



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:** September 13, 2022

REGARDING: **24293 Novi Road, Parcel # 50-22-22-400-026 (PZ22-0041)**

BY: Larry Butler, Deputy Director Community Development

I. GENERAL INFORMATION:

Applicant

Ernesto Chavez – Bright Loritos

Variance Type

Dimensional Variance

Property Characteristics

Zoning District: This property is zoned General Business (B-3)

Location: Novi Road north of Ten Mile

Parcel #: 50-22-22-400-026

Request

The applicant is requesting a variance from the City of Novi Zoning Ordinance from Section 4.12.2.i.a for not having an outdoor recreation area (150 square feet per person cared for is required). The variance requested will accommodate a 3-hour Spanish Immersion Preschool Program. This property is zoned General Business (B-3)

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. **PZ22-0041**, 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. **PZ22-0041**, 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

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JUL 29 2022

CITY OF NOVI
COMMUNITY DEVELOPMENT

Application Fee: 300-
 Meeting Date: SEPT 13, 2022
 ZBA Case #: PZ 22-0041

I. PROPERTY INFORMATION (Address of subject ZBA Case)			
PROJECT NAME / SUBDIVISION Bright Loritos Novi			
ADDRESS 24293 Novi Rd, Novi, MI 48375		LOT/SIUTE/SPACE #	
SIDWELL # 50-22-22 - 400 - U2b		May be obtain from Assessing Department (248) 347-0485	
CROSS ROADS OF PROPERTY 10 mile rd and Novi rd			
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 type="checkbox"/> NO			
II. APPLICANT INFORMATION			
A. APPLICANT		EMAIL ADDRESS alolo5555@gmail.com	CELL PHONE NO. 248-961-4098
NAME Ernesto Chavez		TELEPHONE NO.	
ORGANIZATION/COMPANY Bright Loritos LLC		FAX NO.	
ADDRESS 6866 Fox Lane	CITY Waterford	STATE MI	ZIP CODE 48327
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	CELL PHONE NO.
NAME Pine Ridge Partners Novi, LLC		TELEPHONE NO.	
ORGANIZATION/COMPANY Thomas Duke Company		FAX NO.	
ADDRESS 37000 GRAND RIVER AVE., STE 360	CITY FarmingtonHills	STATE MI	ZIP CODE 48335
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 type="checkbox"/> OTHER <u>B3</u>			
B. VARIANCE REQUESTED			
INDICATE ORDINANCE SECTION (S) AND VARIANCE REQUESTED:			
1. Section <u>4.12.2.i.a</u>		Variance requested <u>For not having an outdoor recreation area of at least..</u>	
2. Section _____		Variance requested <u>150 square feet for each person cared for.</u>	
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 		<ul style="list-style-type: none"> • 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 	



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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:

The variance is needed because there ' s no space available for us to have an outdoor playground area at the current location. Please refer to the aerial picture as reference.

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).

This is not self-created. We did not create the need for this. This is a practical difficulty because we want to add a 3-hour preschool program to our business use, but we don't have the space for children to play outside, so we need the variance to accommodate our business needs.

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.

Our dimensional variance does not prevent the property owner from using the property for a permitted purpose because we are not making any architectural changes to the building.

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.

Smaller educational programs should be able to offer a half-day preschool program (3 hours or less) even if they don't have access to an outdoor area.

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.

We are not causing any adverse impact on surrounding properties because we will not be making any architectural changes.

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JUL 29 2022

CITY OF NOVI
COMMUNITY DEVELOPMENT



7/27/2022

Dear Zoning Board of Appeals,

My name is Ernesto Chavez, founder of Bright Loritos, which offers language instruction for children ages 1-12. We provide multiple language immersion programs at our various locations throughout Oakland County. We have been part of the Novi community since 2015, offering language immersion classes at Bright Loritos Novi located at 24293 Novi Road, Novi, Michigan. Enrollment for our language classes dropped significantly during COVID-19; therefore, we are looking to add a half-day Spanish immersion preschool program at the given location. We currently run a successful preschool program at our Troy location, so we have years of experience managing such educational programming.

We are in the process of licensing the preschool program through the state, but our licensing consultant has requested a zoning approval letter, and we would need approval from the Zoning Board to continue the process. We are proposing to add, to our current language classes, a three-hour Spanish immersion preschool program (9 am-12 pm) for children ages 3-5, which can't be approved without the Zoning Board of Appeals consideration for the lack of an outdoor play area as required by the city of Novi Zoning Ordinance (Section 4.12.2i.a).

According to the LICENSING RULES FOR CHILD CARE CENTERS developed by the *DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS CHILD CARE LICENSING BUREAU LICENSING CHILD CARE CENTERS R 400.8170 Outdoor play area. Rule 170. (3)* A center operating with children in attendance for 3 or more continuous hours per day shall provide daily outdoor play unless prevented by inclement weather or other weather conditions that could result in children becoming overheated or excessively chilled.

The licensing rules drafted by experts in the field of Early Childhood agree that centers operating with children in attendance of 3 or fewer continuous hours do not require outdoor play. Therefore, our proposal follows the licensing rules, given that our preschool hours of operations will be from 9am-12pm. We are confident that by following the expert's advice and providing a dynamic curriculum, our preschoolers will have a rich learning opportunity. Below you will find more information about our preschool program, including mission, curriculum, hours of operation, daily activity schedule, and the upcoming school year 22-23 calendar.

PRESCHOOL MISSION

Our mission is to provide language immersion instruction for children when a second-language acquisition has proven to be easiest by following the principles of active learning and play-based education. We aspire to foster a future generation of multilingual world citizens by promoting cultural diversity and intercultural communication. Our preschool program is taught entirely in Spanish with the following features:

- A unique opportunity to learn in a multicultural environment
- A qualified bilingual team with years of experience in early childhood education.
- A safe and educational learning environment.

CURRICULUM

Our preschool curriculum utilizes principles from HighScope a play-based, child-centered, and grounded in research. The HighScope Curriculum features active learning at its core. In a HighScope classroom, children are guided to explore, interact, and exercise their creative imagination through purposeful play

HOURS OF OPERATION

Monday through Friday from 9 am-12 pm

PRESCHOOL DAILY ACTIVITY SCHEDULE

Half day (Morning 9-12)

9:00 -- 9:15 a. m. **Circle Time**

* Children sit in a large group and discuss the topic for the day. Children explore the weather, calendar, and learn a new rhyme or song in the target language

9:15 -- 10:15 a. m. **Small Group Time**

* Transition from Circle Time to Small Group Time. Small Group Time will participate in the activities from the Lesson Plan Book and Spanish language development.

10:15 -- 10:30 a. m. **Snack**

* Children wash their hands before eating snacks.

10:30 – 10:45 a. m. **Free Play**

* Children participate in active play indoors.

10:45-11:00 a.m. **Picasso time**

* During this time children may create a craft related to the theme's day or work on a final writing/ drawing project of the day.

11:00 -- 12:00 p. m. **Center Time/Closing Circle Time**

* Children explore center activity areas: Dramatic Play, Manipulatives, Sensory, Listening, Language, Science, Art, Computer, Block Play, Music, Writing, Reading, and Math.

SCHOOL YEAR 2022-2023 CALENDAR

September 2022

Tuesday, September 6 - First Day of Classes

November 2022

Tuesday, November 22 -No Classes - Thanksgiving Recess Begins

Monday, November 28 - Classes Resume

December 2022

Monday, December 19 - No Classes – Winter Recess Begins

January 2023

Monday, January 2 - Classes Resume

Monday, January 2 - Summer Camps Registration Begins

Monday, January 16 - No Classes – MLK Day Observed

March 2023

Monday, March 27 - No Classes - Spring Break Begins

April 2023

Monday April 3 - Classes Resume

May 2023

Monday, May 29 - No School – Memorial Day Observed

June 2023

Saturday, June 17 - School Year 22-23 ends

I wanted to take this opportunity to thank you for your time and effort in this process. Please let me know if you have any questions; you can reach me at 248-961-4098 or email alolo5555@gmail.com

Sincerely,

Ernesto Alonso Chavez

CEO and Founder

www.brightloritos.com



Novi Rd

Novi Rd

Novi Rd

Novi Rd

24305

24301

24275

24255

Bright Lortios - Novi

CosmoProf 24299
Beauty supply store

Fumi Japanese
Japanese • \$\$

Turmerican
Vegetarian Cuisine
Vegetarian • \$\$

Best Brains Learning
Center - Novi

Sangdoe Market

Breakfast Club of Novi
Breakfast • \$\$

Google

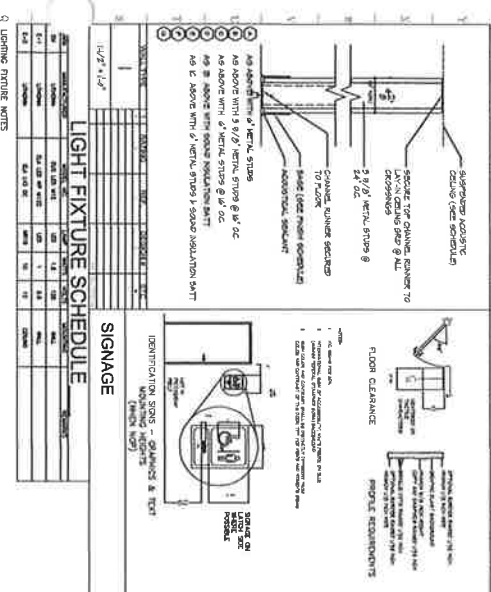
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THESE CONSTRUCTION SPECIFICATIONS HAVE BEEN PREPARED FOR COMPLIANCE WITH THE NATIONAL CONSTRUCTION SPECIFICATIONS IN EFFECT AT THE TIME OF PREPARING SAID SPECIFICATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF ALL INFORMATION AND CODES. WITH THE SAME CODES, SECTIONS AND NUMBERING SCHEMATICATIONS AND FOR THE PROVISION OF ALL MATERIALS AND SUPPLIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROVISION OF ALL MATERIALS AND SUPPLIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROVISION OF ALL MATERIALS AND SUPPLIES.

NO DIMENSIONS SHOWN UNLESS OTHERWISE NOTED

CODES	DESCRIPTION
SECTION 05100	PAINTS AND COATINGS
SECTION 05200	WOODWORK
SECTION 05300	IRONWORK
SECTION 05400	MECHANICAL ELECTRICAL PLUMBING (MEP)
SECTION 05500	ROOFING
SECTION 05600	WALLS, PARTITIONS, GLAZING
SECTION 05700	FLOORS
SECTION 05800	CEILING
SECTION 05900	DOORS AND WINDOWS
SECTION 06000	STAIRS
SECTION 06100	ELEVATORS
SECTION 06200	MECHANICAL
SECTION 06300	ELECTRICAL
SECTION 06400	TELECOMMUNICATIONS
SECTION 06500	PLUMBING
SECTION 06600	FIRE PROTECTION
SECTION 06700	ENVIRONMENTAL
SECTION 06800	ENERGY EFFICIENCY
SECTION 06900	CONSTRUCTION

USE GROUP - 5
 BUILDING TYPE - 13 (APARTMENT)
 FIRE PROTECTION - 1 (NONE)
 TYPICAL OCCUPANCY - 29
 TYPICAL SPECIAL OCCUPANCY - 29

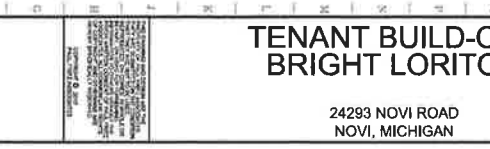
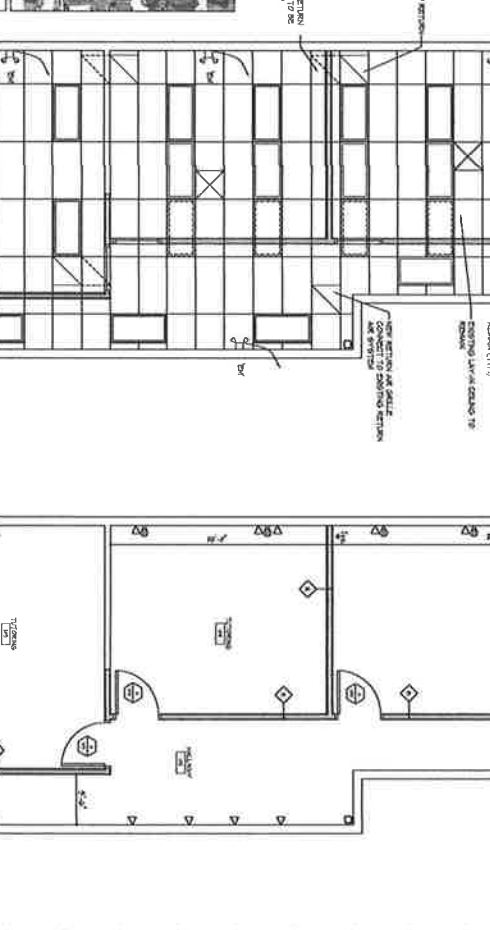


DOOR HARDWARE SCHEDULE

NO.	DESCRIPTION	QTY	UNIT	MANUFACTURER	MODEL	FINISH	NOTES
1	DOOR HANDLE						
2	DOOR LOCK						
3	DOOR STOP						

DOOR FRAME TYPE

NO.	DESCRIPTION	QTY	UNIT	MANUFACTURER	MODEL	FINISH	NOTES
1	DOOR FRAME						

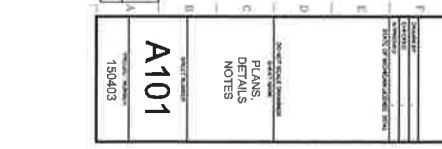
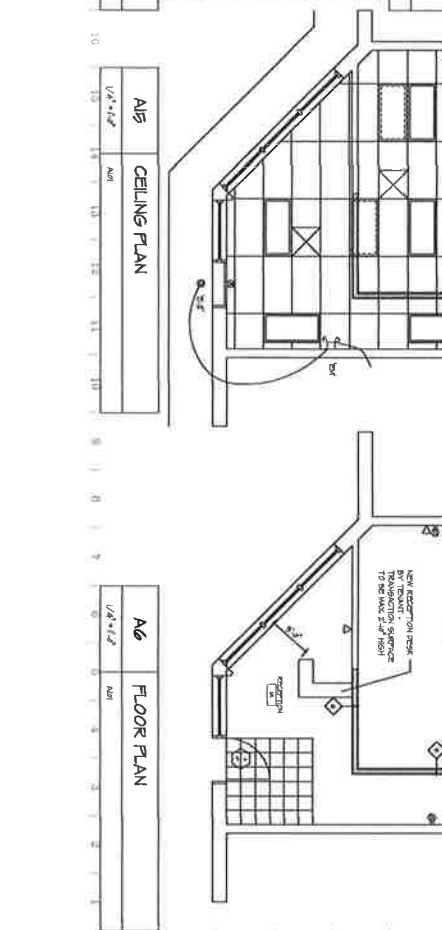
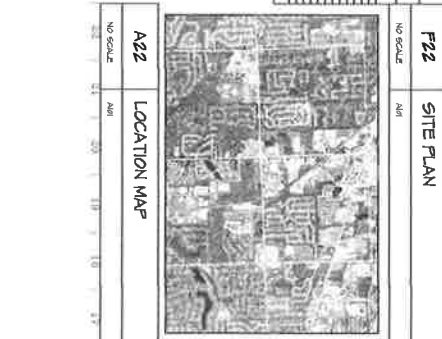


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2	DOOR LOCK						
3	DOOR STOP						

DOOR FRAME TYPE

NO.	DESCRIPTION	QTY	UNIT	MANUFACTURER	MODEL	FINISH	NOTES
1	DOOR FRAME						



A101 PLANS DETAILS NOTES

150403

TENANT BUILD-OUT BRIGHT LORITOS

24293 NOVI ROAD
NOVI, MICHIGAN

PAUL FRITZ ASSOCIATES

7100 EAST 14TH AVE
ANN ARBOR, MI 48106
PH: 734.769.1100
WWW.PFAA.COM

BRIGHT LORITOS NOVI CASE

AERIAL PICTURE



FRONT OF THE BUILDING



RECEPTION AREA



ROOM 1



ROOM 2



ROOM 3

