



MEMORANDUM

DATE: April 17, 2025

TO: Zoning Board of Appeals

FROM: Planning Division

SUBJECT: **Report of Findings**
Case No. 25-05-12 – 28168 Woodward Ave. (25-06-426-002)

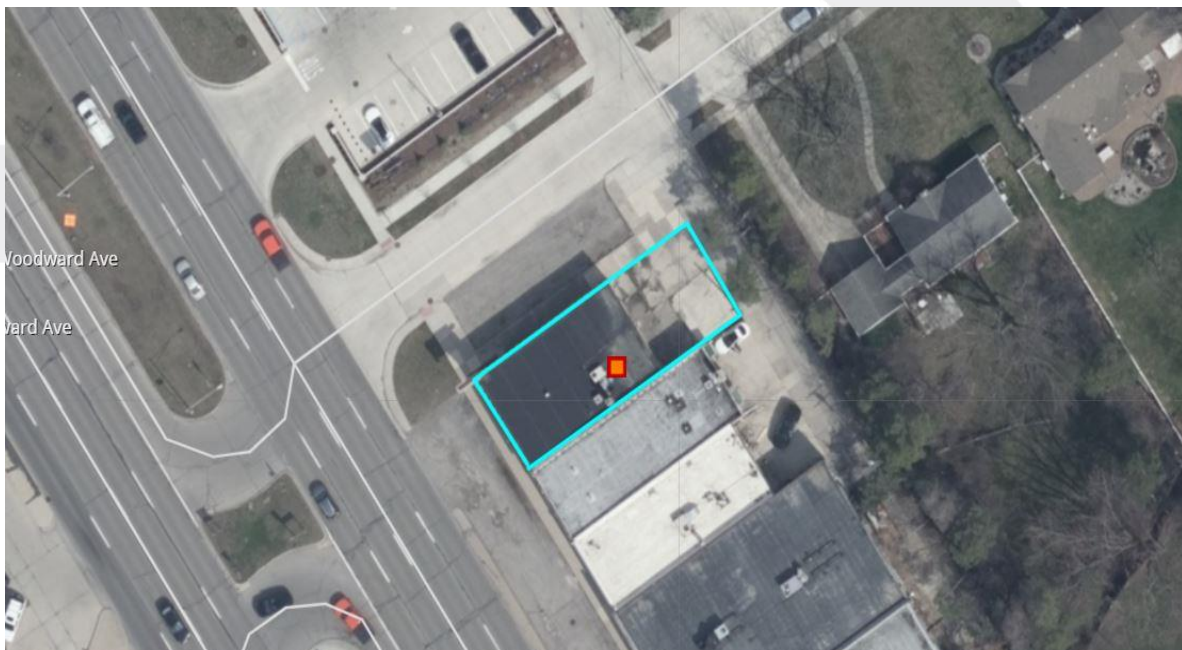
1. Requested Variance

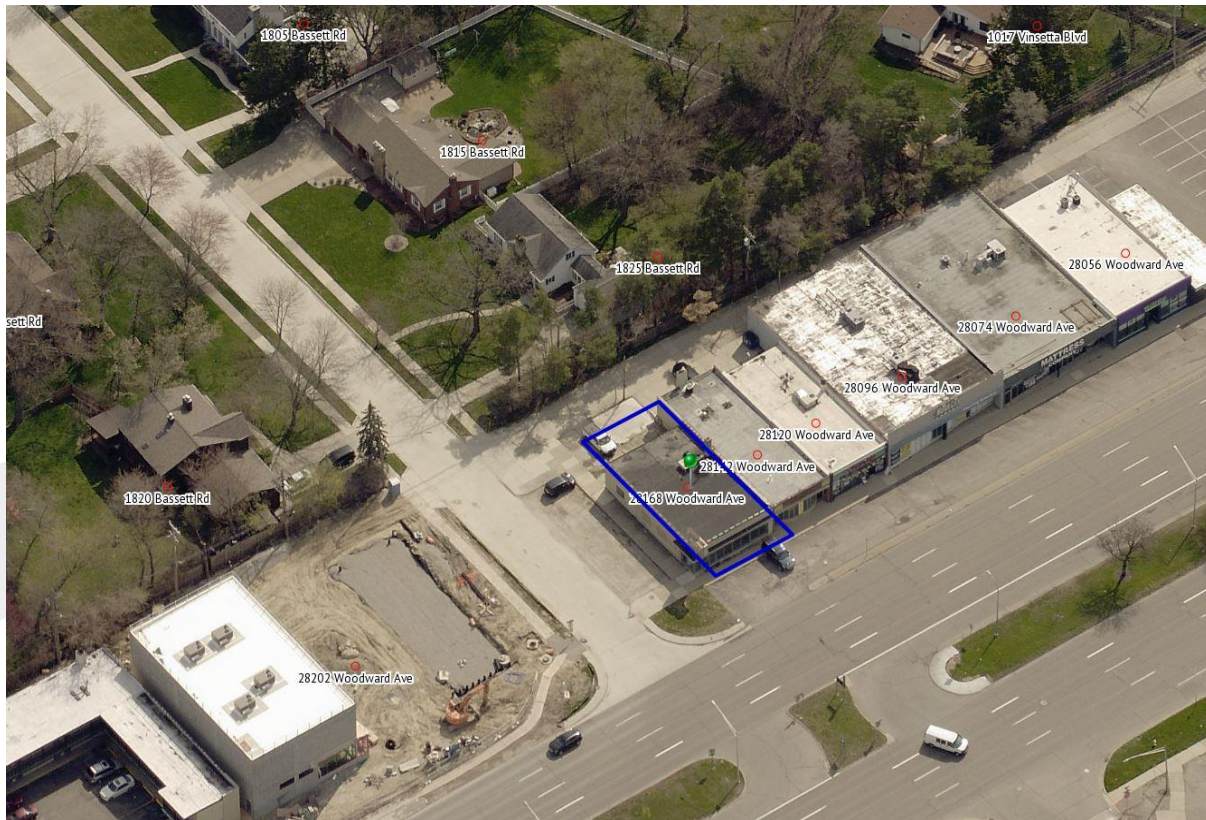
- (a) Waive 2 of the minimum required 13 off-street parking spaces.
- (b) Waive 10 ft. of the maximum permitted driveway width of 30 ft.

2. Purpose

To convert a retail tenant space into a fitness center.

3. Aerial Photograph





4. Variances to Chapter 770 Zoning

ARTICLE IX Off-Street Parking & Loading

§ 770-107 Table of Off-Street Parking Requirements

gymnasiums, fitness center, health clubs, indoor recreation centers,

1 space per each 4 people based upon maximum occupancy as established by building code

§ 770-109 Off-Street Parking Lot Design and Construction

D. Adequate ingress and egress to the parking lot, by means of limited and clearly defined driveways, shall be provided for all vehicles in accordance with the requirements of this chapter. Additionally, all ingress and egress points shall be located no less than 25 feet from any street intersection, and shall be no more than 25 feet wide in a residential zone, and 30 feet in all other zones measured at the property line.

5. Petitioner & Owner

K Pilates LLC, petitioner & 28168 LLC, owner

6. Findings

The subject property is located on the east side of Woodward Ave., north of Catalpa Dr., in the General Business zoning district. The parcel has a width of 40 ft., a depth of 100 ft., and approximately 4,000 sq. ft. of total lot area. The property is developed with an approximately 2,484 gross sq. ft., one-story commercial building most recently occupied by an art supplies retailer. The petitioner proposes converting the tenant space to a fitness center.

The prior use of an art supplies retailer required 8 off-street parking spaces. The tenant space is provided with a “credit” of 8 off-street parking spaces. According to § 770-107 of the zoning ordinance, fitness centers are required to provide one (1) off-street parking space

for every four (4) people allowed under the building's maximum occupancy. According to the building division of the community development department, uses such as fitness centers are allowed a maximum occupancy of one (1) person for every 50 sq. ft. of usable floor area. Based on the proposed floor plan, the building allows a maximum occupancy of 50 people. A minimum of 13 off-street parking spaces is required for a fitness center however, deducting the "credit" of 8 spaces, the proposed use requires 5 off-street parking spaces.

The site plan also provides three (3) off-street parking spaces at the rear of the property. Therefore, the petitioner is requesting a variance to waive 2 of the minimum required 13 off-street parking spaces to convert a retail tenant space into a fitness center.

Other parking shown on the petitioner's drawing is located within the Michigan Department of Transportation's (MDOT) Woodward Ave. public right-of-way, as well as within the city's public right-of-way along Bassett Dr. Required parking must be provided on-site.

The off-street parking area at the rear of the parcel is accessed via a driveway from the adjacent public alley. The driveway extends the full length (40 ft.) of the rear property line. § 770-109 (D) of the zoning ordinance limits the width of non-residential driveways to 30 ft. when measured at the property line. The petitioner is requesting a variance to waive 10 ft. of the maximum permitted driveway width of 30 ft.

7. Decision

Per § 770-124 (E) of the Zoning Ordinance: Upon an appeal, the Board is authorized to grant a variance from the strict provisions of this chapter, whereby unique, extraordinary or exceptional conditions of such property, the strict application of the regulations enacted would result in peculiar or exceptional practical difficulties to, or exceptional undue hardship upon the owner of such property, provided such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of this chapter. In granting a variance, the Board may attach thereto such conditions regarding the location, character and other features of the proposed uses as it may deem reasonable in furtherance of the purpose of this chapter. Further, in granting a variance, the Board shall state the grounds upon which it justifies the granting of a variance as outline below. When granting any variance, the Board must ensure that the spirit of this chapter is observed, public safety secured, and natural resources protected. The Board shall determine that the variance approval, either as proposed by the applicant or as otherwise determined by the Board based upon the record, is the minimum relief necessary in order to achieve substantial justice. The Board shall not have the power to consider an appeal of any decision concerning a special land use or planned unit development, unless specifically authorized to do so by the Planning Commission.

Nonuse variances. The applicant must present evidence to show that if this chapter is applied strictly, practical difficulties will result to the applicant and that all four of the following requirements are met:

- a. That this chapter's restrictions unreasonably prevent the owner from using the property for a permitted purpose,
- b. That the variance would do substantial justice to the applicant as well as to other property owners in the district, and a lesser relaxation than that requested would not give substantial relief to the owner of the property or be more consistent with justice to other property owners,

- c. That the plight of the landowner is due to the unique circumstances of the property; and
- d. That the alleged hardship has not been created by any person presently having an interest in the property.

Nonuse variances require 5 affirmative votes for approval.

cc: K Pilates LLC, 28168 Woodward Ave., Royal Oak, MI 48073
Salam Elia, Elia Law PLLC, 550 W. Merrill St., Ste. 100, Birmingham, MI 48009
28168 Woodward LLC, 22815 Kelly Rd., Eastpointe, MI 48021









NO DUMPING
THIS AREA
IS PROTECTED
BY VIDEO
SURVEILLANCE

8168

1000

SUBWAY

TIGER



PROJECT DESCRIPTION:		TENANT IS PROPOSED IN AN EXISTING 1 STORY NON-SPRINKLED BUILDING. GROSS BUILDING AREA IS 2,500 SQ. FT. +/- PROPOSED USES WILL BE FOR A PILATES STUDIO.	
GOVERNING CODES:		<ul style="list-style-type: none">• MICHIGAN BUILDING CODE 2015 (MBC)• MICHIGAN REHABILITATION CODE FOR EXISTING BUILDINGS 2015 (MIRHC) WORK AREA: LEVEL 3• MICHIGAN MECHANICAL CODE 2021 (M.M.C.)• MICHIGAN PLUMBING CODE 2021 (M.P.C.)• MICHIGAN ELECTRICAL CODE BASED ON 2023 NATIONAL ELECTRICAL CODE (N.E.C.)• W/2023 MICHIGAN PART 8 ELECTRICAL CODE RULES• MICHIGAN UNIFORM FIRE CODE• PARTS 10, INCORPORATING THE INTERNATIONAL ENERGY CODE: 2015 EDITION• INTERNATIONAL FIRE CODE 2012• INTERNATIONAL FUEL GAS CODE 2015• AMERICAN NATIONAL STANDARD - ACCESSIBLE AND USABLE BUILDINGS AND FACILITIES (ICC/ANSI A117-1-2015)• UNIFORM FEDERAL ACCESSIBILITY STANDARDS AMERICANS W/ DISABILITIES ACT (ADAAG, 2010)	
CHAPTER 3: USE AND OCCUPANCY CLASSIFICATION			
303.1		FITNESS CENTER, USE GROUP A-3	
CHAPTER 5: GENERAL BUILDING HEIGHTS AND AREAS			
T 504.4 & 506.2		GROUP A-3, CONST. TYPE III(B (NON-SPRINKLED)) ALLOWED 2 STORIES, 9,500 S.F.	
T 508.4		SINGLE OCCUPANT TENANT- NON-SEPERATED USE	
CHAPTER 6: TYPES OF CONSTRUCTION			
T 601		BUILDING ELEMENT	TYPE III
		PRIMARY STRUCTURAL FRAME	B
		BEARING WALLS	0
		EXTERIOR	2
		INTERIOR	0
		NONBEARING WALLS AND PARTITIONS EXTERIOR	SEE T 602
		NONBEARING WALLS AND PARTITIONS INTERIOR	0
		FLOOR CONSTRUCTION AND SECONDARY MEMBERS	0
		ROOF CONSTRUCTION AND SECONDARY MEMBERS	0
CHAPTER 8: INTERIOR FINISHES			
T 803.1.1 A-3- NON-SPRINKLED		EXIT ENCLOSURES AND PASSAGEWAYS	CORRIDORS
		USE GROUP B	A
			C
		CLASS A FLAME SPREAD 0-25; SMOKE-DEVELOPED 0-450 CLASS B FLAME SPREAD 26-75; SMOKE-DEVELOPED 0-450 CLASS C FLAME SPREAD 76-200; SMOKE-DEVELOPED 0-450	
CHAPTER 9: FIRE PROTECTION SYSTEMS			
903.2.1.2 GROUP A-3 OCCUPANCY		AUTOMATIC SPRINKLER SYSTEM NOT REQUIRED - FIRE AREA LESS THAN 12,000 S.F. - OCCUPANCY LESS THAN 300 - FIRE AREA IS LOCATED ON LEVEL OF DISCHARGE	
906		PORTABLE FIRE EXTINGUISHERS AS REQUIRED BY IFC	
907.2.1		GROUP A-3, MANUAL FIRE ALARMY SYSTEM - NOT REQUIRED, OCCUPANT LOAD IS LESS THAN 300.	
CHAPTER 10: MEANS OF EGRESS			
T 1004.1.2		MBC: T 1004.1.2 MAXIMUM FLOOR AREA ALLOWANCES PER OCCUPANT GROSS BUILDING AREA: 2,470 SQ. FT. +/- USABLE BUILDING AREA: 1,943 SQ. FT. 1,943 SQ. FT. / 50 SQ. FT. PER OCCUPANT (EXERCISE ROOMS) = 39 OCCUPANTS.	
1005.1		EGRESS WIDTH PER OCCUPANT SERVED 1005.3.2 OTHER EGRESS COMPONENTS: 2" PER OCCUPANT TOTAL INCHES REQUIRED: 2" x 39 OCCUPANTS = 78" TOTAL INCHES PROVIDED: 1 REAR DOOR = 40" SINGLE STORE FRONT DOORS = 34" TOTAL = 78"	
T1006.3.1		MINIMUM NUMBER OF EXITS: (1-500 OCCUPANTS) 2 EXITS EXITS PROVIDED: 2 EXITS	
1009.1		ACCESSIBLE MEANS OF EGRESS REQUIRED, NOT LESS THAN ONE, WHERE MORE THAN ONE MEANS IS REQUIRED FROM FROM ANY ACCESSIBLE SPACE, EACH ACCESSIBLE PORTION OF THE SPACE SHALL BE SERVED BY NOT LESS THAN TWO ACCESSIBLE MEANS OF EGRESS.	
1010.1.1		MINIMUM WIDTH OF EACH DOOR OPENING - CLEAR WIDTH = 32"	
1013.1		EXIT SIGNS REQUIRED AT EXITS	
1013.4		TACTILE "EXIT" SIGN REQUIRED - ADJACENT TO EACH EXIT DISCHARGE	
T 1017.2		EXIT TRAVEL DISTANCE OCCUPANCY "A-3" NON-SPRINKLED = 200'	
T 1020.1		OCCUPANT LOAD SERVED BY CORRIDOR WITHOUT SPRINKLER SYSTEM A-3: GREATER THAN 30 = 1 HOUR (WHEN BUILDING IS NON-SPRINKLED)	
1020.4		DEAD END CORRIDORS = 20 FT MAX (WHEN BUILDING IS NON-SPRINKLED)	
1029.8 (T1006.2.1)		COMMON PATH OF EGRESS TRAVEL = 75'	

GENERAL PROJECT NOTES:	
1.	THE CONTRACT DOCUMENTS ARE PREPARED FOR THE CONTRACTOR TO BECOME FAMILIAR WITH THE SCOPE OF WORK AND PROPOSED DESIGN CONCEPT.
2.	DO NOT SCALE THE CONTRACT DOCUMENTS. DIMENSIONS AS INDICATED SHALL GOVERN.
3.	CONTRACTORS SHALL WARRANT THEIR RESPECTIVE CONSTRUCTION AND WORK TO BE PERFORMED IN ACCORDANCE WITH THE REQUIREMENTS IF ALL LOCAL, STATE, AND FEDERAL LAWS, AUTHORITIES HAVING JURISDICTION, AND MANUFACTURER'S INSTALLATION AND WARRANTY REQUIREMENTS.
4.	CONTRACTORS SHALL PROVIDE ALL REQUIRED LABOR AND MATERIALS TO ACHIEVE INDUSTRY STANDARD OF MEANS AND METHODS TO ACHIEVE THE DESIGN INTENT OF THE CONTRACT DOCUMENTS REGARDLESS WHETHER OR NOT DOCUMENTED HEREIN. CONSIDERATIONS FOR ADDITIONAL LABOR OR MATERIAL COSTS ON THE BASIS OF OMISSIONS SHALL NOT BE GRANTED.
5.	INTERPRETATIONS, CLARIFICATIONS, CHANGES, DELETIONS, AND RELATED MODIFICATIONS TO THE CONTRACT DOCUMENTS SHALL BE SOLELY BY THE ARCHITECT EITHER BY ISSUANCE OF A CONSTRUCTION CHANGE DIRECTIVE OR ARCHITECT'S SUPPLEMENTAL INSTRUCTIONS.
6.	IT IS THE RESPONSIBILITY OF THE CONTRACTOR(S) TO VERIFY ALL FIELD CONDITIONS PRIOR TO SUBMITTING PROJECT BIDS, ORDERING MATERIALS, GENERATING SHOP DRAWINGS AND SUBMITTALS, AND START OF WORK. THE ARCHITECT SHALL NOT BE HELD LIABLE FOR UN-VERIFIED FIELD CONDITIONS.
7.	IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO NOTIFY THE ARCHITECT IN WRITING OF ANY DISCREPANCIES, DIFFERENCES, OR ABNORMALITIES WITH THE FIELD CONDITIONS AGAINST THOSE AS DOCUMENTED IN THE CONSTRUCTION DOCUMENTS IN A TIMELY FASHION. THE CONTRACTOR SHALL BE HELD LIABLE FOR FAILURE TO REPORT ITEMS TO THE ARCHITECT AND RESPONSIBLE FOR CONSTRUCTION COSTS AND APPLICABLE FEES TO REMEDY CONFLICTS.
8.	NO SUBSTITUTIONS, CHANGES, OR OMISSIONS FROM THE CONTRACT DOCUMENTS ARE PERMITTED. CONTRACTOR MAY REQUEST SUBSTITUTIONS, CHANGES, AND/OR OMISSIONS IN WRITING BY THE ARCHITECT.
9.	CLARIFICATIONS TO THE DOCUMENTS SHALL BE SUBMITTED IN WRITING TO THE ARCHITECT FOR REVIEW AND RESPONSE.
10.	THE CONTRACTOR IS RESPONSIBLE FOR THE REVIEW AND COORDINATION OF WORK AS ENTAILED WITHIN THE CONTRACT DOCUMENTS, INCLUDING THOSE OF THE ARCHITECT'S CONSULTANTS. COORDINATION OF RELATED TRADE WORK SHALL INCLUDE BUT NOT BE LIMITED TO: SEQUENCING, PHASING, FIELD COORDINATION, CUTS AND OPENINGS, INSPECTIONS, AND APPROVALS.
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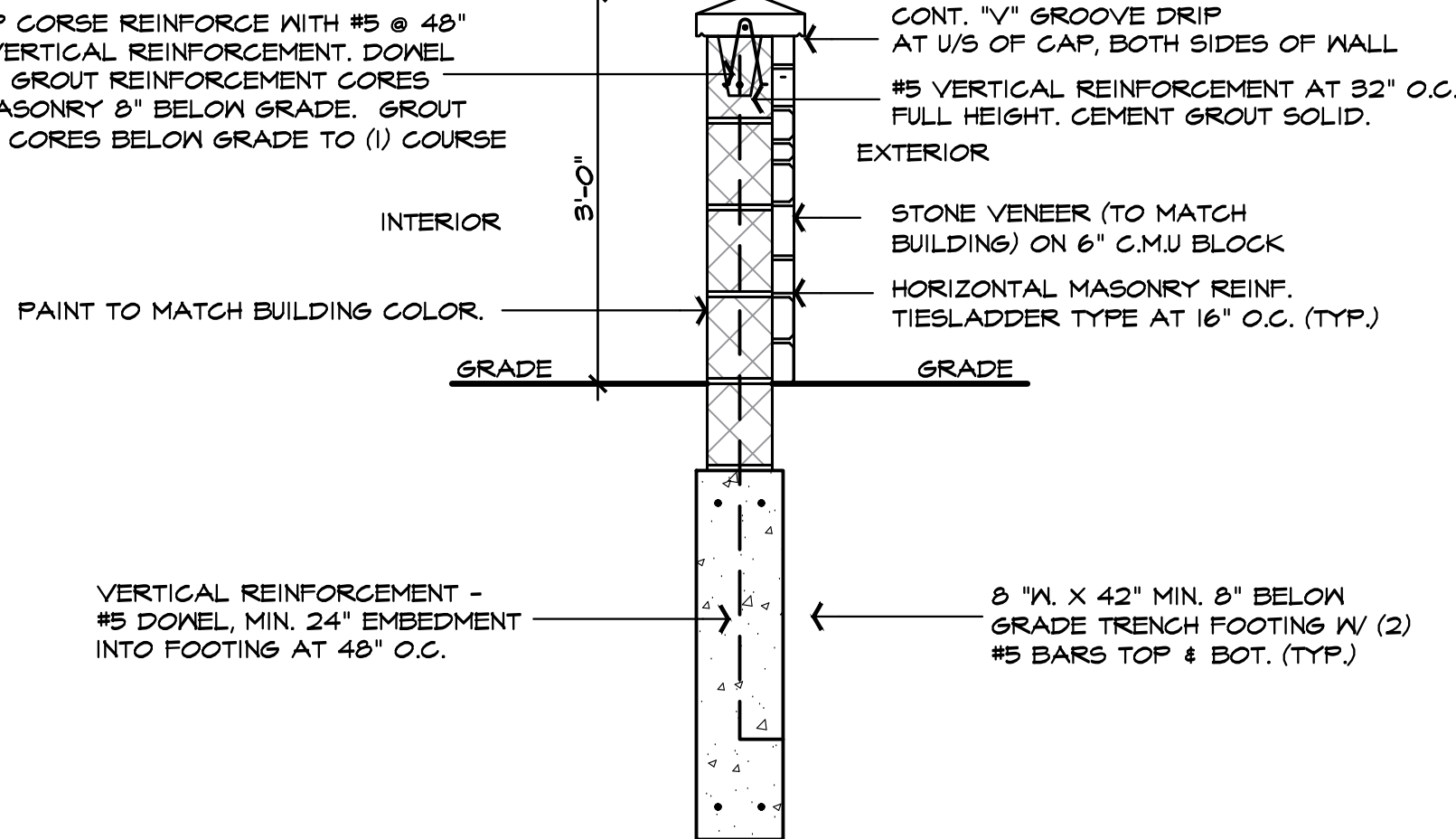
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SCALE: NOT TO SCALE

7419 Middlebelt Road, Suite 4 West Bloomfield, MI 48322 (248) 865 5555 FAX (248) 865 5015

PRECAST COPING TO BE IN +/- 4'-0" LENGTHS. PROVIDE #4 BAR BY 12" LONG SET INTO OVERSIZED HOLES DRILLED INTO EACH COPING END. CENTER BAR ON BUTT JOINT. GROUT SOLID ONE END ONLY, ALLOWING THE OTHER SIDE TO SLIDE. PROVIDE ANCHOR OVER BAR AND GROUTED INTO BED JOINT OF BLOCK BELOW AS SHOWN. PROVIDE BACKER ROD & SEALANT AROUND EACH BUTT JOINT.

BOND BEAM @ TOP CORSE REINFORCE WITH #5 @ 48" O/C FULL HEIGHT VERTICAL REINFORCEMENT. DOVEL INTO FOUNDATION. GROUT REINFORCEMENT CORES SOLID. EXTEND MASONRY 8" BELOW GRADE. GROUT SOLID ALL BLOCK CORES BELOW GRADE TO (1) COURSE ABOVE GRADE.



WALL SECTION - SCREEN WALL

SCALE: 3/4" = 1'-0"

LEGAL DESCRIPTION PER TAX RECORD:

LOT 57 AND 58, EXCEPT PARTS TAKEN FOR WOODWARD AVENUE, VINSETTA PARK SUBDIVISION OF PART OF SECTIONS 16 AND 17, ROYAL OAK TOWNSHIP (NOW CITY OF ROYAL OAK), OAKLAND COUNTY, MICHIGAN ACCORDING TO THE PLAT THEREOF RECORDED IN LIBER 12 OF PLATS, PAGE 30, OAKLAND COUNTY RECORDS.

TAX ID NUMBER: 24-17-274-001

ADDRESS:

28168 WOODWARD AVENUE, ROYAL OAK, MICHIGAN 48067-0934

SITE DATA:

SITE AREA:
3,940 SQUARE FEET OR 0.09 ACRES

ZONED:

GENERAL BUSINESS DISTRICT

PARKING CALCULATIONS:

REQUIRED SPACES
PER CITY OF ROYAL OAK ZONING ORDINANCE:

GENERAL COMMERCIAL USE
RECREATIONAL USES
GYMNASIUMS, FITNESS CENTERS AND HEALTH CLUBS.

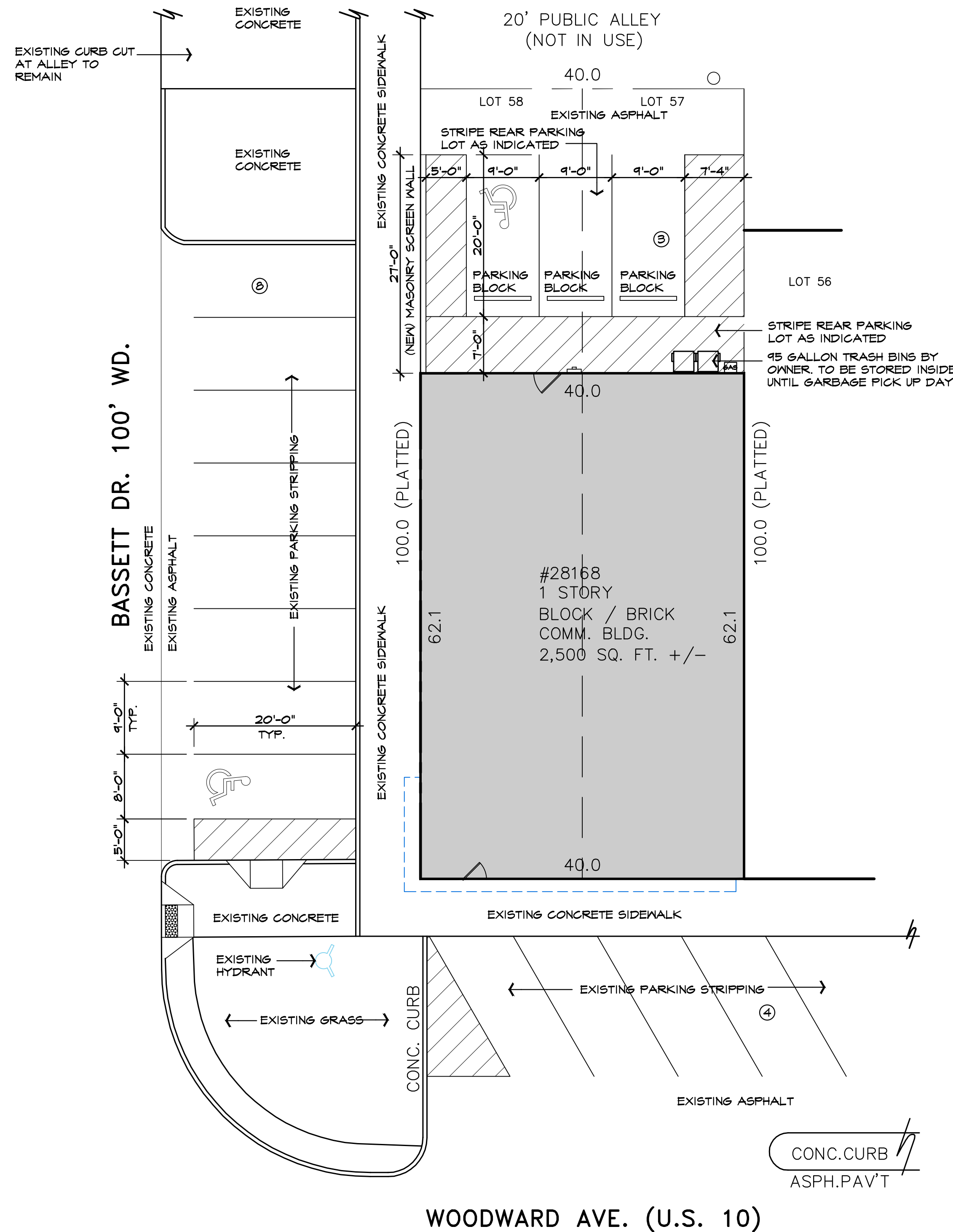
1 PER 4 PEOPLE BASED UPON MAXIMUM OCCUPANCY AS
ESTABLISHED BY BUILDING CODE.

OCCUPANCY LOAD:
GROSS BUILDING AREA: 2,470 SQ. FT.
USABLE BUILDING AREA: 1,948 SQ. FT.
1,948 SQ. FT. / 50 SQ. FT. PER OCCUPANT = 39 OCCUPANTS.

PARKING REQUIRED:
1 SPACE PER 4 OCCUPANTS / 39 OCCUPANTS = 10 SPACES

PROVIDED PARKING = 15 SPACES TOTAL

- 4 SHARED ON WOODWARD
 - 8 SHARED ON BASSETT
 - 3 DEDICATED IN REAR
- INCLUDES 1 B.F. VAN ACCESSIBLE SPACE IN REAR. 1 EXISTING ON BASSETT RD.



www.GUMMAGROUP.net

7419 Middlebelt Road, Suite 4
West Bloomfield, MI 48322
(248) 865-5555 Fax (248) 865-5015

Project:

K PILATES

28168 WOODWARD AVE
ROYAL OAK, MI

Designed R.K.

Drawn R.K.

Approved S.S. P.E.

Scale AS NOTED

Notes

All drawings and written material appearing herein constitute original and unpublished work of Gumma Group and may not be duplicated, used or disclosed without the written consent of Gumma Group.

Do not scale drawings. Use given dimensions only. If not shown, verify correct dimensions with Gumma Group. Contractor shall check and verify all dimensions and conditions at job site.

Project No.

JOB#: 25-005

Issued

SLU 03/18/2025

Sheet Title
and Number

ARCHITECTURAL
SITE PLAN

SP-100



**GUMMA
GROUP**
DESIGNERS BUILDERS

7419 Middlebelt Road, Suite 4
West Bloomfield, MI 48322
(248) 865-5555 Fax (248) 865-5015

K PILATES

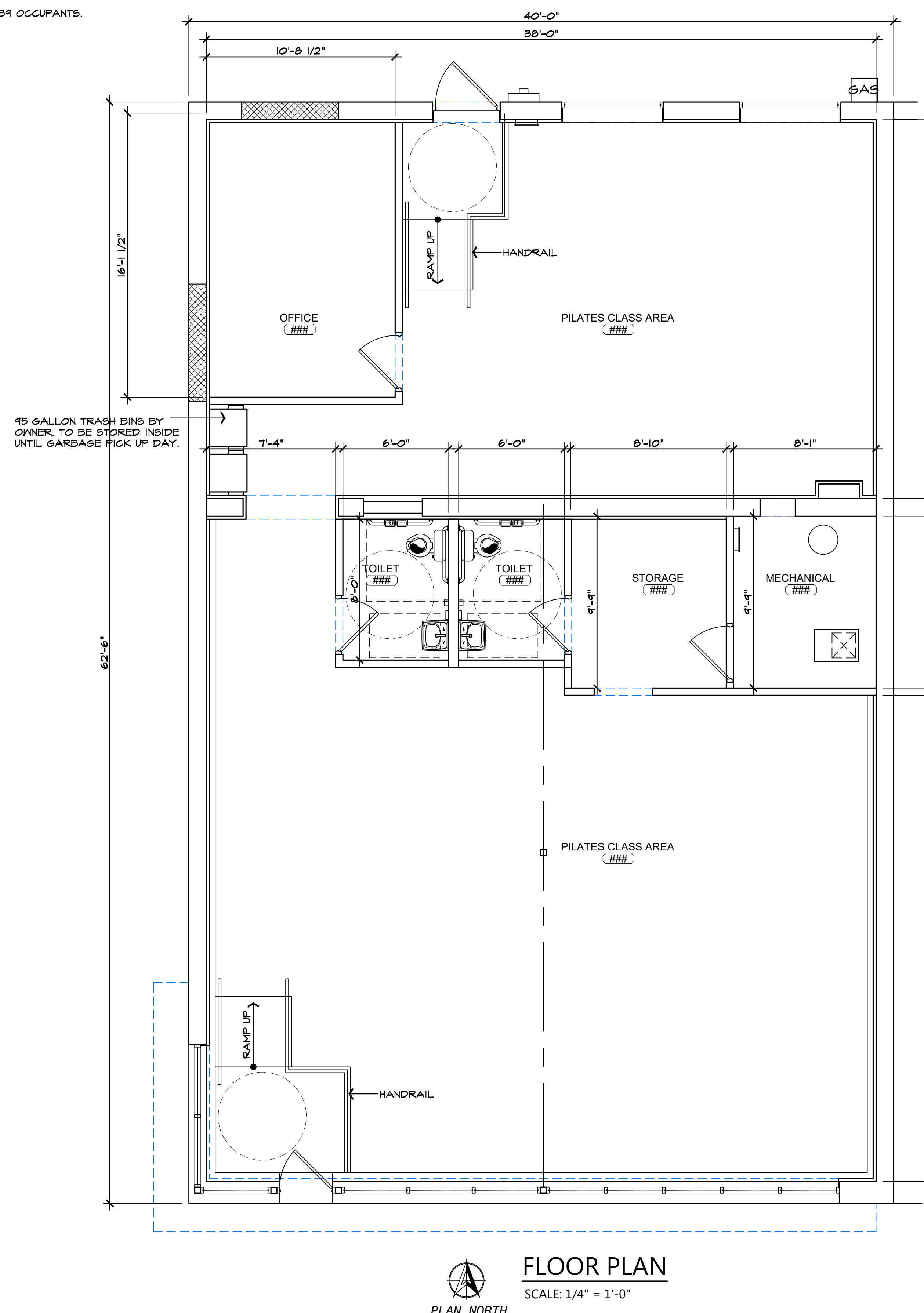
Designed R.K.
Drawn R.K.
Approved S.S. P.E.
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[illegible]

A-100



Project:
K PILATES

**28168 WOODWARD AVE
ROYAL OAK, MI**

Designed R. K.
Drawn R. K.
Approved S. S. P.E.
Scale AS NOTED

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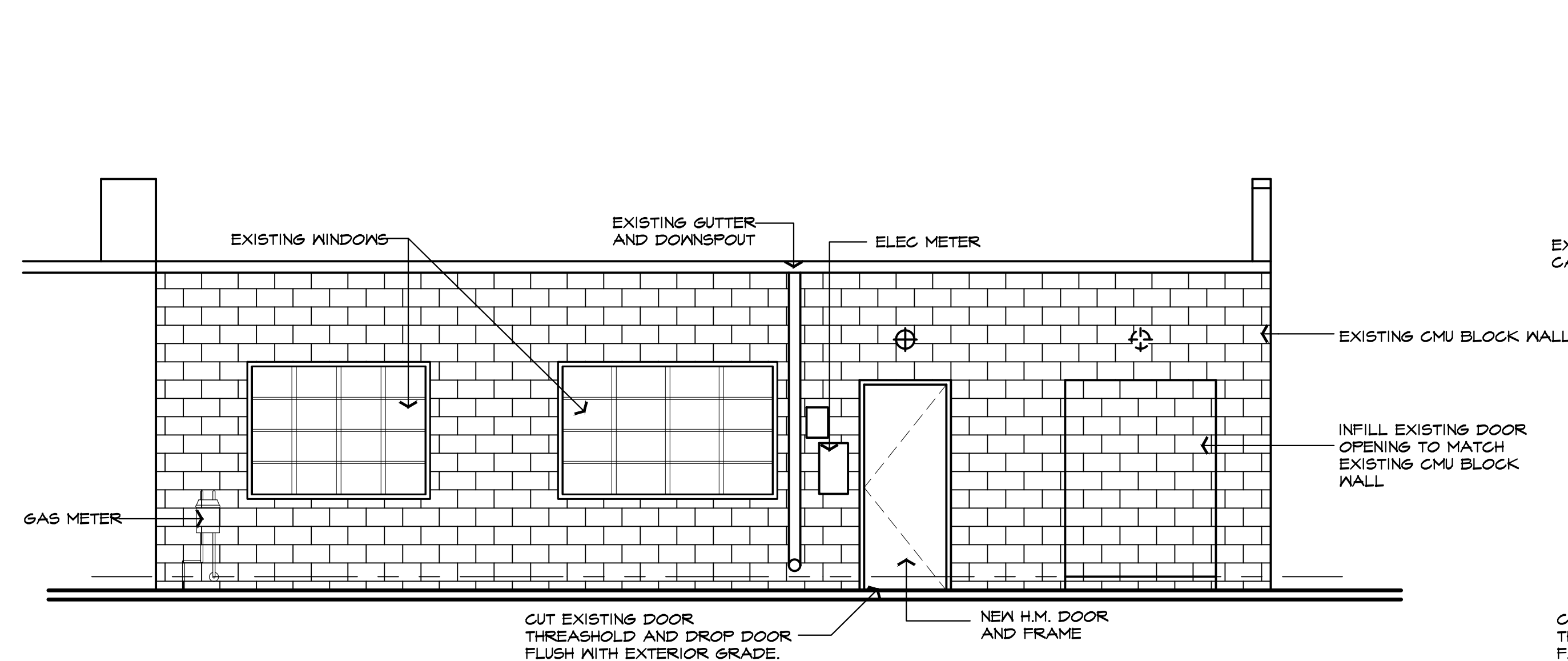
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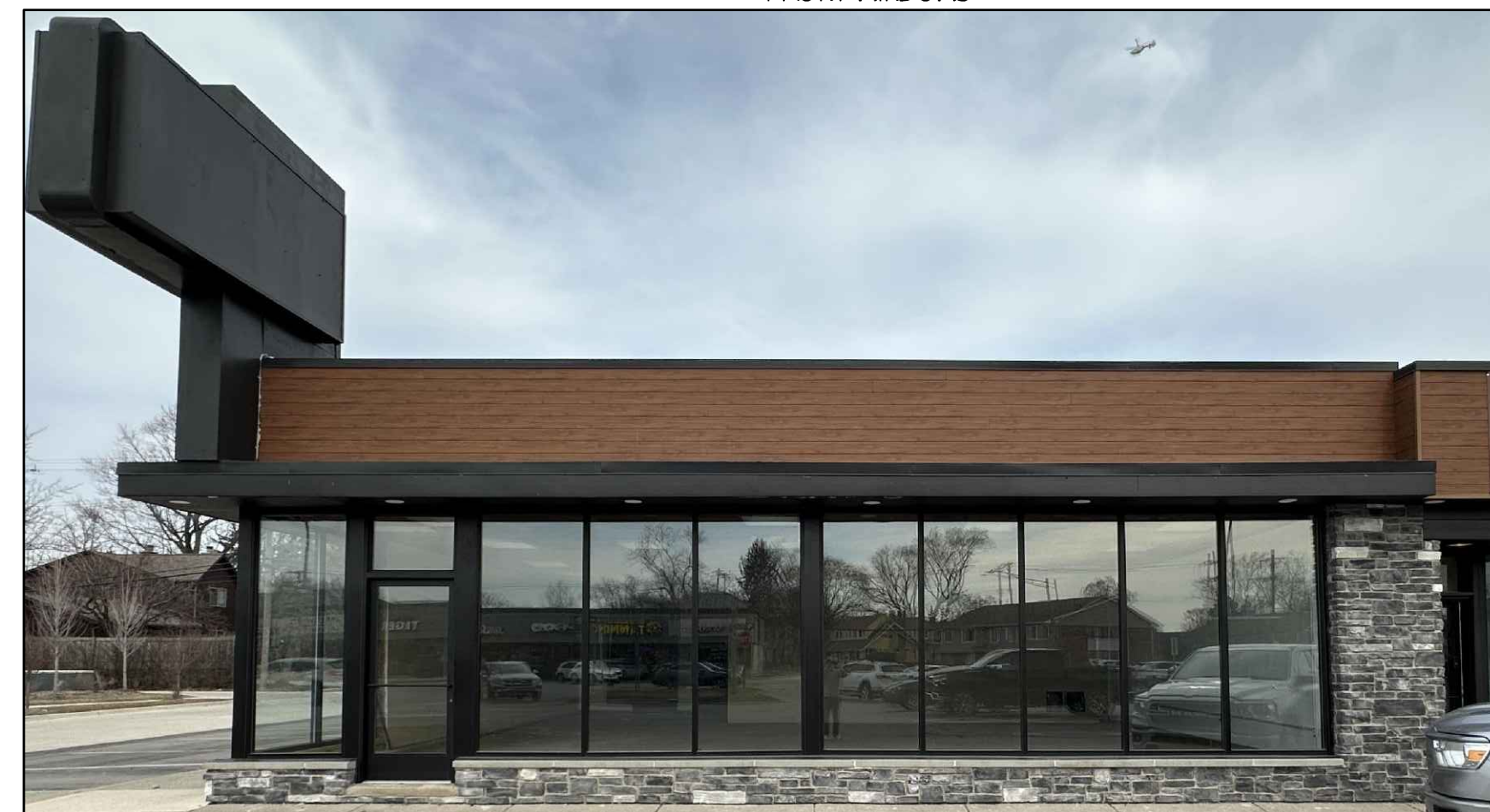
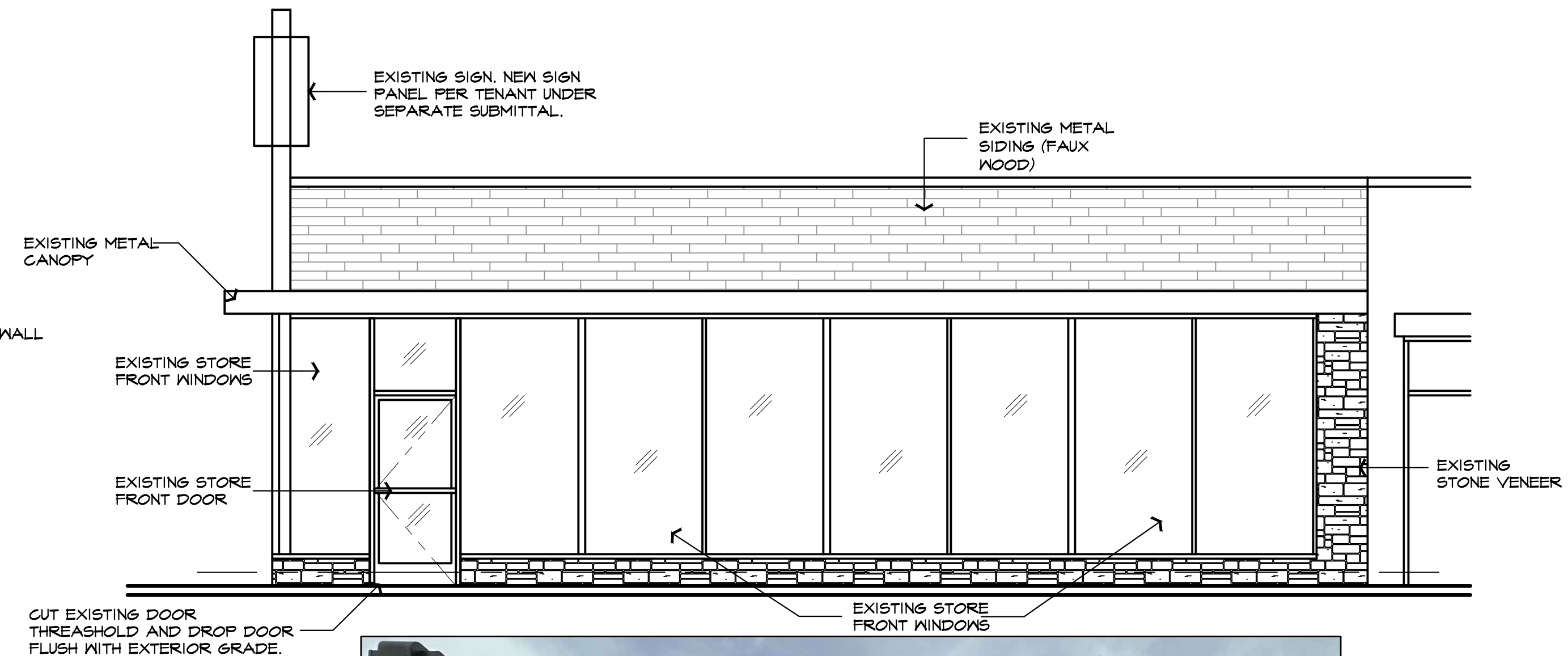
**Sheet Title
and Number**
ELEVATIONS

A-200



EXISTING EAST ELEVATION

SCALE: 1/4" = 1'-0"

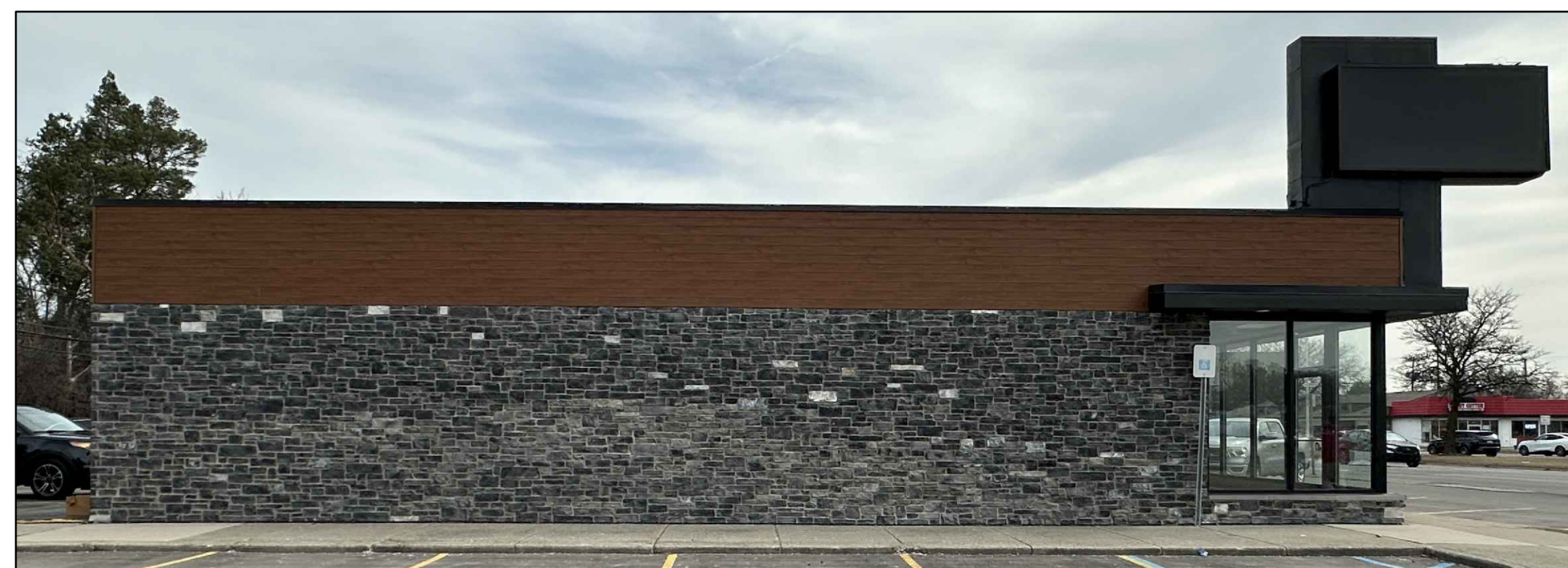
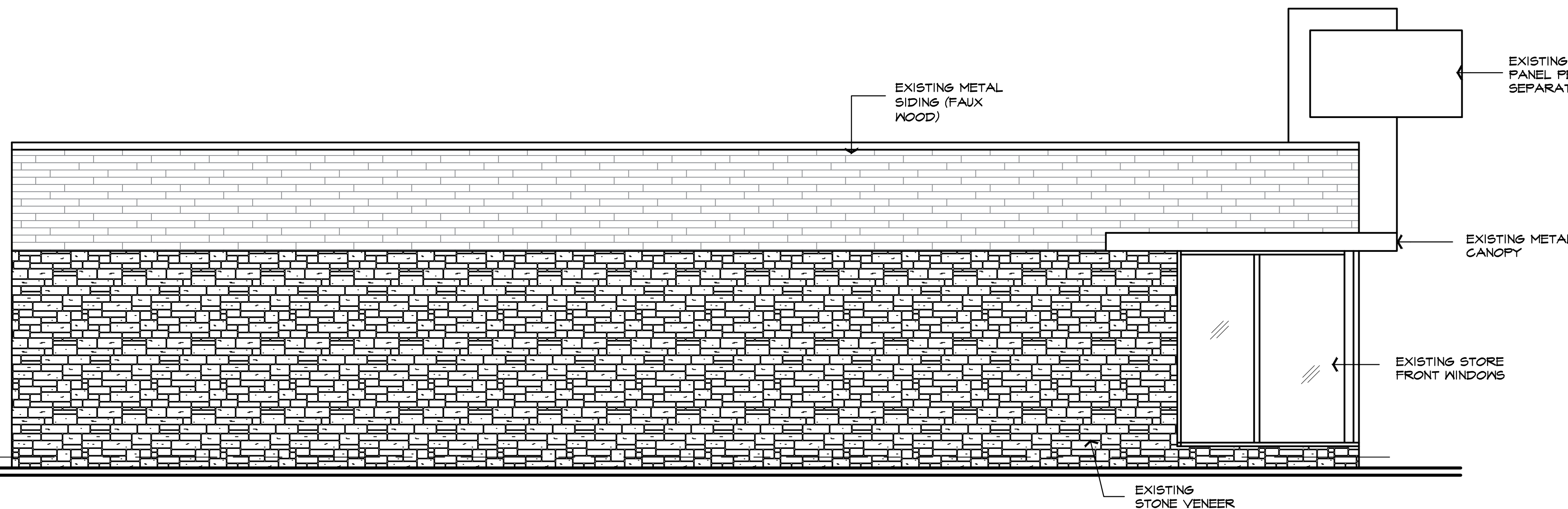


EXISTING WEST ELEVATION

SCALE: 1/4" = 1'-0"

EXTERIOR ELEVATION NOTES:

- BUILDING ELEMENTS ARE EXISTING TO REMAIN UNLESS NOTED OTHERWISE. PATCH / REPAIR AS NECESSARY.
- EXISTING STOREFRONT WINDOWS TO REMAIN, REPLACE ANY DAMAGED SEALANT AS NECESSARY.



EXISTING NORTH ELEVATION

SCALE: 1/4" = 1'-0"



550 W. Merrill Street
Suite 100
Birmingham, MI 48009
Office: (248) 258-9800
Fax: (248) 412-5600

March 24, 2025

VIA BSA PORTAL

Planning Division
203 S Troy Street
Royal Oak, Michigan 48067

**Re: K Pilates LLC., ZBA Variance Application at 28168 Woodward Avenue,
Royal Oak, MI 48067.**

To Whom it May Concern:

On behalf of our client, K Pilates LLC., enclosed please find its ZBA Variance Application (with supporting documents as outlined below) respectfully seeking a parking variance for its intended use of a Pilates Studio to be operated at 28168 Woodward Avenue, Royal Oak, MI 48067.

- Parking Variance Application;
- Site Plan inclusive of floor plans and elevations; and
- Written Statement addressing applicable criteria for the requested variance.

Of course, if there are any questions, concerns, or if any additional information would assist in the processing/review of this application, please do not hesitate to contact the undersigned.

Very truly yours,

ELIA LAW, PLLC

Salam F. Elia

SFE/la

Attachment 1
Written Statements in Support of
K PILATES LLC
Zoning Board of Appeals
Parking Variance Application

Summary:

This application is made on behalf of K Pilates LLC., a Michigan limited liability company, whose sole owner/member is Ms. Kaelin Sadik. More information about Ms. Sadik can be found in the short biography submitted in support of this Application, attached hereto as “Exhibit A”.

Ms. Sadik seeks to operate a Pilates studio at 28168 Woodward Avenue (“Property”). The property is zoned General Business¹ which permits the use of the Property for a fitness center Pilates studio. As such, the intended use (fitness center) is permitted under the City’s Zoning Ordinance. Section 770-107 of the City’s Zoning Ordinance, also requires the applicant to provide access to approximately 9.75 off-street parking spaces based upon maximum occupancy criteria/requirements established by the City’s Building Code.²

The Property is unique in the sense that 36 public parking spaces surround the Property, with 12 directly in front of and adjacent to the Property (collectively “**Public Parking Spaces**”), as shown on attached “Exhibit B”. Typically shopping centers similar to the ones this Property is in, provide private parking for their patrons, but in this case, the parking spaces servicing the center are oddly enough owned by public governmental entities. Although the Public Parking Spaces provide more than enough parking for the shopping center that the Property is in, given that they are publicly owned, rather than privately owned, the City has stated these spaces cannot be used by the applicant (or for that matter, none of the other tenants in the shopping center) to meet the off-street parking requirements.

Only three private parking spaces can exist at the Property, there is no other room/land available to develop additional private parking. Ms. Sadik, pursuant to her lease agreement for the Property and as shown in the floor plans enclosed, has the exclusive rights to these 3 private parking spaces. Given she needs to show 9.75 private parking spaces, and only has 3, here lies the reason why my client is before this Board, respectfully seeking approval of a parking variance.

Property Background:

The Property is uniquely situated right off of Woodward Avenue and has been vacant for a few years. The Property sits at the endcap of a “shopping center”, home to 5 other commercial spaces. The Public Parking Spaces are completely enclosed in the shopping center and thus have been and continue to be utilized by the customers frequenting the shopping center.

Given that the shopping center is zoned for general business, in order for any business to operate at the Property or shopping center, the Board will need to grant a variance, as only three off-street parking spaces are currently available.

The last tenant at the Property operated an antique shop. To use the Property for such retail use, approximately **10** off-street parking spaces would be required, which clearly does not exist. As such, in order for the previous tenant to have operated its business, a parking variance would have

¹ See Section 770.41 of the Zoning Ordinance.

² See enclosed Site/Floor Plans addressing maximum occupancy and usable floor area criteria.

been granted or the zoning requirements must not have been applicable at the time of the previous tenant's use.

Compatibility of Intended Use & Variance Criteria

In addressing each of the criteria for the Nonuse Variance, as set forth in Section 770.124(E)(2), we believe demonstrates that if Chapter 770 is applied strictly, practical difficulties will result to the Applicant and that all four of the following requirements are met. Please see below as follows:

- (a) That Zoning Ordinance restrictions unreasonably prevent the owner from using the property for a permitted purpose;
 - *The Property is zoned General Business, which permits the use of the Property for a fitness center (Pilates Studio).*
 - *The restrictions are unreasonable given the fact that retail use is allowed at the Property without the need to satisfy the parking requirements, but the Applicant's intended use of the Property as a Pilates studio, which is a permitted purpose is prohibited given the parking restrictions.*
 - *The parking restrictions are unreasonable given my client's intended use requires less private parking spaces than if the Property were to be used for general retail use.*
 - *The Property has been vacant for some time, due to the parking restrictions thus prohibiting the owner of the Property from obtaining a tenant to utilize the property for a permitted purpose.*
 - *Enforcing the parking requirements in this unique situation would forbid the shopping center to carry on, since there is no available land on the Property to add/develop additional private parking spaces, and would place an unreasonable burden on the application/owner to have to do so, when the intention behind the parking requirements is already satisfied as there is adequate parking for patron, given the Public Parking Spaces.*
- (b) That the variance would do substantial justice to the applicant as well as to other property owners in the district, and a lesser relaxation than that requested would not give substantial relief to the owner of the property or be more consistent with justice to other property owners;
 - *Justice would absolutely be served by granting this variance, as Applicant's intended use of the Property is permitted and consistent with the Zoning Ordinance, requires the use of less parking spaces than retail use, and is compatible with the adjacent uses of land, the capacities of public services, and public health, safety and welfare.*
 - *The owners of the other properties in the shopping center would also see justice served since they are similarly situated.*
- (c) That the plight of the landowner is due to the unique circumstances of the property;
 - *The Landowner does not have the ability to add additional private parking spaces as would customarily be done in a shopping center of this nature, due to the fact the Public Parking Spaces take up predominantly most of the available space where a private parking lot would be located to service the shopping center/property.*

- *If the Public Parking Spaces were privately owned there would be no issue here, because of the fact that the parking spaces that are available satisfy the need and forego any additional parking requirements given the existing infrastructure designed to accommodate the Property's intended use.*

(d) That the alleged hardship has not been created by any person presently having an interest in the property.

- *The Landlord has no additional space to lease/provide tenant with to account for the 6.75 additional spaces needed. The hardship here lies in the requirement for there to be a certain number of private-off street parking requirements by the City, and the only way to satisfy the parking requirements is to develop additional parking spaces, which cannot be done, since no additional land exists to do so, thus the alleged hardship has not been created by the Landlord.*
- *The Applicant as the tenant at the Property has not created this hardship either, in fact, given the Applicant's intended use is less demanding than the previous tenant, tenant has been able to fit 3 private parking spaces, where one only existed before. As such, the applicant/ tenant has not created this hardship.*

Additional Criteria for Land Division. Please note that Section 770.124(E)(3) is not applicable to the foregoing Application, as no land division shall take place, and the lots shall remain as is.

EXHIBIT A

KAELIN SADIK

Owner of K Pilates

Ms. Kaelin Sadik is a passionate and dedicated Pilates instructor and entrepreneur, with a strong commitment to enhancing wellness in her community. She is the founder and sole owner of K Pilates LLC, a Pilates studio, previously located in Birmingham, Michigan and now seeking to relocate to the wonderful City of Royal Oak, at 28168 Woodward Avenue.

What drove Ms. Sadik to venture from her role as an instructor to an entrepreneur is her realization that, as she puts it best, "I have always seen Pilates equipment as amazing pieces of movement, yet the workouts never seemed to satisfy me the way I wanted. Therefore, I combined my athletic knowledge and training with the Pilates equipment to form what today I call my passion: K Pilates."

Ms. Sadik earned her bachelor's degree in psychology from Wayne State University in 2019 with a minor specialty in nutritional health. Her background in psychology serves as a strong foundation in communication, allowing her to build and nurture meaningful connections with her clientele. With years of experience as a physical therapy technician, Ms. Sadik honed her ability to provide personalized, client-focused care. Her experience working alongside medical professionals has strengthened her understanding of the body's mechanics and recovery processes. This allows her to tailor fitness programs to meet the unique needs of each individual.

Ms. Sadik's business model is rooted in the belief that true health and wellness is a lifestyle. Drawing from her educational background in psychology, she understands that personal growth and well-being require a holistic approach. This insight shapes her commitment to creating a welcoming, serene environment where her clientele can focus on their fitness journey in a way that fosters lasting, meaningful change. Rather than focusing on the number of clients, her philosophy is centered on delivering quality over quantity, ensuring every individual receives the attention and support they deserve. Ms. Sadik takes pride in getting to know each and every one of her clients on a personal level, ensuring that their individual needs and goals are met with care and attention. This personalized approach is so central to her philosophy that her classes are offered by appointment only (no walk-ins are accepted). Though she is an entrepreneur, Ms. Sadik's main priority has always been the people she serves, offering a space that cultivates not just physical strength but mental clarity and personal development.

Underscoring her commitment to challenging yet effective training, Ms. Sadik's focal point, "in every workout, I can assure you that you will be pushed to new limits". Ms. Sadik's certification in mat, Cadillac, chair, and reformer Pilates offers a comprehensive Pilates experience to her clientele. Ms. Sadik's customized approach to her classes has helped her in establishing a loyal clientele base. As Ms. Sadik says, "I pour every ounce of my heart into making sure my clients feel motivated and leave feeling accomplished." Her expertise and passion have garnered the trust and respect of her clientele.

Outside of her professional endeavors, Ms. Sadik enjoys exploring metro Detroit and spending time with her family, maintaining her balance and connection to the community.

EXHIBIT B

28168 Woodward Avenue



Site Plan

