

**AGENDA**  
**JEFFERSON TOWNSHIP, MONTGOMERY COUNTY, OHIO**  
**BOARD OF ZONING APPEALS MEETING**  
Thursday, January 22, 2026 AT 5:00 PM

**I. Welcome**

**II. Roll Call**

**Members Present:**

Caressa Brown \_\_\_\_\_ Robin Taylor \_\_\_\_\_  
Joslynn Harris \_\_\_\_\_ Edward Bronston \_\_\_\_\_

**III. Approval of Meeting minutes:**  
**December 17, 2025**

**Motion to approve** CB\_\_\_\_ JH\_\_\_\_ EB\_\_\_\_ RT\_\_\_\_

**Second by:** CB\_\_\_\_ JH\_\_\_\_ EB\_\_\_\_ RT\_\_\_\_

**Vote:** CB\_\_\_\_ JH\_\_\_\_ EB\_\_\_\_ RT\_\_\_\_

**IV. BZA Cases for review (1)**

**1. Summary – Case #BZA2025-01 (John Casebeer/Pig Pen Set Back)**

**Address:** 3283 Liberty Ellerton Rd, Dayton, OH 45417

**Zoning:** RA Rural Agricultural District

**Request:** Conditional Use & Variance requesting the BZA Board to approve the present location of the Pig pen due to the layout of the property.

**Adjournment**

## Jefferson Township Board of Zoning Appeals

Staff Report-Case BZA 2025-018

**Applicant /Owner:** John Casebeer

**Representative:** John Casebeer

**Property:** 3283 Liberty Ellerton Rd, Dayton, OH 45417, **Parcel#** G27 01710 0063

**Zoning District:** RA- Rural Agricultural District

**Request:** Mr. Casebeer is asking the Board of Zoning Appeals for approval for the setback location of the pig pens to stay where it is on the property.

**BZA Hearing Date:** Wednesday, December 17, 2025; January 22, 2026

### I. Background

**Application Date:** 11/12/2025

**Summary of Request:** Approval for keeping the pig pen where it is on the property.

**Property Description:** The lot size is 5 acres mostly wooded. Land Use Description R-Single Family.

### II. Applicable Zoning Provisions

#### 1. §304 – Powers of the BZA

- *Authority:* The BZA may hear appeals, grant variances, grant conditional uses, and attach conditions necessary to protect the public health, safety, and welfare. The Board may amend or remove conditions if circumstances change.
- *Application:* The BZA shall make a determination that the establishment, maintenance, and operation of the proposed conditional use is generally consistent with the provisions of the adopted Jefferson Township land use plan and the Montgomery County thoroughfare plan, and will not be detrimental to the health, safety, peace, comfort, or general welfare of people or property in the township.

#### 2. District Regulations (e.g., §60 RA District)

- *Authority:* Article 6 R-T Section 603 Single Family Residential Non-Farm Lots
- *Application:* C. Consistent with ORC Section 519.14 and the Jefferson Township Zoning Resolution Section \_\_\_\_, the Board of Zoning Appeals (BZA) may permit less road frontage, smaller lot size, and adjust the setback requirement, if the applicant demonstrates that due to special conditions of the land, the proposed lot(s) can better be designed to protect the prime farmland.

#### 3. Other Relevant Code Sections: Article 30 SECTION 3015 ANIMAL HUSBANDRY

4.) Enclosures are treated as an accessory structure, may only be in the rear yard, and must be at least ten (10) feet from all property lines and at least thirty (30) feet from all neighboring dwellings, schools, churches or businesses.

5) Enclosures must be kept clean, dry, odor-free, neat and sanitary at all times.

6) The owner must take necessary action to reduce the attraction of predators and rodents and the potential infestation of insects and parasites.

4. **General Purpose of the Zoning Code (Article 1)**

- *Authority:* The zoning code's purpose is to protect public health, safety, and welfare, avoid traffic hazards, and ensure compatibility between land uses.
- *Application:* Article 6, Section 603 Adjust setback requirements
  - A. 4. Ensure the public health, welfare, and safety of Township residents in connection with setback requirements.

### III. **Staff Analysis**

#### **Site and Surroundings**

- The lot size is 5 acres, Land Use Description Single Family. There are a single-family home and a shed on the property.
- Surrounding land uses (Residential and Agricultural).

#### **Community Concerns (if applicable)**

- There is one neighbor daughter who has been complaining about the location of the pig pen.

### IV. **Issues for Deliberation**

1. The BZA Board has the authority to approve the locations of the pig pen may permit less road frontage, smaller lot size, and adjust the setback requirement, if the applicant demonstrates that due to special conditions of the land, the proposed lot(s) can better be designed to protect the prime farmland.

2. Is there any other location on the property where the pig pen can be placed?

### V. **Options for the Board**

1. **Deny the request** – Deny if the board is not satisfied with the owner request.
2. **Grant the request fully** – Grant if the Board feels the request is justified.

### VI. **Staff Recommendation**

- **Recommendation:** Staff recommendation is to approve the request because of the width of the property and the woods on the property.
- **Conditions (if applicable):** No Conditions need to be added.

**Conclusion:** The applicant has requested the location of the pig pen be approved because it is in a flat location on the property and there is no smell from the pigs also, he is running an active small farm from his property. Garden to feed his family, he has bee's for honey and wildflowers to feed the bees.

**Prepared for Jefferson Township Board of Zoning Appeals**

Date: December 1, 2025

Prepared by: Karen Kayler, Zoning and Development Coordinator