

NOTICE OF POTENTIAL VIOLATIONS
OF THE OHIO CONSTITUTION AND MAXIMS OF LAW
IN REZONING DECISIONS

Date: March 3, 2026

To:

[name of incorporated jurisdiction here] Planning Commission

City of [name], Ohio

(Attn: Chair and All Members)

[elected representatives in what incorporated district] City Council

City of [name], Ohio

(Attn: President and All Members)

Mayor of [city]

City of [corporate name here], Ohio

[purchasing corporation legal name here]

c/o Registered Agent

(Attn: Legal Department)

All Other Parties Involved in the Rezoning, Annexation, Installation, or Management of Infrastructure at the [owner name here] Farm Property (471 Acres at 1488 US-68 South, [corporate city name here], Ohio) and Any Adjacent or Related Properties, Including but Not Limited to the Proposed Additional Approximately 500 Acres

CC:

[your county name here] County Regional Planning Commission

Ohio Attorney General

Any Other Relevant State or Local Authorities

Re: Formal Notice Regarding Rezoning of the 471-Acre [name of owners] Farm Property (Purchased by [corporation] in December 2025) and Any Related Expansions, Including Potential Violations of the Ohio Constitution and Maxims of Law Impacting Constitutional Rights of Residents Within and Beyond the Immediate Perimeter

This Notice is hereby served to inform all recipients of potential violations of the Ohio Constitution arising from rezoning decisions related to the 471-acre [name of owners] farm property at 1488 US-68 South, {city}, Ohio, which was previously zoned as mixed rural residential, annexed into the City of {name} in August 2025, and rezoned to light industrial despite the comprehensive plan designating it as rural mixed. This rezoning has already impacted residents in adjacent neighborhoods such as [housing development 1], [housing development 2], and [housing development 3], who acquired their properties with the expectation of maintaining rural mixed use, not industrial development. This Notice also extends to any proposed expansions, including the addition of approximately 500 acres for related infrastructure.

All parties are hereby put on notice that such rezoning decisions, and any further actions facilitating industrial development (including data centers or related facilities), may infringe upon the inalienable rights protected under the Ohio Constitution, not only for residents in the direct perimeter but also for those up to 20-50 miles away. These impacts include, but are not limited to, potential water contamination, water loss and pressure issues, increased electric costs and grid strain, health effects associated with asthma from generators, noise and light pollution, and illnesses related to electromagnetic frequencies. These effects are not confined to local areas but extend regionally due to shared resources such as groundwater, waterways, and utility infrastructure.

Citations to Relevant Provisions of the Ohio Constitution

1. Article I, Section 1 (Inalienable Rights): All persons are, by nature, free and independent, and have certain inalienable rights, among which are those of enjoying and defending life and liberty, acquiring, possessing, and protecting property, and seeking and obtaining happiness and safety. Rezoning decisions that facilitate industrial uses adjacent to residential areas infringe upon residents' rights to protect their property

values and enjoy their homes in safety, as the introduction of potential contaminants, pollution, and resource strains diminishes property use and personal well-being for a wide radius of affected individuals.

2. Article I, Section 16 (Due Course of Law; Remedy for Injury): All courts shall be open, and every person, for an injury done him in his land, goods, person, or reputation, shall have remedy by due course of law, and shall have justice administered without denial or delay.

Arbitrary rezoning that deviates from the comprehensive plan and ignores broader regional impacts violates due process, as it deprives affected residents of fair consideration of their rights and fails to provide adequate remedies for foreseeable harms extending beyond municipal boundaries.

3. Article I, Section 19 (Eminent Domain; Property Inviolable): Private property shall ever be held inviolable, but subservient to the public welfare. When taken or damaged for public use, compensation must be provided. While rezoning may serve purported public interests, it cannot arbitrarily damage private property without just compensation or due regard for the inviolable nature of property rights. The rezoning of the [name of owners] farm and any expansions effectively damages neighboring and distant properties through resource depletion and pollution, constituting a de facto taking without compensation.

4. Article I, Section 19b (Protection of Private Property Rights in Ground Water, Lakes, and Other Watercourses): The protection of the rights of Ohio's property owners, the protection of Ohio's natural resources, and the maintenance of the stability of Ohio's economy require the recognition and protection of property interests in ground water, lakes, and watercourses. Property owners have a property interest in the reasonable use of ground water underlying their land. Industrial developments that risk contaminating or depleting groundwater affect not only adjacent owners but those in a 20-50 mile radius reliant on shared aquifers, violating these protected interests and requiring preservation subservient only to genuine public welfare, not private corporate gains.

Citations to Relevant Maxims of Law

1. Sic Utere Tuo Ut Alienum Non Laedas (Use Your Own Property So As Not to Injure Another’s): This maxim requires that property be used in a manner that does not harm others. Rezoning to allow industrial infrastructure, including data centers with high water and energy demands, generators, and electromagnetic emissions, violates this principle by imposing harms such as pollution, resource strain, and health risks on neighboring and distant properties without their consent.
2. Equity Will Not Suffer a Wrong to Be Without a Remedy: Where a wrong is committed, equity demands a remedy. The rezoning decisions create wrongs by infringing on constitutional rights without adequate safeguards or compensation, and affected parties will seek remedies through all available legal channels if harms materialize.

All parties, including the [CITY NAME HERE} Planning Commission, City Council, Mayor, AWS, and any affiliated companies or contractors, are equally accountable for decisions made in this matter. You are hereby notified that any further actions proceeding with rezoning, installation, or management of infrastructure without full consideration of these constitutional protections and maxims may result in legal challenges, including but not limited to declaratory judgments, injunctions, or other remedies to enforce these rights. Accountability extends jointly and severally to all involved entities for any violations impacting residents’ life, liberty, property, health, safety, or natural resources.

This Notice serves as formal advisement and demands that all decisions be reconsidered in light of these provisions to avoid irreparable harm. Failure to heed this Notice may be cited in future proceedings as evidence of willful disregard.

Served By:

/s/ _____

Proof of Service: This Notice shall be deemed served upon mailing, emailing, or personal delivery to the above addresses, with copies retained for record.