



Board of Zoning Appeals

~Agenda~

<http://www.ci.moraine.oh.us/>

Clerk of Council
937-535-1005

July 7, 2026

6:00 PM

- I. Call to Order**
- II. Approval of Minutes**
 - A. Board of Zoning Appeals Meeting Minutes - May 5, 2026
- III. Public Hearing**
 - A. Case No. BZA-2026-05
 - 1. Staff Report
 - 2. Opponents / Proponents
 - 3. Close Public Hearing
- IV. Business**
 - A. Decision - Case No. BZA 2026-05
- V. Other Business**
- VI. Adjournment**

RECORD OF PROCEEDINGS

Minutes of Board of Zoning Appeals

Held May 5, 2026

Call to Order

Meeting called to order at 6:04 PM.

James Kempe	Chair	Present
Patricia Bond	Member	Present
Sharon Duff	Member	Present
Jeffrey Hamilton	Member	Present (arrived 6:06 PM)
Erica Grooms	Member	Present

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

Ms. Powell informed the Commission members that Mr. Bernard was sworn in as a member prior to the meeting.

Approval of Minutes

Board of Zoning Appeals Meeting Minutes - March 10, 2026

Mr. Kempe asked if there were any changes or corrections to the March 10, 2026, Board of Zoning Appeals meeting minutes.

Ms. Powell reported that an error was made in the naming of the Vice Chair nomination. She noted that the correction has been made. Hearing no other changes, the minutes were approved as submitted.

Board of Zoning Appeals Meeting Minutes - April 7, 2026

Mr. Kempe asked if there were any changes or corrections to the April 7, 2026, Board of Zoning Appeals meeting minutes. Hearing none, the minutes were approved as submitted.

Public Hearing

Case No. BZA-2026-03

Mr. Kempe opened the Public Hearing for Case No. BZA 2026-03 at 6:06 PM.

Mr. Hamilton arrived at 6:06 PM.

Staff Report

Mr. Carpenter presented the Staff Report. He reported the property is located at 3535 South Dixie Drive, City Lot No. 3144. He explained that the appellant requests an appeal to Moraine Codified Ordinance Chapter 1181.01(b)(3) which states in business districts B1 and B2, fencing shall not exceed six (6) feet in height for side and rear yards and fencing shall not exceed four (4) feet in height in front yards. Mr. Carpenter stated that the appellant requests to add aluminum fencing around the front and sides of the business property, and the proposed fence is five (5) feet tall. He noted the fence would be located at a commercial business, and the business is in a B2 district. He informed the board that the Technical Review Committee met on April 29, 2026, and the committee's request was that the fence be situated to not cause any sight impairment pulling into traffic onto Hoyle Street and South Dixie Drive. He noted that otherwise, the committee had no objections to this case.

Mr. Kempe asked Mr. Carpenter if he is confident that the points noted and the size of the fence

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Minutes of Board of Zoning Appeals

Held May 5, 2026

are all good?

Mr. Carpenter replied yes.

Opponents / Proponents

Mr. Kempe asked if anyone present would like to speak for or against this issue. There were no other comments or questions regarding Case No. BZA 2026-03.

Close Public Hearing

Ms. Powell reminded the commission members that if they have any questions for the applicant, those questions need to be asked during the hearing.

Mr. Kempe closed the Public Hearing for Case BZA 2026-03 at 6:08 PM.

Case No. BZA-2026-04

Mr. Kempe opened the Public Hearing for Case No. BZA 2026-04 at 6:08 PM.

Staff Report

Mr. Carpenter presented the Staff Report. He reported the property is located at 2770 Springboro West Road, City Lot No. 3002. He explained that the appellant requests an appeal to Moraine Codified Ordinance Section 1159.03(a)(2) B-1 which reads that in Industrial District M-2, the minimum rear yard depth for a one-story principal building shall be no less than thirty (30) feet. He reported that the appellant requests to add an equipment shed ten (10) feet from the rear property line. He noted the shed would be the principal structure as no other structures are currently at the property. He said the building permit has already been approved at a thirty (30) foot rear property depth. He stated that a revision to the building permit would need to be made by the appellant if this were to be voted on favorably. Mr. Carpenter noted that the shed will be located at a commercial business, and the business is in an M-2 district. He informed the board that the Technical Review Committee met on April 29, 2026, and had no objections to this case.

Opponents / Proponents

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

There were no other comments or questions regarding Case No. BZA 2026-04.

Close Public Hearing

Mr. Kempe closed the Public Hearing for Case BZA 2026-04 at 6:10 PM.

Business

Decision - BZA 2026-03

Mr. Kempe asked the board members if there were any questions or discussion regarding this case for Kettering Health?

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

RESULT: Passed (*Yes 5, No 0, Abstained 0*)
MOVER: Mrs. Bond

RECORD OF PROCEEDINGS

Minutes of Board of Zoning Appeals

Held May 5, 2026

AYES: Jim Kempe, Sharon Duff, Patty Bond, Jeffrey Hamilton, Gregory Bernard
NAYS: None
ABSTAIN: None

Decision - BZA 2026-04

Mr. Kempe asked the board members if there were any questions or discussion regarding Case No. BZA 2026-04?

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

RESULT: Passed (*Yes 5, No 0, Abstained 0*)
MOVER: Jeffrey Hamilton
AYES: Jim Kempe, Sharon Duff, Patty Bond, Jeffrey Hamilton, Gregory Bernard
NAYS: None
ABSTAIN: None

Other Business

There was no other business.

Adjournment

Meeting adjourned at 6:12 PM.



4200 Dryden Road, Moraine, Ohio 45439-1495 Community Development (937) 535-1030 Fax (937) 535-1284
www.ci.moraine.oh.us

BZA 2026-05 LEGAL NOTICE

The City of Moraine Board of Zoning Appeals will hold a public hearing Tuesday, July 7, 2026, at 6:00 PM in the Council Chambers at the Moraine Municipal Building, 4200 Dryden Road, Moraine, Ohio 45439 to hear an appeal request (Case No. BZA 2026-05) submitted by Rocky Bangert/City of Moraine for the premises located at 3306 Outdoor Road. City Lot No. 2274, 2275 and 2276.

The appellant requests an appeal to Moraine Codified Ordinances (MCO) sections:

MCO 1181.04 (j) (1) B 1

Front Yards

The height of any ornamental fence or wall may not exceed three (3) feet above the ground at any point.

MCO 1181.04 (j) (1) B 4

Front Yards

The total length may not exceed fifty percent (50%) of the lot frontage.

Appellant requests to add wood privacy fencing around the front and sides of the property. The proposed fence would be 6 feet tall. The fence will be located at 3306 Outdoor Road in an R-2 district adjacent to the rear of the street department complex located at 4720 Vance Road.

All interested parties are invited to attend. Additional information may be obtained by visiting Community Development or by calling (937) 535-1038.

Brent Carpenter
Building and Zoning Administrator
937-535-1038

OFFICE USE ONLY

Has any previous applications been filed for property? NO Date _____

Special Exceptions

Variance Request (code sections)

Appeals

Other

List of contiguous property owners: Date Mailed: ____/____/____

THOMAS R. WATTS, 3313 OUTDOOR MORaine, OHIO 45439

JOSEPH E. DOWNS 9275 STATE ROUTE 138 CLARKSBURG, OHIO 43115

OCCUPANT 3311 OUTDOOR ROAD MORaine, OHIO 45439

WALLACE PAUL WHITAKER, 3300 OUTDOOR ROAD MORaine, OHIO 45439

DDN Advertisement Deadline

DDN Publication Dates

Meeting Date:

Approved/Denied/Notes:

ACCELA PERMIT #

Date Issued

Moraine GIS Viewer



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4200 Dryden Road, Moraine, Ohio 45439-1495 Community Development (937) 535-1030 Fax (937) 535-1284
www.ci.moraine.oh.us

06/15/2026

Dear Property Owner,

As a property owner located next to or across from a property whose owner is requesting a variance to Moraine Building & Zoning Code, the City is notifying you of a public hearing where the case will be heard. You are invited to attend or send someone as your representative. You may also call 937-535-1038 to ask any questions or make any comments. Below are the description of the case and the time and location of the public hearing.

BZA 2026-05 LEGAL NOTICE

The Moraine Board of Zoning will be holding a meeting to hear an appeal request (Case No. 2026-05) submitted by Rocky Bangert for the premises located at 3306 Outdoor Road. City Lot Nos. 2274, 2275, and 2276. The meeting will take place on July 7, 2026, at 6:00 pm in Council Chambers at the Moraine Municipal Building, 4200 Dryden Road, Moraine, Ohio 45439.

The appellant requests an appeal to Moraine Codified Ordinances (MCO) sections:

MCO 1184.04 (j) (1) B 1

Front Yards

The height of any ornamental fence or wall may not exceed three (3) feet above the ground at any point.

MCO 1184.04 (j) (1) B 4

Front Yards

The total length of ornamental fence or wall may not exceed 50% of frontage.

Appellant requests to add wood privacy fencing around the front and sides of the property. The proposed fence would be six (6) feet tall and span the entire frontage. The fence would be located at 3306 Outdoor Road, in an R-2 district adjacent to the rear of the street department complex located at 4720 Vance Road.

All interested parties are invited to attend.

Brent Carpenter
Building and Zoning Administrator
937-535-1038



City of Moraine

4200 Dryden Road
Moraine, OH 45439-1495



City of Moraine

4200 Dryden Road
Moraine, OH 45439-1495

Thomas R. Wgts
3313 Outdoor Road
Moraine, Ohio 45439

Wallace Paul Whitaker
3300 Outdoor Road.
Moraine, Ohio 45439



City of Moraine

4200 Dryden Road

Moraine, OH 45439-1495



City of Moraine

4200 Dryden Road

Moraine, OH 45439-1495

Occupant
3311 Outdoor Road
Moraine, Ohio 45439

Joseph E. Downs
9275 St. Rte 138
Clarksburg, Ohio 43115

TECHNICAL REVIEW COMMITTEE

Michael Davis, City Manager
Libby Schroeder, Community Development Director
Brent Carpenter, Building and Zoning Administrator
Lauren Alvarado, City Engineer
Doug Hatcher, Fire Inspector
Beth Waters, Permit Secretary

Staff Comments

BZA CASE 2026-05

Location: 3306 Outdoor Road. City Lot Nos. 2274, 2275, and 2276.

The appellant requests an appeal to Moraine Codified Ordinances (MCO) sections:

MCO 1184.04 (j) (1) B-1

Front Yards

The height of any ornamental fence or wall may not exceed three (3) feet above the ground at any point.

MCO 1181.04 (j) (1) B 4

Front Yards

The total length may not exceed fifty percent (50%) of the lot frontage.

Appellant requests to add wood privacy fencing around the front and sides of the property. The proposed fence would be 6 feet tall. The fence will be located at 3306 Outdoor Road in an R-2 district adjacent to the rear of the street department complex located at 4720 Vance Road.

The Technical Review Committee met on June 24, 2026, and has no objection to this case.

Thank you,

Brent Carpenter
Building and Zoning Administrator

Decision - Case No. BZA 2026-05

Department: Community Development

Request: Action Item

Item Background and Purpose:

Attachments: