

AGENDA
JEFFERSON TOWNSHIP, MONTGOMERY COUNTY, OHIO
BOARD OF ZONING APPEALS MEETING

THURSDAY, September 18, 2025, AT 6:00 PM
ONE BUSINESS PARK DRIVE, DAYTON, OH 45417

- A. (Chair) “Good evening. I now call to order the meeting of the Jefferson Township Board of Zoning Appeals for Thursday, September 18, 2025. Let’s stand and site the Pledge of Allegiance.”**

Thank you. Karen, would you please call Roll.

- B. (Karen) Roll Call**

Members Present:

Caressa Brown _____ Margaret Woods _____ Jeanette Gibson _____
Joslynn Harris _____ Edward Bronston _____

(Caressa) A quorum is present. We will proceed with the agenda.

- C. (Caressa) Case BZA 2025-011 – Conditional Use**

The Board of Zoning Appeals Application was received on August 11, 2025.
Applicant: Terry Posey Attorney for Owner Steve Rauch
Fee of \$500.00 was paid by Credit Card on August 11, 2025.
Receipt was written # 352382 to the applicant office Lori Lenglain
Legal Ad was posted on Jefferson Township Website and Facebook page 17 days before the BZA Meeting. September 2, 2025, posted.
Owner and Adjacent Owner Notices were mailed August 29, 2025, 21 days prior to the BZA Meeting.
The property is 7750 Dayton Farmersville Road, Dayton, Ohio 45417
Parcel # G27 01710 0001, Property is Zoned RA-Rural Agriculture
161.201 acres.

C-1 Nature of Appeal: Purpose of Application Steve Rauch is applying to remove Operating Condition No. 8 from Certificate 003-2014 authorizing a composting facility on 10 acres at 7750 Dayton Farmersville Road. Operating Condition No. 8 Limits the amount of trucks for daily intake to five (5) trucks per day. A five truck per day limitation is inconsistent with the available area for composting use and renders the economics of the facility challenging.

C-2 (Caressa) “Before we begin, Will all those who filled out the Public Comment Speaker Form, the Applicant and Staff member who intends to speak on any of the cases before us tonight-please stand and raise your right hand.”

“Do you swear or affirm that the testimony you are about to give is the truth, the whole truth and nothing but the truth?”

(Wait for response: “I do.”)

“Thank you. You may be seated.”

C-3 Staff Presentation: Overview and recommendations.

C-4 Board Questions for the Staff Member.

C-5 Applicant Presentation:

C-6 (Caressa) “Will the applicant or their representative please come forward to present their case?”

C-7 Board Questions for the Applicant.

C-8 (Caressa) “We will now open the floor for public comment or questions related to this application. Please come to the podium, state your name and address for the record, and keep your comments to three minutes. All remarks should be directed to the Chair.”

Joslynn will announce each name who signed up to speak.

Witness: _____

Witness: _____

Witness: _____

Witness: _____

Witness: _____

Witness: _____

C-9 (Caressa) “Seeing no further speakers, public comment is now closed.”

C-10 Applicant Response

D Board Discussion and Deliberation (PICK ONE)

| Action | Phrases to Use |
|--------------------------|---|
| Approve application | “ I move to approve the application for 7750 Dayton Farmerville Rd BZA 2025-011” |
| Deny application | “ I move to deny the application for 7750 Dayton Farmerville Rd, for the following reasons: _____ _____ |
| Approve with conditions | “ I move to approve the application with condition that: _____ _____ _____. _____. |
| Amend a motion: | “I move to amend the motion by adding/Changing. _____ _____ _____ |
| Table (Continue/Postpone | “I move to table this application until (specific date or meeting). _____ |

E Motion made to: Approve_____ Deny_____ Table_____

Motion made by: _____

Seconded by: _____

F (Karen) Roll Call

Caressa Brown _____ Margaret Woods _____ Jeanette Gibson _____
Joslynn Harris _____ Edward Bronston _____

G (Caressa) Case BZA 2025-012

The Board of Zoning Appeals Application was received on August 25, 2025.

Applicant: Torriona Blythe Fee of \$500.00 was paid by Cash on August 25,2025.

Receipt was written # 352390 to the applicant.

Legal Ad was posted on Jefferson Township Website and Facebook page 17 days before the BZA Meeting. September 18, 2025, posted.

Owner and Adjacent Owner Notices were mailed August 29, 2025, 21 days prior to the BZA Meeting.

The property is 5038 Fortman Drive, Dayton, Ohio 45417

Parcel # G27 18213 0038, Property is Zoned R-3 Single Family Residential District

G-1 Nature of Appeal: Ms. Blythe is requesting approval to open a group home for (5) five adult males.

G-2 Staff Presentation: Overview and recommendations.

G-3 Board Questions for the Staff Member.

G-4 Applicant Presentation:

G-6 (Caressa) “Will the applicant or their representative please come forward to present their case?”

G-7 Board Questions for the Applicant.

G-8 (Caressa) “We will now open the floor for public comment or questions related to this application. Please come to the podium, state your name and address for the record, and keep your comments to three minutes. All remarks should be directed to the Chair.”

Joslynn will announce each name who signed up to speak.

Witness: _____

Witness: _____

Witness: _____

Witness: _____

Witness: _____

Witness: _____

G-9 (Caressa) “Seeing no further speakers, public comment is now closed.”

G-10 Applicant Response

H Board Discussion and Deliberation (PICK ONE)

Action

Phrases to Use

Approve application “ I move to approve the application for 7750 Dayton Farmerville Rd BZA 2025-011”

Deny application “ I move to deny the application for 7750 Dayton Farmerville Rd, for the following reasons:

Approve with conditions “ I move to approve the application with condition that: _____

_____.

Amend a motion: “I move to amend the motion by adding/Changing. _____

Table (Continue/Postpone “I move to table this application until (**specific date or meeting**). _____

I Motion made to: Approve_____ Deny_____ Table_____

Motion made by: _____

Seconded by: _____

J (Karen) Roll Call

Caressa Brown _____ Margaret Woods _____ Jeanette Gibson _____

Joslynn Harris _____ Edward Bronston _____

K Motion made to **adjourn**.

Motion made by: _____

Seconded by: _____

L Roll Call

Caressa Brown _____ Margaret Woods _____ Jeanette Gibson _____

Joslynn Harris _____ Edward Bronston _____

M Time: _____ **Next Meeting Date: October 16, 2025, at 6:00 P.M.**

Jefferson Township Board of Zoning Appeals

Staff Report – Case #2025-011

Applicant/Appellant: Steven R. Rauch (KOTE Organic Farms)

Representative: Dan Wampler

Property: 7750 Dayton Farmersville Road, Germantown, OH 45327

Parcel ID: G27 01710 0001

Zoning District: RA – Rural Agricultural (vested conditional use approval for Class II Composting)

Request: Appeal and modification of Certificate 003-2014, specifically **removal or amendment of Operating Condition No. 8 (5 trucks/day intake limit)**.

I. Background

In 2014, Steven Rauch (KOTE Organic Farms) applied for a **Conditional Use Permit** to operate a **Class II Composting Facility** on a 10-acre portion of his 161-acre farm at 7750 Dayton Farmersville Road. The plan included a composting pad, greenhouses, and crop production.

The **Board of Zoning Appeals (BZA)** denied that request on September 18, 2014, after a public hearing where neighbors raised concerns about **odor, truck traffic, dust, and compatibility** with the rural neighborhood.

Mr. Rauch appealed the denial. In November 2015, the **Montgomery County Common Pleas Court reversed the BZA's decision** and ordered that the permit be issued. The courts found that the denial was based more on speculation than evidence, and that the composting facility was a lawful use under the zoning code.

In 2016, the BZA re-issued the permit as **Certificate 003-2014** with several operating conditions. One of those conditions — **Condition No. 8** — limited the facility to **five (5) truck deliveries per day**. The purpose of this condition was to address neighbors' concerns about increased truck traffic on Dayton Farmersville Road.

Since then, there has been a series of legal disputes:

- **2016–2017:** A neighboring resident appealed the permit. The courts dismissed that case, finding the issue had already been decided.
- **2018–2021:** The Township argued that the permit expired because the facility did not start operating within one year. The BZA upheld that position, but the Second District Court of Appeals later **reversed** and reinstated the permit.

As of today, all appeals have been resolved. The courts have made clear that Mr. Rauch has a **vested right to operate the composting facility** at this site. What remains under the Township's authority is the **set of operating conditions**, including Condition No. 8.

Mr. Rauch has now filed an appeal to **remove or modify Condition No. 8**. He argues that:

- A cap of 5 trucks per day is too restrictive for a 10-acre composting pad.
- The economics of composting require a higher daily intake.
- OEPA regulations already govern feedstock volumes, odor control, and environmental safeguards.

The BZA must now decide whether Condition No. 8 should remain as is, be removed entirely, or be modified to allow more trucks under clear conditions.

II. Litigation History – 7750 Dayton Farmersville Road

| Date | Case / Action | Outcome |
|----------------|---|---|
| Sept. 24, 2014 | BZA denies CUP (Class II composting facility). | Denied 5-0. |
| Nov. 5, 2015 | Rauch appeals denial. | Reversed – Court orders permit issued. |
| Aug. 29, 2016 | BZA re-issues permit w/ conditions (incl. 5-truck/day). | Permit issued w/ conditions. |
| Sept. 27, 2016 | Neighbor (Elam) appeals permit issuance. | Dismissed – Res judicata; composting lawful use. |
| Nov. 7, 2017 | Township seeks stay of judgment. | Granted under Civ.R. 62(C). |
| Feb. 20, 2018 | Record supplemented w/ transcripts. | Corrected . |
| Dec. 12, 2018 | CUP issued (1-yr expiration clause). | Permit issued. |
| Dec. 17, 2019 | Zoning Administrator declares permit expired. | Refusal Letter. |
| June 18, 2020 | BZA upholds expiration. | Permit deemed expired. |
| Jan. 14, 2021 | Rauch appeals. | Trial court affirms BZA expiration ruling. |
| June 18, 2021 | Second District Court of Appeals. | Reversed – expiration overturned. |
| June 29, 2021 | Trial court enters appellate mandate. | Permit reinstated. |

Key Takeaway: Courts have consistently upheld **Rauch’s vested right to operate the composting facility**. Current matter relates solely to **operating conditions**, not the legality of use.

III. Appeal Application

- Relief sought: **removal or modification of Condition No. 8**.
- Exhibits submitted:
 - Certificate 003-2014.
 - Plot plan and scale drawings.

- List of contiguous and 500-foot property owners.

IV. Applicable Zoning Provisions

1. §§304 – Powers of the Board of Zoning Appeals

- **What it says:** The BZA may hear appeals, grant conditional uses, and attach conditions that are necessary to protect the public health, safety, and welfare. The Board also has the authority to later amend or remove conditions if circumstances change.
- **How it applies here:** Condition No. 8 (limiting the facility to 5 trucks/day) was originally added by the BZA in 2016. The applicant is now asking the Board to amend that condition. Under §304, the Board has clear authority to modify it by either keeping, removing, or replacing it with new safeguards such as delivery-hour limits, truck logs, or road-use agreements.

2. §602 – Rural Agriculture (RA) District – Conditional Permitted Uses

- **What it says today:** The zoning code lists conditional uses that may be allowed in the RA district. Composting facilities are **no longer listed**. In fact, the code specifically excludes “solid waste facilities” as defined in ORC 3734, including composting operations.
- **How it applies here:** This case is unique because of its history. In 2014, the application was filed and later upheld in court. The courts ruled that Mr. Rauch has a **vested lawful right** to operate the composting facility at this site, even though composting is no longer listed in §602. This means the Board is not deciding whether composting is permitted — that question is already settled. Instead, the Board’s task is limited to reviewing and, if appropriate, modifying the **operating conditions** (such as Condition No. 8).

3. §304(F) – Expiration of Conditional Use Permits

- **What it says:** A conditional use permit expires if the use is not commenced within one year, unless an extension is granted.
- **How it applies here:** This section was the basis for past litigation when the Township argued the composting permit had expired. In 2021, the Second District Court of Appeals ruled in the applicant’s favor and reinstated the permit. For today’s purposes, this section is important only as **background context**: the permit is valid and active, and the Board’s authority is focused solely on the conditions of operation.

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

- **What it says:** The stated purpose of the zoning code is to promote the public health, safety, and welfare, to avoid traffic hazards, and to ensure compatibility between land uses.
- **How it applies here:** This general purpose gives the Board a policy foundation to regulate truck traffic, road impacts, odor, and hours of operation. Even though OEPA oversees environmental performance, the Township still has authority to

add local conditions (like truck caps, logs, and road-use agreements) to ensure compatibility with the surrounding neighborhood.

Summary for the Board

- You have authority under **§304** to amend or remove operating conditions.
- **§602** shows composting is no longer a listed conditional use in RA, but the courts have given this site a vested right to operate.
- **§304(F)** confirms the permit is valid despite past expiration disputes.
- The **General Purpose** section justifies adding safeguards to protect residents, roads, and compatibility.

V. Staff Analysis

Traffic & Roadway Data

Dayton Farmersville Road is not a small country lane. According to the Montgomery County Engineer's Office, it is officially classified as a Major Collector Road. This means its design and purpose are to "collect" traffic from local neighborhood roads and move it efficiently toward larger arterial roads. Collectors are built to handle both local cars and heavier commercial trucks, such as farm deliveries, school buses, or service vehicles.

The latest count shows that about:

Traffic Counts (2023):

- East of Diamond Mill: **749 vehicles/day**
- West of Liberty Ellerton: **947 vehicles/day**
- West of Union: **784 vehicles/day**

Impact of Composting Trucks:

- At **25 trucks/day**, the facility would account for only **2–3% of daily traffic** along this corridor.
- At **40 trucks/day**, the facility would represent about **5% of daily traffic** — still well within the capacity of a collector roadway.

Peak Hour Considerations: By restricting deliveries to **7:00 a.m.–7:00 p.m.**, truck movements can be kept outside of peak commuter times (7–9 a.m. and 4–6 p.m.).

In other words, even if the facility operated at 25–40 trucks per day, compost-related traffic would make up only 2–5% of the vehicles on Dayton Farmersville Road — a small fraction of the total volume.

Comparative Facility Data

Class II composting facilities across Ohio handle far more truck traffic than the five trucks per day currently permitted at 7750 Dayton Farmersville Road. Examples include:

- **Com-Tep, Inc. (Medina County)** – Operating on a **6.2-acre site**, Com-Tep routinely manages **50–100+ trucks per day**.
- **Kurtz Bros., Inc. (multiple Ohio locations)** – In operation since 1948, Kurtz Bros. facilities commonly take in **40–80 trucks per day**, depending on the season and location.
- **Ohio Mulch (Franklin County)** – With a **2.55-acre site** and over 40 years in operation, Ohio Mulch facilities receive **dozens of trucks per day**, particularly during peak yard waste seasons.

Comparison: The Jefferson Township composting pad covers **10 acres**, larger than both Ohio Mulch and Com-Tep’s sites, yet is currently capped at only five trucks per day. This is far below industry norms for facilities of similar or even smaller size.

Local Facility Comparisons – Montgomery County

- **Montgomery County Solid Waste District Compost Facility**
 - Location: 2550 Sandridge Drive, Moraine, OH
 - Acreage: ~8 acres
 - Truck Volumes: Seasonal peaks, several dozen trucks/day during yard waste season.
 - Oversight: County-operated, OEPA Class II rules.
- **Eco-Gro Composting (Waste Management Subsidiary)**
 - Location: 10863 Dayton-Lebanon Pike, Centerville, OH
 - Acreage: ~5–6 acres
 - Truck Volumes: ~20–30 trucks/day at seasonal peak.
 - Oversight: OEPA Class II permit.
- **Tait Station Compost Site (City of Dayton)**
 - Location: Albany Street/Great Miami River corridor, Dayton
 - Acreage: ~3–4 acres
 - Truck Volumes: Lower daily counts, municipal trucks; seasonal variation.
 - Oversight: City-operated, OEPA Class II rules.

The Ohio EPA (OEPA) regulates composting facilities statewide, but it focuses on environmental protection — things like odors, water runoff, and proper feedstock handling. **OEPA does not set truck limits.** Instead, if limits exist, they are imposed locally by zoning boards. Most jurisdictions set these limits much higher than 5/day, and when they do restrict trucks, it is usually through **hours of operation, haul routes, or requiring road agreements** rather than a hard daily number.

Best Practice Guidance

OEPA's composting regulations (Ohio Administrative Code Chapter 3745-560) focus on the **how** of composting:

- Managing feedstocks so they are quickly incorporated and do not sit around creating odors.
- Keeping the right balance of moisture and airflow in compost piles so decomposition happens efficiently.
- Controlling dust, litter, and truck movement on the site so neighbors are not impacted.

The **U.S. Composting Council** reinforces these practices and adds site-management tips such as clear truck circulation routes and keeping roadways clean. The important point is that **best practices manage impacts at the site itself** rather than by capping truck numbers.

Local Impact & Compensation Models

Montgomery County and other Ohio communities have a tool called a **Road Use Maintenance Agreement (RUMA)**. This is a written contract between the facility operator and the Township or County. It requires the operator to:

- Document the existing condition of the road before operations begin.
- Agree to regular inspections during the project's life.
- Commit to fixing or paying for damage if heavy trucks wear down the pavement.
- Post a bond or escrow funds so the Township is not left covering the cost.
- Use designated haul routes so trucks stay on roads designed to handle them.

In practice, this means the Township is not left footing the bill for potholes, edge cracking, or other wear caused by truck activity. A RUMA is more enforceable than an impact fee and directly ties road protection to the actual users.

Community Concerns (2014 Record)

Applicant Testimony (2014):

- Dan Wampler, applicant's representative, testified:

"The operation will generate 3–5 trucks per day. The trucks will be required to access the facility using State Route 4 (Germantown Pike), and Dayton Farmersville Road. They anticipate having 10–15 customers from whom they will get their primary materials. They will provide air monitoring as part of odor control, and they will monitor Bear Creek, this will be done by a third-party entity."

Resident Opposition (2014):

- 28 residents spoke in opposition and 2 letters of opposition were submitted.
- Concerns raised included:
 - **Odor** – Fear of strong, persistent smells from decomposing material.

- **Traffic** – Concerns that truck traffic would overwhelm Dayton Farmersville Road.
- **Dust and Noise** – Fears of quality-of-life impacts from truck operations.
- **Compatibility** – Belief that a composting operation would not fit with the rural neighborhood.
- **Natural Resources** – Concerns about impacts to Bear Creek and nearby sensitive areas.

Board's 2014 Finding:

- “The finding that the conditional use desired will not adversely affect the public health, safety and morals could not be made.”

Today's Safeguards (2025):

- **Odor:** OEPA requires odor management plans, daily incorporation of feedstocks, and site inspections. MCSWD provides added oversight through a 2024 MOU.
- **Traffic:** Updated traffic counts show that even 25–40 trucks/day would represent only 2–5% of daily vehicles, well within the capacity of Dayton Farmersville Road. Deliveries can be restricted to **7:00 a.m.–7:00 p.m.** to reduce conflicts with commuters.
- **Dust and Noise:** A Road Use Maintenance Agreement (RUMA) can require the operator to maintain road conditions and implement dust suppression.
- **Compatibility:** Courts have affirmed the facility as a vested lawful use. Compatibility is now addressed through enforceable conditions (hours, logs, RUMA, odor controls).
- **Natural Resources:** Monitoring requirements for Bear Creek can be reinforced as part of conditions, along with OEPA's stormwater and leachate controls.

EPA and MCSWD Oversight

The Township is not alone in overseeing this facility:

- **OEPA** enforces state rules on odor control, feedstock limits, leachate collection, and operational records. The facility must comply or risk fines and shutdown.
- **Montgomery County Solid Waste District (MCSWD)**, through a 2024 Memorandum of Understanding, provides stronger coordination between local governments and state regulators. This means Jefferson Township can work side-by-side with OEPA and MCSWD on monitoring and enforcement.

This layered oversight gives the Township more tools than it had in 2014. Instead of relying on a rigid truck cap, the Township can trust that OEPA and MCSWD handle environmental performance while the Township enforces **truck logs, hours of operation, and road compensation.**

Township Interest

Even with OEPA and MCSWD in place, Jefferson Township must protect its own residents and infrastructure. That means:

- Ensuring roads remain safe and maintained (through a RUMA or fee agreement).
- Keeping truck deliveries predictable and limited to daylight hours.
- Maintaining transparency through quarterly truck logs reviewed by the Zoning Inspector.

This balanced approach provides accountability at all levels — state, county, and township — while allowing the facility to function at a scale that makes sense economically.

VI. Issues for Deliberation

1. Roadway Capacity and Traffic Impact

- Dayton Farmersville Road is a Major Collector that currently carries between 749 and 947 vehicles per day depending on the segment.
- Even if the composting facility brings in 25 trucks per day, this represents only about 2–3% of total traffic; at 40 trucks/day, it would be about 5%..

Question: Does the Township need a strict truck cap when the road is designed to handle far more traffic than this facility will generate?

2. Comparisons to Other Composting Facilities

- Similar Class II composting facilities in Ohio (Com-Tep, Kurtz Bros., Ohio Mulch) routinely manage 40–100+ trucks per day.
- OEPA regulates environmental impacts but does not set truck limits; truck restrictions are a local zoning decision.

Question: Is Jefferson Township’s 5-truck/day limit realistic compared to industry norms, or is it unusually low?

3. Regulatory Oversight Beyond the Township

- **OEPA** enforces odor, runoff, and feedstock controls.
- **MCSWD** (through its 2024 MOU) coordinates with local jurisdictions to support monitoring and enforcement.

Question: Given these layers of oversight, should the Township rely less on an arbitrary truck number and more on enforceable conditions (like hours, logs, and road agreements)?

4. Community Concerns and Mitigation

- In 2014, residents worried about odor, traffic, dust, and neighborhood compatibility.
- Since then, conditions have improved: OEPA requires odor plans and daily cover; staff recommends restricted delivery hours, truck logs, and road-use agreements.

Question: Do these modern tools and conditions adequately address the concerns originally raised by residents?

5. Township's Infrastructure Interests

- Heavy trucks do cause road wear. Other Ohio jurisdictions handle this through Road Use Maintenance Agreements (RUMAs) that require the operator to help pay for repairs if damage occurs.

Question: Should the Township adopt a RUMA or compensation agreement instead of keeping a very low truck limit?

6. Legal Defensibility

- Previous court cases overturned Township denials when they were based on speculation rather than evidence.
- If the Township keeps an unusually low truck cap without strong justification, it risks another reversal in court.

Question: How can the BZA set conditions that are both protective of residents and strong enough to hold up legally?

VII. Options for the Board

1. Option 1 – Deny the Appeal (Keep Condition No. 8 at 5 trucks/day)

- **Effect:** The current 5-truck/day cap remains in place.
- **Oversight:** Township zoning inspector enforces the cap.
- **Pros:** Responds to original resident concerns about traffic. Easy to explain.
- **Cons:** Limit is extremely low compared to industry standards. May not be economically feasible for the operator. Risk that this condition could be challenged in court as arbitrary.

2. Option 2 – Grant the Appeal in Full (Remove Condition No. 8)

- **Effect:** The truck cap is eliminated. Facility can accept as many trucks as OEPA regulations allow.
- **Oversight:** OEPA regulates feedstock volume, odor, leachate, and environmental impacts. No local Township oversight on truck numbers.
- **Pros:** Simplifies operations for the facility. Avoids court challenges over an arbitrary cap.
- **Cons:** Removes a local control tool. Residents may see this as too permissive. Township loses leverage on truck activity unless other conditions are imposed.

3. Option 3 – Modify Condition No. 8 (Staff Recommendation)

- **Effect:** Allow up to 25 trucks per day for the first three (3) years of operation trucks per day.

- After that period, the operator may request an increase up to 60 trucks per day if:
 - Truck logs confirm compliance with the 25/day cap.
 - Operator remains in compliance with all other conditions (odor control, hours, RUMA).
 - No verified odor, dust, or traffic-related violations from OEPA, MCSWD, or Township in the prior 12 months.
- **Additional Conditions:**
 - Limit deliveries to 6:00 a.m.–7:00 p.m., Monday–Saturday.
 - Require quarterly truck logs submitted to the Zoning Inspector.
 - Require the operator to enter into a Road Use Maintenance Agreement (RUMA) or similar compensation arrangement to offset roadway impacts.
- **Oversight:**
 - **OEPA** monitors environmental impacts.
 - **MCSWD** (2024 MOU) provides inter-agency coordination.
 - **Township** enforces truck logs, hours of operation, and road compensation.
- **Pros:** Balances facility viability with neighborhood protections. Provides multiple layers of oversight. Protects Township roads with enforceable compensation.
- **Cons:** Still requires monitoring by Township staff. Some residents may feel any increase in trucks is too much.

VIII. Staff Recommendation

Staff recommends **Option 3 – Modify Condition No. 8.**

- **Truck Allowance:** Increase the truck limit from 5 trucks per day to up to 25 trucks per day. If the operator proves compliance for at least three years, the cap may be increased to 40 trucks per day upon BZA approval.
 - Even at 25 trucks per day, this represents less than one-half of one percent of total daily traffic on Dayton Farmersville Road (which carries about 5,500 vehicles daily).
 - This amount is well within the capacity of a Major Collector road and is small compared to similar facilities across Ohio that handle 40–100+ trucks per day.
- **Hours of Operation:** Restrict deliveries to 6:00 a.m. through 7:00 p.m., Monday through Saturday.
 - This avoids the morning and evening commuter peaks when most cars are on the road.
 - It also protects nearby residents from truck noise early in the morning or late at night.
- **Truck Logs:** Require the operator to keep a detailed log of truck deliveries (date, time, load type) and submit it quarterly to the Township Zoning Inspector.
 - This ensures transparency and accountability so the Township knows actual truck counts and can enforce the limit.
- **Road Use Maintenance Agreement (RUMA):** Require the operator to enter into a RUMA or similar compensation arrangement with Jefferson Township.

- This agreement documents the condition of the road now and makes the operator responsible for repairs if truck traffic causes damage.
- It ensures that taxpayers do not pay for road repairs directly caused by facility operations.
- **EPA and MCSWD Oversight:**
 - OEPA already regulates environmental impacts like odor, leachate, and feedstock volumes.
 - The Montgomery County Solid Waste District (MCSWD), through a 2024 MOU, strengthens coordination with local governments on monitoring and enforcement.
 - Together, these agencies provide a layer of oversight beyond the Township, so the community is protected on multiple fronts.

Why does this approach makes sense:

- A cap of 5 trucks/day is not realistic compared to industry norms and is not supported by traffic data.
- Removing the cap entirely would eliminate an important local control tool.
- Setting a reasonable higher limit (25 trucks/day), combined with hours of operation, reporting, and a RUMA, balances the facility's need to operate with the Township's duty to protect roads and residents.
- This layered system of safeguards (Township + OEPA + MCSWD) ensures stronger accountability than a simple daily truck number alone.

Conclusion:

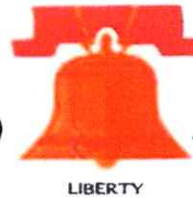
By modifying Condition No. 8 in this phased and performance-based way, the BZA can balance the economic needs of the facility with the Township's responsibility to safeguard roads, protect residents, and ensure compliance.

Prepared for the Jefferson Township Board of Zoning Appeals

Date: September 18, 2025

Prepared by: Dr. Chrondra Goodwine

JEFFERSON TOWNSHIP



BOARD OF ZONING APPEALS

APPLICATION COVER PAGE

Submission Date: 8/11/2025

Application for (select all that apply): ☐ Appeal ☒ Conditional Use ☐ Use Variance ☐ Variance(s)

Instructions

Complete this cover page and have it notarized. Submit the cover page along with the relevant application, required fee, and attachments to the Department of Development & Compliance c/o Board of Zoning Appeals 580 Calument Ln. Dayton, OH 45417.

This application should only be completed after a meeting with the Zoning Coordinator, receiving a written Zoning Administration Refusal, or Legal Notice of Violation. Applications that are not complete or are illegible will be returned to the applicant and will not be scheduled for public hearing. Incomplete applications shall be a basis for denial.

Submit a plot plan drawn to scale showing dimensions and location of lot and all structures existing and proposed (**6 copies on 8 1/2 x 11 inch paper**). A list of all the owners of property within and contiguous to (and directly across the street from) the property list must be submitted with the application. For conditional use, also submit a list of all property owners within 500 feet. If you have questions or would like to schedule an application interview, please call the Zoning Coordinator at (937) 262-3591 ext. 107.

Property Information

Property Address: 7750 Dayton-Farmersville Road

Street Address

Dayton

OH

45417

City

State

ZIP Code

Parcel(s) ID Lot #: G27 01710 0001

Current Zoning District: RA - Rural Agricultural

Proposed Zoning Use: Modification of Zoning Certificate 003-2014

If platted, name of Plat:

Type of Appeal: Conditional Use

Authorization to Visit Property

By signing below, the owner/applicant authorizes Township representatives to visit and photograph the property described in this application.

Applicant Information

Full Name/ Company: Terry W. Posey, Jr. - Porter Wright Morris & Arthur LLP

Address: 1 S. Main Street, Suite 1600

Street Address

Apartment/Unit #

Dayton

OH

45402

City

State

ZIP Code

Phone: 937-449-6709

Email: tposey@porterwright.com

Owner Information (if different than Applicant)

Full Name/
Company: Steve R. Rauch

Address: 1550 Soldiers Home West Carrollton Road
Street Address Apartment/Unit #
Dayton OH 45417
City State ZIP Code

Phone: 937-263-2676 Email: roger@steverauch.com

Signature: [Signature] Date: 8-8-2025

Notarization

I hereby depose and say that the above statements and the statements contained in all exhibits transmitted herewith are true.

Applicant

Counsel for Steve Rauch

Interest of Applicant

[Signature]
Signature

Terry W. Posey, Jr.

Printed Name

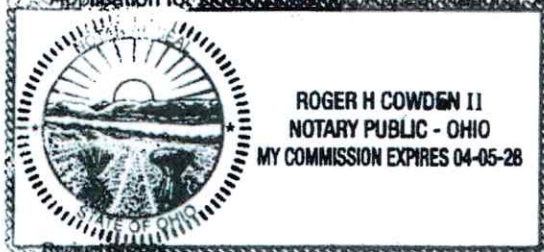
8/8/2025

Date

Notary Public Roger H Cowden II
Subscribed and sworn before me this 8th day of August, 2025

My commission expires on April 5, 2028

Application for Board of Zoning Appeal Hearing: ALL Fees are NON-Refundable Regardless of The Case Outcome



Roger H Cowden II
Signature

ZONING CERTIFICATE

JEFFERSON TOWNSHIP
Montgomery County, Ohio
Zoning Department
One Business Park Drive Dayton, Ohio 45427
937-262-3591 ext. 208

CERTIFICATE NUMBER: 003-2014

| | | | |
|--------------------------|-----------------------------|-------------------|----------------|
| PROPERTY ADDRESS: | 7750 Dayton Farmersville Rd | PARCEL ID# | G27 01710 0001 |
|--------------------------|-----------------------------|-------------------|----------------|

| | |
|-------------------------|--------------------------------|
| ZONING DISTRICT: | RA – Rural Agricultural |
|-------------------------|--------------------------------|

ACTIVITY PROPOSED:

Establish a commercial composting operation on 10 acres of parcel G27 01710 0001. This Conditional Use was established under the Zoning Code in effect on the date that application was made, May 8, 2014, and is approved with conditions listed below:

| | | | |
|--|---|--|--|
| PROPERTY OWNER NAME AND ADDRESS (INCLUDE PHONE #) | Steve R. Rauch C/O Steven R. Rauch Co. 1550 Soldiers Home West Carrollton Road Dayton, OH 45417 | APPLICANT NAME AND ADDRESS (INCLUDE PHONE#) | Dan Wampler C/O Steven R. Rauch Co. 1550 Soldiers Home West Carrollton Road Dayton, OH 45417 |
|--|---|--|--|

| | | | |
|------------------------|------------|-------------------------|------------|
| FEE: | N/A | EXPIRATION DATE: | 12/12/2019 |
| EFFECTIVE DATE: | 12/12/2018 | | |

Site Conditions:

- The applicant shall submit a final site plan that is approved by the Ohio EPA.
- If there are any changes to the site plan during the licensing process, the Board of Zoning Appeals must review and consider any modifications.
- The applicant will provide an Independent third party to monitor Bear Creek, for protection from contaminant run-off and any underground seepage. Semi-annual monitoring of Bear Creek surface water, both upstream and downstream samples shall be collected and analyzed for total nitrogen, phosphorus and biological oxygen demand. The analytical results will be reported to Jefferson Township within 30 days after sampling.
- The applicant will implement weekly "Odor and Particulate Monitoring" at the site boundaries and one hundred feet beyond the boundaries, for odor and drifting

particulates. Samples will be collected and analyzed for odor and drifting particulates. The analytical results will be reported to Jefferson Township within 30 days after sampling.

5. - The applicant will aerate the collection pond anytime it is in use (i.e. having some level of leach agent in it).
6. - The applicant **will** ensure that the bottom of the leachate pond is constructed of 4" – 6" thick clay.
7. - The applicant is required to seal or pave the existing access road and site entrance, to ensure that mud and other such materials from the operation are not carried onto Dayton-Farmersville Road or other roads in the immediate vicinity.
8. - Tires of vehicles are to be cleaned before leaving the site: A tire-cleaning area shall be provided on the access road to the compost disposal area. All tires on all trucks leaving the disposal site shall be cleaned.
9. - Landscaping: All Landscaping as depicted on the site plan shall be provided.
10. The applicant is required to install a 3' (three feet) high berm around the proposed composting site. In addition, the applicant is required to provide landscaping (i.e., fencing; trees), sufficient to shield the Composting site from view outside of applicant's property. The applicant shall submit a landscaping plan to the BZA for approval.

Operations Conditions:

1. - The applicant is required to have trucks coming to and leaving from the proposed facility use only Dayton Farmersville Road between Germantown Liberty Road and Germantown Pike / SR 4.
2. - Days and hours of operation are Monday through Friday 7:00 AM to 6:00 PM only.
3. - The applicant is required ensure that no odors from the proposed facility can be detected beyond the boundary of the property.
4. - The applicant is required to cover all materials with minimum 6 inches of biofilter within (1) one hour of delivery.
5. - The approved method of composting is the "**Windrow**" process.

6. The applicant is required to provide to Jefferson Township documentation of daily waste receipt logs etc. through the following methods:
 - A. The applicant shall provide Jefferson Township with copies of all daily logs of incoming composting materials on a weekly basis;
 - B. The applicant shall notify Jefferson Township of the date and time of all Public Health - Dayton and Montgomery County (PHDMC) inspections at least two (2) business days prior to inspection;
 - C. The applicant shall provide Jefferson Township with copies of all written and/or electronic communications with PHDMC and the Ohio Environmental Protection Agency.
7. - At the end of each day and at the completion of the work-week all windrows will be covered with a minimum 6-inch layer of bio-filter;
8. - The daily intake of materials cannot exceed five (5) trucks per day.

Other Conditions:

1. - The Board requires a 6-month review after the issuance of the Zoning Certificate, and a one-year review to assess the impact of the proposed facility to determine compliance with these conditions.

Pursuant to Section 519.17 of the Ohio Revised Code, the above referenced Property Owner or his/her agent is authorized to locate, erect, construct, reconstruct, enlarge, or structurally alter the building(s) specified on the above referenced property, as described above, and more specifically delineated in the Plans and Specifications on file with the Office of the Chief Building Official of Montgomery County, Ohio.

It is hereby certified that the above use as shown on the plats and plans submitted with the application conforms to all applicable provisions of the Jefferson Township Zoning Resolution. The issuance of this Permit does not allow the violation of Jefferson Township Zoning Resolutions or other governing Regulations.

The applicant is responsible for obtaining a building permit (if required) prior to commencing work on the proposed improvement. A final zoning inspection must be scheduled by the applicant.

Approved By:

Date: 12/12/2018



**John Calligan
Zoning Administrator**

4222222222

11 11

Purpose of Application

Steve Rauch is applying to remove Operating Condition No. 8 from Certificate 003-2014 authorizing a composting facility on 10 acres at 7750 Dayton Farmersville Road.

Operating Condition No. 8 limits the amount of trucks for daily intake to five (5) trucks per day. A five truck per day limitation is inconsistent with the available area for composting use use and renders the economics of the facility challenging.

The following materials are supplied in support of the Application:

Exhibit A – Certificate 003-2014

Exhibit B – Plot Plan Scale Drawings (Consistent with Certificate 003-2014)

Exhibit C – A list of all contiguous property owners and property owners within 500 feet.

RAUCH COMPOST FACILITY

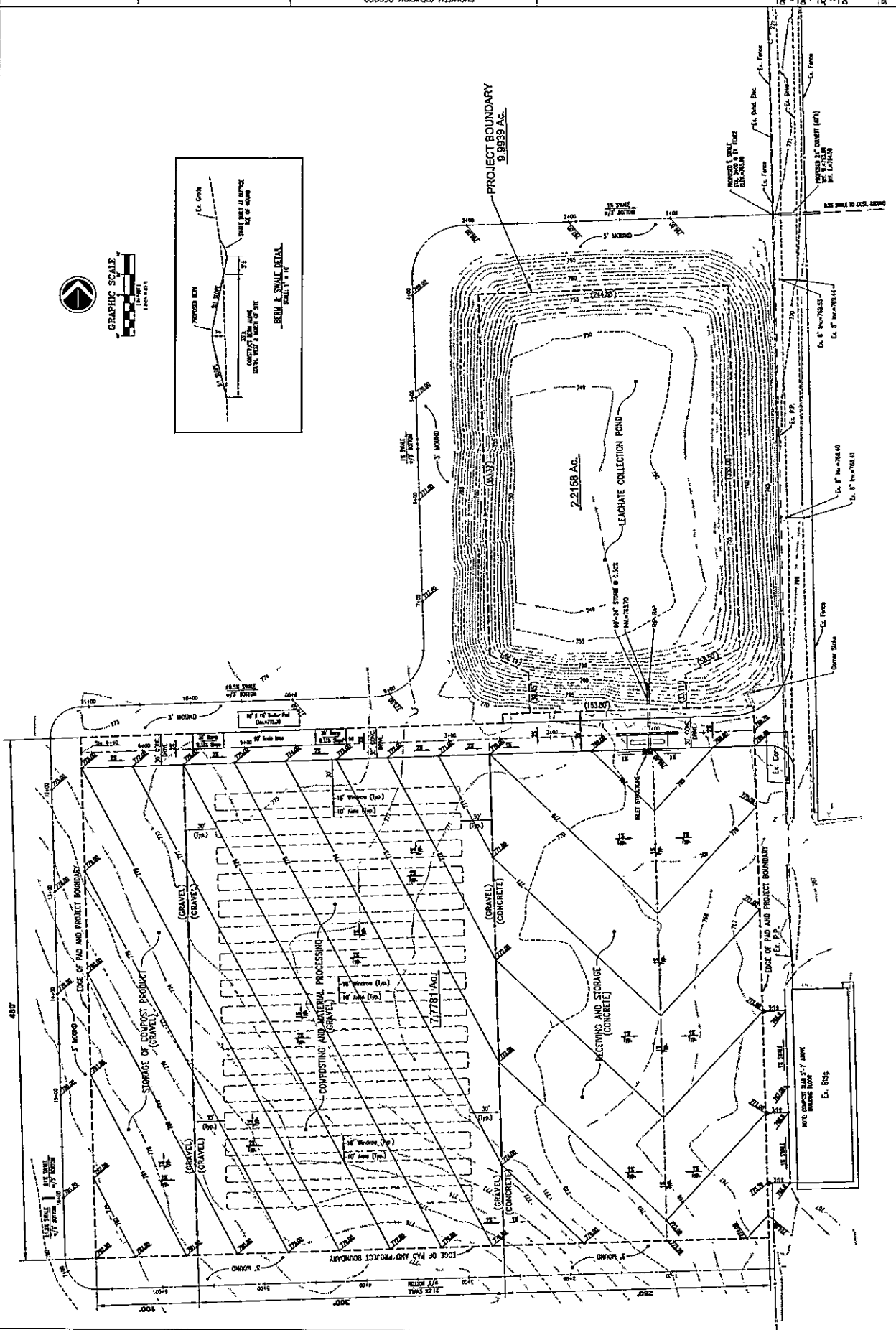
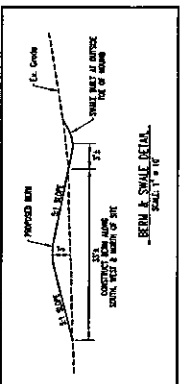
GRADING PLAN

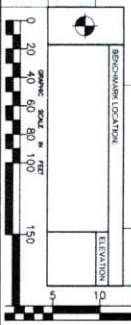
SUBMITTAL/REVISION RECORD

REINKE GROUP, INC.

ENGINEERS • LAND PLANNERS • SURVEYORS

www.reinkegroup.com





**REINKE
GROUP, INC.**
ENGINEERS • LAND PLANNERS • SURVEYORS
63 Rhonda Center Drive
Cincinnati, Ohio 45246
937.634.4810
www.ReinkeGroup.com

RAUCH COMPOST FACILITY

DESIGNED BY:
 G.R.
 DRAWN BY:
 TTL
 JOB #:
 2021-1-001
 DRAWING DATE:
 NOV. 4, 2022
 SHEET NO:
 2 of 2

Summary

PARID: G27 01710 0001
PARCEL LOCATION: 7750 DAYTON
FARMERSVILLE RD

NBHD CODE: 85000000

Record Navigator

1 of 1

Tax Year: 2024 ▾

Property Description

Tax Summary

Land

Payments List

Levy Distribution

New Levies

Special Assessments

Permits

Value History

Rental Registration

Sketch

Sales

Tax Detail

Pay Taxes

Property Photos

GIS Parcel Map

Owner

Name
RAUCH STEVEN R

Mailing

Name STEVEN R RAUCH
C/O STEVEN R RAUCH CO
Mailing Address 1550 SOLDIER'S HOME-WEST CARROLLTON RD
City, State, Zip DAYTON, OH 45417

Legal

Legal Description 5-3-21
AG-DIST 2023
17-10-2
Land Use Description A - CASH GRAIN OR GENERAL FARM
Acres 161.501
Deed 1989-00562C010
Tax District Name JEFFERSON TWP-JEFFERSON LSD

Board of Revision

| Tax Year | Case Number | BTA/CPC | Result |
|----------|-------------|---------|--------------------|
| 2008 | 4384 | | No Change in Value |

Values

| | 35% | 100% |
|--------------|---------|---------|
| Land | 210,070 | 600,200 |
| Improvements | 92,770 | 265,050 |
| CAUV | 58,640 | 167,540 |
| Total | 151,410 | 432,590 |

Building

Exterior Wall Material FRAME
Building Style OLD STYLE
Number of Stories 2
Year Built 1919
Total Rms/Bedrms/Baths/Half Baths 7/3/1/0
Square Feet of Living Area 1,900
Finished Basemt Living Area (Sq. Ft.) 0
Rec Room (Sq. Ft.) 0
Total Square Footage 1,900
Basement FULL
Central Heat/Air Cond CENTRAL HEAT
Heating System Type HOT AIR
Heating Fuel Type OIL
Number of Fireplaces(Masonry) 0
Number of Fireplaces(Prefab)

Current Year Special Assessments

| | |
|------------------------------------|----------|
| 11777-APC FEE | \$21.50 |
| 41100-MCD/AP MCD/AQUIFER PRES SUBD | \$2.48 |
| 21850-TR COL TRASH COLLECTION | \$249.04 |

Actions

- Printable Summary
- Printable Version

Reports

Current Year Rollback Summary

| | |
|------------------------|-------------|
| Non Business Credit | -\$841.26 |
| Owner Occupancy Credit | \$0.00 |
| Homestead | \$0.00 |
| Reduction Factor | -\$8,043.96 |

Tax Summary

| Year | Prior Year | Prior Year Payments | 1st Half | 1st Half Payments | 2nd Half | 2nd Half Payments | Total Currently Due |
|------|------------|---------------------|------------|-------------------|------------|-------------------|---------------------|
| 2024 | \$0.00 | \$0.00 | \$5,253.27 | -\$5,253.27 | \$5,001.75 | -\$5,001.75 | \$0.00 |



Karen Kayler

From: Posey, Terry W., Jr. <TPosey@porterwright.com>
Sent: Monday, August 11, 2025 8:23 AM
To: Karen Kayler
Cc: Lenglain, Lori A.
Subject: RE: #EXT# RE: Conditional Use Application Review
Attachments: Rauch Application.pdf

Hi Ms. Kayler,

Attached is the notarized and dated application. Do you need original copies?

My assistant, Lori will be calling in with a credit card for the \$500 fee.

Thanks,

Terry

TERRY W. POSEY, JR.

Porter Wright Morris & Arthur LLP
[Bio / T Posey@porterwright.com](mailto:TPosey@porterwright.com)
D: 937.449.6709 / F: 937.449.6820
One South Main Street, Suite 1600 / Dayton, OH 45402

/ SEE WHAT INSPIRES US: porterwright.com

From: Karen Kayler <kkayler@jeffersontwp.net>
Sent: Wednesday, August 6, 2025 12:01 PM
To: Posey, Terry W., Jr. <TPosey@porterwright.com>
Subject: #EXT# RE: Conditional Use Application Review

#External Email#

The application looks good just need it notarized and signed and dated please.

Respectfully,

Karen Kayler
Zoning & Development Coordinator
One Business Park Drive
Dayton, Ohio 45417-8014
Office 937.262.3591 ext. 107
Fax 937.835.7167
cgoodwine@jeffersontwp.net
www.jeffersontwp.net



From: Posey, Terry W., Jr. <TPosey@porterwright.com>
Sent: Wednesday, August 6, 2025 11:24 AM
To: Karen Kayler <kkayler@jeffersontwp.net>
Subject: Conditional Use Application Review

Ms. Kayler,

Would you mind taking a look at this application for completeness? I am happy to schedule an appointment to discuss if that is easier.

Thanks,

Terry

TERRY W. POSEY, JR.

Porter Wright Morris & Arthur LLP
[Bio / T Posey@porterwright.com](mailto:TPosey@porterwright.com)
D: 937.449.6709 / F: 937.449.6820
One South Main Street, Suite 1600 / Dayton, OH 45402

/ SEE WHAT INSPIRES US: porterwright.com

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END OF NOTICE

Request for Taxpayer Identification Number and Certification

► Go to www.irs.gov/FormW9 for instructions and the latest information.

Give Form to the
requester. Do not
send to the IRS.

Print or type.
See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.

Jefferson Township Board of Trustees

2 Business name/disregarded entity name, if different from above

3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only **one** of the following seven boxes.

☐ Individual/sole proprietor or single-member LLC ☐ C Corporation ☐ S Corporation ☐ Partnership ☐ Trust/estate

☐ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ►

Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is **not** disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.

☒ Other (see instructions) ►

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):

Exempt payee code (if any) 1

Exemption from FATCA reporting code (if any) _____

(Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt. or suite no.) See instructions.

1 Business Park Dr

6 City, state, and ZIP code

Dayton OH 45417-8403

7 List account number(s) here (optional)

Requester's name and address (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number

____ - ____ - _____

or

Employer identification number

3 1 - 0 0 0 0 5 8 1

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign
Here

Signature of
U.S. person ►

Charlene E. Chottans

Date ►

8-12-2025

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See *What is backup withholding*, later.

RECEIPT DATE 8-11-2025 No. 352382

RECEIVED FROM Lori Lemglain

\$ 517.50

Five Hundred Seventeen 50/100 DOLLARS

☐ FOR RENT

☒ FOR

BZA Hearing Modification of Zoning Certificate

ACCOUNT

—

PAYMENT

517 50

BAL. DUE

—

☐ CASH

☐ CHECK

☐ MONEY ORDER

☒ CREDIT CARD

2014-003

FROM Steve Rauch - 7750 Dayton Farmerville Rd.

BY

Karen Kayler

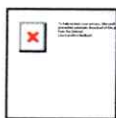
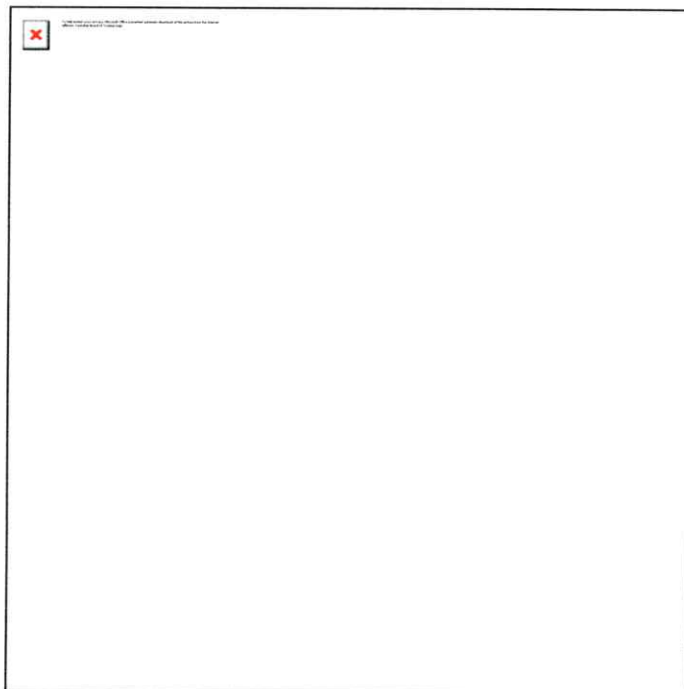
3-11

Karen Kayler

From: Jefferson Township Board of Trustees <messenger@messaging.squareup.com>
Sent: Monday, August 11, 2025 12:53 PM
To: Karen Kayler
Subject: Receipt from Jefferson Township Board of Trustees

Now when you shop at sellers who use Square, your receipts will be delivered automatically.

[Not your receipt?](#)

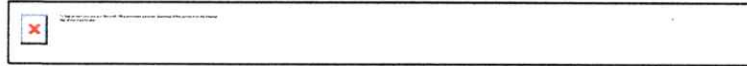


Let Jefferson Township Board of
Trustees know how your experience
was

\$517.50

Board of Zoning Appeals \$517.50
3.5% Service fee included.

Total \$517.50



Jefferson Township Board of Trustees
1 Business Park Dr
Dayton, OH 45417-8403

MasterCard 1379 (Keyed)

Aug 11



2025

at

12:52

PM

#laCN

Auth

code:

079381

Run your own business?

Start using Square and process \$1,000 in
sales for free.

Get Started with



Receipt Settings

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1955 Broadway, Suite 600
Oakland, CA 94612



NOTICE OF HEARING TO
PROPERTY OWNER

Date: August 29, 2025

RE: Case # BZA 2025-011

Steve Rauch
1550 Soldiers Home -West Carrollton Rd
Dayton, Ohio 45417

Dear Property Owner,

A notice is hereby given that a Public Hearing will be held in the Jefferson Township Office located at One Business Park Dr, Dayton, OH 45417, on **Thursday, September 18, 2025, at 6:00 pm.** to hear an appeal for conditional use filed by Terry W. Posey, Jr. Porter Wright Morris & Arthur LLP.

Owner: Steve Rauch

Address Being: 7750 Dayton Farmersville Road, Dayton, OH 45417

Parcel # G27 01710 0001 Property is zoned RA Rural Agricultural District

Nature of Appeal: Purpose of Application Steve Rauch is applying to remove Operating Condition No. 8 from Certificate 003-2014 authorizing a composting facility on 10 acres at 7750 Dayton Farmersville Road. Operating Condition No. 8 Limits the amount of trucks for daily intake to five (5) trucks per day. A five truck per day limitation is inconsistent with the available area for composting use and renders the economics of the facility challenging.

This notice is for the purpose of giving you the opportunity to appear at this hearing and express your opinion in support of or opposition to this request. You may come in person or authorize someone else to represent you.

Thank you,



Karen Kayler

Zoning & Development Coordinator

NOTICE OF HEARING TO
ADJACENT PROPERTY OWNER

Date: August 29, 2025

RE: Case # BZA 2025-011

Erick Cheek
224 S. Broadway Street
Dayton, Ohio 45426

Dear Adjacent Property Owner,

A notice is hereby given that a Public Hearing will be held in the Jefferson Township Office located at One Business Park Dr, Dayton, OH 45417, on **Thursday, September 18, 2025, at 6:00 pm.** to hear an appeal for conditional use filed by Terry W. Posey, Jr. Porter Wright Morris & Arthur LLP.

Owner: Steve Rauch

Address Being: 7750 Dayton Farmersville Road, Dayton, OH 45417

Parcel # G27 01710 0001 Property is zoned RA Rural Agricultural District

Nature of Appeal: Purpose of Application Steve Rauch is applying to remove Operating Condition No. 8 from Certificate 003-2014 authorizing a composting facility on 10 acres at 7750 Dayton Farmersville Road. Operating Condition No. 8 Limits the amount of trucks for daily intake to five (5) trucks per day. A five truck per day limitation is inconsistent with the available area for composting use and renders the economics of the facility challenging.

This notice is for the purpose of giving you the opportunity to appear at this hearing and express your opinion in support of or opposition to this request. You may come in person or authorize someone else to represent you.

Thank you,



Karen Kayler

Zoning & Development Coordinator

Exhibit C – Contiguous Property Owners and Property Owners Within 500 Feet

| Name | Mailing Address Street | Mailing Address City and Zip |
|-------------------------------------|--|-------------------------------------|
| Erick Cheek | 224 S Broadway St | Dayton OH 45426 |
| Douglas Kincaid and Michael Douglas | 4160 Preble County Line Rd | West Alexandria OH 45381 |
| Barbara Adams | P O Box 17 | New Lebanon OH 45345 |
| Kenneth Turner | 2891 Liberty-Ellerton Rd | Dayton OH 45417 |
| Erick Cheek and Cornelia A. Cheek | 3560 Pentagon Blvd Ste 301 | Dayton OH 45431 |
| Lisa Mand Jonathan T Morton | 7601 Dayton Farmersville Rd | Dayton OH 45417 |
| William and Tennille Keeton | 7395 Dayton-Farmersville Rd | Dayton OH 45417 1356 |
| Russell E Terrell | 2920 Liberty Ellerton Rd | Dayton OH 45417 |
| Alexander Bochenek | 112 Ingleside Ave | Dayton OH 45404 |
| Steve R. Rauch | 1550 Soldiers Home West Ca | Dayton OH 45417 2146 |
| Bearcreek Farms, Inc. | 1550 Soldiers Home West Carrollton Rd | Dayton OH 45417 |
| Steven R. Rauch | 1550 Soldier'S Home-West Carrollton Rd | Dayton OH 45417 |
| Samuel B. Hodges | 3081 Liberty Ellerton Rd | Dayton OH 45417 |
| Curtis E. Downing | 7390 Dayton Farmersville Rd | Dayton OH 45417 |
| Samuel and Yvonne Hodges | 3081 Liberty-Ellerton Rd | Dayton OH 45417 |
| Linda Marie Smith | 3161 Liberty Ellerton Rd | Dayton OH 45417 |
| Donald H. and Lyn Marie Montgomery | 3251 Liberty Ellerton Rd | Dayton OH 45417 |
| Nolan Morris | 3271 Liberty Ellerton Rd | Dayton OH 45417 1316 |
| Nolan Morris | 3271 Liberty Ellerton Rd | Dayton OH 45417 1316 |

Karen Kayler

To: Posey, Terry W., Jr.
Subject: RE: Conditional Use Application Review

Yes, I would like to have a meeting to discuss this project to make sure I have a clear understanding of what it is and what Mr. Rauch is requesting. When would you like to get together and what time. I have Tuesday 12th and Friday the 15th open all day and Monday 18th and Tuesday 19 open all day. Do you want to come to my office, or Do I need to come to yours? Just let me know.

Respectfully,

Karen Kayler
Zoning & Development Coordinator
One Business Park Drive
Dayton, Ohio 45417-8014
Office 937.262.3591 ext. 107
Fax 937.835.7167
cgoodwine@jeffersontwp.net
www.jeffersontwp.net



From: Posey, Terry W., Jr. <TPosey@porterwright.com>
Sent: Wednesday, August 6, 2025 11:24 AM
To: Karen Kayler <kkayler@jeffersontwp.net>
Subject: Conditional Use Application Review

Ms. Kayler,

Would you mind taking a look at this application for completeness? I am happy to schedule an appointment to discuss if that is easier.

Thanks,

Terry

TERRY W. POSEY, JR.

Porter Wright Morris & Arthur LLP
[Bio / T Posey@porterwright.com](mailto:TPosey@porterwright.com)
D: 937.449.6709 / F: 937.449.6820
One South Main Street, Suite 1600 / Dayton, OH 45402

/ SEE WHAT INSPIRES US: porterwright.com

NOTICE FROM PORTER WRIGHT MORRIS & ARTHUR LLP:

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END OF NOTICE

Karen Kayler

To: Posey, Terry W., Jr.
Subject: RE: Conditional Use Permit

Hello Mr. Posey! You will need to fill out the Board of Zoning Appeals Application for the conditional use permit. It takes 30 days to set these meeting up. The fee for coming before the BZA Board is \$500.00 and is nonrefundable. In order to get this case scheduled for June 18, 2025. I need everything by May 27, 2025. You can email the information, and we do take payment over the phone with a credit card. I will email you a copy of the application. If you have any questions please give me a call.

Respectfully,

Karen Kayler
Zoning & Development Coordinator
One Business Park Drive
Dayton, Ohio 45417-8014
Office 937.262.3591 ext. 107
Fax 937.835.7167
cgoodwine@jeffersontwp.net
www.jeffersontwp.net



From: Posey, Terry W., Jr. <TPosey@porterwright.com>
Sent: Friday, May 16, 2025 9:13 AM
To: Karen Kayler <kkayler@jeffersontwp.net>
Subject: Conditional Use Permit

Hi Ms. Kayler,

I have been asked to apply for a modification of a conditional use permit. Should I use the same "Zoning Permit Application" on the website or is there a different form?

Thanks,

Terry

TERRY W. POSEY, JR.

Porter Wright Morris & Arthur LLP
Bio / TPosey@porterwright.com
D: 937.449.6709 / F: 937.449.6820
One South Main Street, Suite 1600 / Dayton, OH 45402

/ SEE WHAT INSPIRES US: porterwright.com

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END OF NOTICE

Karen Kayler

From: Posey, Terry W., Jr. <TPosey@porterwright.com>
Sent: Friday, May 16, 2025 9:13 AM
To: Karen Kayler
Subject: Conditional Use Permit

Hi Ms. Kayler,

I have been asked to apply for a modification of a conditional use permit. Should I use the same "Zoning Permit Application" on the website or is there a different form?

Thanks,

Terry

TERRY W. POSEY, JR.

Porter Wright Morris & Arthur LLP
[Bio / TPosey@porterwright.com](mailto:TPosey@porterwright.com)
D: 937.449.6709 / F: 937.449.6820
One South Main Street, Suite 1600 / Dayton, OH 45402

/ SEE WHAT INSPIRES US: porterwright.com

NOTICE FROM PORTER WRIGHT MORRIS & ARTHUR LLP:

This message may be protected by the attorney-client privilege. If you believe that it has been sent to you in error, do not read, print or forward it. Please reply to the sender that you have received the message in error. Then delete it. Thank you.

END OF NOTICE



7750 Dayton Farmersville Road, I



500 ft Buffer for 7750 Dayton-Farmersville Rd

- ✓ Erick Cheek
224 S. Broadway Street
Dayton, Ohio 45426
- ✓ Douglas Kincaid
4160 Preble County Line Rd
West Alexandria, Ohio 45381
- ✓ Barbara Adams
P.O. Box 17
New Lebanon, Ohio 45345
- ✓ Kenneth Turner
2891 Liberty Ellerton Rd
Dayton, Ohio 45417
- ✓ Lisa & Jonathan Morton
7601 Dayton Farmersville Rd
Dayton, Ohio 45417
- ✓ William & Tennille Keeton
7395 Dayton Farmersville Rd
Dayton, Ohio 45417
- ✓ Russell Terrell
2920 Liberty Ellerton Rd
Dayton, Ohio 45417
- ✓ Alexander Bochenek
112 Ingleside Avenue
Dayton, Ohio 45404
- ✓ Samuel Hodges
3081 Liberty Ellerton Rd
Dayton, Ohio 45417
- ✓ Curtis Downing
7390 Dayton Farmerville Rd
Dayton, OH 45417
- ✓ Linda Smith
3161 Liberty Ellerton Rd
Dayton, Ohio 45417
- ✓ Donald Montgomery
3251 Liberty Ellerton Rd
Dayton, Ohio 45417
- ✓ Nolan Morris
3271 Liberty Ellerton Rd
Dayton, Ohio 45417

Adjacent Property Owners
mailed 8-29-2025

Karen Kayler

From: Stanifer, Bryan <staniferb@mcOhio.org>
Sent: Thursday, September 11, 2025 1:18 PM
To: Karen Kayler
Cc: Sanor, Jerry
Subject: RE: 7750 Dayton Farmersville
Attachments: 23 CR 217 0534.pdf; 23 CR 44 0579 Volume.pdf; 23 CR 44 0293 Volume.pdf

Hi Karen,

I have attached 3 counts taken in 2023 near 7750 Dayton Farmersville Rd.

- Dayton Farmersville E. of Diamond Mill – Total volume = 749 vehicles
- Dayton Farmersville W. of Liberty Ellerton – Total volume = 947 vehicles
- Dayton Farmersville W. of Union – Total volume = 784 vehicles

I hope this helps!

Thanks,

Bryan Stanifer

Traffic Technician
(937)225-6122



**MONTGOMERY
COUNTY
ENGINEER**

451 West Third St.
P.O. Box 972
Dayton, OH 45422-
1260
(937) 225-4904
main
(937) 496-7441 fax

From: Sanor, Jerry <sanorj@mcOhio.org>
Sent: Thursday, September 11, 2025 11:02 AM
To: Stanifer, Bryan <staniferb@mcOhio.org>
Cc: kkayler@jeffersonTwp.net
Subject: 7750 Dayton Farmersville

Hi Bryan,

Can you please send Jefferson township the two counts on Dayton Farmersville nearest to 7750? I believe we counted these in 2023. Just send the full pdfs but type out the total volume in the email to make it easier on Karen (copied here)

Thanks,
Jerry Sanor, PE, PTOE
Traffic/Safety Engineer
(937)-496-7685



**MONTGOMERY
COUNTY
ENGINEER**

451 West Third St.
P.O. Box 972
Dayton, OH 45422-1260
(937) 225-4904 main
(937) 496-7441 fax

Montgomery County Engineer's Office

Traffic Department

Location : Location: Diamond Mill Rd
 Cross Street : Cross Street: 500' S of Dayton Farmersville Rd
 By : GWM

Site: 23 85
 1/31/2024
 Wednesday

24 Hour Volume

| Interval Start | NB | SB | Combined | Interval Start | NB | SB | Combined | | | |
|-------------------|----|-----|----------|----------------|----|-----|----------|----------------------------|-----------|-----------------|
| 12:15 PM | 20 | 17 | 37 | 12:15 AM | 8 | 1 | 9 | Volume Totals | | |
| 12:30 PM | 10 | 15 | 25 | 12:30 AM | 6 | 2 | 8 | NB | SB | Combined |
| 12:45 PM | 17 | 12 | 29 | 12:45 AM | 0 | 3 | 3 | | | |
| 1:00 PM | 23 | 57 | 18 | 1:00 AM | 4 | 9 | 3 | 4 | 7 | 13 |
| 1:15 PM | 13 | 9 | 22 | 1:15 AM | 2 | 0 | 2 | 12:00 AM - 12:00 PM | | |
| 1:30 PM | 10 | 8 | 18 | 1:30 AM | 1 | 1 | 2 | 413 | 573 | 986 |
| 1:45 PM | 11 | 18 | 29 | 1:45 AM | 2 | 0 | 2 | (41.9%) | (58.1%) | |
| 2:00 PM | 11 | 63 | 9 | 2:00 AM | 1 | 6 | 0 | 2 | 1 | 8 |
| 2:15 PM | 13 | 17 | 30 | 2:15 AM | 2 | 0 | 2 | 12:00 PM - 12:00 AM | | |
| 2:30 PM | 13 | 16 | 29 | 2:30 AM | 1 | 0 | 1 | 998 | 705 | 1703 |
| 2:45 PM | 26 | 13 | 39 | 2:45 AM | 2 | 2 | 4 | (58.6%) | (41.4%) | |
| 3:00 PM | 22 | 92 | 9 | 3:00 AM | 0 | 5 | 0 | 24 Hours | | |
| 3:15 PM | 14 | 13 | 27 | 3:15 AM | 3 | 1 | 4 | 1411 | 1278 | 2689 |
| 3:30 PM | 25 | 16 | 41 | 3:30 AM | 0 | 1 | 1 | (52.5%) | (47.5%) | |
| 3:45 PM | 31 | 29 | 60 | 3:45 AM | 2 | 1 | 3 | Peak Hours | | |
| 4:00 PM | 36 | 147 | 15 | 4:00 AM | 1 | 6 | 0 | 4 | 1 | 10 |
| 4:15 PM | 39 | 32 | 71 | 4:15 AM | 3 | 4 | 7 | 12:00 AM - 12:00 PM | | |
| 4:30 PM | 34 | 25 | 59 | 4:30 AM | 0 | 0 | 0 | NB | SB | Combined |
| 4:45 PM | 38 | 27 | 65 | 4:45 AM | 2 | 0 | 2 | | | |
| 5:00 PM | 43 | 161 | 26 | 5:00 AM | 0 | 7 | 3 | 19 | 3 | 26 |
| 5:15 PM | 52 | 31 | 83 | 5:15 AM | 1 | 3 | 4 | Started | | |
| 5:30 PM | 28 | 24 | 52 | 5:30 AM | 3 | 5 | 8 | 7:45 AM | 8:45 AM | 8:00 AM |
| 5:45 PM | 38 | 22 | 60 | 5:45 AM | 3 | 8 | 11 | Volume | | |
| 6:00 PM | 31 | 143 | 36 | 6:00 AM | 1 | 20 | 10 | 106 | 134 | 229 |
| 6:15 PM | 41 | 19 | 60 | 6:15 AM | 4 | 14 | 18 | Factor | | |
| 6:30 PM | 42 | 24 | 66 | 6:30 AM | 11 | 9 | 20 | 0.76 | 0.76 | 0.87 |
| 6:45 PM | 29 | 21 | 50 | 6:45 AM | 4 | 13 | 17 | 12:00 PM - 12:00 AM | | |
| 7:00 PM | 31 | 93 | 18 | 7:00 AM | 10 | 67 | 26 | 97 | 36 | 164 |
| 7:15 PM | 29 | 24 | 53 | 7:15 AM | 14 | 25 | 39 | NB | SB | Combined |
| 7:30 PM | 25 | 15 | 40 | 7:30 AM | 19 | 24 | 43 | | | |
| 7:45 PM | 8 | 16 | 24 | 7:45 AM | 24 | 22 | 46 | 4:30 PM | 5:15 PM | 4:30 PM |
| 8:00 PM | 19 | 61 | 8 | 8:00 AM | 21 | 103 | 28 | 126 | 49 | 229 |
| 8:15 PM | 17 | 9 | 26 | 8:15 AM | 35 | 31 | 66 | Started | | |
| 8:30 PM | 8 | 8 | 16 | 8:30 AM | 26 | 35 | 61 | 167 | 113 | 276 |
| 8:45 PM | 17 | 6 | 23 | 8:45 AM | 21 | 32 | 53 | Volume | | |
| 9:00 PM | 9 | 57 | 10 | 9:00 AM | 17 | 70 | 32 | 128 | 49 | 198 |
| 9:15 PM | 22 | 10 | 32 | 9:15 AM | 14 | 26 | 40 | Factor | | |
| 9:30 PM | 14 | 6 | 20 | 9:30 AM | 17 | 44 | 61 | 0.80 | 0.78 | 0.83 |
| 9:45 PM | 12 | 8 | 20 | 9:45 AM | 22 | 26 | 48 | 2/1/2024 12:00 AM | | |
| 10:00 PM | 5 | 35 | 5 | 10:00 AM | 12 | 50 | 20 | 76 | 32 | 126 |
| 10:15 PM | 13 | 3 | 16 | 10:15 AM | 16 | 17 | 33 | | | |
| 10:30 PM | 7 | 7 | 14 | 10:30 AM | 15 | 25 | 40 | | | |
| 10:45 PM | 10 | 5 | 15 | 10:45 AM | 7 | 14 | 21 | | | |
| 11:00 PM | 5 | 21 | 4 | 11:00 AM | 13 | 53 | 19 | 61 | 32 | 114 |
| 11:15 PM | 7 | 4 | 11 | 11:15 AM | 15 | 13 | 28 | | | |
| 11:30 PM | 4 | 2 | 6 | 11:30 AM | 12 | 16 | 28 | | | |
| 11:45 PM | 5 | 3 | 8 | 11:45 AM | 13 | 13 | 26 | | | |
| 2/1/2024 12:00 AM | 3 | 17 | 1 | 7 | 4 | 24 | | | | |

Montgomery County Engineer's Office

Traffic Department

Location : Dayton Farmersville Rd
Cross Street : 525' W of Union Rd
By : GWM

Site: 23 54
9/25/2023
Monday

24 Hour Volume

| Interval Start | EB | WB | Combined |
|----------------|----|----|----------|
| 10:00 AM | 6 | 15 | 21 |
| 10:15 AM | 3 | 3 | 6 |
| 10:30 AM | 3 | 9 | 12 |
| 10:45 AM | 3 | 3 | 6 |
| 11:00 AM | 5 | 21 | 26 |
| 11:15 AM | 6 | 2 | 8 |
| 11:30 AM | 5 | 8 | 13 |
| 11:45 AM | 5 | 3 | 8 |
| 12:00 PM | 5 | 27 | 32 |
| 12:15 PM | 9 | 2 | 11 |
| 12:30 PM | 5 | 5 | 10 |
| 12:45 PM | 8 | 10 | 18 |
| 1:00 PM | 2 | 19 | 21 |
| 1:15 PM | 6 | 7 | 13 |
| 1:30 PM | 6 | 7 | 13 |
| 1:45 PM | 5 | 6 | 11 |
| 2:00 PM | 6 | 20 | 26 |
| 2:15 PM | 3 | 8 | 11 |
| 2:30 PM | 6 | 17 | 23 |
| 2:45 PM | 5 | 11 | 16 |
| 3:00 PM | 3 | 20 | 23 |
| 3:15 PM | 4 | 11 | 15 |
| 3:30 PM | 7 | 13 | 20 |
| 3:45 PM | 6 | 13 | 19 |
| 4:00 PM | 8 | 18 | 26 |
| 4:15 PM | 4 | 15 | 19 |
| 4:30 PM | 4 | 7 | 11 |
| 4:45 PM | 2 | 13 | 15 |
| 5:00 PM | 9 | 25 | 34 |
| 5:15 PM | 3 | 13 | 16 |
| 5:30 PM | 6 | 7 | 13 |
| 5:45 PM | 7 | 7 | 14 |
| 6:00 PM | 2 | 13 | 15 |
| 6:15 PM | 2 | 8 | 10 |
| 6:30 PM | 4 | 8 | 12 |
| 6:45 PM | 5 | 6 | 11 |
| 7:00 PM | 2 | 6 | 8 |
| 7:15 PM | 0 | 4 | 4 |
| 7:30 PM | 2 | 5 | 7 |
| 7:45 PM | 2 | 4 | 6 |
| 8:00 PM | 0 | 2 | 2 |
| 8:15 PM | 2 | 3 | 5 |
| 8:30 PM | 0 | 3 | 3 |
| 8:45 PM | 0 | 2 | 2 |
| 9:00 PM | 0 | 2 | 2 |
| 9:15 PM | 2 | 2 | 4 |
| 9:30 PM | 0 | 2 | 2 |
| 9:45 PM | 0 | 1 | 1 |

| Interval Start | EB | WB | Combined |
|----------------|----|----|----------|
| 10:00 PM | 0 | 1 | 1 |
| 10:15 PM | 0 | 1 | 1 |
| 10:30 PM | 0 | 3 | 3 |
| 10:45 PM | 1 | 0 | 1 |
| 11:00 PM | 0 | 1 | 1 |
| 11:15 PM | 1 | 0 | 1 |
| 11:30 PM | 0 | 0 | 0 |
| 11:45 PM | 0 | 1 | 1 |
| 12:00 AM | 0 | 0 | 0 |
| 12:15 AM | 0 | 0 | 0 |
| 12:30 AM | 0 | 0 | 0 |
| 12:45 AM | 0 | 1 | 1 |
| 1:00 AM | 1 | 2 | 3 |
| 1:15 AM | 0 | 0 | 0 |
| 1:30 AM | 1 | 0 | 1 |
| 1:45 AM | 0 | 0 | 0 |
| 2:00 AM | 2 | 3 | 5 |
| 2:15 AM | 0 | 0 | 0 |
| 2:30 AM | 1 | 1 | 2 |
| 2:45 AM | 0 | 1 | 1 |
| 3:00 AM | 0 | 1 | 1 |
| 3:15 AM | 0 | 0 | 0 |
| 3:30 AM | 0 | 0 | 0 |
| 3:45 AM | 1 | 0 | 1 |
| 4:00 AM | 1 | 19 | 20 |
| 4:15 AM | 5 | 1 | 6 |
| 4:30 AM | 3 | 1 | 4 |
| 4:45 AM | 10 | 0 | 10 |
| 5:00 AM | 10 | 37 | 47 |
| 5:15 AM | 10 | 1 | 11 |
| 5:30 AM | 6 | 3 | 9 |
| 5:45 AM | 11 | 3 | 14 |
| 6:00 AM | 13 | 56 | 69 |
| 6:15 AM | 11 | 2 | 13 |
| 6:30 AM | 13 | 0 | 13 |
| 6:45 AM | 19 | 3 | 22 |
| 7:00 AM | 12 | 40 | 52 |
| 7:15 AM | 10 | 4 | 14 |
| 7:30 AM | 11 | 6 | 17 |
| 7:45 AM | 7 | 1 | 8 |
| 8:00 AM | 4 | 21 | 25 |
| 8:15 AM | 4 | 3 | 7 |
| 8:30 AM | 9 | 0 | 9 |
| 8:45 AM | 4 | 2 | 6 |
| 9:00 AM | 6 | 18 | 24 |
| 9:15 AM | 8 | 2 | 10 |
| 9:30 AM | 1 | 2 | 3 |
| 9:45 AM | 3 | 4 | 7 |

| Volume Totals | | |
|---------------------|---------|----------|
| EB | WB | Combined |
| 12:00 AM - 12:00 PM | | |
| 233 | 94 | 327 |
| (71.3%) | (28.7%) | |
| 12:00 PM - 12:00 AM | | |
| 154 | 303 | 457 |
| (33.7%) | (66.3%) | |
| 24 Hours | | |
| 387 | 397 | 784 |
| (49.4%) | (50.6%) | |

| Peak Hours | | |
|---------------------|----------|----------|
| EB | WB | Combined |
| 12:00 AM - 12:00 PM | | |
| Started | | |
| 6:00 AM | 10:15 AM | 6:45 AM |
| Volume | | |
| 56 | 21 | 68 |
| Factor | | |
| 0.74 | 0.58 | 0.77 |

| 12:00 PM - 12:00 AM | | |
|---------------------|---------|----------|
| EB | WB | Combined |
| Started | | |
| 12:00 PM | 2:30 PM | 2:30 PM |
| Volume | | |
| 27 | 58 | 76 |
| Factor | | |
| 0.75 | 0.76 | 0.83 |



Class II Composting Facility Requirements

This guidance document summarizes the requirements associated with Class II facilities, including acceptable waste materials and definitions associated with composting.

What is a Class II Composting Facility?

Class II composting facilities are facilities authorized to accept any of the feedstocks, bulking agents and additive listed below. These facilities are required to register, obtain a license to operate and establish financial assurance.

Who should register as a Class II Composting Facility?

Unless exempted by OAC Rule 3745-560-01, any person or business that intends to operate a class II composting facility is required to apply for and obtain a registration prior to commencing operations. Common exempted activities include single-family residential composting of household organic material and any composting that does not exceed 500 square feet.

What is Ohio's Regulatory Definition of Composting?

Composting is defined as the process of biological decomposition of solid wastes under controlled conditions resulting in compost. Controlled conditions include but are not limited to grinding, shredding, chipping, mixing feedstocks, bulking agents and additives, piling, physical turning, aerating, adding moisture, performing procedures to achieve human pathogen reduction, or other processing of solid wastes.

Authorized Feedstocks

- **Yard waste** (leaves; grass clippings; brush; tree trunks and stumps; prunings from trees or shrubs; any plant materials from residential trees and edible gardens; decorative plant materials that do not contain plastic, metal, polystyrene or other non-compostable material, including but not limited to any of the following: pumpkins or gourds, hay or straw bales, holiday trees, discarded or potted flowers, wreaths, and grave blankets. Yard waste does not include materials from industrial processing, agricultural processing, or food processing).
- **Agricultural plant materials** (plant material including but not limited to stems, leaves, vines, or roots from an agricultural operation).
- **Animal waste** (animal excreta, bedding, wash waters, incidental waste feed, and silage drainage).
- **Food scraps** (unprocessed and processed vegetables, fruits, grains, dairy products, meats, and other residuals from food intended for human or animal consumption, and any compostable containers or compostable serveware that are commingled with the food scraps).
- **Dead animals** (bodies or parts of a dead animal). Requires compliance with OAC Rule 3745-560-015.
- **Raw rendering material** (body, part of a body, or product of a body of any dead animal that is unfit for human consumption). Requires compliance with OAC Rule 3745-560-015.

Applicable Rules

Ohio Administrative Code (OAC)
Chapter [3745-560](#): All composting regulations (effective October 1, 2018)
[3745-500-02](#): Solid waste definitions
Chapter [3745-501](#): Licensing
Chapter [3745-503](#): Financial assurance

All current solid waste regulations can be printed from our website at epa.ohio.gov/dmwm

More Information

For more information regarding this document, please contact the Composting Program at (614) 644-2621.

Disclaimer

This guidance document addresses key regulatory requirements and commonly asked questions. It does not include all the regulations that an owner and operator must comply with.

Class II Composting Facility Requirements

- **Alternative materials** (waste that might be suitable for composting but is not listed in rule as a feedstock, bulking agent, or additive). Requires additional approval and compliance with OAC Rule 3745-560-205.

Authorized Bulking Agents

A bulking agent is a waste material added to the composting process to provide structural support, improve aeration, or absorb moisture. The following are authorized bulking agents:

- Wood chips
- Straw
- Clean untreated wood*
- Shredded newspaper
- Shredded cardboard
- Sawdust
- Shredded brush
- Shredded yard waste
- Compostable containers**
- Stover

* Clean untreated wood means source-separated wood such as sawdust, pallets, and dimensional lumber that has not been treated chemically or with adhesives and coatings including but not limited to paint, glue, or any other visible contaminant.

**Compostable container means a container that meets ASTM D6400 or D6868 compostability standards, including those displaying the Biodegradable Products Institute's "Compostable Logo".

Authorized Additives

An additive is a supplemental material mixed with or otherwise added to feedstocks and bulking agents to create a favorable condition for the composting process. The following are approved additives:

- Urea
- Crushed eggshells
- Source-separated spent coffee and tea grounds
- Bacterial or fungal inoculum

Registration Process

Registration fee: None.

How to Register: You can submit the registration application through Ohio EPA's eBusiness Center portal at (<https://ebiz.epa.ohio.gov/>). Contact the Division of Materials and Waste Management (DMWM) at (614) 644-2621 for assistance with the eBusiness Center portal. You may also complete the paper forms (epa.ohio.gov/dmwm) and mail to Ohio EPA, Division of Materials and Waste Management, Lazarus Government Center, P.O. Box 1049, Columbus, Ohio 43216-1049.

Letter of intent to register: Prior to submitting the registration form, letters of intent to establish a composting facility must be sent to the following entities via certified mail or any other form of mail accompanied by a receipt. Copies of the letters and receipts must be included with the registration application.

- Local government (e.g. county commissioner, board of township trustees, etc.)
- Solid waste management district
- Owner or lessee of any easement or right of way bordering or within the proposed facility boundaries
- Local zoning authority
- Park system administrator and conservancy district
- Local fire department

Plan view drawing: A plan view drawing must be included with the application, and it must include the information required in OAC Rule 3745-560-200(C)(2). The plan view drawing information may be contained in more than one map or drawing. It is not required that the plan view drawing is prepared and signed by a professional engineer. Most county auditor websites provide access to property maps with many of the items required and that can be printed. You can hand draw additional information or use additional maps from other sources.

Class II Composting Facility Requirements

Contact Water and Air programs: It is the applicant's responsibility to obtain information regarding permitting requirements related to water and air. Contact the Division of Air Pollution Control and Division of Surface Water to determine what, if any, permit requirements apply.

Current Information and Changes: You must ensure that your registration information is current by submitting an amendment/modification request whenever there are changes to any of the information contained in the registration application. To submit an amendment, use the same as registration form (epa.ohio.gov/dmwm) and check the amendment checkbox. You can submit the amendment application through Ohio EPA's eBusiness Center portal at (<https://ebiz.epa.ohio.gov/>) or mail the paper forms to Ohio EPA in Columbus.

Important: An amendment to the registration that involves any proposed change to the materials placement area requires a site inspection and written concurrence from Ohio EPA.

License to Operate

When to apply: Concurrent with submitting the completed registration form. This is an annual operating license and renewal applications are due by September 30th of each year.

Submitting an application: Print the license application form from our website at epa.ohio.gov/dmwm and gather the information required. You can submit the application through Ohio EPA's eBusiness Center portal at (<https://ebiz.epa.ohio.gov/>). Contact the Division of Materials and Waste Management (DMWM) at (614) 644-2621 for assistance with the eBusiness Center portal. You may also choose to complete the paper forms and mail to the approved health department, or Ohio EPA, Division of Materials and Waste Management, Lazarus Government Center, P.O. Box 1049, Columbus, Ohio 43216- 1049.

Fees involved: The fee amount for the license varies according to the requested authorized maximum daily waste receipt (AMDWR) to be accepted at the facility. The table to the right shows the fee scale.

| AMDWR (Tons) | Annual license fee |
|--------------|--------------------|
| 12 or less | \$300 |
| 13 to 25 | \$600 |
| 26 to 50 | \$1,200 |
| 51 to 75 | \$1,800 |
| 76 to 100 | \$2,500 |
| 101 to 150 | \$3,750 |
| 151 to 200 | \$5,000 |
| 201 to 250 | \$6,250 |
| 251 to 300 | \$7,500 |
| 301 to 400 | \$10,000 |
| 401 to 500 | \$12,500 |
| 501 or more | \$30,000 |

Financial Assurance

The amount of financial assurance based on the maximum capacity (design capacity in the registration/amendment form) of the materials placement area, excluding the storage capacity of compost product. The cost is estimated at \$2.50/cubic yard for all materials except for alternative materials, which may require a higher cost estimate, which is typically \$8.00/cubic yard.

- If the closure cost estimate is less than \$5,500, no financial assurance is required.
- The financial assurance instrument should accompany the registration application submitted to Ohio EPA.
- The financial assurance mechanisms that can be used to comply with this requirement are listed in OAC Chapter 3745-503. For more information contact the Division of Materials and Waste Management at (614) 644-2621.

Facility Design and Construction

The facility must be designed to meet the standards below. Construction must be completed and verified by Ohio EPA prior to acceptance of waste materials.

- The materials placement area must have a slope of between 1% to 6% to control surface water drainage
- Prevent run-on from reaching the materials placement area
- Prevent ponding and erosion

Class II Composting Facility Requirements

- Minimize the potential impact to surface water and ground water
- Collect and contain leachate within the boundary of the composting facility and prevent leachate from discharging to waters of the state, unless you obtained a permit from the Division of Surface Water
- Allow facility operation during inclement weather
- Roads within the facility boundary that allow vehicle and equipment traffic at all times
- Post a sign with letters not less than three inches in height at the entrance of the facility with the following statement: "This composting facility only accepts authorized wastes and authorized materials, and will not accept hazardous wastes, asbestos, batteries, or other prohibited materials." You may add to the sign any specific authorized materials that you are interested in or not accepting, as well as other pertinent information.

Facility Operations

Composting methods: Class II composting facilities must use any combination of the following methods: Windrow composting, in-vessel, aerated static pile, static pile or vermicomposting. Construction and turning frequency of the composting mix must enable controlled biological decomposition under predominately aerobic conditions. Other composting methods may be used upon prior approval by the director of Ohio EPA.

Conditioning methods: Class II composting facilities may condition authorized materials prior to composting with any the methods above by performing acidic anaerobic fermentation, also known as bokashi. Other conditioning methods may be used upon prior approval by the director of Ohio EPA.

Dead animals and raw rendering material composting: Class II facilities interested in composting these materials are required to follow the additional training, facility preparations and operational requirements found in OAC Rules 3745-560-015.

Prevent nuisances and health hazards: Conduct operations in a manner that:

- Controls noise, dust, and odors
- Prevents the attraction, breeding, and emergence of insects, birds, rodents, and other vectors
- Prevents fires

Access to the facility: Maintain access roads to allow passage of loaded vehicles during inclement weather conditions with minimum erosion and dust generation and allow access only to employees and other authorized persons when the facility is not in operation.

Equipment: Have fire control equipment, material, and services available to control or extinguish any fire at the facility. Necessary equipment to conduct facility operations must be maintained in the appropriate size and quantity.

Wood Processing: Shred or chip any tree stumps, trunks, limbs and clean untreated wood and remove foreign materials prior to incorporation into the composting process. Tree stumps, trunks, limbs, and clean untreated wood must be processed at a minimum annually or more often if conditions causing a nuisance or safety hazard exist.

Surface Water Management: Ensure that all design features constructed to manage surface water are maintained in operable condition or improved if they become insufficient.

Leachate Management: Leachate includes liquid that has come in contact or been released from compost products or solid wastes including feedstocks, bulking agents, or additives. The facility operator must take action to minimize the production of leachate. All leachate must be maintained onsite unless authorization is obtained by Ohio EPA Division of Surface Water.

Additional requirements for food scraps: Food scraps must be incorporated into the composting process no later than the end of operating hours on the date of receipt. A stockpile of biofilter material must be maintained to provide at least a six-inch cover to piles containing food scraps. The biofilter should be applied to the piles if odors, dust, or vectors are present or upon written request of Ohio EPA or the approved board of health. Free liquid from the food scraps shall be controlled by using a berm of compost, bulking agents, or other absorbent material.

Class II Composting Facility Requirements

Other Requirements: No unauthorized solid wastes shall be accepted at the facility. If such wastes are found, remove and properly dispose of them as soon as possible. Biodegradable containers must be processed prior to incorporation into the composting mixture to allow for mixing of its content.

Log of Operations: Maintain an operational log on the forms available at epa.ohio.gov/dmwm, or on your customized forms (paper and/or electronic) with written approval by the inspector of the approved board of health. The log of operation must be complete daily unless you have received written approval for an alternative frequency from Ohio EPA or the approved board of health.

The log must be available to the Ohio EPA and board of health representatives during operating hours, and copies or summaries submitted on request.

Annual report: Submit an annual report to Ohio EPA no later than the first day of February of each year. The annual report form can be printed from our website at epa.ohio.gov/dmwm. The annual report can also be submitted electronically through the new Composting Annual Report Service. Information on the new service can be found in our webpage.

Records Retention: Copies of the daily logs and compost testing results must be kept for a minimum of three (3) years.

Testing and Distribution

Distribution: Only compost that meets the definition of compost product can be distributed for unrestricted use. Compost product is compost that was tested and met all the quality standards requirements in OAC Rule 3745-560-230. Untested compost cannot be distributed and must be disposed of at another Class II composting facility or at a permitted sanitary landfill.

When to test: All compost must be sampled following the sampling protocol specified in OAC Rule 3745-560-225. Ohio EPA will accept the use of a more rigorous sampling protocol upon verification. You must sample the compost once you decide the compost is cured or mature enough for the kind of product you want to market. You may sample individual piles (batches) or consolidate various piles, up to a maximum of 10,000 cubic yards, and then sample. If non-tested compost is added to a pile of compost product before or during distribution, the pile must be mixed and re-sampled before beginning or continuing distribution.

Analysis: Analyze the compost according to the quality standards can be found in OAC Rule 3745- 560-230. Remember to verify that the analytical laboratory used the appropriate preparation and analytical methods when performing the quality standards testing. Ohio EPA strongly suggests that you provide the laboratory with a copy of the rule.

Product Information: The operator is required to provide information as to the quality of the compost product. When the compost is being distributed in packaged form (bagged), the package must be labeled with the product information. When the compost is being distributed in bulk, the product information must be available in a separate piece of paper or other written form. OAC Rule 3745-560-220 specifies the information that must be included in the label.

Other Applicable Guidance

Financial Assurance: <https://epa.ohio.gov/divisions-and-offices/materials-and-waste-management/dmwm-programs/financial-assurance>

License Application Form:

<https://epa.ohio.gov/static/Portals/34/document/forms/Ohio%20EPA%20Solid%20Waste%20License%20Application.pdf>

Additional Assistance

Ohio EPA Field Offices:

Central Field Office: (614) 728-3778

Northeast Field Office: (330) 963-1200

Northwest Field Office: (419) 352-8461

Southeast Field Office: (740) 385-8501

Southwest Field Office: (937) 285-6357

Good morning,

There has been no forward movement following the issuance of the registration. No other activity has been performed to complete the programmatic application review for the license due to there being no information from the applicant that the facility has been constructed or has finalized a plan to initiate operations.

Thank you,



Environmental Protection Agency

Anthony Blevins, REHS

Environmental Specialist 2, Division of Materials and Waste Management

50 W. Town Street, Suite 700

Columbus, Ohio 43215

614.728.5328

Anthony.Blevins@epa.ohio.gov

Good morning,

Our records show a Class II composting facility registration issued in 2019 for Steve R. Rauch at 7750 Dayton Farmersville Rd., Dayton OH 45417, however, the Class II composting facility license (November 2021 application submission) was never issued.

I do not have any information otherwise that the facility has completed the programmatic application review for the license, is constructed, or has finalized a plan to initiate operations.

Thank you,



**Environmental
Protection
Agency**

Anthony Blevins, REHS

Environmental Specialist 2, Division of Materials and Waste Management

50 W. Town Street, Suite 700

Columbus, Ohio 43215

614.728.5328

Anthony.Blevins@epa.ohio.gov

Contacts

Phone: [614.644.2621](tel:614.644.2621)

Fax: 614.728.5315

[Email Webmaster](#)

Physical address:

Ohio EPA - DMWM

Lazarus Government Center

50 W. Town St., Suite 700

Columbus, OH 43215

Mailing address:

Ohio EPA - DMWM

Lazarus Government Center

P.O. Box 1049

Columbus, OH 43216-1049

Composting

[Carroll, Jeremy](#)

[Cherosky, Phil](#)

[DeLong, Curtis](#)

[Adams, Madelyn](#)

[Blevins, Anthony](#)

[Chapman, Barry](#)

[Ujvari, Megan](#)

Manager

Supervisor

Environmental Specialist 3

Environmental Specialist 2

Environmental Specialist 2

Environmental Specialist 2

Environmental Specialist 2

[614.644.2830](tel:614.644.2830)

[614.644.3249](tel:614.644.3249)

[937.285.6072](tel:937.285.6072)

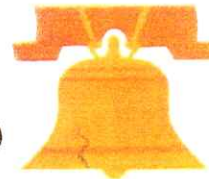
[937.285.6456](tel:937.285.6456)

[614.728.5328](tel:614.728.5328)

[614.728.5344](tel:614.728.5344)

[614.644.2967](tel:614.644.2967)

JEFFERSON TOWNSHIP



LIBERTY

BOARD OF ZONING APPEALS

APPLICATION COVER PAGE

Submission Date:

8-25-25

Application for (select all that apply):

☐ Appeal



Conditional Use

☐ Use Variance

☐ Variance(s)

Instructions

Complete this cover page and have it notarized. Submit the cover page along with the relevant application, required fee, and attachments to the Department of Development & Compliance c/o Board of Zoning Appeals 580 Calumet Ln. Dayton, OH 45417.

This application should only be completed after a meeting with the Zoning Coordinator, receiving a written Zoning Administration Refusal, or Legal Notice of Violation. Applications that are not complete or are illegible will be returned to the applicant and will not be scheduled for public hearing. Incomplete applications shall be a basis for denial.

Submit a plot plan drawn to scale showing dimensions and location of lot and all structures existing and proposed (**6 copies on 8 1/2 x 11 inch paper**) A list of all the owners of property within and contiguous to (and directly across the street from) the property list must be submitted with the application. For conditional use, also submit a list of all property owners within 500 feet. If you have questions or would like to schedule an application interview, please call the Zoning Coordinator at (937) 262-3591 ext. 107.

Property Information

Property
Address:

5038 Fortman Drive

Street Address

Dayton

City

Oh

State

45417

ZIP Code

Parcel(s) ID
Lot #:

627-18213-0038

Current
Zoning District:

Jefferson Twp

Proposed Zoning
Use:

Jefferson Twp

If platted, name of
Plat:

Type of Appeal:

Authorization to Visit Property

By signing below, the owner/applicant authorizes Township representatives to visit and photograph the property described in this application.

Applicant Information

Full Name/
Company:

Ivy League Care

Address:

3532 Cornell Drive

Street Address

Dayton

City

OH

State

Apartment/Unit #

45406

ZIP Code

Phone:

(937) 463-3110

Email:

Tblythe@IvyLeagueCare.org

Owner Information (if different than Applicant)

Full Name/
Company: KPM Partners Ltd/ Penny Mughrabi

Address: 2990 East Spring Valley Pike
Street Address Apartment/Unit #
Centerville Ohio 45458
City State ZIP Code

Phone: 937-620-7973 Email: mvreo@yahoo.com

Signature: Penny mughrabi dotloop verified
08/25/25 10:50 AM EDT
B9OS-ICKZ-HJ74-WKSU Date: 08/25/2025

Notarization

I hereby depose and say that the above statements and the statements contained in all exhibits transmitted herewith are true.

Applicant

Interest of Applicant

Temona Blythe

Signature

Temona Blythe

Printed Name

8-25-2025

Date

Notary Public

Subscribed and sworn before me this 25th day of August, 2025

My commission expires on April 2, 2028

Application for Board of Zoning Appeal Hearing: ALL Fees are NON-Refundable Regardless of The Case Outcome



Nukraysha L Huffman

**NOTARY PUBLIC
STATE OF OHIO**

**My Commission Expires
4/2/2028**

[Signature]

Signature

A Residential Class 2 Facility in Ohio is a licensed residential care setting that provides accommodation and personal care services to adult individuals who require assistance with daily living but do not need the intensive medical care of a nursing facility. These facilities are regulated under Ohio law and are designed to offer a supportive, home-like environment for residents who need help with tasks such as bathing, dressing, meal preparation, housekeeping, and medication management.

Class 2 Facility is intended to provide a safe, structured, and supportive environment while promoting the highest level of independence possible for each resident. These facilities may serve individuals with physical impairments, developmental disabilities, mental health needs, or age-related limitations that impact their ability to live independently.

Unlike nursing homes, Residential Class 2 facilities are not required to provide 24-hour skilled nursing services, but they may coordinate with outside healthcare providers to ensure residents receive necessary medical care. Staff members are trained to provide supervision, monitor residents' well-being, and respond to emergencies.

In summary, a Residential Class 2 Facility in Ohio bridges the gap between fully independent living and skilled nursing care, offering residents a safe, supportive, and structured environment tailored to their individual needs.

These facilities are regulated and licensed by OhioMHAS through its Bureau of Licensure and Certification.

Direct Care Staff – Job Responsibilities (Residential Class 2 Facility, Ohio)

Primary Role:

Provide daily care, supervision, and support to residents in accordance with Ohio Department of Mental Health & Addiction Services (OhioMHAS) regulations for Class 2 residential facilities.

Essential Job Responsibilities

- **Resident Care & Supervision**
 - Monitor residents' safety, well-being, and daily activities.
 - Provide assistance with personal care tasks (e.g., bathing, grooming, dressing, toileting, eating) as needed.
 - Support residents in maintaining independence and dignity.
 - Assist residents with mobility, transfers, and use of assistive devices.
- **Medication Assistance**
 - Assist residents with self-administration of medications, following OhioMHAS guidelines.
 - Observe and report any side effects, missed doses, or concerns to supervisor or nurse.
 - Maintain accurate medication assistance records.
- **Health & Emergency Response**
 - Monitor residents for changes in health, behavior, or ability to self-care and promptly report concerns.
 - Respond appropriately to medical or psychiatric emergencies, following facility protocols.
 - Provide first aid/CPR when necessary.
 - Notify physician, case manager, or emergency contacts as required.
- **Daily Living Support**
 - Assist with meal preparation, serving, and clean-up in compliance with dietary requirements.

- Help residents with housekeeping, laundry, and maintaining a safe living environment.
 - Support residents in community activities, appointments, and social engagement.
 - **Documentation & Communication**
 - Maintain daily logs, incident reports, and other required documentation.
 - Communicate resident needs, progress, and concerns to supervisors and other team members.
 - Follow all confidentiality and HIPAA guidelines.
 - **Facility Safety & Compliance**
 - Participate in fire drills, disaster preparedness, and emergency response procedures.
 - Ensure facility remains safe, clean, and in compliance with state regulations.
 - Report suspected abuse, neglect, or exploitation immediately in accordance with Ohio law.
 - **Professional Development**
 - Complete required initial and ongoing training (CPR, first aid, resident rights, abuse prevention, mental health support, etc.).
 - Attend staff meetings, supervision, and continuing education sessions.
-

Additional Duties

- Build positive, respectful relationships with residents, families, and community providers.
- Support implementation of individual service plans (ISPs) and behavioral support strategies.
- Perform other duties as assigned by the facility manager or operator.

Staffing Compliance Statement

The facility affirms that it will meet or exceed all **staffing requirements established by the Ohio Department of Mental Health and Addiction Services (OhioMHAS)**. The facility will employ, train, and maintain the required of qualified staff to ensure the safety, supervision, and well-being of residents in accordance with all applicable rules of the Ohio Administrative Code. Staffing levels will be continuously evaluated to ensure they remain consistent with the needs of residents and regulatory standards. Also, the facility will have 24-hour surveillance.

Terrence B. [Signature]
8-25-25



JEFFERSON TOWNSHIP FIRE DEPT. INSPECTION REPORT

Date:

Occupant:

Address:

This Inspection uses standards as set forth by the Ohio Building Code, Ohio State Fire Code, the Montgomery County Building Code, and National Fire Prevention Association. Any hazard noted below shall be corrected on or before Abatement Date shown.

Hazard:

Abatement
Date:

___ Fire Extinguisher(s) Need Service

___ Items piled too close to the ceiling

___ Ceiling tiles missing

___ Light out in emergency exit sign

___ Extension Cord w/Appliances

___ Items blocking an exit

Recommendations

Date Completed:

For Additional
Information Call

Occupant's Signature:

Inspector:

(937) 262-3580 Ext 212

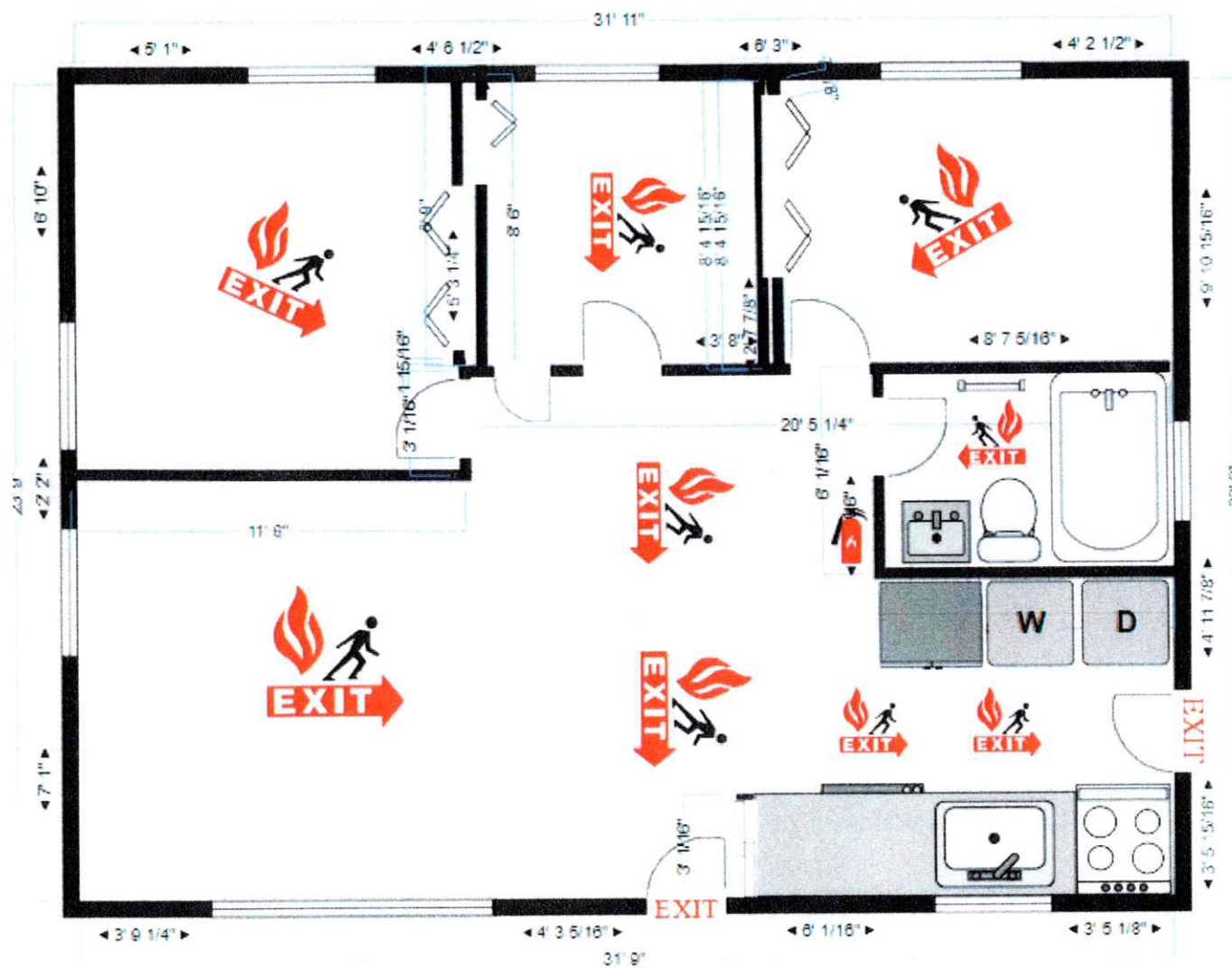
Date:

Building and Fire Safety Compliance Statement

The facility affirms that it will always comply with and maintain all applicable **local, state, and federal building, housing, health, and fire safety standards**. The group home will ensure that the premises are inspected as required by the appropriate authorities and that all identified deficiencies are promptly corrected to maintain continuous compliance with Ohio laws and regulations.

Theresa Ong BTA

8-25-25



Home > 5038 FORTMAN DR > 5038 FORTMAN DR > 5038 FORTMAN DR > 5038 FORTMAN DR

Summary

PARID: G27 18213 0038
PARCEL LOCATION: 5038 FORTMAN DR

NBHD CODE: 85002000

1 of 1

Tax Year: 2024

Property Description

Tax Summary

Land

Payments List

Levy Distribution

[Click here to view neighborhood map](#)

New Levies

Special Assessments

Permits

HARRIS JEROME C + JOHNNIE R

Value History

Rental Registration

Sketch

Sales

Tax Detail

Pay Taxes

Property Photos

GIS Parcel Map

Owner

Mailing

Name JEROME C HARRIS
Mailing Address 5011 DAYTON LIBERTY RD
City, State, Zip DAYTON, OH 45417

9924-TX LIEN SOLD

Legal

Legal Description 73 CARVER VIL

Land Use Description R - SINGLE FAMILY DWELLING, PLATTED LOT
Acres 0
Deed 02392P00024
Tax District Name JEFFERSON TWP-JEFFERSON LSD

Sales

| Date | Sale Price | Deed # | Buyer | Seller |
|-----------|------------|--------------|-------------------|------------------|
| 21-MAR-25 | \$50,100 | 202500015612 | HARRIS JEROME C + | TSM PARTNERS LTD |
| 23-APR-25 | | 202500022599 | TSM PARTNERS LTD | KPM PARTNERS LLC |

Values

| | 35% | 100% |
|--------------|--------|--------|
| Land | 6,460 | 18,460 |
| Improvements | 13,590 | 38,820 |
| CAUV | 0 | 0 |
| Total | 20,050 | 57,280 |

Building

Exterior Wall Material FRAME
Building Style RANCH
Number of Stories 1
Year Built 1958
Total Rms/Bedrms/Baths/Half Baths 5/3/1/0
Square Feet of Living Area 945
Finished Basemt Living Area (Sq. Ft.) 0
Rec Room (Sq. Ft.) 0
Total Square Footage 945
Basement NONE
Central Heat/Air Cond CENTRAL HEAT
Heating System Type HOT AIR
Heating Fuel Type GAS
Number of Fireplaces(Masonry) 0
Number of Fireplaces(Prefab)

Current Year Special Assessments

| | |
|--------------------|---------|
| 11777-APC FEE | \$22.58 |
| 21200-LT. LIGHTING | \$55.28 |

21850-TR COL TRASH COLLECTION
41100-MCD/AP MCD/AQUIFER PRES SUBD

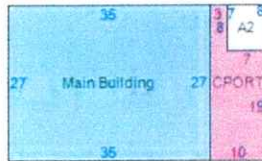
\$273.94
\$1.10

Current Year Rollback Summary

| | |
|------------------------|-------------|
| Non Business Credit | -\$111.40 |
| Owner Occupancy Credit | \$0.00 |
| Homestead | \$0.00 |
| Reduction Factor | -\$1,065.22 |

Tax Summary

| Year | Assessed Value | Change in Value | Assessed Value | Change in Value | Assessed Value | Change in Value | Assessed Value |
|------|----------------|-----------------|----------------|-----------------|----------------|-----------------|----------------|
| 2024 | \$1,867.67 | -\$1,867.67 | \$1,069.17 | -\$1,069.17 | \$671.68 | -\$671.68 | \$0.00 |



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Ivy League Care – Contact List

Address: 5038 Fortman Dr, Dayton, OH 45417

Owner/Operator

- **Name:** Terriona Blythe
- **Phone:** 937-463-3110
- **Email:** tblythe@ivyleaguecare.org
- **Shift/Availability:** 24-hour contact information

House Manager

- **Name:** Latasha Evans
- **Phone:** 937-701-5439
- **Email:** latashaevans10@yahoo.com
- **Shift/Availability:** 24-hour contact information

Staff Report
Board of Zoning Appeals Meeting
Jefferson Township, Montgomery County, Ohio
September 18, 2025

Application: BZA 2025-011
Location: 7750 Dayton-Farmersville Road, Dayton, Ohio 45417
Parcel # G27 01710 0001 Zoning District-RA Rural Agricultural
Acres – 161.501

Applicant: Terry Posey on behalf of Steve Rauch

Purpose of Application: Modification of Zoning Certificate 003-2014

Steve Rauch is applying to remove Operating Condition No 8 from Certificate 003-2014 authorizing a composting facility on 10 acres at 7750 Dayton Farmersville Road.

Operating Conditions No 8 limits the number of trucks for daily intake to five (5) trucks per day. A five truck per day limitation is inconsistent with the available area for composting use and renders the economics of the facility challenging.

Board Decision Options:

Case 1 2025-008 Approve _____ Deny_____ Table _____

Application BZA 2025-012
Location: 5038 Fortman Drive, Dayton, Ohio 45417
Parcel # G27 18213 0038 Zoning District – R-3 Residential District

Applicant: Terriona Blythe – Ivy League Care

Request- Ivy League Care wants to open a Group Home for (5) five adult men at 5038 Fortman Drive, Dayton, Ohio 45417.

Article 4 Conditional Use: Juvenile and Adult Group Homes

Section 413

Juvenile and adult group homes are conditionally permitted in an R-3 zoning district upon submission of the following and upon subsequent approval by the Board of Zoning Appeals.

Board Decision Options:

Case 2 2025-008 Approve _____ Deny_____ Table _____