Board of Trustees
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Kendal A. Tracy
Mary Makley Wolff

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Interim Administrator
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Miami Township
Clermont County OH

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RESOLUTION 2026-39

The Board of Trustees of Miami Township, Clermont County, Ohio met in special session on October 12, 2026 with the following members present: Mark Schulte, Ken Tracy and Mary Makley Wolff.

A motion was made to adopt the following Resolution:

RESOLUTION APPROVING AMENDMENTS TO CHAPTER 25 OF THE ZONING RESOLUTION OF MIAMI TOWNSHIP, CLERMONT COUNTY, OHIO DISPENSING WITH THE SECOND READING AND DECLARING AN EMERGENCY

WHEREAS, Ohio Revised Code Section 519.12 provides that an amendment to a township zoning resolution may be initiated by the Township Board of Trustees (the "Board") by resolution; and

WHEREAS, The Board passed Resolution 2026-36 which sent a proposed amendment to Chapter 25 of the Miami Township Zoning Resolution to clarify when construction activities must commence in Miami Township to avoid the expiration of a zoning certificate or permit (the "Proposed Amendment") to the Miami Township Commission to be reviewed; and

WHEREAS, the Proposed Amendment would clearly acknowledge that the maximum length of time that a zoning certificate or permit is valid for is two (2) years unless an extension has been applied for and granted, as set forth in Chapter 25, Section 25.01(H) of the Miami Township Zoning Resolution; and

WHEREAS, on October 1, 2026, the Miami Township Zoning Commission met and held a public hearing and considered the Proposed Amendment; and

WHEREAS, the Zoning Commission voted unanimously to recommend passage of the Proposed Amendment to the Board with one revision; and

WHEREAS, on October 12, 2026, the Board scheduled and held its own public hearing related to the Proposed Amendment.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Miami Township,

Clermont County, Ohio as follows:

Section 1. The Board hereby adopts the Proposed Amendment to Chapter 25 of the Miami Township Zoning Resolution as provided for in the attached Exhibit A which is incorporated herein by reference.

Section 2. The Board finds and determines that all formal actions relative to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3. The Board does hereby dispense with the requirement that this Resolution be read on two separate days, pursuant to Section 504.10 of the Ohio Revised Code, and authorizes the adoption of this Resolution upon its first reading.

Section 4. That this Resolution is hereby declared to be an emergency measure pursuant to Section 504.11 of the Ohio Revised Code, necessary for the immediate preservation of the public peace, health, safety, or welfare of Miami Township, in order to begin implementation and enforcement of the proposed revision to the Miami Township Zoning Resolution at the earliest possible date.

Section 5. This Resolution shall take effect at the earliest period allowed by law.

First Reading:	October 12, 2026
Second Reading:	Dispensed with
Effective:	October 12, 2026

On the roll call being called the vote resulted as follows:

Mr. Schulte	✓
Mr. Tracy	✓
Ms. Wolff	✓

Resolution 2026-39 was adopted October 12, 2026.

ATTEST:

Eric C. Ferry, Fiscal Officer

APPROVED AS TO FORM:

Joseph J. Braun,
Township Law Director

EXHIBIT A

Chapter 25

GENERAL PROVISIONS AND PERFORMANCE STANDARDS

"25.01 GENERAL PROVISIONS

A. No buildings shall be erected, converted, enlarged, reconstructed or structurally altered, nor shall any building or land be used which do not comply with all of the district regulations established by this Resolution for the District in which the building or land is located.

B. Every building hereafter erected or structurally altered shall be located on a lot as herein defined.

C. Uses which are not specifically permitted are prohibited. Smoke shops, marijuana cultivators, processors and retail dispensaries are prohibited within all Districts.

D. In any Residence District placing a trailer shall be prohibited, except that one (1) trailer may be parked or stored in a garage or other accessory building, provided that no occupancy for human habitation be maintained or business conducted therein while such trailer is so parked or stored.

E. In any Resort District, the wheels or any similar transporting device of any trailer shall not be removed nor shall such trailer be otherwise temporarily or permanently fixed to the ground or attached to something having a temporary or permanent location on the ground by any person, firm or corporation in any manner.

F. Except as authorized by Section 519.21 of the Ohio Revised Code, nothing contained in this Resolution shall prohibit the use of any land for agricultural purposes or the construction or use of buildings or structures incident to the use for agricultural purposes of the land on which such buildings or structures are located, and no zoning certificate shall be required for any such use, building or structure.

G. Nothing contained in this Resolution or amendments thereto shall require any change, in the plans, construction, size, or designated use of a building, for which a valid permit has been issued or lawful approval given before the effective date of this Resolution or amendments thereto; provided, however, construction under such permit shall have been started within six (6) months and the ground story framework including structural parts of the second floor shall have been completed within one (1) year and the entire building completed within two (2) years after the effective date of this resolution.

H. If the improvement described in any zoning certificate or permit has not begun within one year from the date of issuance thereof, said zoning certificate or permit shall expire; it shall be revoked by the Community Development Director; and written notice thereof shall be given to the persons affected. Evidence of improvement shall be construction above or below ground.

If the work described in any zoning certificate or permit has not been completed within two (2) years of the date of issuance thereof, said certificate or permit shall expire and be revoked by the Community Development Director, and written notice thereof shall be given to the persons affected, together with notice that further work as described in the canceled certificate or permit shall not proceed unless and until a new zoning certificate or permit has been obtained or an extension granted. A one (1) time extension of up to one (1) year may be granted by the Community Development Director or his or her designee, if a request is received in writing and includes the reasons or basis for the proposed extension. These requests will be reviewed at the discretion of the Community Development Director or his or her designee.

25.02 YARD SALES AND GARAGE SALES

Yard sales, garage sales and any other type of personal property sales in residential districts are permitted but limited to the sale of used personal property of the occupants of the premises, and shall be restricted to a duration of three consecutive days with no more than three such sales conducted by any household in any single calendar year. The length of time of display of property shall be for the duration of the sale only. A Zoning Certificate is not required for the first two sales conducted on the premises during a single calendar year, however, a permit shall be required for the third such sale within the same calendar year at a cost as set forth in an approved fee schedule. Signs associated with yard and garage sales may be erected in accordance with Chapter 24 with no additional fee.

25.03 NON-CONFORMING USES

In conformance with Section 519.19 of the Ohio Revised Code, the lawful use of any dwelling, building, or structure and of any land or premises, as existing and lawful at the time of enactment of a zoning resolution or amendment thereto, may be continued, although such use does not conform with such resolution or amendment, but if any such use is voluntarily discontinued for two years or more, any future use of said land shall be in conformity with this Zoning Resolution and Sections 519.01 et seq inclusive of the Ohio Revised Code.

Property Owners may complete construction of a lawful non- conforming use as set forth in 25.01 (G). In the event of natural disasters such as storms and fire non-conforming uses may be restored and/or reconstructed provided restoration and/or reconstruction commences within six (6) months and is complete within one year…"