

**Miami Township Zoning Commission
Meeting Minutes**

February 18, 2025

The meeting was called to order at 7:05 by Chairperson Fred Legge.

Attending: Members – Fred Legge, Brian Corry, Mark Willis and Jayne Brahler. (Greg Shrader absent with consent of the chair).

Also in attendance: Bryan Lucas (Zoning Administrator), Frederick Stockwell, Scott Fife, Mattie Fitch

Mr. Willis made a **motion to approve the minutes** from January 21, 2025, seconded by Mr. Corry. All were in favor.

Mr. Legge **reviewed the agenda.**

Mr. Lucas gave **staff report**. Mr. Lucas attended the Ohio Township Association (OTA) annual conference and proposed same question to two attorneys (Tonya Rogers with Baker, Dubikar, Beck, Wiley and Mathews) and (Jennifer Huber with Brosius, Johnson and Griggs). Both responded in a similar manner, stating – If a use is not listed in your resolution as either a permitted or a conditional use, then it is in fact prohibited. Mrs. Huber explained further to me that it is even a better practice to actually list a "use as prohibited" in the resolution, than to not mention it all. Her rationale is that judges are more experienced in dealing with criminals than their experience with zoning disputes. If you were to get sued by a resident - it makes a stronger case that you actually listed the use as prohibited (if that is our intent).

Mr. Corry proposed a written text amendment to prohibit small solar (distribution) after conferring with attorney Jennifer Huber. This also included a conversation around justification for prohibiting this type of use for now in our township, while the Commission continues its research and deliberations on the matter.

Members had a discussion in regard to the text amendment process.

Mr. Corry read the prepared potential text amendment. Dr. Brahler brought up concerns with some of the verbiage within the presented amendment. The word "general" was removed from the presented text.

Members had further small solar discussion in regard to potential claims of a land use acting as a public utility and the status of community solar potential legislation.

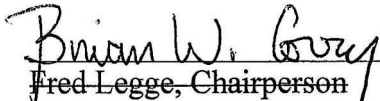
Mr. Willis proposed **moving this text amendment to a public hearing**, seconded by Mr. Legge. All in favor.


Mr. Lucas presented potential text amendment to reformat zoning resolution. Members agreed to move forward with reformatting text amendment after some discussion.

Public comments were accepted from resident Fred Stockwell, including questioning how the zoning reformat would be presented at a public hearing to ensure everyone would be able to understand it.

Mr. Corry presented a comparative considerations sheet for land uses and conditional uses between the Comprehensive Land Use Plan and the Zoning Resolution.

Mr. Willis made a **motion to adjourn**, seconded by Mr. Corry. All were in favor and meeting was adjourned at 8:45.


~~Fred Legge, Chairperson~~
Brian Corry, Vice Chair


Bryan Lucas, Zoning Administrator