MEMORANDUM



TO: MEMBERS OF THE PLANNING COMMISSION

FROM: DAN COMMER, AICP – PLANNER

SUBJECT: 22649 NOVI ROAD WOODLAND PERMIT

DATE: OCTOBER 9, 2024

The applicant, Anywhere Lombardo LLC, seeks approval of a Woodland Use Permit, PBR24-0093, to remove forty (40) regulated woodland trees ranging in size from 8 to 29 inches diameter-at-breast-height (DBH) from a lot located at 22649 Novi Road. The site is located west of Novi Road, and north of Nine Mile Road in Section 27 of the city. The applicant is requesting the removal of forty (40) regulated woodland trees to build a single-family home.

The City's Woodland Consultant reviewed the request and prepared a review letter dated April 1, 2024. Based on the plans provided, the applicant is proposing to remove forty (40) regulated woodland trees within an area mapped as city-regulated woodland. Replacement calculations require fifty-nine (59) replacement credits. The Woodland Consultant's review letter, which is attached, provides a detailed count and explanation of the required replacements.

The proposed removals have no impact on any previously approved site plan, nor does it have any impact on any previous agreements. The proposed removals are not located within any recorded conservation or preservation easements. Please refer to the Woodland Consultant's review letter for additional information.

Per the City of Novi's Woodland Ordinance, where a proposed activity (i.e., home construction) does not otherwise require site plan or plat approval, the granting or denying of the (woodland) use permit shall be the responsibility of the Planning Commission. The applicant shall obtain approval of the Plan from the Planning Commission prior to issuance of any permits. The Planning Commission is asked to hold the public hearing and either approve or deny the requested woodland permit. Section 37-26 of the Woodland Protection Ordinance states the following:

- (b) Where a final subdivision plat or a final site development plan which includes activities regulated by this chapter has been reviewed and approved by the city in conformance with the requirements of this chapter, such approval together with any additional terms and conditions attached thereto shall be considered to have completed the requirements for a permit under this chapter which shall then be issued by the city.
- (c) Unless the requirements of this chapter can be satisfied by the setting aside without encroachment of sufficient woodland areas, the developer of a single-family residential subdivision plat or single-family residential site condominium shall, as a part of use permit approval under this article, designate building areas for all structures and impervious surfaces on each subdivision lot or site condominium unit. Once such building areas have been approved and made a part of the use permit, no additional woodland use permit shall be required for the erection of structures within such a building area. Activities on a subdivision lot or site condominium unit that extend beyond the confines of such a designated building or impervious

area shall require an additional approval pursuant to this chapter, which shall only be approved when it is not otherwise feasible to utilize the lot or site condominium unit for single-family residential purposes.

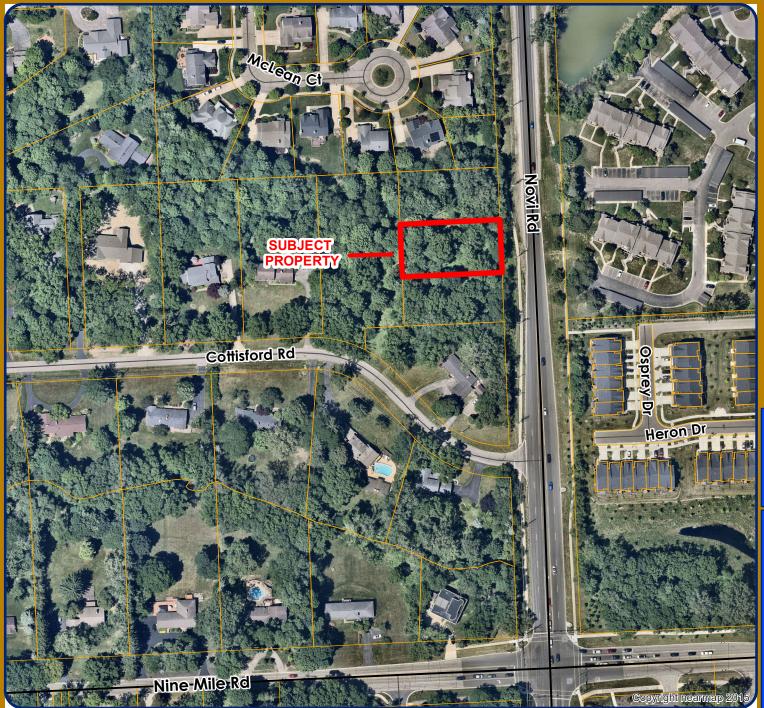
SUGGESTED MOTION:

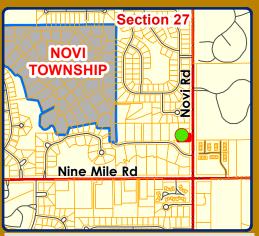
Approval (Applicant Requested)

To approve Woodland Use Permit, PBR24-0093, for the removal of forty (40) regulated woodland trees within an area mapped as City Regulated Woodland at 22649 Novi Road to build a single-family home. The approval is subject to on-site planting to the extent possible of fifty-nine (59) required woodland replacement credits. If necessary, any outstanding credits may be paid into the City's Tree Fund. In addition, any other conditions as listed in the Woodland Consultant's review letter shall be addressed.

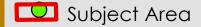
MAPS Location Zoning **Future Land Use Natural Features**

22649 NOVI ROAD WOODLAND PERMIT LOCATION





Legend





City of Novi

Dept. of Community Development City Hall / Civic Center 45175 W Ten Mile Rd Novi, MI 48375 cityofnovi.org

Map Author: Dan Commer Date: 10/10/24 Project: 22649 Novi Road Woodland Permit Version #: 1

0 40 80 160 24



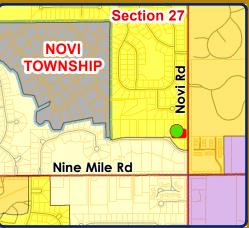
1 inch = 182 feet

MAP INTERPRETATION NOTICE

Map information depicted is not intended to replace or substitute for any official or primary source. This map was intended to meet National Map Accuracy Standards and use the most recent, accurate sources available to the people of the City of Novi. Boundary measurements and area calculations are approximate and should not be construed as survey measurements performed by a licensed Michigan Surveyor as defined in Michigan Public Act 132 of 1970 as amended. Please contact the City GIS Manager to confirm source and accuracy information related to this map.

22649 NOVI ROAD WOODLAND PERMIT **ZONING**





Legend

R-3: One-Family Residential District

R-4: One-Family Residential District

RM-1: Low-Density Multiple Family

I-1: Light Industrial District



Subject Area



City of Novi

Dept. of Community Development City Hall / Civic Center 45175 W Ten Mile Rd Novi. MI 48375 cityofnovi.org

Map Author: Dan Commer Date: 10/10/24 Project: 22649 Novi Road Woodland Permit

Version #: 1

0 40 80 160



1 inch = 182 feet

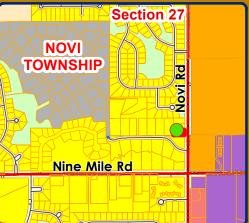
MAP INTERPRETATION NOTICE

of 1970 as amended. Please contact the City GIS Manager to confirm source and accuracy information related to this map.

22649 NOVI ROAD WOODLAND PERMIT

FUTURE LAND USE





Legend

Single Family

Multiple-Family Residential

Industrial, Research, Development and Technology

Local Commercial

Educational Facility

Private Park

Subject Area



City of Novi

Dept. of Community Development City Hall / Civic Center 45175 W Ten Mile Rd Novi, MI 48375 cityofnovi.org

Map Author: Dan Commer Date: 10/10/24

Project: 22649 Novi Road Woodland Permit Version #: 1

Feet 0 40 80 160 240



1 inch = 182 feet

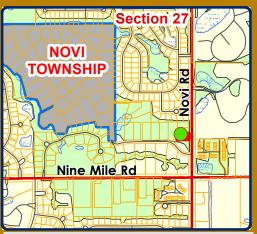
MAP INTERPRETATION NOTICE

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22649 NOVI ROAD WOODLAND PERMIT

NATURAL FEATURES





Legend



WETLANDS



WOODLANDS



Subject Area



City of Novi

Dept. of Community Development City Hall / Civic Center 45175 W Ten Mile Rd Novi, MI 48375 cityofnovi.org

Map Author: Dan Commer Date: 10/10/24

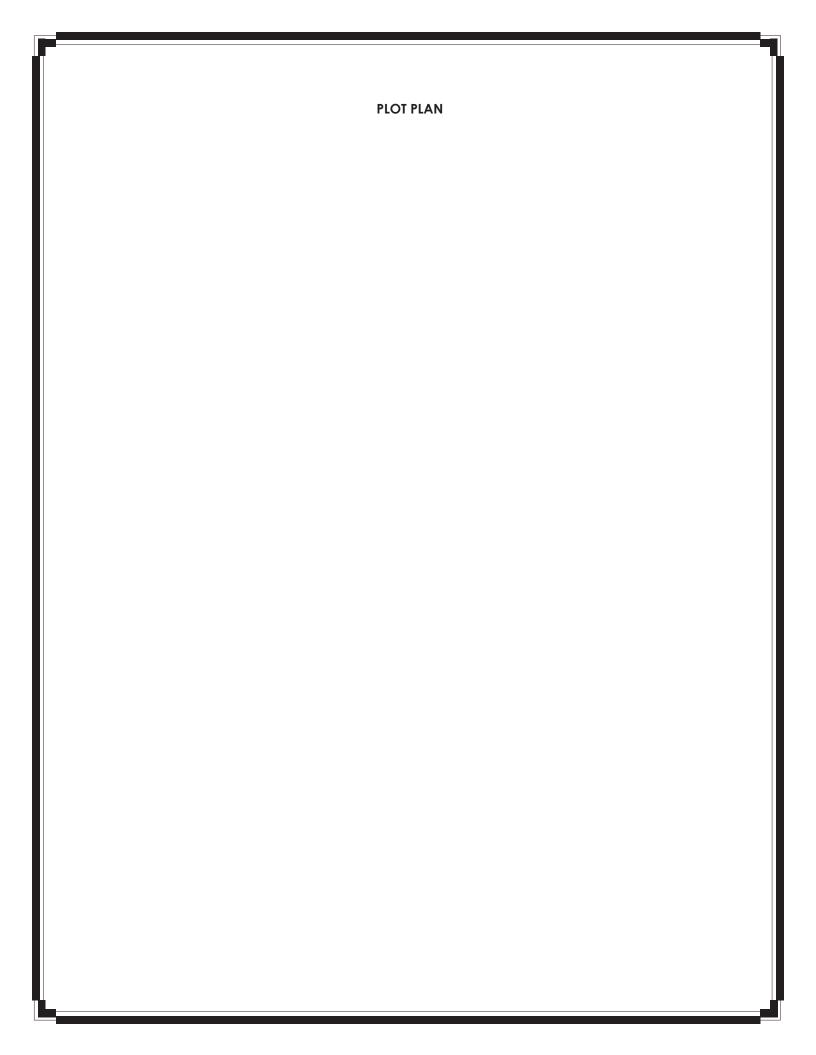
Project: 22649 Novi Road Woodland Permit Version #: 1

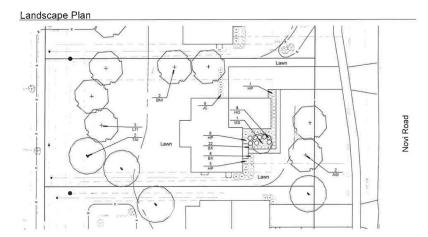


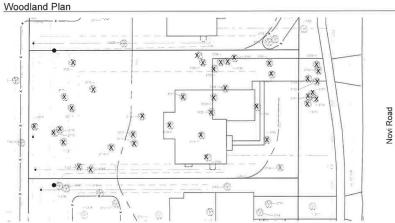
1 inch = 182 feet

MAP INTERPRETATION NOTICE

of 1970 as amended. Please contact the City GIS Manager to confirm source and accuracy information related to this map.







Plant List

sym.	qty	botanical name	common name	catper	spacing.	roat	heigh
Wood	and R	eplacement					
AS1	2	Acer saccharum 'Green Mountain'	Green Mountain Sugar Maple	25"	as shown	98B	
BNI	2	Betula nigra	River Birch - Multi-Stem		as shown	B&B	8"
LTI	3	Linndendron builpriera	Tulip Tree	25"	as shown	888	
TAI	2	Titus armencana	Basswood	2.5"	as shown	888	
	9	Trees Provided					
SVITE.	qty.	botanical name	common name	caliper	spacing	root	height
Chan	of Otal						

COURT HOME

Great

Grea STATUS

Manusch
Manusc

Woodland Replacement

Total Trees Required Trees Provided Trees to be Paid into Tree Fund 59 Trees 9 Trees 50 Trees



Seal:



Location Map



Woodland Summary

Tree List

North No Scale

Landscape Plan

Project:

Parcel C-1 Novi, Michigan

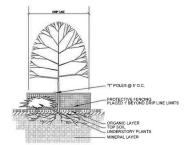
Prepared for:

Diverse Real Estate, LLC 13001 23 Mile Road, Suite 200 Shelby Township, MI 48315 586,232,9141

Revision:	
Dandam.	

Issued: October 16, 2023 February 29, 2024

Tree Protection Detail



MAR 0 5 2024

Job Number: 23-060

Drawn By:

Checked By:

CITY OF NOVI COMMUNITY DEVELOPMENT



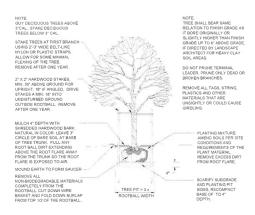




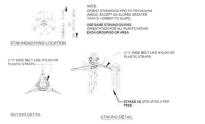
Sheet No.

L-1

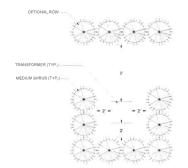




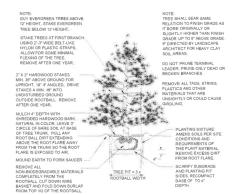
DECIDUOUS TREE PLANTING DETAIL



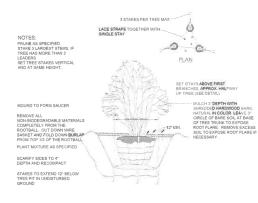
TREE STAKING DETAIL



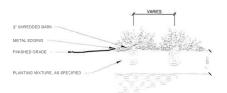
TRANSFORMER SCREENING DETAIL



EVERGREEN TREE PLANTING DETAIL



MULTI-STEM TREE PLANTING DETAIL



PERENNIAL PLANTING DETAIL

TREE SHALL BEAR SAME TREE SHALL BEAR SAME RELATION TO FINISH GRADE AS IT BORE ORIGINALLY OR SLIGHTLY HIGHER THAN FINISH GRADE UP TO 4" ABOVE GRADE, IF DIRECTED BY LANDSCAPE ARCHITECT FOR HEAVY CLAY SOIL AREAS.

MULCH 3" DEPTH WITH SHREDDED HARDWOOD BARK, NATURAL IN COLOR, PULL BACK 3" FROM TRUNK. REMOVE ALL TAGS. STRING. PLASTICS AND OTHER
MATERIALS THAT ARE
UNSIGHTLY OR COULD CAUSE
GIRDLING, PLANTING MIXTURE:
AMEND SOILS PER
SITE CONDITIONS
AND REQUIREMENTS
OF THE PLANT MATERIAL MOUND EARTH TO FORM SAUCER REMOVE COLLAR OF ALL FIBER POTS, POTS SHALL BE CUT TO PROVIDE FOR ROOT GROWTH. REMOVE ALL NONORGANIC CONTAINERS COMPLETELY. OCADIEV GUIDGOADE SCARIFY SUBGRADE AND PLANTING PIT SIDES, RECOMPACT BASE OF TO 4" DEPTH,

SHRUB PLANTING DETAIL

GRADABLE MATERIALS COMPLETELY FROM THE ROOTBALL, FOLD DOWN BURLAP FROM TOP 3 OF THE ROOTBALL

LANDSCAPE NOTES

- All plants shall be north Midwest American region grown, No, 1 grade plant materials and shall be true to name, free from physical damage and wind burn Plants shall be full, well-branched, and in healthy vigorous growing

- condition.

 Plants shall be watered before and after planting is complete.

 All trees must be staked, fertilized and mulched and shall be guarantee to exhibit a normal growth cycle for at least two (2) full years following 4. All trees must be staked, entitled and machined and shall be guaranteed to exhibit a normal growth cycle for a least two (2) full years following charge of the property of

DESIGN

Seal:



Landscape Details

Project:

Parcel C-1 Novi, Michigan

Prepared for:

Diverse Real Estate, LLC 13001 23 Mile Road, Suite 200 Shelby Township, MI 48315 586,232,9141

Revision Issued: October 16, 2023 February 29, 2024

Job Number:

23-060

Drawn By: Checked By:

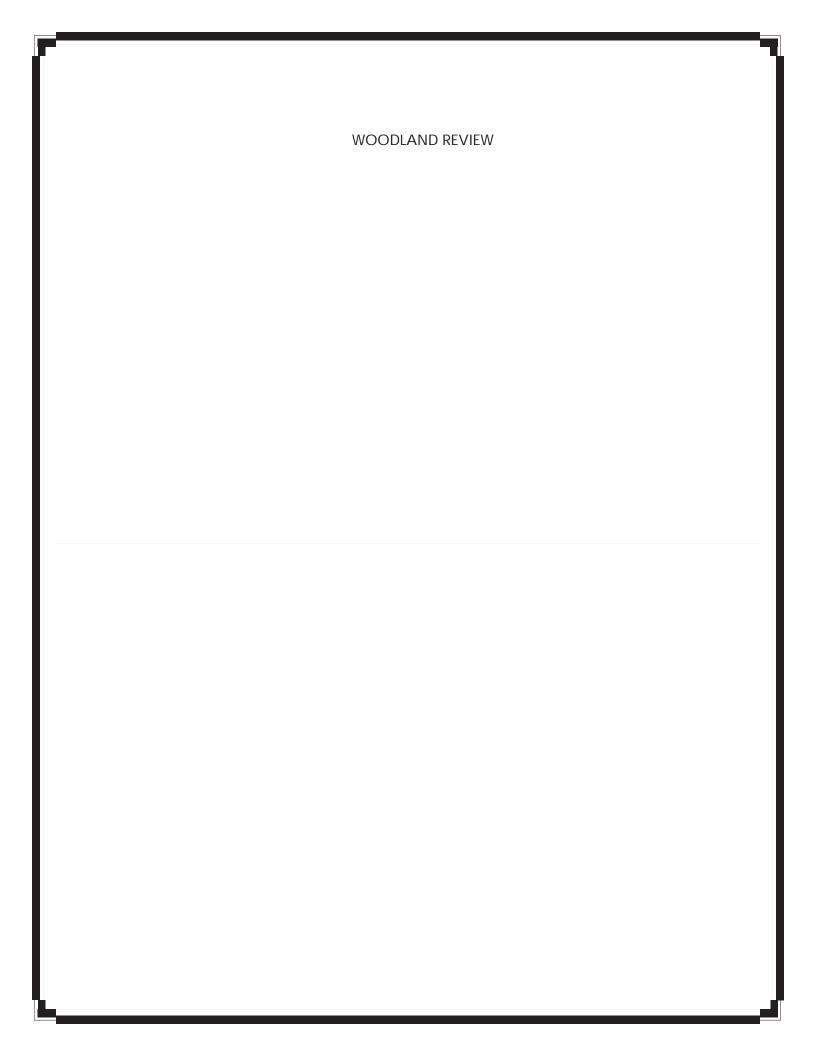
Sheet No.

Know what's below.

Call before you dig.

L-2

© 2024 Allen Design L.L.C.





April 1, 2024

Nina Schaffrath Account Clerk – Community Development City of Novi 45175 Ten Mile Road Novi, MI 48375

Submitted electronically to nschaffrath@cityofnovi.org

Re: 22649 Novi Road - Woodland/Wetland Review (PBR24-0093)

Dear Nina,

Merjent, Inc. (Merjent) has conducted a preliminary review of the single-family residential plot plan for 22649 Novi Road (site) prepared by Seiber Keast Lehner and Allen Design (rev. date 2/23/2024 and 2/29/2024, respectively). Merjent reviewed the plan for conformance with the City of Novi's (City) Woodland Protection Ordinance, Chapter 37. The site (parcel 50-22-27-476-041) contains City-regulated woodlands (Figure 1). The applicant proposes tree removal for the construction of a single-family residence.

Woodlands

Woodland Recommendation: Merjent **recommends approval** of the 22649 Novi Road Residential Plot Plan. A list of comments is provided below to meet the requirements of the Woodland Protection Ordinance. The following Woodland Regulations apply to this site:

Woodland Regulation	Required
Woodland Permit (Chapter 37, Section 37-26)	YES
Tree Replacement (Chapter 37, Section 37-8)	YES
Tree Protection (Fence; Chapter 37, Section 37-9)	YES
Woodland Conservation Easement (Chapter 37-30[e])	YES, if feasible

Woodland Review Comments

- 1. City-regulated woodlands, as identified on the City of Novi Woodlands interactive map website, are present onsite. Note that both the woodlands and property limits depicted on the City map are considered approximations (Figure 1).
- 2. The plan has proposed the removal of 40 living trees. Pursuant to Chapter 37, Section 37-28, the number of trees to be cut that have a diameter at breast height (DBH) of eight inches or more should be listed on the plan, which is provided in detail on Sheet L-1.

A **Woodland Use Permit** is required to perform construction on any site containing regulated woodlands. The permit for this site would require Planning Commission approval because there are more than three trees proposed to be impacted/removed by construction.

3. **Woodland Replacement**. Based on review of the plan, the following woodland replacements are required:

Tree Size (DBH, inches)	Number of Trees	Ratio Replacement/Removed Tree	Total Replacements Required
8-11	25	1	25
12-20	12	2	24
21-29	1	3	3
30+	-	-	-
Multi-stem	2	Sum of Stem DBH/8 (rounded up)	7
Total	40	-	59

A detailed replacement plan and cost estimate for the tree replacement will be necessary prior to final approval by the City. Woodland replacement credits can be provided by:

- a. Planting the woodland tree replacement credits on-site.
- b. Payment to the City of Novi Tree Fund at a rate of \$400/woodland replacement credit.
- c. Combination of on-site tree planting and payment into the City of Novi Tree Fund (\$400/woodland replacement credit).

See below for additional information on cost calculations.

- 4. The applicant has listed on Sheet L-1 that nine trees will be planted on-site to partially account for the proposed tree removal. For tree replacement credits that will be planted on-site, a financial guarantee of \$3,600 (9 x \$400/tree replacement credit) is required to ensure the planting of the on-site woodland replacement credits. The financial guarantee will be released after trees have been planted and approved by the City of Novi. The applicant must request a tree planting inspection.
 - a. Based on the current site plan, this would mean the remaining 50 trees would be replaced by paying $$20,000 (50 \times $400/tree)$ into the City of Novi Tree Fund.$
- 5. Woodland replacements shall be guaranteed for two growing seasons after the applicant's installation and the City's acceptance. A two-year maintenance bond in the amount of \$1,000 (25% of the value of the trees, but in no case less than \$1,000) shall be required to ensure the continued health of the trees following acceptance (Chapter 26.5, Section 26.5-37).

Based on a successful inspection two years after installation of the on-site Woodland Replacement trees, the Woodland Replacement Performance Guarantee shall be returned to the Applicant. **The Applicant is responsible for requesting this inspection.**

6. Prior to final approval, the site plan should include existing general soil conditions throughout the parcel (Section 37-28, City of Novi Zoning Ordinance). Example soil resources have been provided in **Attachment A**.



- 7. A financial guarantee, in the amount of \$750 is required for tree protection fencing maintenance per Chapter 26.5-37. This guarantee shall be paid prior to issuance of the City of Novi Woodland Use Permit.
- 8. If feasible, retained woodlands or newly replaced/planted woodlands should be preserved. The applicant can provide the City a conservation easement for such an area in such form as is acceptable to the City engineer and City attorney. Per Section 37-30, a condition would be added to the Woodland Use Permit that the applicant erect and maintain signage on the property indicating areas of regulated woodland.

Should you have any questions or concerns with this review, please contact me via email at jason.demoss@merjent.com or via phone at (619) 944-3835.

Sincerely,

Merjent, Inc.

Jason DeMoss, PWS Environmental Consultant

KNEW DIMOW

Kyle Luther, MI Registered Forester # 47070 Environmental Consultant

Environmental Consultar

Enclosures:

Figure 1 – City of Novi Woodlands Map Attachment A – Soil Resource Documents

CC:

Barb McBeth, City of Novi, bmcbeth@cityofnovi.org
Rick Meader, City of Novi, rmeader@cityofnovi.org
Angie Sosnowski, City of Novi, asosnowski@cityofnovi.org
Robb Roos, Merjent, robb.roos@merjent.com



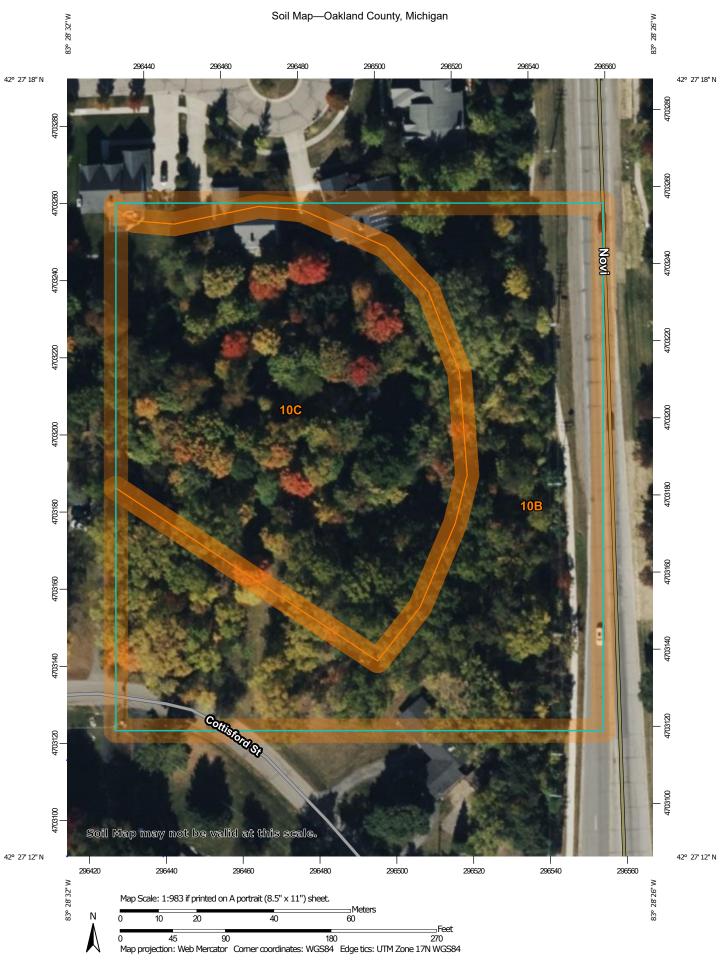


Figure 1. City of Novi Regulated Woodlands Map
Approximate Site boundary is shown in Red.
Regulated Woodland areas are shown in Green



Attachment A Soil Resources





MAP LEGEND

Area of Interest (AOI)

Area of Interest (AOI)

Soils

Soil Map Unit Polygons



Soil Map Unit Points

Special Point Features

Blowout

Borrow Pit

Clay Spot

Closed Depression

Gravel Pit

Gravelly Spot

Candfill

Lava Flow

Marsh or swamp

Mine or Quarry

Miscellaneous Water

Perennial Water

Rock Outcrop

Saline Spot
Sandy Spot

Severely Eroded Spot

Sinkhole

Slide or Slip

Sodic Spot

LEGEND

Spoil Area

Stony Spot

Wery Stony Spot

Wet Spot
 Other

Special Line Features

Water Features

Δ

Streams and Canals

Transportation

Rails

Interstate Highways

US Routes

Major Roads

Local Roads

Background

Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:15.800.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service Web Soil Survey URL:

Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Oakland County, Michigan Survey Area Data: Version 22, Aug 25, 2023

Soil map units are labeled (as space allows) for map scales 1:50.000 or larger.

Date(s) aerial images were photographed: Oct 9, 2022—Oct 21, 2022

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
10B	Marlette sandy loam, 1 to 6 percent slopes	2.3	53.7%
10C	Marlette sandy loam, 6 to 12 percent slopes	2.0	46.3%
Totals for Area of Interest		4.3	100.0%

Map Unit Description (Brief, Generated)

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions in this report, along with the maps, provide information on the composition of map units and properties of their components.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

The Map Unit Description (Brief, Generated) report displays a generated description of the major soils that occur in a map unit. Descriptions of non-soil (miscellaneous areas) and minor map unit components are not included. This description is generated from the underlying soil attribute data.

Additional information about the map units described in this report is available in other Soil Data Mart reports, which give properties of the soils and the limitations, capabilities, and potentials for many uses. Also, the narratives that accompany the Soil Data Mart reports define some of the properties included in the map unit descriptions.

Report—Map Unit Description (Brief, Generated)

Oakland County, Michigan

Map Unit: 10B—Marlette sandy loam, 1 to 6 percent slopes

Component: Marlette (90%)

The Marlette component makes up 90 percent of the map unit. Slopes are 1 to 6 percent. This component is on moraines. The parent material consists of loamy ablation till. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is well drained. Water movement in the most restrictive layer is moderately high. Available water to a depth of 60 inches (or restricted depth) is high. Shrink-swell potential is low. This soil is not flooded. It is not ponded. A seasonal zone of water saturation is at 51 inches during January, February, March, April, December. Organic matter content in the surface horizon is about 2 percent. This component is in the F098XA015MI Dry Loamy Drift Plains ecological site. Nonirrigated land capability classification is 2e. This soil does not meet hydric criteria. The calcium carbonate equivalent within 40 inches, typically, does not exceed 20 percent.

Component: Capac (2%)

Generated brief soil descriptions are created for major soil components. The Capac soil is a minor component.

Component: Fox (2%)

Generated brief soil descriptions are created for major soil components. The Fox soil is a minor component.

Component: Oshtemo (2%)

Generated brief soil descriptions are created for major soil components. The Oshtemo soil is a minor component.

Component: Metamora (2%)

Generated brief soil descriptions are created for major soil components. The Metamora soil is a minor component.

Component: Brookston (2%)

Generated brief soil descriptions are created for major soil components. The Brookston soil is a minor component.

Map Unit: 10C—Marlette sandy loam, 6 to 12 percent slopes

Component: Marlette (92%)

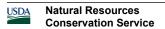
The Marlette component makes up 92 percent of the map unit. Slopes are 6 to 12 percent. This component is on moraines. The parent material consists of loamy ablation till. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is well drained. Water movement in the most restrictive layer is moderately high. Available water to a depth of 60 inches (or restricted depth) is high. Shrink-swell potential is low. This soil is not flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches. Organic matter content in the surface horizon is about 2 percent. This component is in the F098XA015MI Dry Loamy Drift Plains ecological site. Nonirrigated land capability classification is 3e. This soil does not meet hydric criteria. The calcium carbonate equivalent within 40 inches, typically, does not exceed 20 percent.

Component: Fox (2%)

Generated brief soil descriptions are created for major soil components. The Fox soil is a minor component.

Component: Oshtemo (2%)

Generated brief soil descriptions are created for major soil components. The Oshtemo soil is a minor component.



Component: Metamora (2%)

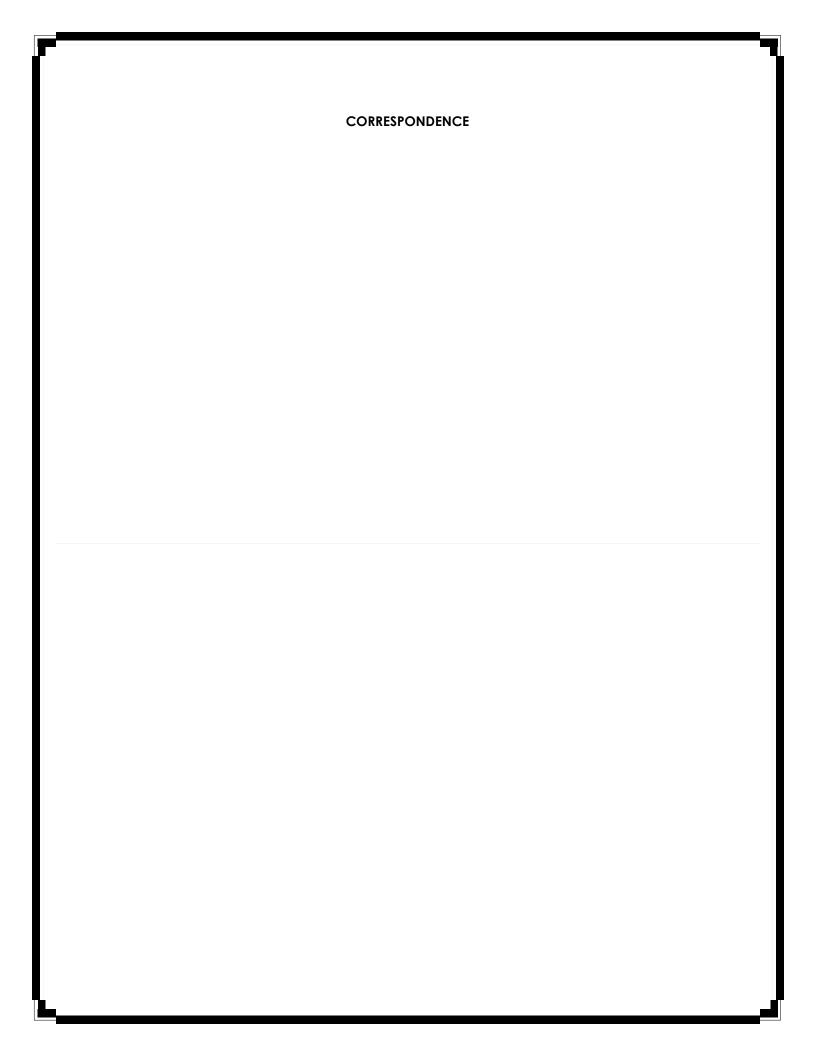
Generated brief soil descriptions are created for major soil components. The Metamora soil is a minor component.

Component: Capac (2%)

Generated brief soil descriptions are created for major soil components. The Capac soil is a minor component.

Data Source Information

Soil Survey Area: Oakland County, Michigan Survey Area Data: Version 22, Aug 25, 2023





CITY OF NOVI

RESPONSE FORM

RECEIVED

OCT 11 2024

CITY OF NOVI
COMMUNITY DEVELOPMENT

22649 NOVI ROAD, PBR24-0093 FOR A WOODLAND PERMIT

You are invited to attend the public hearing on October 16, 2024, and voice your support or objection.

Participants may also choose to submit comments that can be read into the record if they are unable to attend. To submit a written reply, you may use this form to reply by mail, email, or fax. Returning this form by mail, email, or fax has as much validity as verbal comments. Signed comments will be added to the record of the meeting. Unsigned or anonymous comments <u>WILL NOT</u> be considered. Written comments must be received by 4:00 PM on the day of the meeting.

Return via email:

nschaffrath@cityofnovi.org

Return via mail or fax:

Community Development Department 45175 Ten Mile, Novi Road, Michigan 48375

248-347-0475 (Main) 248-735-5633 (Fax)

Information regarding the project will be available the Saturday prior to the meeting date at: https://www.cityofnovi.org/agendas-minutes/planning-commission/2024/.

Plans are available for viewing during the City's regular business hours, Monday thru Friday, 8:00 AM to 5:00 PM, at the Community Development Department, or by contacting nschaffrath@cityofnovi.com.

I SUPPORT I OBJECT
TO THE ABOVE REQUEST FOR THE FOLLOWING REASONS:
Remaring 40 trees to build a home would be
devestating do the wildlife that lives in there.
Refer you got these thees down I would double Check
There is not a Bald Eagle Nest - they are lying around
SIGNATURE: Where ail The filme!
PRINT NAME: Bandy Blackman
ADDRESS: 43479 Mclean C+ Novi

*** IN ACCORDANCE WITH MCL 125.3103:

- NOTICE SHALL BE GIVEN TO ALL PERSONS TO WHOM REAL PROPERTY IS ASSESSED WITHIN 300 FEET OF THE SUBJECT PROPERTY.
- IF A SINGLE STRUCTURE CONTAINS MORE THAN 4 DWELLING UNITS OR OTHER DISTINCT SPATIAL AREAS OWNED OR LEASED BY DIFFERENT PERSONS, NOTICE MAY BE GIVEN TO THE MANAGER OR OWNER OF THE STRUCTURE, WHO SHALL BE REQUESTED TO POST THE NOTICE AT THE PRIMARY ENTRANCE TO THE STRUCTURE.