

## 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: May 14, 2019

# **REGARDING:**27175 Energy Way, Parcel # 50-22-13-200-037 (PZ19-0016)**BY:**Larry Butler, Deputy Director Community Development

### GENERAL INFORMATION:

Applicant ITC Holdings Corp

<u>Variance Type</u> Dimensional

#### Property Characteristics

Zoning District:	Office Service Technology
Location:	West of Haggerty Road and South of Twelve Mile Road
Parcel #:	50-22-13-200-037

#### <u>Request</u>

The applicant is requesting a variance from the Novi Code of Ordinance Section 4.19.1.j to allow for the building of a 2900 square foot accessory structure. No more than two accessory structures are allowed, per lot, for lots over 21,700 square feet. This property is zoned Office Service Technology (OST).

### II. STAFF COMMENTS:

Property is 2.5 million square feet.

**III. RECOMMENDATION:** 

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

۱.	I	move	that	we	<u>grant</u>	the	variance	in	Case	No.	PZ19-00	<b>16</b> , sc	ought	by for
								_ b	ecause	Petitior	ner has	shown	prac	tical
	dif	ficulty re	quiring								·		•	

(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:

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2. I move that we <u>deny</u> the variance in Case No. PZ19-0016, 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 INFORMATIC	N (Address of s	subject ZBA C	ase)	Application Fee:	
PROJECT NAME / SUBDIVISION STARLIGHT				Meeting Date:	
ADDRESS			LOT/SIUTE/SPACE #	Meeting Date:	
27175 ENERGY WAY SIDWELL #		May be c	bbtain from Assessing	ZBA Case #: PZ	
50-22- <u>13</u> -200 CROSS ROADS OF PROPERTY	_ 033		ent (248) 347-0485		
W 12 MILE RD AND HAGGERTY RD IS THE PROPERTY WITHIN A HOMEOW			REQUEST IS FOR:		
			· Province and the second second second second		ROPERTY 🗆 SIGNAGE
DOES YOUR APPEAL RESULT FRO	M A NOTICE OF	VIOLATION OR		YES 🗹 NO	
II. APPLICANT INFORMATI	and the legal of the				
A. APPLICANT		address IOP@ITCTRAN	SCO.COM	CELL PHONE NO.	
NAME NEAL BISHOP				TELEPHONE NO. 989-391-0131	
ORGANIZATION/COMPANY				FAX NO.	
ITC HOLDINGS CORP ADDRESS			CITY	STATE	ZIP CODE
27175 ENERGY WAY			NOVI	MI	48377
B. PROPERTY OWNER	CHECK HERE IF AF	PLICANT IS ALSO	O THE PROPERTY OWNER		
Identify the person or organizat owns the subject property:	ion that EMAIL	ADDRESS		CELL PHONE NO.	
NAME				TELEPHONE NO.	
ORGANIZATION/COMPANY				248-482-4829 FAX NO.	
ITC HOLDINGS CORP					
ADDRESS 27175 ENERGY WAY			CITY NOVI	STATE MI	ZIP CODE 48377
III. ZONING INFORMATION	1			CALLER AND ST	
A. ZONING DISTRICT					
	] R-2 🛛 R-3		□ RM-1 □ RM-2	П МН	
	]RC □TC	🗆 TC-1			
B. VARIANCE REQUESTED					
INDICATE ORDINANCE SECTION				ON TO THE TWO ALLOWED IN ORDINANCE I	BASED ON LOT SIZE
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2. Section		and a set of the second second		· · · · · · · · · · · · · · · · · · ·	
	Varianc				
4. Section	Varianc	e requested	1		
IV. FEES AND DRAWNINGS					ALTER BRICK
A. FEES		_			
Single Family Residentia					
Multiple/Commercial/In	dustrial \$300		ation) \$400 🗌 Signs \$3		\$400
□ House Moves \$300			eetings (At discretion of	Board) \$600	
<ul> <li>B. DRAWINGS 1-COPY</li> <li>Dimensioned Drawings ar</li> </ul>	& 1 DIGITAL CO	PY SUBMITTED		ed distance to adjacer	at property lines
<ul> <li>Dimensioned Drawings ar</li> <li>Site/Plot Plan</li> </ul>				ing & proposed signs, if	
<ul> <li>Existing or proposed build</li> </ul>			erty • Floor plans & ele	vations	
<ul> <li>Number &amp; location of all a</li> </ul>	on-site parking,	it applicable	<ul> <li>Any other inform</li> </ul>	ation relevant to the Vo	ariance application



### V. VARIANCE

### A. VARIANCE (S) REQUESTED

DIMENSIONAL 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** <u>ten-(10)</u> 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	
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ACCESSORY	BUILDING
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🗹 USE	
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### VI. APPLICANT & PROPERTY SIGNATURES

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Α.	APPLICAN

Applicant Signature

4-1-10

#### 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.

Property Owner Signature Roll - Area Manager and dosignated reprosentation of ITA	4-1-19 C Date
VII. FOR OFFICIAL USE ONLY	
DECISION ON APPEAL:	
The Building Inspector is hereby directed to issue a permit to the Applicant upon the fo	ollowing and conditions:
Chairperson, Zoning Board of Appeals	Date



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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.

At more than 59 acres, our lot is well suited for a small accessory structure. However, the ordinance, as written, does not provide clear language for lots of significant size. Our request for variance would honor the spirit of the ordinance while also recognizing that our project is compatible with community expectations for growth and development.

### and/or

**b.** Environmental Conditions. Exceptional topographic or environmental conditions or other extraordinary situations on the land, building or structure.

### 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.
 I 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).

After a thorough review of the project with City planning and engineering staff, it was suggested that a request for variance would be appropriate based on the current limitations within the ordinance. At approximately 2.5 millions square feet, our lot and any potential development is not clearly recognized or accounted for within the existing language of the ordinance.

## 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.

Sec. 4.19.1.J of the ordinance restricts the construction of accessory structures based on lot size. The ordinance calls for limits when a lot is over 21,780 square feet (1/2 acre). However, the ordinance does not provide clear language for an OST lot such as ours which is 59.11 acres or approximately 2.5 million square feet. We feel this variance honors the spirit of the ordinance when considering the size and location of our property.

## 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.

The ordinance, as written, allows two (2) accessory structures, per lot, for lots over 21,780 square feet. This request is for one (1) additional accessory structure measuring approximately 2900 square feet on a lot that is over 2.5 million square feet.

## 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.

This project is well within and contained by the existing footprint of the ITC Corporate Headquarters campus. The property is zoned properly for this type of project and fits with the character of the existing office building and and electric transmission assets.



## ITC Solar and Energy Storage Project Overview

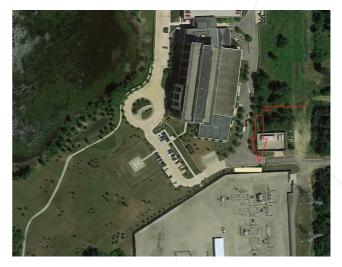
ITC is an innovative transmission solutions provider building the grid of the future that connects consumers to energy resources across North America. As the energy landscape continues to evolve towards a greater integration of renewables and new technology, ITC will create a microcosm on its award-winning Novi headquarters campus that will allow the company to demonstrate effective integration of solar and storage technologies into the grid. Through this project ITC will underscore its environmental commitment, enhance resiliency and allow for real-time monitoring of these technologies for the benefit of customers.

ITC will install multiple rows of photovoltaic (PV) solar panels covering approximately 1.5 acres of its campus, and a 58-foot-long energy storage unit that will contain lithium ion and flow battery technology. Together these technologies will support a significant portion of ITC's energy needs, and provide a unique opportunity to study these technologies and their impact on the grid in real time.

Construction of the solar and battery storage units is scheduled to begin in July 2019 and be completed by the end of the year. By installing and studying forwardthinking technologies, ITC is demonstrating its operational excellence model, environmental stewardship and approach to innovation. This enhances the reputation of the company, and Novi, as a destination to attract high-tech talent.

Below are illustrations indicating the approximate location of the solar panels and energy storage unit.





## SOLAR PHOTOVOLTAIC SYSTEM

## **ITC SOLAR STARLIGHT PROJECT**

27175 ENERGY WAY NOVI, MICHIGAN 48377, SECTION S13 T1N R8E

#### **GENERAL NOTES**

#### FLECTRICAL EQUIPMENT TAG, REFER TO SINGLE LINE DIAGRAM FOR DETAILS 1. SEE SINGLE LINE DIAGRAM & SPECIFICATIONS, AND OTHER ELECTRICAL SHEETS FOR SPECIFIC ELECTRICAL DETAILS AND ADDITIONAL NOTES.

ANNOTATIVE DEFINITIONS

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ACCPA

MDS# LC#

MNTR#

EGC

OCPD SPD TVSS

GENERAL

FEEDER TAG, REFER TO SINGLE LINE DIAGRAM FOR DETAILS

ASSEMBLY REFERENCE POINT TAG

ELEVATION CALLOUT

SECTION CALLOUT

SITE DETAIL CALLOUT

: COLUMN LINE

ELECTRICAL DEFINITIONS

INVERTER #

GROUNDING & BONDING

INVERTER# - STRING##

AC INVERTER COMBINER PANEL #

TRANSFORMER # EQUIPMENT SROUNDING CONDUCTOR GROUNDING ELECTRODE CONDUCTOR OVER CURRENT PROTECTION DEVICE SURGE PROTECTION DEVICE TRANSFENT VOLTAGE SUPPRESSION DEVICE

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MAIN DISCONNECT SWITCH # LOADS CENTER #

MONITORING EQUIPMENT #

- ELECTRICAL SYSTEM COMPONENTS SHALL BE ULLISTED FOR THEIR INTENDED PURPOSE, INCLUDING BUT NOT LIMITED TO WIREWAYS, DISCONNECTS, JUNCTION BOXES, MODULES, COMBINERS, INVERTERS, ETC.
- ALL JUNCTION BOSKES OF COMMENSES HILL BE INSTALLED IN READLY ACCESSIBLE LOCATIONS, WHERE APPLICABLE, POSITION THE ROOF PRIETRATION JUNCTION BOX OVER THE FEBRUARATION SUCH THAT IT DIVERTS RAINWATER AWAY FROM FALLING ON THE TOP OF THE PENETRATION.

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- FINE-STRANDED WIRE SHALL NOT BE USED, UNLESS APPROVED IN ADVANCE, TAPS, TERMINAL BLOCKS, AND OTHER TYPES OF CONNECTORS THAT ARE NOT LISTED SHALL NOT BE USED FOR TRN-STRANDED WIRE.

- ALL WIRING METHODS AND INSTALLATION PRACTICES SHALL BE IN COMPLIANCE WITH THE APPROPRIATE ELECTRIC CODE OF THE TERRITORY OF THE INSTALLATION, LOCAL STATE/PROVINCE CODES, AND OTHER APPLICABLE LOCAL CODES.
- CODES, CONTRACTOR SHALL BECOME FAMILLAR WITH ALL INSTALLATION INFORMATION IN THE EQUIPMENT DOCUMENTATION FROM THE MANUFACTURES PRIOR TO BEGINNIKS THE INSTALLATION, AND EAUL OSERVET THE MANUFACTURES, PUBLISHO INSTALLATION INSTALCTIONS, CONTRACTOR SHALLATION INSTALCTIONS, CONTRACTOR SHALLO CONTRIN THAT CONDUCT LOCATE SERVICES HAVE BEEN COMPLETED BEFORE EXISTING GARDE IS EXCAUSED OR EXISTING FLOORING IS DEMOLSIEND, DRIELD, OL CUT, READEDLES OF THE LOCATION OF THE SITE

#### MECHANICAL & CONSTRUCTION

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#### DC CIRCUITS

- ALL FIELD INSTALLED PV CONNECTORS SHALL MATCH THE EXACT MAKE/MODEL OF THE MANUFACTURER INSTALLED PV CONNECTORS.
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- 12 1-1/4"
- 5. DC SAFE-ASSEMBLY PROCEDURE: A) CONTRACTOR SHALL BECOME FAMILIAR WITH ALL INSTALLATION INFORMATION IN THE EQUIPMENT DOCUMENTATION FROM THE MANUFACTURER PRIOR TO BEGINNING THE INSTALLATION, AND SHALL OBSERVE THE INSTRUCTIONS.
- ENSURE THE INSTRUCTIONS. ENSURE THE REQUIRED INVERTER CLEARANCE ACCORDING TO
- INSTRUCTIONS REMOVE ALL OF USES FROM THE DC COMBINER, RECOMBINER AND/OR INVERTER 0

#### AC CIRCUITS

- CONDUCTORS ORIGINATING ON THE ARRAY SIDE OF THE SYSTEM SHALL BE LANDED ON "LOAD" SIDE OF ALL AC SWITCHES AND COMPONENTS, AND THE UTILITY SHALL BE ON THE "LINE" SIDE OF THAT COMPONENTS.

VICINITY MAP

CITY BENCHMARK: 1322 ----Contractor and interest ST URBERT AR BATTERY STORAGE THE STORE CITY BENCHMARK: AA5861 ELF

#### SYSTEM SUMMARY DC SYSTEM SIZE:

MODULES

PACKING

INVERTERS:

TILT ANGLE:

AZIMUTH:

577,940 kW-DC (STC) AC SYSTEM SIZE: 500.000 KW-AC (1,562) GCL M6/72 370W (10) SMA STP CORE1-US 50KW RBI SOLAR GROUND MOUNT AND SOLAR PARKING CANOPY 25° 180° (SOUTH=180°) DC SYSTEM ARCHITECTURE UNGROUNDED, 1000VDC MAX

#### LOCATION DETAILS

- SIDWELL NUMBER (PARCEL IDENTIFICATION NUMBERS): 22-13-200-037; 22-13-200-033
- LEGAL LAND DESCRIPTION:
- 2-13-200-037, 20.22 ACRES 22-13-200-337, 20,22 ACPES 127,882,5821 3PART OF NW 1/4 OF NE 1/4 BES AT PT DIST N 86-24-35 E 324,51 FT & N 17-26-33 W 395,56 FT & N 22-04-89 W 200,12 FT & N 12-16-57 W 272,82 FT & N 05-40-26 E 324,60 FT & N 35-10-39 E 11-27 FT FR M04 W COR OF NE 1/4, TH N 55-16-39 E 11:28,67 T, TH 48-10-45 E 252,487 TT, HN 25-72 2 464,419 FT, TH N 02-04-19 C 384,78 FT, TH N 55-16-48 E 11:28,67 T, TH 48-04-18 E 252,487 TT, HN 46-04-18 E 272,78 TT, HN 10-04-19 C 384,78 FT, TH N 55-16-49 E 11:28,67 T, TH 48-04-18 E 252,487 TT, HN 46-04-18 E 270,78 TT, TH N 03-04-19 W 170,87 M 10-04-19 W 10 22-13-200-033, 59-11 ACRES
- 2213.200-033, 53.11 ACRES 1.11 RARE, SEC, SEC, BARTOF EL JO OF SEC BEG AT PT DIST S 86-25-42 W 1150 FT ROM E 1/4 COR, TH S 86-25-42 W 220.13 FT, TH S 02.314.55 E SHJ,BA FT, TH ALG CUIVE TO RIGHT, AND 205.138 FT, CHORD BEAK M 57-35-25 W 201.15 FT, TH S 02-314.55 E SHJ,BA FT, TH ALG CUIVE TO RIGHT, AND 205.138 FT, CHORD BEAK M 57-35-25 W 10.11 CHORD SECTION 13, TH S 10-32 E SH3 64, TT, TH N 86-34-37 E SH2, AFT, TH S 10, 45-37 W 86-54-57 E 1553 FT (TO A FONT ON THE EAST LINE OF SALD SECTION 13, BEINS 5 0.25-50 E 1896, 00 FT ROM THE ME CORRER OF SALD SECTION 13, TH S 02-25-60 E 22-20 FT (LINO TH FEAST LINE OF SALD SECTION 13 TO A POINT BING 10 (27-55 W 546,01 FT ROM THE 1/4 CORRER OF SALD SECTION 13), TH S 86-25-42 W 1150 FT, TH S MON AREA THE ADD SECTION 13, TH 45-37 FR 030 AND AREA: 79-11 ACRES EXISTING ZONING: OST- OFFICE, SERVICE, TECHNOLOGY
- ADJACENT PROPERTIES
- NORTH: HAGGERTY CORRIDOR CORPORATE PARK ON NORTH SIDE OF 12MILE RD. EAST: COUNTRY COUSIN MOBILE HOME PARK, VACANT LAND, NOVI RESEARCH PARK (TOWER AUTOMOTIVE), LANDSCAPE COMPANY AND SOME SINGLE FAMILY HOMES FRONTING ONTO HAGGERTY RD
- WEST: M-5 CONNECTOR
- SOUTH: M-5 AND 1-696 CONNECTOR RAMPS

	PROJECT INFORMAT	10	N				A2	M4PC AZIMUTH 4220 D	CERTIFIC MARCIOP CERTIFIC MARCIOP CERTIFIC CERTIFIC CERTIFIC MARCIOP PSS-12091 SINCER ENDRIN, INC. INCRIMA, RE ENDRID, INC. INCRIMA, RE	MTS:
	PROJECT INFORMAT							27175 E NDM,	NUTH ENERGY NUTH ENERGY ITC NERGY WAY NO 46377	
		PRELIMINARY	CITY OF NOVI				-	248.	94,300	
SHEF							EVISI	ONS		
PV001	TITLE PAGE	X	Х	+	+	REV		DESCR		DATE
PV100 PV101	SITE PLAN CANOPY SOUTH ELEVATION	Х	Х	_		а В		CITY OF	INARY 1 NOV1	3/1/19 3/28/19
PV110	CANOPY FOUNDATION PLAN	-		+	+					
PV111 PV200	GROUND MOUNT FOUNDATION PLAN SINGLE LINE DIAGRAM AND SPECIFICATIONS	×				$\vdash$	<u> </u>			
PV210	CANOPY ELECTRICAL PLAN	×	$\vdash$	+	+		1			
PV211 PV220	GROUND MOUNT ELECTRICAL PLAN									`
PV220 PV221	CANOPY STRINGING PLAN GROUND MOUNT STRINGING PLAN	-		+	+					
PV300	DETAILS AND DATA SHEETS				+					
PV301 PV310	DETAILS MONITORING DETAILS			-	+					
1	ECT: OVERALL LANDSCAPE PLAN	X	X	+	+					
2	ECT: SOLAR FIELD LANDSCAPE PLAN	X	х							3.1
3 4	ECT: SOLAR FIELD SEEDING PLAN ECT: SOLAR FIELD LANDSCAPE DETAILS	X	XX	+	+					NEER
OWNER' ITC JON BO JBON 1.248 PROJECT AZIMUTH 4220 DUN MARC L MARC L MARC L DANE DANE DANE DANE DANE CORY B CORY 1.314 FRANK FRANK	K@ITCTRANSCO.COM 946.3000					PROJECT INFORMATION	ITC SOLAR STARLIGHT PROJECT	27175 ENERGY WAY	NOVI, MICHIGAN 48377, SECTION S13 T1N R8E	COPYRIGHT © AZIMUTH ENERGY, LLC THIS DRAWING TO RELIMINARY AND WOTT PRO CONSTRUCTION, UNLESS ATTS SIGNED AND SEALED BY A LICENSED ENGINEER.
							ROJEC JOB N DAT DESIGNI DRAWI CHECKE SHEET CALE:	E: ED BY: A BY: D BY: SIZE:	1004 3/1/ C C ARCH D 1" = 50 00'	2019 18 18 18 24"336")

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