

**OSNABURG TOWNSHIP ZONING INSPECTOR, APPELLANT, v. ESlich
ENVIRONMENTAL, INC., APPELLEE; OSNABURG TOWNSHIP ET AL.,
APPELLANTS.**

**[Cite as *Osnaburg Twp. Zoning Inspector v. Eslich Environmental, Inc.*,
123 Ohio St.3d 1223, 2009-Ohio-6163.]**

Appeal dismissed as improvidently accepted.

(No. 2009-0228 — Submitted November 3, 2009 — Decided December 1, 2009.)

APPEAL from the Court of Appeals for Stark County, No. 2008CA00026,
2008-Ohio-6671.

{¶ 1} The cause is dismissed, sua sponte, as having been improvidently
accepted.

MOYER, C.J., and PFEIFER, LUNDBERG STRATTON, O’CONNOR,
O’DONNELL, LANZINGER, and CUPP, JJ., concur.

John D. Ferrero, Stark County Prosecuting Attorney, and Amy A. Sabino
and Ross A. Rhodes, Assistant Prosecuting Attorneys, for appellants.

Walter & Haverfield, L.L.P., Michael A. Cyphert, and Bonnie S. Finley;
and Stanley P. Rubin, for appellee.

Loveland & Brosius, L.L.C., Donald F. Brosius, Peter N. Griggs, and
Steven C. Leidinger, urging reversal for amicus curiae Ohio Township
Association.

Richard Cordray, Attorney General, Benjamin C. Mizer, Solicitor General,
and David M. Lieberman, Deputy Solicitor, urging reversal for amicus curiae
state of Ohio.
