



# OHIO TOWNSHIP ASSOCIATION

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March 29, 2023

## 2022 - 2023

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Governor Mike DeWine  
Riffe Center  
77 S. High Street, 30th Floor  
Columbus, OH 43215

Re: Veto Request for HB 23

Dear Governor DeWine:

On behalf of the Ohio Township Association (OTA), I am writing to request your veto of one provision included in House Bill 23, which was added in the Ohio House Finance Committee and to which the OTA is opposed.

*House Bill 23 – Aggregate Mining, R.C. 303.02, 519.02*

*HB 23 includes a provision regarding aggregate mining operations that would require a county or township to allow aggregate mineral surface mining activities in any zoning district as either a permitted use or as a conditional use when added to existing operations. This provision forces townships to accept the expansion of mining operations without recourse, or public approval.*

A permitted use, as you know, is a “use by right” permit which never expires, the board of zoning appeals (BZA) cannot place conditions on and is not subject to review and approval by local government. A conditional use is a permit to use the property in non-conforming ways of the original zoning plan. This provision is unequivocally a rubber stamp provision forcing townships to accept zoning permits without transparency, public input, and at the whim of mining operations.

This provision is a blanket rule change that erodes Ohio Townships zoning laws. The OTA respectfully requests the veto of this provision. We thank you for your consideration, and should you have any questions or concerns about our position, please do not hesitate to contact me or Kyle Brooks, OTA Director of Governmental Affairs, at 614-863-0045.

Sincerely,

Executive Director