

# RECORD OF PROCEEDINGS

Minutes of Board of Zoning Appeals

Held April 7, 2026

## Call to Order

Meeting called to order at 6:00 PM.

James Kempe	Chair	Present
Patricia Bond	Member	Present
Sharon Duff	Member	Present
Jeffrey Hamilton	Member	Present

Staff Attendance: Building and Zoning Administrator Brent Carpenter; Clerk of Council Karen Powell

## Approval of Minutes

### Board of Zoning Appeals Meeting Minutes - March 10, 2026

Mr. Kempe said there were technical difficulties at the March 10, 2026, BZA meeting and there are no minutes to approve at this time.

## Public Hearing

### Case No. BZA 2026-01

Mr. Kempe opened the Public Hearing for Case No. BZA 2026-01 at 6:01 PM.

## Staff Report

Mr. Carpenter presented the Staff Report. He explained that the appellant requests an appeal to Moraine Codified Ordinance Section MCO 1137.03 (b)(1)(A): Yard Requirements. *Minimum front yard depth for 1 and 1 ½ story structures shall be 25 feet.* He noted the appellant is requesting approval to add a wooden deck connecting to the front of his house. He said the proposed deck would decrease the appellant's front yard depth to 14 feet 6 inches, and the deck will be located at a private residence at 2901 Lakehurst Court. He stated the residence is in an R-2 district. Mr. Carpenter reported that the Technical Review Committee met on March 27, 2026, and the committee has no objection to this case.

## Opponents / Proponents

Ms. Powell administered the Oath to those providing testimony in this Public Hearing.

Ms. Shirley Whitt of 2905 Lakehurst Court stated that she is in favor of the appellant's request for approval for a deck. She said the appellant is her next-door neighbor, she is the closest neighbor, and she has absolutely no objection.

Mr. Kempe asked if anyone present would like to speak for or against this issue.

Seeing none, Mr. Kempe asked if any board members had questions for staff or the appellant.

There were no other comments or questions regarding Case No. BZA 2026-01.

## Close Public Hearing

Mr. Kempe closed the Public Hearing for Case BZA 2026-01 at 6:03 PM.

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## Case No. BZA 2026-02

Mr. Kempe opened the Public Hearing for Case No. BZA 2026-02 at 6:03 PM.

### Staff Report

Mr. Carpenter reported that the appellant requests an appeal to Moraine Codified Ordinances (MCO) sections: MCO Chapter 1181.01 (1): *Any accessory buildings shall be at least three feet from all lot lines. (2) All detached accessory buildings must be a minimum of ten (10) feet from the principal permitted use and must be a minimum of ten (10) feet from each other. (7) No detached accessory building shall be erected in any required yard except a rear yard. 1181.04 (b) An accessory building may be erected detached from the principal building. No detached accessory building shall be erected in any required yard except a rear yard. (e) No accessory use or structure in any Residential District except an off-street parking area shall be permitted nearer to any front lot line than sixty (60) feet, unless such use or structure is contained within or constitutes an integral part of the principal building.* He noted that the appellant is requesting to add a carport located off the right side of the house. He explained that the proposed carport would be less than three (3) feet from the lot line, less than ten (10) feet from principal permitted use, located in the side yard, and would be closer than sixty (60) feet from the front lot line. He said the carport will be located at a private residence at 3308 Clearview Road, and the residence is in an R-2 district. Mr. Carpenter also reported that the Technical Review Committee met on March 27, 2026, and has no objection to this case.

### Opponents / Proponents

Ms. Powell administered the Oath to those providing testimony in this Public Hearing.

The appellant, Brenda Smith of 3308 Clearview Road, explained that she needs a carport because she is disabled in her hands and back and cannot shovel snow. She noted that she recently missed a doctor appointment because she could not get to her car.

Mr. Kempe asked the board members if they had any questions for staff or the appellant.

Seeing none, Mr. Kempe asked if anyone present would like to speak in favor or against the issue.

There were no further comments regarding Case No. BZA 2026-02.

### Close Public Hearing

Mr. Kempe closed the Public Hearing for Case No. BZA 2026-02 at 6:07 PM.

### Business

#### Decision - BZA 2026-01 2901 Lakehurst - Wooden Deck

Mrs. Bond moved to approve; Mr. Hamilton seconded the motion.

**RESULT:** Passed (Yes 4, No 0, Abstained 0)

**MOVER:** Patty Bond

**AYES:** Jim Kempe, Sharon Duff, Patty Bond, Jeffrey Hamilton

**NAYS:** None

**ABSTAIN:** None

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## Decision - BZA 2026-02 3308 Clearview - Carport

Mrs. Duff moved to approve; Mrs. Bond seconded the motion.

**RESULT:** Passed (*Yes 4, No 0, Abstained 0*)

**MOVER:** Sharon Duff

**AYES:** Jim Kempe, Sharon Duff, Patty Bond, Jeffrey Hamilton

**NAYS:** None

**ABSTAIN:** None

## Other Business

There was no other business.

## Adjournment

Meeting adjourned at 6:09 PM.



James Kempe



ATTEST: Clerk of Council, Karen Powell