

# **Bond Case Briefs**

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## **ZONING - OHIO**

### **Artz v. Elizabeth Twp.**

**Court of Appeals of Ohio, Second District, Miami County - March 7, 2014 - Slip Copy - 2014-Ohio- 854**

Property owner filed action for declaratory judgment with respect to his entitlement under township zoning code to erect and operate animal crematorium. The Court of Common dismissed complaint with prejudice. Property owner appealed.

The Court of Appeals held that:

- Definition of agricultural use in township zoning resolutions did not encompass use of subject property for operation of animal crematorium as permitted principal use, and
- Operation of animal crematorium was not permitted accessory use incidental to permitted operation of dog kennel.