

**OSHTEMO CHARTER TOWNSHIP  
ZONING BOARD OF APPEALS  
MINUTES OF A REGULAR MEETING HELD MARCH 24, 2026**

---

**AGENDA**

**SITE PLAN REVIEW: SERENITY OUTDOORS (480 SOUTH 8TH STREET)**

**TEXT INTERPRETATION: SECTION 48.110 - NON-PROFIT EDUCATIONAL,  
NONCOMMERCIAL RECREATIONAL AND NONCOMMERCIAL BUSINESS  
CENTER**

---

A meeting of the Oshtemo Charter Township Zoning Board of Appeals was held Tuesday, March 24, 2026, beginning at 3:00 p.m.

MEMBERS PRESENT:      Meg Blinkiewicz  
                                 Rick Everett  
                                 Dusty Farmer  
                                 Fred Gould  
                                 Harry Jachym, Vice Chair  
                                 Al Smith  
                                 Louis Williams, Chair

MEMBERS ABSENT:      None

Also present were Colten Hutson, Zoning Administrator; Leeanna Harris, Zoning Administrator; Jim Porter, Township Attorney; and approximately six interested persons.

**CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Chair Williams called the meeting to order at 3:00 p.m.

Those in attendance joined in reciting the Pledge of Allegiance.

**APPROVAL OF AGENDA**

Chair Williams called for approval of the agenda.

Vice Chair Jachym **made a motion** to approve the agenda as presented. Mr. Smith **supported the motion**. The motion was **approved unanimously**.

**PUBLIC COMMENT ON NON-AGENDA ITEMS**

Chair Williams invited the public to comment on non-agenda items. No one came forward.

**APPROVAL OF THE MINUTES OF JANUARY 27, 2026**

Chair Williams asked for additions, deletions, or corrections to the Minutes of the meeting held on January 27, 2026.

Ms. Farmer **made a motion** to approve the minutes of the meeting held on January 27, 2026, as presented. Vice Chair Jachym **supported the motion**. The **motion was approved** unanimously.

**SITE PLAN REVIEW: SERENITY OUTDOORS (480 SOUTH 8TH STREET)**

Ms. Harris presented her staff report dated March 19, 2026, and is incorporated herein. The applicant is requesting site plan review and approval to construct a pole building for the general operations and office space of Serenity Outdoors, a local landscape contractor business.

Michael Lowe, with Hurley & Stewart, on behalf of the property owner, Jon Croy, is requesting site plan approval to construct a pole building for the general operations and office space of Serenity Outdoors at 480 South 8<sup>th</sup> Street.

The property under consideration is located on the west side of S 8th Street, north of KL Avenue. The property is undeveloped, except for utility poles and lines serving Consumer's Energy.

Of the 6,000 square feet proposed for the building, 4,500 square feet would be dedicated to general operations, and 1,500 square feet would be dedicated to office space. The applicant indicated that the business would be open Monday through Friday, from 7:00 am to 6:00 pm, with an average of 5 employees at any given time. There are other associated site improvements proposed, such as for access and circulation, parking, landscaping, storage of landscaping materials, etc.

When reviewing this request, the set of criteria that needs to be considered are those in Article 64 of the Zoning Ordinance.

The site is currently zoned I-1: Industrial District in which a landscape contractor with office space is a permitted use. Adjacent to the north, south, and west of the site, there are other I-1: Industrial District zoned properties. Part of the adjacent site to the north/northwest is also zoned RR: Rural Residential. Across S 8th Street, these properties are zoned R-2: Residence District and 9th Street Residential Overlay zone. General zoning requirements are met.

The property is approximately 3.5 acres, including rights-of-way, with 200.5 feet of frontage along South 8th Street. Lot size and dimensions satisfy requirements.

From South 8th Street, a 70-foot setback is required. The required setback for the sides and rear is 20 feet, or the height of the abutting side of the building, whichever is greater. Setback requirements are satisfied.

The property owner received a driveway permit from the Road Commission of Kalamazoo County for a new standard-duty bituminous pavement driveway from S 8th Street. All circulation aisle widths meet the minimum required for two-way travel.

There are nine proposed parking spaces, with a maximum of 18 spaces allowed. Accessible spaces will need to be installed in concrete. Parking requirements relating to barrier-free spaces and aisles will need to be satisfied prior to building permit issuance.

There is a Consumers Energy Power easement that spans diagonally across and near the frontage of the site. No new easements are proposed.

Per Section 57.90 of the Zoning Ordinance, in lieu of constructing the required 6-foot-wide non motorized facility along S 8th Street, the property owner has indicated they will enter into a Consent to the Establishment of a Sidewalk Special Assessment and Assessment (SAD) with the Township. This will need to be executed and recorded by the property owner prior to the issuance of a Certificate of Occupancy. The sidewalk is still engineered on the site plan.

The proposed 6,000 square foot single-story building is proposed to have an overall height of about 32 feet, and an abutting side wall height to the southern property line of about 16 feet. For the façade, the applicant is proposing neutral colored siding, such as tan or grey. The building would have three overhead doors facing the interior of the site. Elevation details are attached. The percentage of land proposed to be covered by buildings is 4% and remaining open space is 79%.

Existing fencing on the site along the southern property line is expected to be removed and replaced with an 8-foot-tall privacy fence. The landscape material storage is proposed to be stacked concrete jersey barriers at a maximum of 8 feet tall. The screening of the trash facilities is proposed to be six-foot-tall, opaque, and to be compatible with the architectural materials used in the development.

Two wall-mounted fixtures on the north elevation of the building and three pole-mounted fixtures are proposed. All lighting must be cut off fixtures and follow all other requirements as outlined in Article 54.

No new signage is proposed at this time; therefore, this portion of the review is not applicable. Any signage would be reviewed and approved by the Township Zoning Administrators through the sign permitting process.

The applicant outlined a modification to the greenbelt and screening requirements along the South 8th Street rights of-way in their narrative due to the unique physical limitations of the Consumer Energy utility poles, lines, and associated easement spanning the property. The proposal is to allow the greenbelt and screening requirements to be satisfied with the proposed plantings, and six-foot-tall berm, within 150 feet of the rights-of-way, instead of the required 20-foot width. As proposed, this modification appears to meet the spirit, purpose, and intent of Article 53 by improving the overall aesthetics and appearance of the public rights-of-way. Staff is satisfied with this modification as proposed. Interior site landscaping is satisfied by proposed plantings, open space, and the remainder of the existing vegetation after construction of the storm water

basin. No parking lot landscaping is required because the site is proposed to have less than 10 parking spaces.

The Oshtemo Public Works Department has reviewed the proposal and has minor concerns relating to some design elements on site. These include, but are not limited to, storm water management, utilities, and barrier free parking space, aisle, and route design. The Public Works Department is confident that these concerns can be satisfied administratively.

The Oshtemo Township Fire Marshal has reviewed the proposal. The applicant will need to coordinate with Fire Marshal Wiley to determine the appropriate hydrant location as one will need to be added to the site. All other details were found to be satisfactory and meet code requirements.

### **RECOMMENDATION**

Planning Department staff recommend that the Zoning Board of Appeals approve the site plan with the following conditions:

1. An updated site plan shall be submitted and approved by the Township prior to building permit issuance showing the following:
  - o A revised lighting plan satisfying Article 54.
  - o The architect's seal on the architectural plans.
  - o Any additional and necessary changes required due to internal department requirements, such as the Oshtemo Fire Department and/or Public Works Department, and any external department requirements, such as those from the City of Kalamazoo or Kalamazoo County.
2. A Soil Erosion and Sedimentation Control permit will be required prior to the issuance of a building permit.
3. The applicant enters into a Consent to the Establishment of a Sidewalk Special Assessment and Assessment (SAD) for the future non-motorized facility along S 8th St with the Township prior to the issuance of a Certificate of Occupancy

Chair Williams invited the applicant or their representative up to the podium to speak.

Mr. Michael Lowe with Hurley & Stewart, representing the applicant, stated that the proposed site design reflects coordination with Township staff to address constraints associated with the Consumers Energy easement crossing the property and to ensure compliance with zoning ordinance requirements. He then invited the property owner to provide additional background on the business.

Mr. John Croy, owner of Serenity Outdoors, explained that the company specializes in hardscape construction, including retaining walls, patios, fire features, water features, and landscape plantings. He noted the business has operated since 2017 and intends to use the site as its operational base.

Vice Chair Jachym asked whether the site would include retail activity; Mr. Croy confirmed it would not. He also asked about temporary structures and outdoor storage of plant materials. Mr. Croy stated no temporary buildings are proposed and that any plant material storage would be short-term only, typically lasting a few days. He confirmed the site would function primarily as a base of operations for landscape work performed elsewhere.

Mr. Everett asked whether vehicle or equipment maintenance would occur on site and whether oil-water separators or floor drains would be required. Mr. Croy responded that maintenance activities such as oil changes would be performed off site by dealers or service providers, with only typical and occasional vehicle washing expected on the property.

Vice Chair Jachym **made a motion** to approve the site plan for the proposed 6,000-square-foot building and associated site improvements at 480 S. 8th Street, subject to the conditions outlined in the staff report, with the understanding that remaining technical items may be addressed administratively by Township staff prior to issuance of the building permit and Certificate of Occupancy. Ms. Farmer **supported the motion**. The **motion was approved** unanimously.

### **TEXT INTERPRETATION**

Mr. Hutson presented the Planning Department staff memo dated March 18, requesting a text interpretation regarding Section 48.110: Nonprofit Educational, Noncommercial Recreational and Noncommercial Business Centers. The Planning Department received an application requesting a text interpretation on whether an occupational therapy use meets the intent of a Nonprofit Educational, Noncommercial Recreational and Noncommercial Business Center use as allowed by Ordinance within the RR: Rural Residential District. Although the Zoning Ordinance does not define this land use, specific conditions are provided in Section 48.110 of the Zoning Ordinance.

To staff's knowledge, the only property developed under this provision is the Fetzer Institute on KL Avenue. Staff requested that the Board make a determination regarding whether the proposed occupational therapy use meets the intent of the ordinance as written. He added that the applicant, Rebecca Hernandez, submitted documentation describing the proposed day-to-day operations and was present to provide additional information and answer questions.

Chair Williams invited the applicant up to the podium to speak.

Ms. Rebecca Hernandez, a pediatric occupational therapist and owner of Santosha Wellness, explained that, since 2017, she has operated a for-profit LLC providing pediatric occupational therapy services in the Kalamazoo area. She stated she has also established a new nonprofit organization, the Santosha Collective, which she intends to operate on a future site to provide outdoor programming designed to increase access to safe outdoor spaces for children and families, particularly those facing financial or access barriers. She noted she has filed organizational documents for the nonprofit and submitted IRS Form 1023 seeking 501(c)(3) status, which is currently pending.

Ms. Hernandez described a proposed program called *TimberNook*, which she plans to license, focused on outdoor learning and open-ended play experiences for children. She indicated she is

exploring potential sites of approximately 10 acres within the Kalamazoo area, including locations in Oshtemo Township, and is seeking clarification on whether the proposed nonprofit use could qualify as a permitted use within the RR Rural Residential District. She added that she has prior nonprofit experience, is working with a grant writer, contracts with a local nonprofit organization, and serves on the executive board of a nonprofit.

Ms. Stefforia explained that the request was brought before the Board because some of the sites under consideration are zoned Rural Residential, where this type of nonprofit use may be permitted with conditions if determined to meet the intent of the ordinance.

Vice Chair Jachym asked for clarification regarding the activities conducted at the Fetzer Institute, the only known Township example developed under the relevant ordinance provision. Ms. Blinkiewicz responded that the Fetzer Institute conducts trainings and workshops, supports nonprofit initiatives nationwide, and advances a mission centered on spirituality and healing, including grantmaking activities.

Vice Chair Jachym also asked whether Ms. Hernandez had identified a specific site in Oshtemo Township. Ms. Hernandez indicated she is still exploring options but expressed that Oshtemo Township is a preferred location due to its accessibility and suitability for the program's mission. She emphasized her intent to proceed thoughtfully and ensure the proposed use aligns with the character of the land and surrounding community.

Mr. Smith questioned if the request involved modifying the ordinance, Ms. Farmer clarified that the Board was only determining whether the proposed nonprofit use fits within the ordinance as written. Mr. Porter confirmed this.

Mr. Everett indicated he felt the proposed use is consistent with Section 48.110 and comparable to the Fetzer Institute example.

Vice Chair Jachym **made a motion** that the Board finds the proposed use meets the intent of Section 48.110; Ms. Farmer **supported the motion**. The **motion was approved** unanimously.

## **OTHER UPDATES AND BUSINESS**

Chair Williams asked if there was any other business. Ms. Stefforia reminded the Board of the Joint Boards meeting next Tuesday, March 31<sup>st</sup>, at 5:30 p.m.

## **ADJOURNMENT**

Mr. Everett **made a motion** to adjourn. Mr. Smith **supported the motion**. The **motion was approved** unanimously.

The meeting was adjourned at 3:25 p.m.

Minutes Prepared: March 25, 2026

Minutes Approved: April 28, 2026