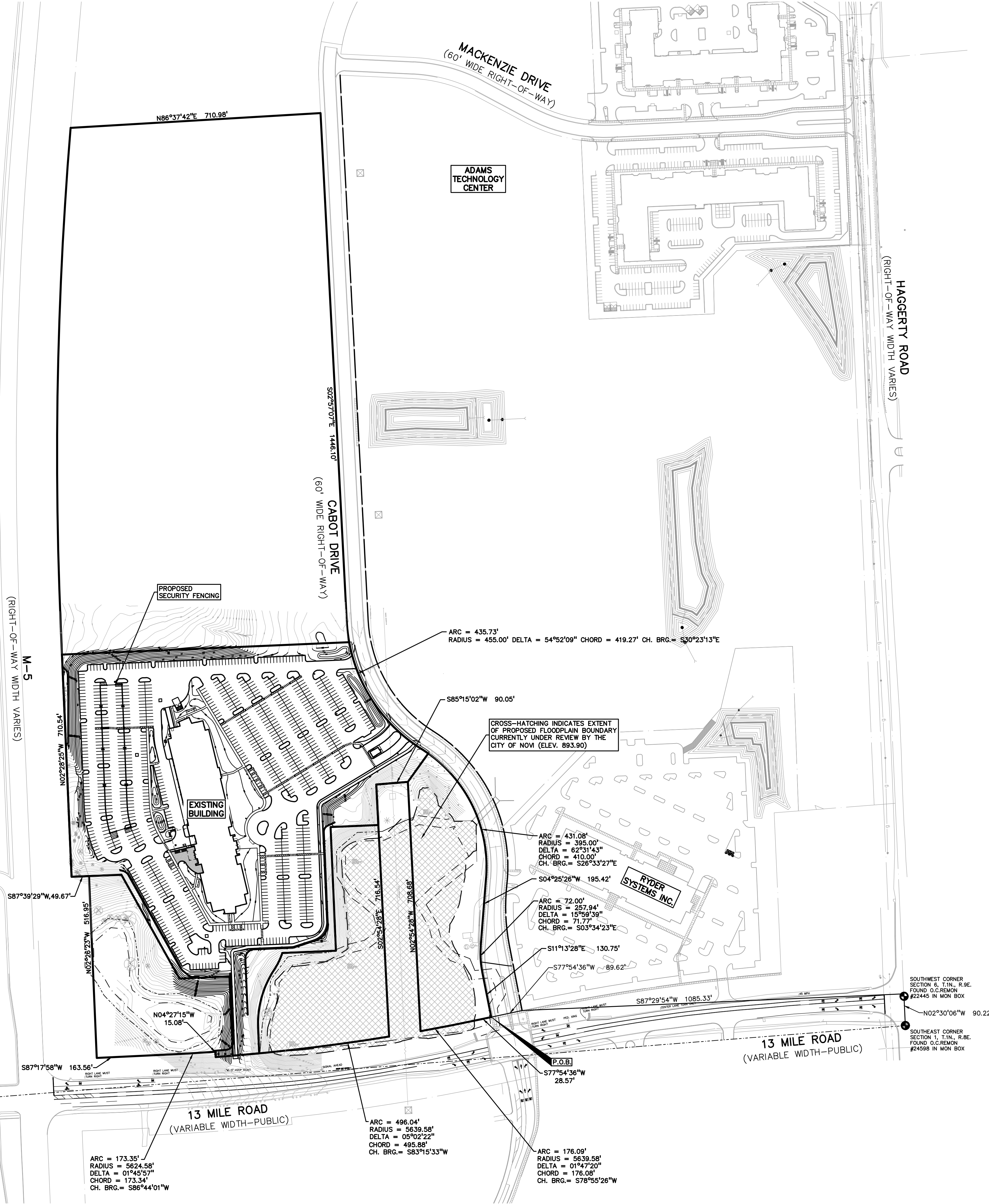
- SPOT ELEVATION
- CONTOUR LINE
- FENCE
- GUARD RAIL
- STREET LIGHT
- SIGN
- CONCRETE
- ASPHALT
- GRAVEL SHOULDER
- WETLAND

REFERENCE DRAWINGS

WATER MAIN: HAGGERTY CORPORATE PARK PHASE II DESIGN PLANS, AR BECKER, SEPT. 10, 2007
 SANITARY SEWER: HAGGERTY CORPORATE PARK PHASE II DESIGN PLANS, AR BECKER, SEPT. 10, 2007
 STORM SEWER: SECTION 1 & 12 SANITARY SEWER EXTENSION AS-BUILTS, DATED MAR. 28, 2008
 ELECTRIC: HAGGERTY CORPORATE PARK PHASE II DESIGN PLANS, AR BECKER, SEPT. 10, 2007
 TELEPHONE: DTE ENERGY OUTSIDE SALES PRODUCT MAP 241-370, DATED MAR. 12, 2013
 GAS: AIRTEL FACILITY MAP RECEIVED JUNE 13, 2014
 PETROLEUM: CONSOLIDATED ENERGY SERVICE MAP 01-38-201-4, DATED AUG. 28, 2008
 CITY: BUCKEYE PIPELINE CO. - NO FACILITIES IN THE AREA, DATED JULY 9, 2014
 FLOOD PLAIN: BRIGHTSHINE NETWORKS SERVICES MAP 14-10, RECEIVED MAR. 13, 2013
 FEMA FIRM PANEL 26125C0489F AND 26125C0489F, DATED SEPT. 29, 2006



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CLIENT
NORTHERN EQUITIES GROUP
39000 COUNTRY CLUB DRIVE
FARMINGTON HILLS, MICHIGAN, 48331

PROJECT TITLE
HARMAN BECKER AUTOMOTIVE SYSTEMS, INC.
NW 13 MILE ROAD & CABOT DRIVE
NOVI, MICHIGAN, 48377

REVISIONS
Per Pre-Application Comments 08-31-2021

ORIGINAL ISSUE DATE:
JUNE 9, 2021

DRAWING TITLE
OVERALL SITE PLAN

PEA JOB NO. 2014-109

P.M. JPB

D.N. PB

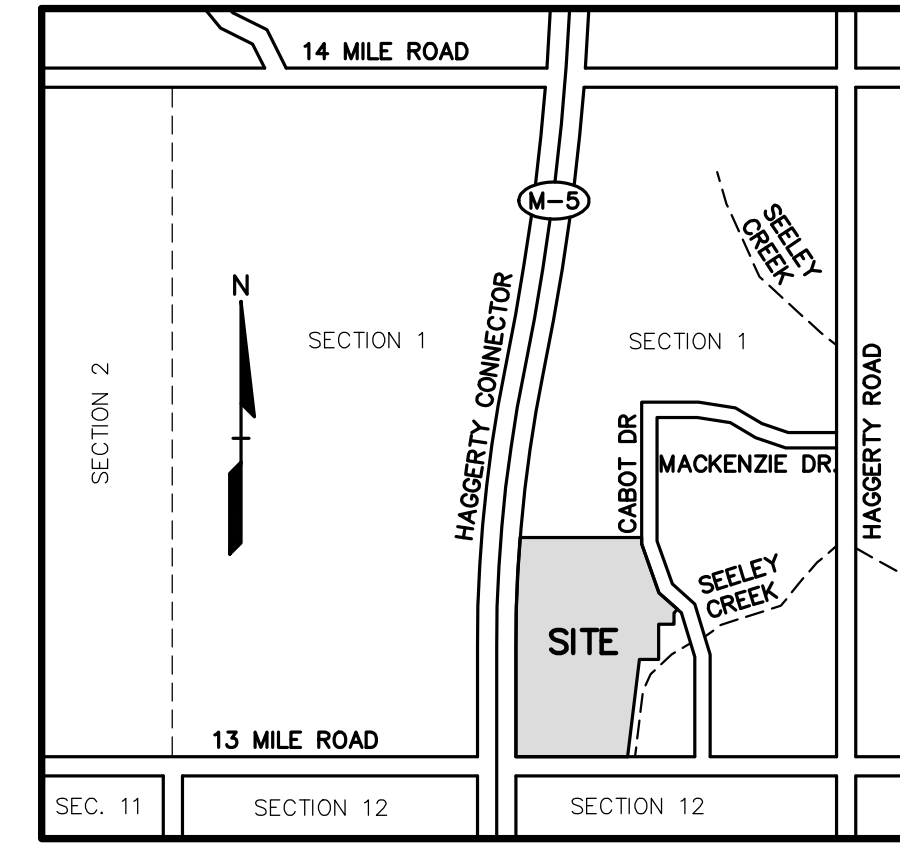
DES. PB

DRAWING NUMBER:

NOT FOR CONSTRUCTION

XREF: S:\PROJECTS\2014\2014109\DWG\CONSTRUCTION\VENCED_PARKING\109BASE-14109.DWG
 XREF: S:\PROJECTS\2014\2014109\DWG\CONSTRUCTION\VENCED_PARKING\109BASE-14109.DWG
 XREF: S:\PROJECTS\2014\2014109\DWG\CONSTRUCTION\VENCED_PARKING\109BASE-14109.DWG

C-1.0



0 15 30 60
SCALE: 1" = 30'



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⊗ IRON SET	⊗ MONUMENT FOUND	⊗ RECORDED
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- SANITARY — SANITARY SEWER, CLEANOUT & MANHOLE
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- CONTOUR LINE
- FENCE
- GUARD RAIL
- STREET LIGHT
- SIGN
- CONC. — CONCRETE
- ASPHL — ASPHALT
- GRAVEL — GRAVEL SHOULDER
- WETLAND

PROPOSED

- STD HEAVY ROW DUTY ONLY
- STD HEAVY ROW DUTY ONLY
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- STD HEAVY ROW DUTY ONLY

REFERENCE DRAWINGS

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 PETROLEUM: FEMA FIRM PANEL 26125C0489F AND 26125C0493F, DATED SEPT. 29, 2006
 FLOOD PLAN: FEMA FIRM PANEL 26125C0489F AND 26125C0493F, DATED SEPT. 29, 2006

FLOODPLAIN NOTE:
PARTS OF THE SITE ARE WITHIN ZONE 'A', AREA DETERMINED TO BE WITHIN THE 1% ANNUAL CHANCE FLOODPLAIN PER FLOOD INSURANCE RATE MAP NUMBERS 26125C0489F AND 26125C0493F DATED SEPT. 29, 2006.

- GENERAL NOTES:**
- THESE NOTES APPLY TO ALL CONSTRUCTION ACTIVITIES ON THIS PROJECT.
- ALL DIMENSIONS SHOWN ARE TO BACK OF CURB, FACE OF SIDEWALK, OUTSIDE FACE OF BUILDING, PROPERTY LINE, CENTER OF MANHOLE/CATCH BASIN OR CENTERLINE OF PIPE UNLESS OTHERWISE NOTED.
 - ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH CITY OF NOVI CURRENT STANDARDS AND REGULATIONS.
 - THE CONTRACTOR SHALL NOTIFY THE CITY ENGINEER AND/OR THE AUTHORITY HAVING JURISDICTION 3 BUSINESS DAYS PRIOR TO THE BEGINNING OF CONSTRUCTION.
 - PROPOSED FENCE WILL NOT EXCEED EIGHT (8) FEET IN HEIGHT.
 - THE AREA WILL BE USED FOR SHORT-TERM PARKING OF LICENSED VEHICLES ONLY AND NO OUTSIDE STORAGE OR OTHER USE OF THE AREA WILL BE PERMITTED.
 - ELECTRICAL SERVICE WILL BE UNDERGROUND. SECURITY GATES SYSTEMS WILL BE CONNECTED TO THE ON-SITE GENERATOR TO ALLOW FOR OPERATIONS DURING POWER OUTAGES.
 - NO IMPACT TO THE EXISTING SITE LANDSCAPE IS PROPOSED.
 - INSTALLATION OF SECURITY FENCING AND GATES WILL HAVE NO IMPACT ON EXISTING UNDERGROUND UTILITY SYSTEMS.
 - PROPOSED FENCING WILL BE INSTALLED SUCH THAT IT WILL NOT BE IN CONFLICT WITH THE EXISTING LIGHT POLES.
 - NO CHANGES ARE PROPOSED TO THE EXISTING PARKING LIGHT LIGHTING SYSTEM.
 - KNOX BOX SWITCH WILL BE PROVIDED TO ALLOW FIRE DEPARTMENT TO ACCESS GATES.

PARKING CALCULATIONS (PER SITE PLAN APPROVAL):

PROFESSIONAL OFFICE = 1 SPACE PER 222 SQ FT GLA
 TOTAL OFFICE GLA = 188,042 SQ FT
 TOTAL PARKING REQUIRED = 188042 / 222 = 847 SPACES
 TOTAL PARKING PROVIDED = 1037 SPACES (INCLUDING 21 ADA SPACES)

CLIENT
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39000 COUNTRY CLUB DRIVE
FARMINGTON HILLS, MICHIGAN, 48331

PROJECT TITLE
HARMAN BECKER AUTOMOTIVE SYSTEMS, INC.
13 MILE ROAD & CABOT DRIVE
NOVI, MICHIGAN, 48377

REVISIONS

Per Pre-Application Comments	08-31-2021
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ORIGINAL ISSUE DATE:
JUNE 9, 2021

DRAWING TITLE
SITE PLAN FOR NEW SECURITY FENCING

PEA JOB NO. 2014-109
P.M. JPB
DN. PB
DES. PB
DRAWING NUMBER:

C-2.1

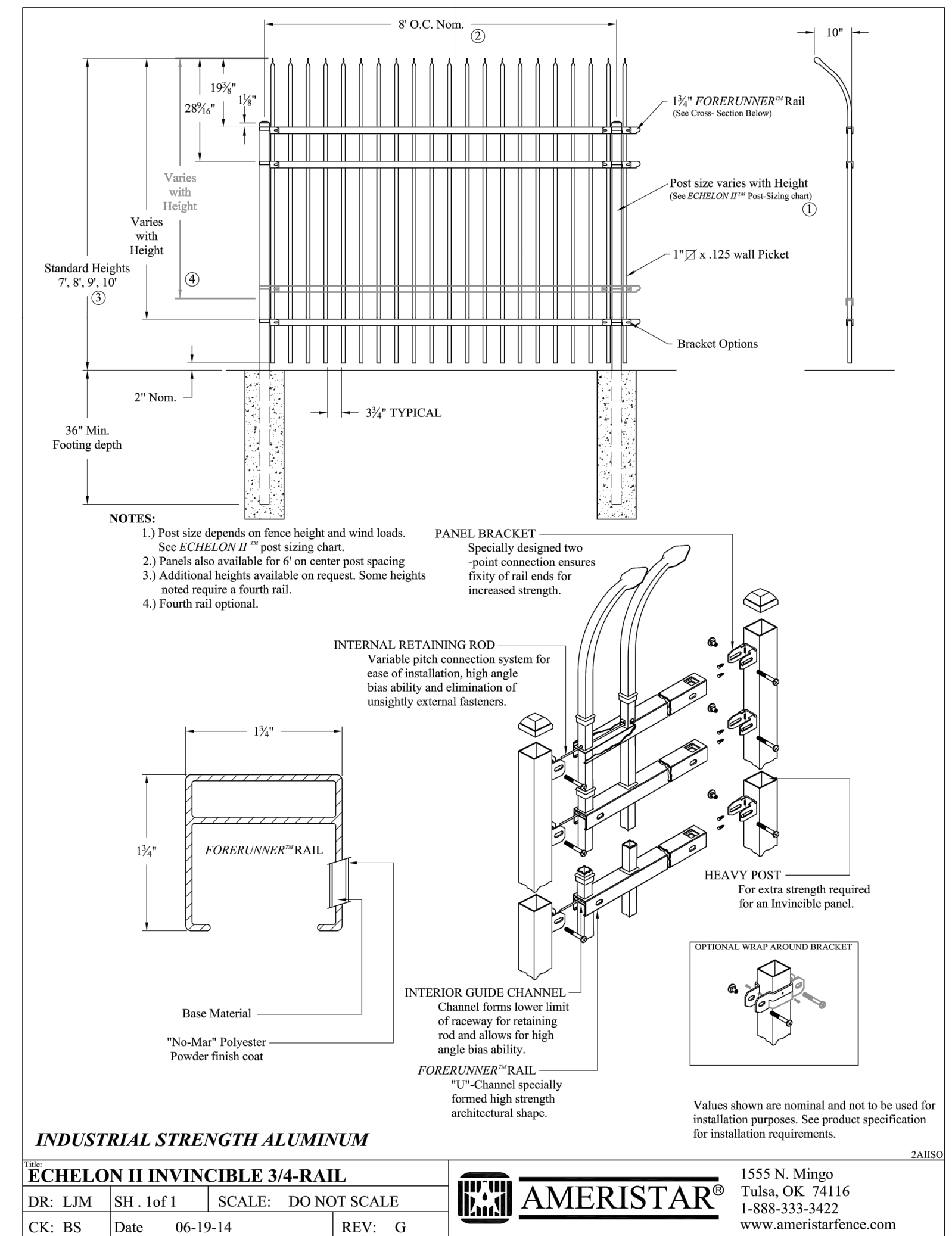
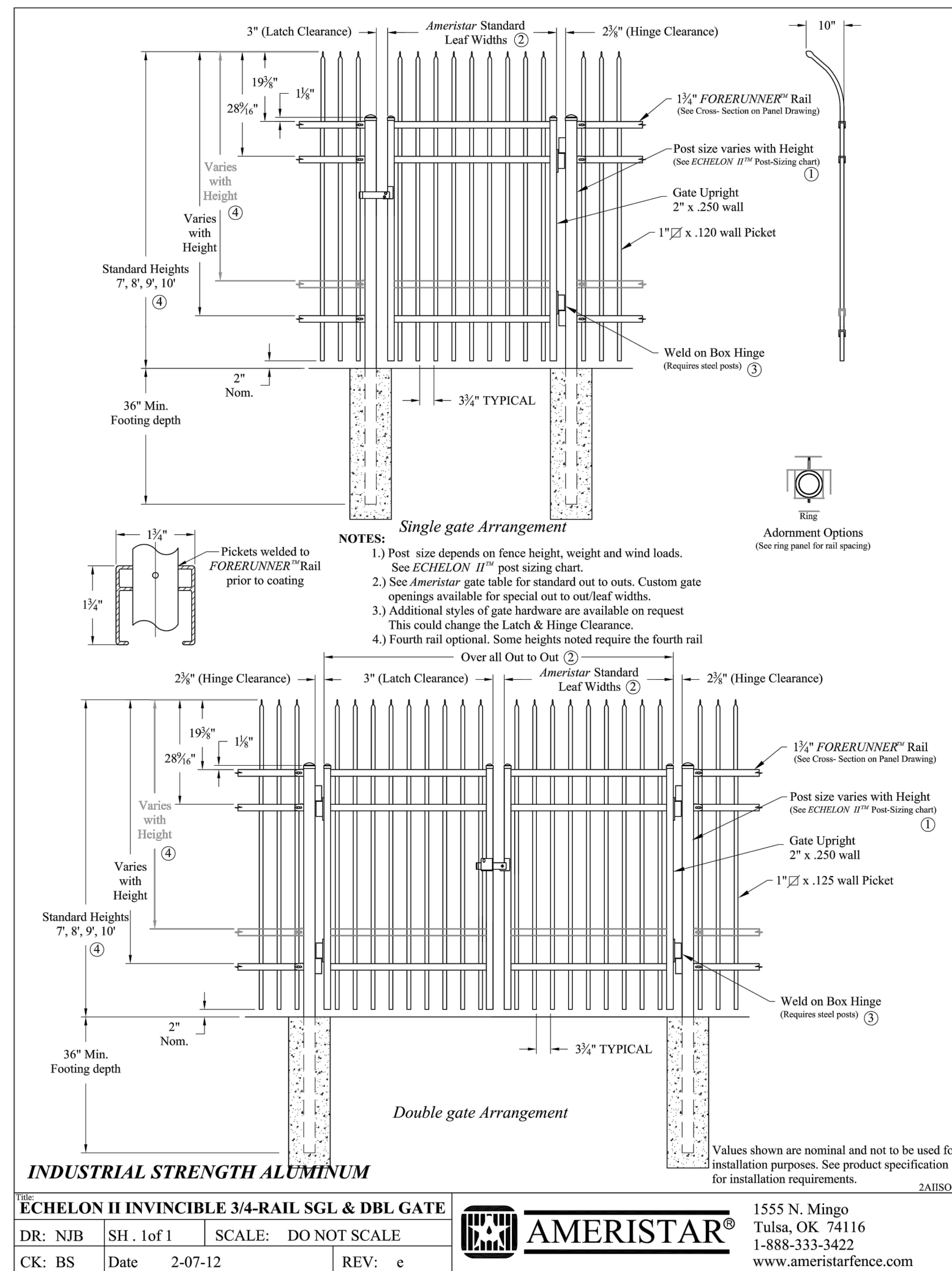


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15:148



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 NWC 13 MILE ROAD & CABOT DRIVE
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ORIGINAL ISSUE DATE:
 JUNE 9, 2021

DRAWING TITLE
SECURITY FENCING DETAILS

PEA JOB NO. 2014-109
 P.M. JPB
 DN. PB
 DES. PB
 DRAWING NUMBER:

C-3.1

NOT FOR CONSTRUCTION
 XREF: S:\PROJECTS\2014\2014109\DWG\CONSTRUCTION\FENCED PARKING\TOPBASE-14109.DWG
 XREF: S:\PROJECTS\2014\2014109\DWG\CONSTRUCTION\FENCED PARKING\CBASE-14109.DWG
 XREF: S:\PROJECTS\2014\2014109\DWG\CONSTRUCTION\FENCED PARKING\TBK-14109.DWG