

**RECORD OF PROCEEDINGS  
FREEDOM TOWNSHIP TRUSTEES**

**PUBLIC HEARING  
Thursday, August 7, 2008**

The Meeting was called to order by Chairman John Zizka at 7:04 pm on Thursday, August 7, 2008. The purpose of the meeting, as advertised in the Record Courier on July 25, 2008, was to hold a public hearing on recommendations of the Zoning Commission to create a Neighborhood Commercial/Office/Industrial (NCOI) zoning district, and to rezone three parcels, as presented to the Trustees on July 17, 2008.

Trustees Present: J. J. Leet, James Hammar, John Zizka; Rosemary Nicholas, Fiscal Officer; Sallie Hubeny, Dan Grafton and, for the latter portion of the meeting, Paul Puleo, Zoning Inspector; Charles VanSteenberg, Road Supervisor; Harold Cain, Charles Duffield, Sallie Hubeny, Bill Sponaugle.

Mr. Hammar, Trustee liaison to the Zoning Commission, reviewed recommendations of the Portage County Regional Planning Commission, stating that the Zoning Commission accepted the recommendations of Regional Planning as presented, with no changes. In response to a question from Mr. Zizka, Mr. Hammar responded that nobody was present to represent the Zoning Commission.

Mr. Zizka asked why the word "Light" was dropped in the title of the recommended new district; i.e., why isn't it Neighborhood Commercial/Office/Light Industrial? He added that we adopted language for light industrial that will pertain to the Morgan property, yet a non-conforming use surrounded by homes is not going to be categorized as Light Industrial. Mr. Leet said that the permitted uses spell out the "Light." Mr. Hammar concurred, that whether or not the word "Light" is in the title it won't affect it either way because it is covered in "Uses."

Mr. Zizka made the motion, seconded by Mr. Leet, **to strike the word "stamping" in Section 203.2, Uses, Item 4. Roll call: Mr. Leet, yes; Mr. Hammar, yes; Mr. Zizka, yes. Motion carried. Resolution PH 8-7-08.1**

Mr. Leet made the motion, seconded by Mr. Hammar, **to amend the Zoning Resolution as recommended to create a Neighborhood Commercial/Office/Industrial (NCOI) Zoning District, to be effective in 30 days (September 8, 2008). Roll call: Mr. Leet, yes; Mr. Hammar, yes; Mr. Zizka, yes. Motion carried. Resolution PH 8-7-08.2**

**Section 203 Neighborhood Commercial/Office/Industrial District - NCOI**

**Section 203.1 Purpose**

The purpose of the Neighborhood Commercial/Office/Industrial (NCOI) Zoning District is established to provide for a concentrated development of small commercial, office and industrial shops in a convenient location of the community, in order to encourage economic development while preserving and protecting the surrounding residential character of the community from any objectionable influences.

**Section 203.2 USES**

Within the NCOI Zoning District, no building, or structure or premises shall be used, arranged to be used or designed to be used, except for the following uses:

A. Permitted Uses:

1. Administrative, executive, financial, accounting, clerical and drafting offices and professional offices.

2. Commercial Uses
  - a. Banks and other financial institutions.
  - b. Personal Services Establishments including, but not limited to, barber shops and beauty salons. (Personal Services are those services frequently needed by residents in the immediate neighborhood and township in general).
  - c. Retail establishments including, but not limited to, antiques stores, clothing and shoe stores, florists, gift shops, nurseries and greenhouses, office supply, furniture, hardware, drug stores, electronic stores, art and craft supply stores and jewelry stores.
  - d. Studios such as dance, art, music, photography and interior design.
3. Printing, reproduction or duplicating facilities.
4. Metal processing such as fabrication, extrusion, welding, finishing, polishing and assembly of products.
5. Plastic or rubber molding and extrusion
6. Manufacturing, processing, servicing, assembly, packaging or repair facilities.
7. Carpenter, cabinet, upholstery, plumbing, heating, electrical, painting, air conditioning shops and similar establishments.
8. Accessory uses incidental to primary use. Such uses may be situated on the same lot and within the same building.
9. Accessory buildings.
10. Uses not covered come before the Board of Zoning Appeals for ruling
11. Signs as regulated in Article IV, Section 403.0 through 403.4

**Section 203.3 Area Yard and Height Requirements**

- A. Minimum lot size two (2) acres
- B. Minimum frontage one hundred and fifty (150) feet at the street and at the building setback. Minimum lot width at setback line one hundred and fifty (150) feet.
- C. Building setback from any road right-of-way to be a minimum of fifty (50) feet
- D. Minimum rear yard depth to be twenty-five (25) feet each side except where adjacent to a RR or RC District where the minimum distance is to be seventy-five (75) feet.
- E. Maximum building height to be fifty (50) feet.
- F. Maximum lot coverage per parcel to be covered by buildings and impervious surfaces shall not exceed 35% of the total lot area of the lot. The balance of the lot shall be grassy yards and landscaped.

**Section 203.4 Parking and Loading Requirements**

- A. Parking spaces are to be provided for all employees and visitors so that no vehicles will be parked on the road. The minimum number of required parking spaces shall be as follows:
 

Office Area	Four (4) per each 1,000 square feet of floor area
Commercial	One (1) per each 200 square feet of floor area

- Industrial            One (1) per each 1,200 square feet of floor area, or the total number of parking spaces equaling the total number of employees on any two consecutive shifts having the largest number of employees (whichever is higher).
- B. Adequate parking space shall be provided so that the loading and unloading of trucks shall take place entirely off the road and not impede the flow of traffic.

### Section 203.5

- A. Landscape screening shall be maintained on ALL sides that face an existing residential district. Landscape screening shall also be required when the zoning of adjacent land is changed to residential.
- B. The screen shall be capable of providing at least seventy-five percent (75%) opacity within three (3) years of installation.
- C. The landscape screening shall be at least six feet (6') high (when mature) and permit not more than twenty-five percent (25%) view of the shielded area on a year-round basis.
- D. The landscape screening shall consist of trees and plants and may include masonry or wood fencing used with or without berms. The screening shall consist of a functional and a well-designed combination of the following:
1. Vegetative ground cover.
  2. This screening shall consist of evergreen trees and shrubs and may include other plantings.
    - a. Plants shall measure a minimum of three feet (3') in height at the time of planting and are expected to attain a height of six feet (6') in three (3) years.
    - b. Evergreen shrubs shall not normally be planted any closer than six feet (6') on center.
    - c. Shrubs shall not normally be planted closer than six feet (6') on center to planted trees, nor within the drip line of existing protected trees.
  3. The landscape screening shall be located a minimum distance of five feet (5') from the public right-of-way or five feet (5') from the edge of a private driveway.
  4. The landscape screening shall be located a minimum distance of five feet (5') from the property line that abuts a residential use.

### Section 203.6 Outdoor Storage Yards

Outdoor storage must be located in the rear yard and completely screened from adjoining properties by a solid fence or wall, a minimum height of six feet (6') to a maximum height of eight (8) feet. No materials shall be stored so as to project above the fence or wall.

The Board next considered the rezoning of the Schwan and Carmichael properties from 'RR' to 'NCOI.' It was noted that the Zoning Commission should have sent the trustees a copy of their motion as well as the applications from Messrs. Carmichael and Schwan to rezone their property. Mr. Hammar pointed out that the map on Page 4 of the Regional Planning recommendations, shows the agreement of the parties involved; i.e., the Schwan and Carmichael properties, as shown on the map, excluding the western most 200 ft. **to rezone Parcel 18-001-00-00-050.000 (Carmichael property, 3.50 acres) and to rezone Parcel 18-011-00-00-006.003 (Schwan property, 3.82 acres) from "Rural Residential" to**

**“Neighborhood Commercial/Office/Industrial.” Roll call: Mr. Leet, yes; Mr. Hammar, yes; Mr. Zizka, yes. Motion carried. Resolution PH 8-7-08.3**

The next order of business was for the Board to consider rezoning of the Morgan property, as recommended by the Zoning Commission. Mr. Hammar made the motion, seconded by Mr. Leet, **to rezone Parcel 18-045-00-00-028.000 (Morgan property, 104.46 acres) from “Rural Residential” to “Light Industrial.” Roll call: Mr. Leet, yes; Mr. Hammar, yes; Mr. Zizka, yes. Motion carried. Resolution PH 8-7-08.4**

The following recommendations of Regional Planning were referred by the board back to the Zoning Commission for their consideration.

1. The Zoning Commission should modify Section 202.5 of the LI Zoning District requirements with regard to the location of the required landscape screening.
2. The Zoning Commission should consider adding the following to Section 202.2 Uses of the LI Zoning District requirements: *Carpenter, cabinet, upholstery, plumbing, heating, electrical, painting, air conditioning shops and similar establishments.*

Mr. Hammar made the motion, seconded by Mr. Leet, **to adjourn the Public Hearing at 7:40 pm. Roll call: Mr. Leet, yes; Mr. Hammar, yes; Mr. Zizka, yes. Motion carried. Resolution PH 8-7-08.5**

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Trustee

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Fiscal Officer