



TO: Kenton County Joint Board of Adjustment Members and interested parties

FROM: Andy Videkovich, AICP
Director of Planning

SUBJECT: BOA-26-0011

DATE: June 10, 2026

Staff has published notice of a special public hearing of the **Kenton County Joint Board of Adjustment** at **5:30 PM ET (4:30 PM CT) on Wednesday, June 17, 2026**, at the **Kenton County Court House, Commission Chambers, 5272 Madison Pike, Independence, KY**. We submit this case review and recommendation for your consideration prior to the hearing.

The applicant will explain his/her reasons for this request during the hearing and address how he/she believes it meets legal requirements established in law. Staff will lay out the case, provide our findings and a recommendation, and address your comments and/or questions.

If you need additional information or clarification prior to then, don't hesitate to contact me.

cc: Brian Nicholas Wright – Applicant

Joshua R. Wice, Ed.D., Executive Director

1840 Simon Kenton Way, Suite 3400 • Covington, Kentucky 41011-3693 • (859) 331-8980 • pdskc.org

BOARD OF ADJUSTMENT: VARIANCEFile No: **BOA-26-0011**

Jurisdiction: Unincorporated Kenton County

Applicant: Brian Wright

Staff Review: Andy Videkovich, AICP, Director
of Planning**GENERAL CASE INFORMATION**

1. **Request:** A variance request to reduce the required rear yard setback within the A-1 (Agricultural) Zone; the applicant is proposing to construct a new single-family residential home with a rear yard setback of 10 feet from the property line in common with 12759 Martin Road where 25 feet is the minimum rear setback required.
2. **Location:** 12789 Martin Road, Kenton County

**SITE LOCATION AND BACKGROUND**

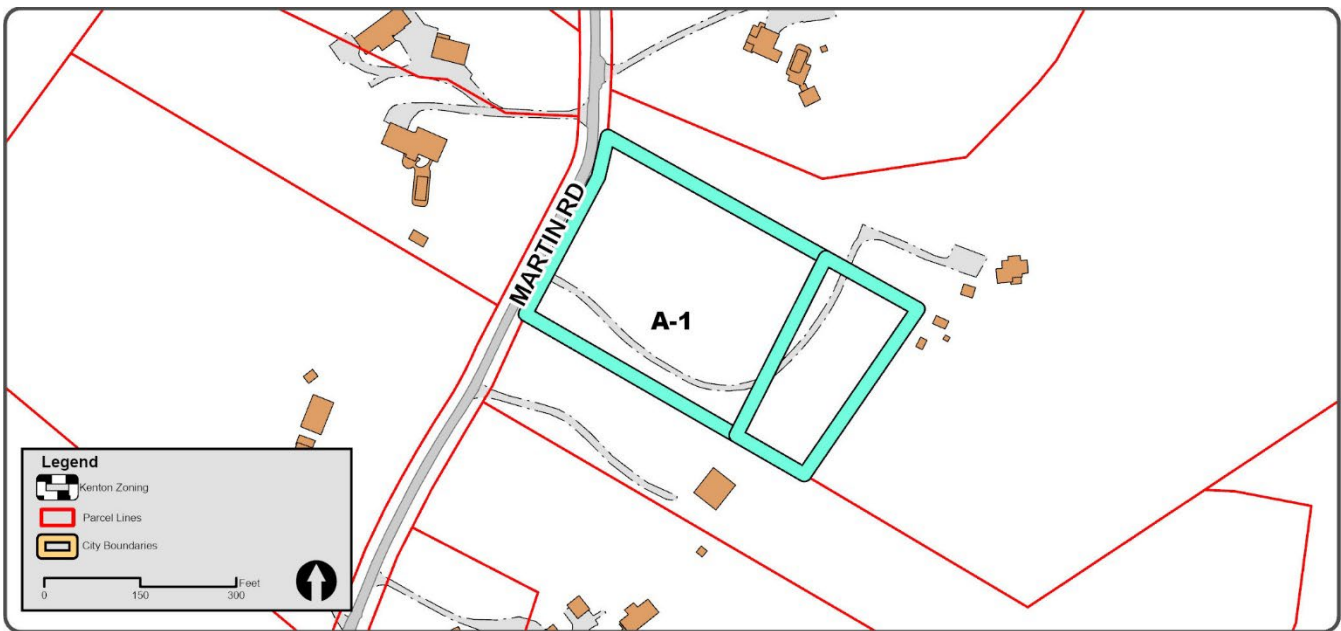
1. An area of approximately 3.7 acres and is located on Martin Road approximately 1500 feet south of the intersection of Martin Road, Staffordsburg Road and Kenton Station Road. It is currently vacant, and the site is located in unincorporated Kenton County.
2. The site is currently vacant land and does not have an existing access point onto the property. The surrounding area is rural in character. The parcel is currently landlocked, but has an access easement out to Martin Road.

ANALYSIS – Current Zoning

	ZONING	MIN LOT SIZE	MAX DENSITY
SITE: CURRENT	A-1	1 acre	1 du/na
NORTH OF THE SITE	A-1	1 acre	1 du/na
SOUTH OF THE SITE	A-1	1 acre	1 du/na
EAST OF THE SITE	A-1	1 acre	1 du/na
WEST OF THE SITE	A-1	1 acre	1 du/na

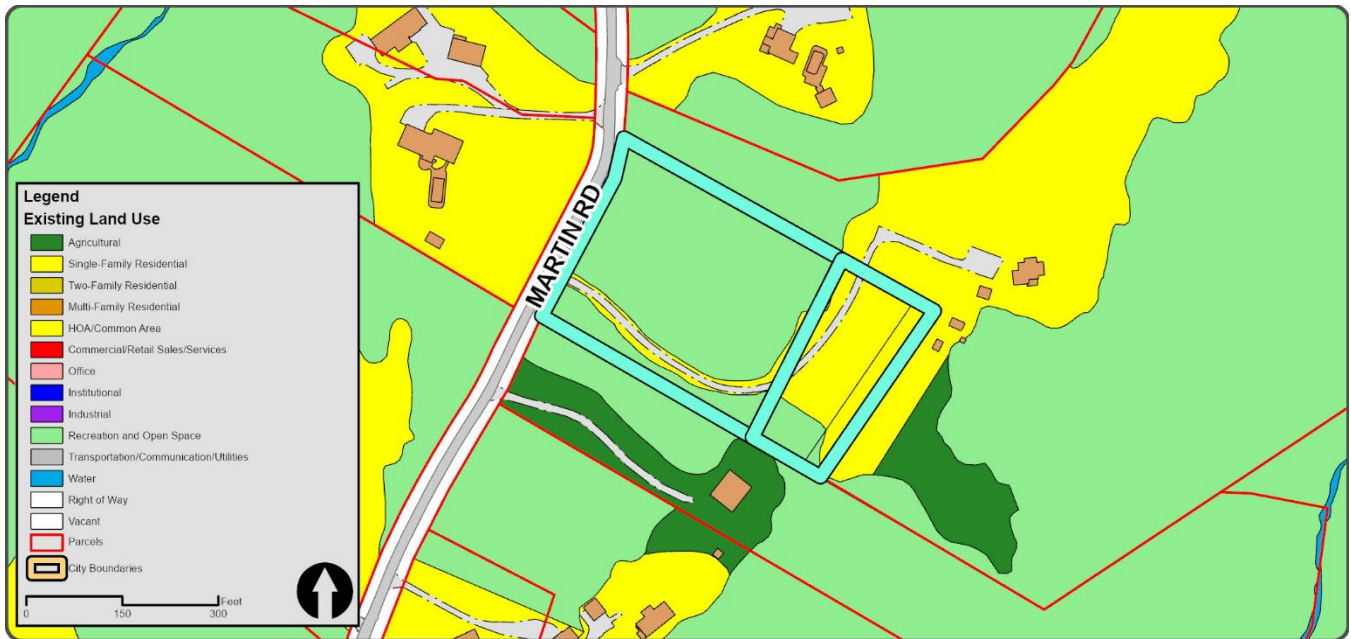
The site in question is currently zoned A-1. The A-1 Zone currently permits single-family homes, subject to the following area and height requirements:

- a. Minimum lot area – 1 acre;
- b. Minimum lot width at building setback line – 100 feet;
- c. Minimum front yard depth – 40 feet;
- d. Minimum side yard width – Total: 38 feet; One side: 12 feet;
- e. Minimum rear yard depth – 25 feet
- f. Maximum building height – 35 feet



ANALYSIS – Current Land Use

	DESCRIPTION
SITE: CURRENT	Open space
NORTH OF THE SITE	Single-family residential
SOUTH OF THE SITE	Agricultural and open space
EAST OF THE SITE	Agricultural and single-family residential
WEST OF THE SITE	Open space



SUBMISSION MATERIALS

- The applicant has submitted the following information and materials (attached):
- a. a letter detailing the nature and reasons for the submitted requests; and
 - b. a site plan and drawings detailing the proposed construction.

PETITION REVIEW

1. The submitted site plan shows the following (see attached):
 - a. Construction of a single-family home with the following setbacks:
 - i. Rear – 10 feet
 - b. Home to include:
 - i. three-bedrooms
 - ii. two-car garage
 - iii. front covered porch
 - iv. rear covered patio and uncovered patio

2. Section 18.6.A.2 of the Kenton County Zoning Ordinance states:
 - a. Before any variance is granted, the board of adjustment must find that the granting of the variance will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of the zoning regulations. In making these findings, the board shall consider whether:
 - i. The requested variance arises from special circumstances which do not generally apply to land in the general vicinity, or in the same zone;

The requested variance arises from special circumstances that do not generally apply to other properties in the same zone. The property is shorter than the other properties in the vicinity and construction of the home further from the rear property line would be topographically challenging.
 - ii. That strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant; and

The strict application of the provisions of the regulation would not create an unnecessary hardship of the applicant. The house could be redesigned or relocated to make it work within the space on the lot.

- iii. The circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.

Staff finds that this application is not the result of actions taken by the applicant. The applicant identified the need for the variance during the normal permitting process.

- 3. The board shall deny any request for a variance arising from circumstances that are the result of willful violations of this ordinance by the applicant subsequent to the adoption of this ordinance from which relief is sought.

RECOMMENDATION: Favorable recommendation for the requested variance to reduce the required rear yard setback within the A-1 Zone of the Kenton County Zoning Ordinance

SUPPORTING INFORMATION/BASES FOR STAFF RECOMMENDATION

- 1. The requested variance will not adversely affect the public health, safety, or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of the zoning regulation.

Additional Information

- 1. If approved building and zoning permits will be required

Brian and Valerie Wright

12789 Martin Rd

Independence, KY, 41051

To Whom It May Concern:

We are proposing a setback variance at the back of our house that is planned to be built. Currently the setback is 25 feet and we are asking it to be 10 feet. Our builder, Dave Kinder, stated that it would be easier to build the house and driveway using those dimensions. Without the variance, he would have to demolish some of the trees on the property and ruin the overall aesthetic.

We appreciate this review in advance and welcome any feedback.

Sincerely,

Brian and Valerie Wright



ArcGIS Web Map

- | | |
|------------------|------------------------|
| Building | Recreation |
| Building | Ball Fields |
| Pool | Playground/General Rec |
| Tank | Tee/Green |
| Concrete Pad | |
| Roads | Topography |
| Paved Road | Index Contour |
| Unpaved Road | Intermediate Contour |
| Bridges | Creek / Stream |
| Paved Parking | River / Lake |
| Unpaved Parking | |
| Railroad | Boundaries |
| | Parcel |
| Utilities | Zoning |
| Sewer | |
| Sewer Structure | |
| Water Pipe | |
| Water Hydrant | |

1:1,649



0 37.5 75 150 ft



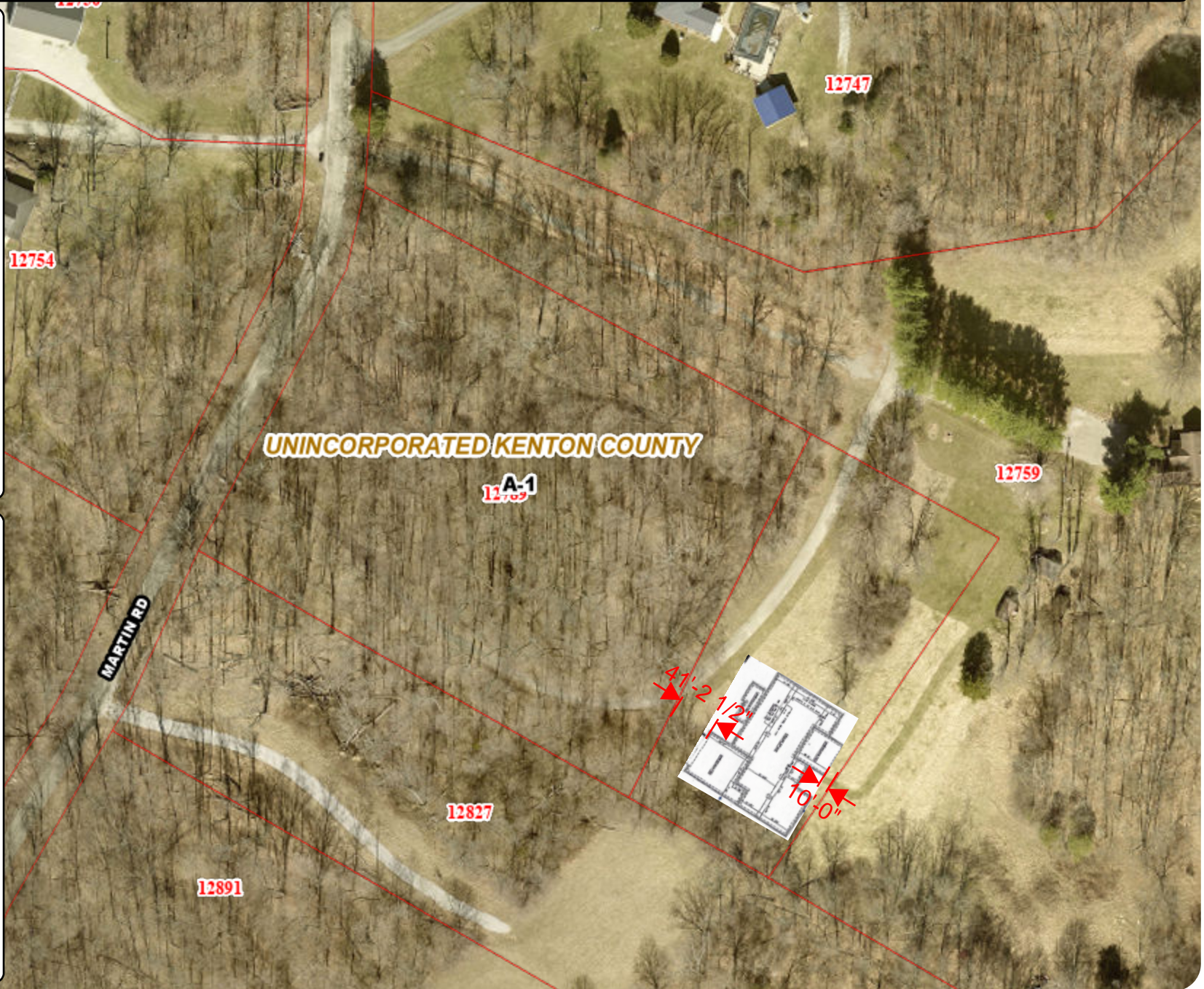
1840 Simon Kenton Way
Covington, KY 41011
859.331.8980
Office hours M-F 8-5
www.linkgis.org

Parcel data provided by CCPVA, KCPVA,
PCPVA and LINK-GIS.

Date: 5/20/2026

This map and map data are provided solely for informational purposes and should not be interpreted as legal, engineering, or survey-grade documents.

This map does not serve as a legal survey, floodplain determination, or zoning classification. It is not legal advice. No guarantees of accuracy are made.





LINK-GIS Web Map

- | | |
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| Water Pipe | |
| Water Hydrant | |

1:1,200



UNINCORPORATED
KENTON COUNTY

12789

12747

12759

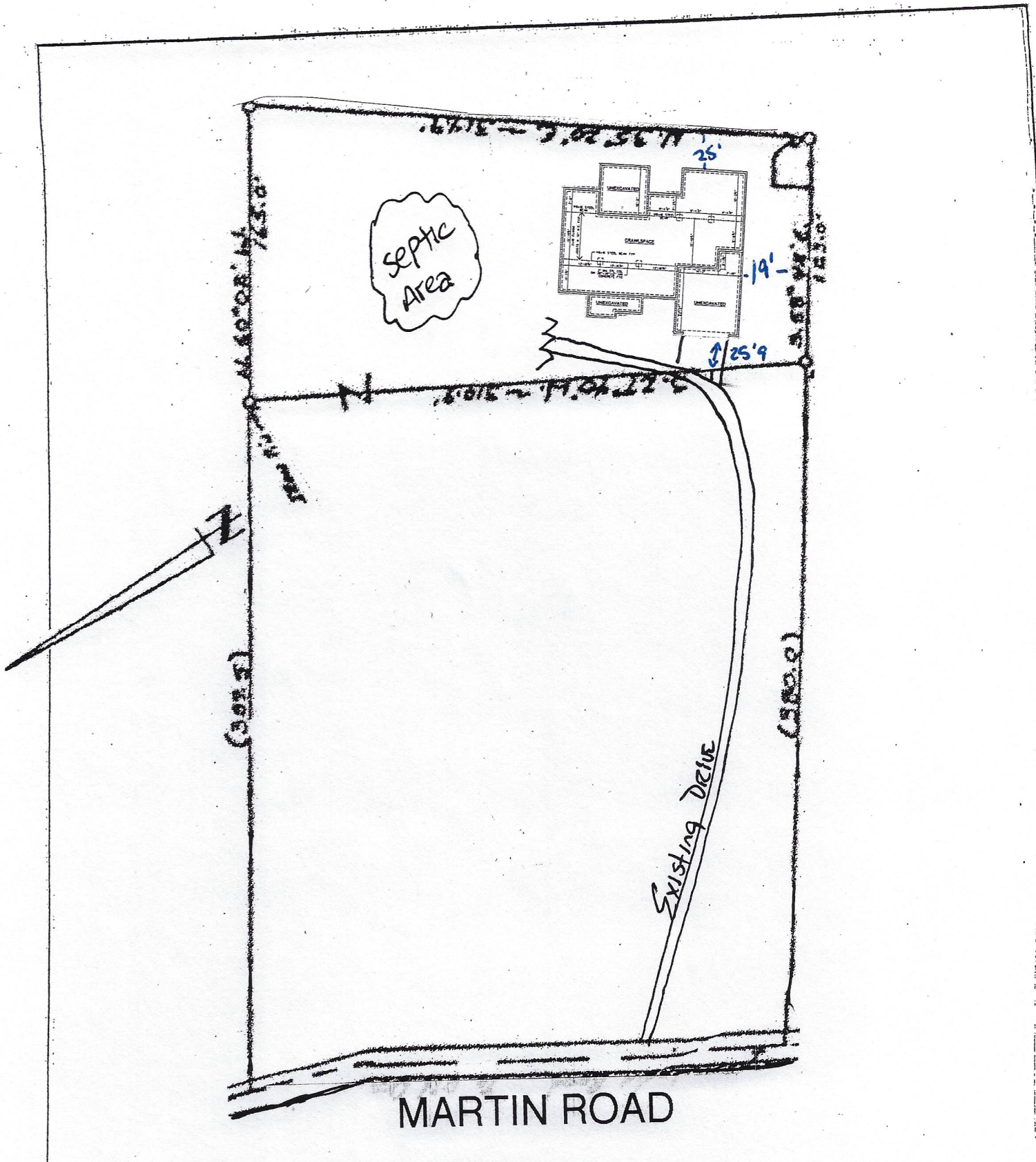


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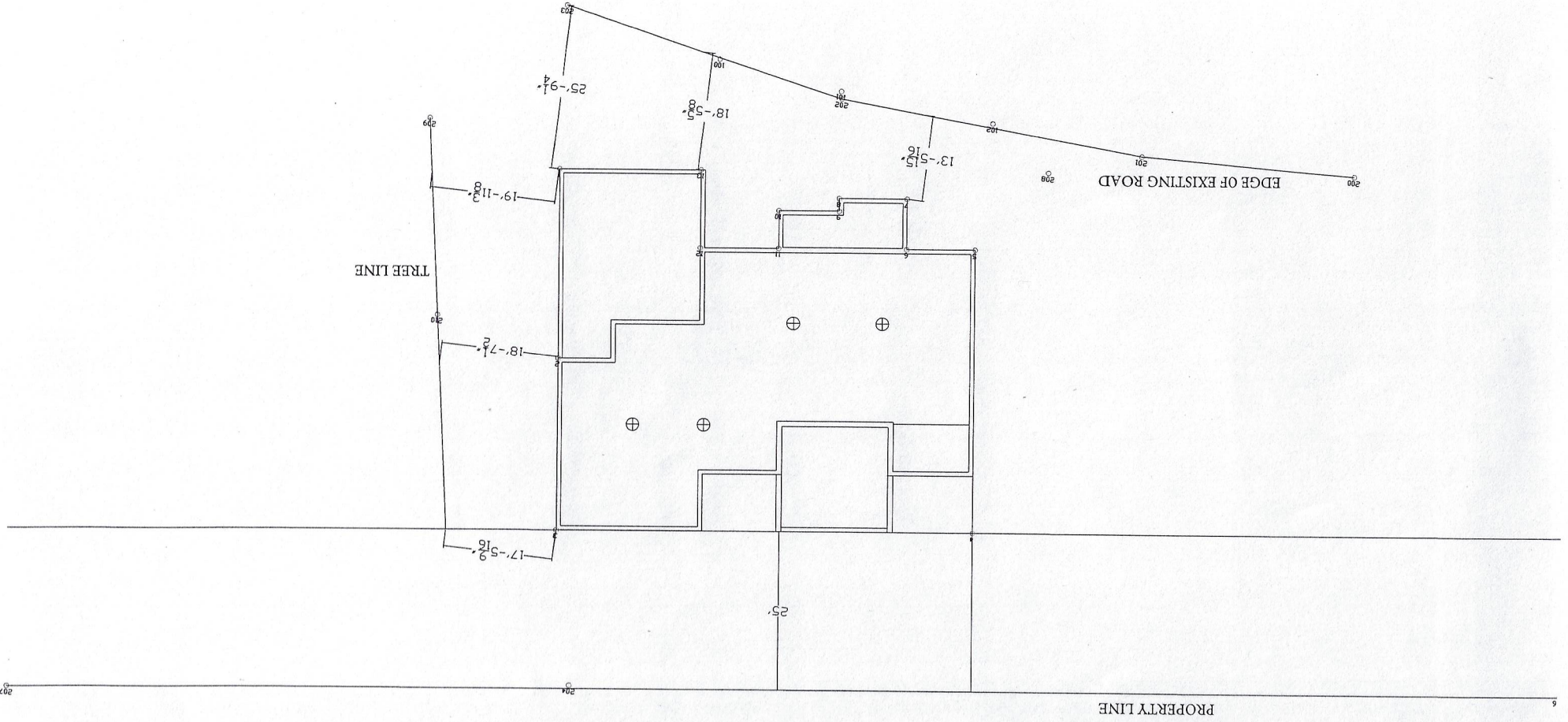
Parcel data provided by CCPVA, KCPVA,
PCVA and LINK-GIS.

Date: 10/31/2025

These GIS data are deemed reliable and every effort has been made to ensure their accuracy. They are, however, provided "as is" without warranty of correctness, timeliness, reliability, or completeness. Map elements do not represent a legal survey of land. Use of these data for any purpose should be with an acknowledgment of their limitations, including the fact that they are dynamic in nature and in a constant state of maintenance. Field investigation may be necessary.



BUILDER DAVE KINDER KINDER CONSTRUCTION LLC 211 THOROUGHbred LANE WALTON KY 41094 UNITED STATES	12789 Martin Rd <i>Indep.</i>	LOT NUMBER
DATE IMPROVEMENT PLAN APPROVAL 859-816-7542	SCALE 1" = 40' 	PREPARED BY: DAVE KINDER KINDER CONSTRUCTION LLC 211 THOROUGHbred LANE WALTON KY 41094 UNITED STATES



APPROVED

KENTON CO. & MUNICIPAL PLANNING
AND ZONING COMMISSION

BY Harry L. Mann

DATED: Sept 1, 1977



The 1.03 Acre tract is to be an addition to the 2.65 Acre tract presently owned by Paul & Wanda Sharp.

BOOK 214 PAGE 231

I certify that this is the second out conveyance from the parent under the present ownership.

RONNIE L. MANN
Reg. L. S. #1919

STATE OF KENTUCKY
Ronnie L. Mann
1919
REGISTERED
LAND SURVEYOR

Ronnie L. Mann

SURVEY FOR CONVEYANCE LAURA Hawkiss To Paul & Wanda Sharp		
SCALE: 1"=100'	APPROVED BY: A Part of D.B. 73, P. 566 Independence	DRAWN BY RLM
DATE: 8-10-77		REVISED
0.4 mile South of Old Decoursey on the East Side OF Martin Road to REAR of a 2.66 ac. Tract, Kenton Co.		
Surveyed by: <i>Hicks & Mann, Inc.</i> #1710 #1919		DRAWING NUMBER 77-91