

DATE: August 12, 2026
TO: Kenton County Joint Board of Adjustment Members
FROM: Andy Videkovich, AICP
SUBJECT: Kenton County Joint Board of Adjustment Public Hearing for **August 19, 2026**

Staff has published notice of a public hearing of the **Kenton County Joint Board of Adjustment** at 5:30 PM ET (4:30 PM CT) **on Wednesday, August 19, 2026**, at the Kenton County Court House, Fiscal Court Chambers, 5272 Madison Pike, Independence, KY 41051. 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: Gary Hammons, Cypress General Contracting – Applicant
Bradley Torrne, Trustee - Owner

**BOARD OF ADJUSTMENT:
VARIANCE**

File No: **BOA-26-0018**

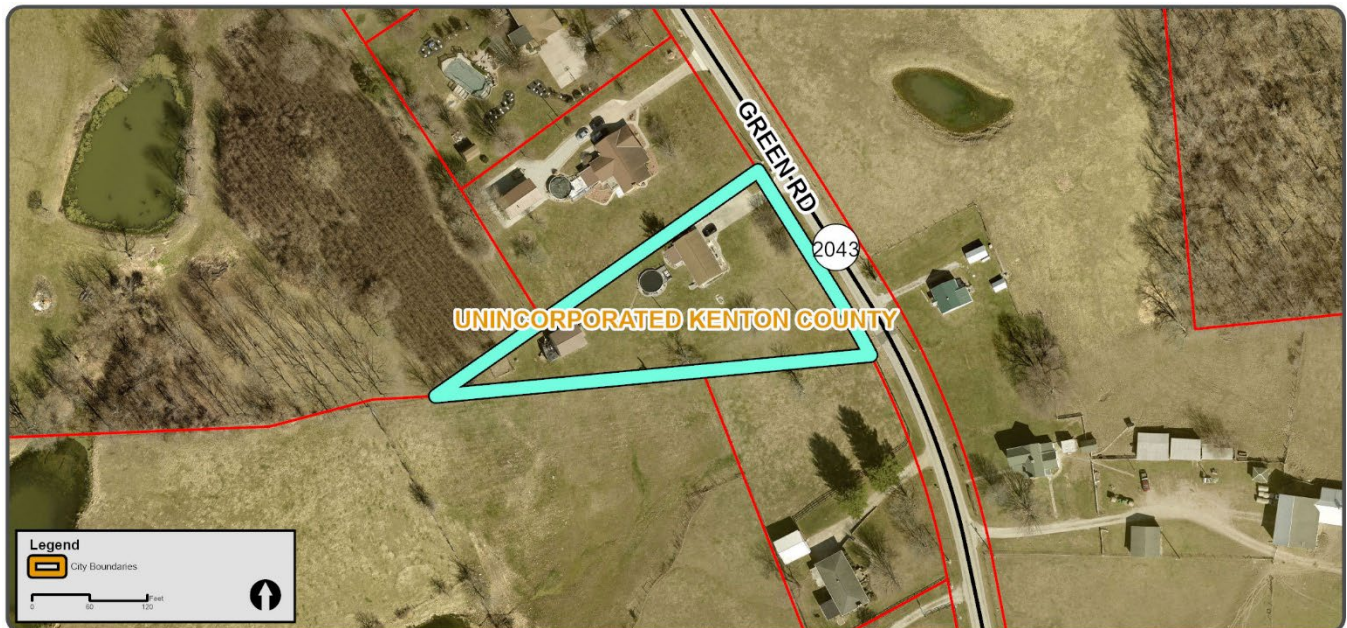
Jurisdiction: Unincorporated Kenton County

Applicant: Gary Hammons

Staff Review: Andy Videkovich, AICP

GENERAL CASE INFORMATION

1. **Request:** A variance request to reduce the required front yard setback within the A-1 (Agricultural) Zone of the Kenton County Zoning Ordinance.
2. **Location:** 12064 Green Road, Kenton County



SITE LOCATION AND BACKGROUND

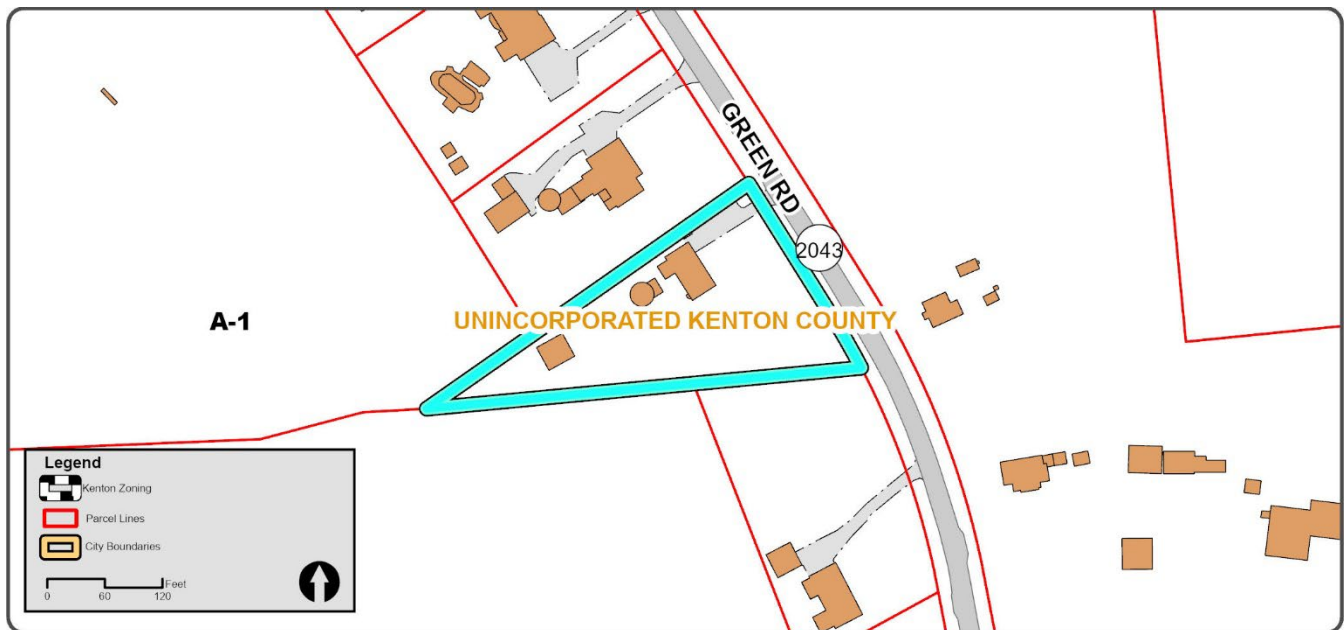
1. The site is an approximately one acre area located on the west side of Green Road approximately 1,000 feet south of the intersection of Green Road and Walton-Nicholson Pike. The site is currently in use as a single-family residential home and is located in unincorporated Kenton County.

ANALYSIS – Current Zoning

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

1. 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 – One (1) acre;
 - b. Minimum lot width at building setback line – One hundred (100) feet;
 - c. Minimum front yard depth – Forty (40) feet;
 - d. Minimum side yard width – Total: Thirty-eight (38) feet; One side: Twelve (12) feet;
 - e. Minimum rear yard depth – Twenty-five (25) feet; and
 - f. Maximum building height – Thirty-five 35 feet.
2. Section 9.13 of the Kenton County Zoning Ordinance states that where the average depth of existing front yards within 300 feet of the lot in question and within the same block front, is greater than the minimum front yard depth required by this ordinance, the required minimum front yard depth on such lot shall be modified to be the average depth of said existing front yards.

The average front yard depth within 300 feet of the lot in question and within the same block front is 85 feet. Therefore, the required front yard setback is 85 feet.



ANALYSIS – Current Land Use

	DESCRIPTION
SITE: CURRENT	Single-family
NORTH OF THE SITE	Single-family
SOUTH OF THE SITE	Agricultural
EAST OF THE SITE	Single-family & Agricultural
WEST OF THE SITE	Agricultural



SUBMISSION MATERIALS

The applicant has submitted the following information and materials (attached):

- a. A letter detailing the nature and reasons for the submitted requests
- b. Letters from adjacent property owners; and
- c. A site plan and drawings detailing the proposed construction.

PETITION REVIEW

1. The submitted site plan and application materials show the following (see attached):
 - a. Letter detailing the nature and reason for submitted request
 - b. Site plan
 - i. Construction of a 760 sq ft addition to a single-family residential home
 - a) The proposed addition will be 59 feet from the front property line, where 85 feet is required.
 - ii. Addition to include:
 - a) Attached two-car garage;
 - b) Mud room;
 - c) Home office;
 - d) Covered front porch; and
 - e) The existing driveway will be maintained
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 irregular in shape and construction of the addition further from the front property line would either encroach upon the side setback on the northwest property line or be topographically challenging towards the southeast.

- 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 create an unnecessary hardship of the applicant. While the addition could be redesigned or relocated to make it work within the space on the lot, the location of the existing driveway makes this the most logical place to add a new garage.

- 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.

RECOMMENDATION: Favorable recommendation for the requested variance to reduce the required front 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

Donald & Carla Pearce
12064 Green Rd. Walton, KY 40194

July 30, 2026

We are in the process of a Garage addition that will extend from the front of our house, located at 12604 Green Rd. We have been advised there is an ordinance that affects 4 houses on our road and we are one of the four houses. This ordinance states that we cannot build within 85 feet of Road. The garage addition will encroach by a few feet. We are asking if you, as one of the other four houses and our neighbor, would be acceptable to us doing this addition if a variance is approved.

Thank you.

12058 Green Rd Darren Hurt *DH 7-30-26*
witness: ^{Denise} Gadd-Schmale *DG Schmale*

12052 Green Rd *DANIEL W. PACK*
Dan Pack
witness *D. Gadd Schmale*

12036 Green Rd Robert Knochenman
Robert Knochenman
witness *Becky Knochenman*



Date: July 31, 2026

Gary Hammons
Cypress Building Group
P.O.Box 76273
Highland Heights, Ky. 41076

Permit number on record: 20263048

RE: Seeking a variance to reduce the required front yard set back for a new attached garage addition to the single family residence located at 12064 Green Road in an Unincorporated part of the county.

Dear Board Members,

Please accept this letter as a formal request for a variance to reduce the required front yard set back from 85' to 59'. There is currently an ordinance in place that states any house within 300' on the same side of the road be set back 85'. Due to side setback restrictions (northwest side and topography issues on the opposite side of the proposed addition (southeast side), along with the existing driveway being located on the proposed addition side, the only logical spot is to place per the proposed plot plan. If we were to move the addition toward the rear of the property we would impede on the 12' side set back on the northwest side.

The following items have been taken into account:

1. 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 or the requirements of the zoning regulations.

P.O. Box 76273 ▪ Highland Heights, KY 41076
859-393-8414

In addition to these items, the homeowners, Donald and Carla Pearce have approached the adjoining neighbors that are within 300' of the northwest side of the property to obtain their permission. The letter signed by these neighbors was submitted to Andy Videkovich on July 31, 2026. The following addresses have given their full acceptance and permission:

1. 12058 Green Road (Hurt)
2. 12052 Green Road (Pack)
3. 12036 Green Road (Knochelman)

In addition to this request, I want to make clear that there are existing properties on Green Road that have front setbacks much less than the 59' that is being requested. Also, the 59' request is further back than the proposed front setback on houses without the 85' ordinance in place.

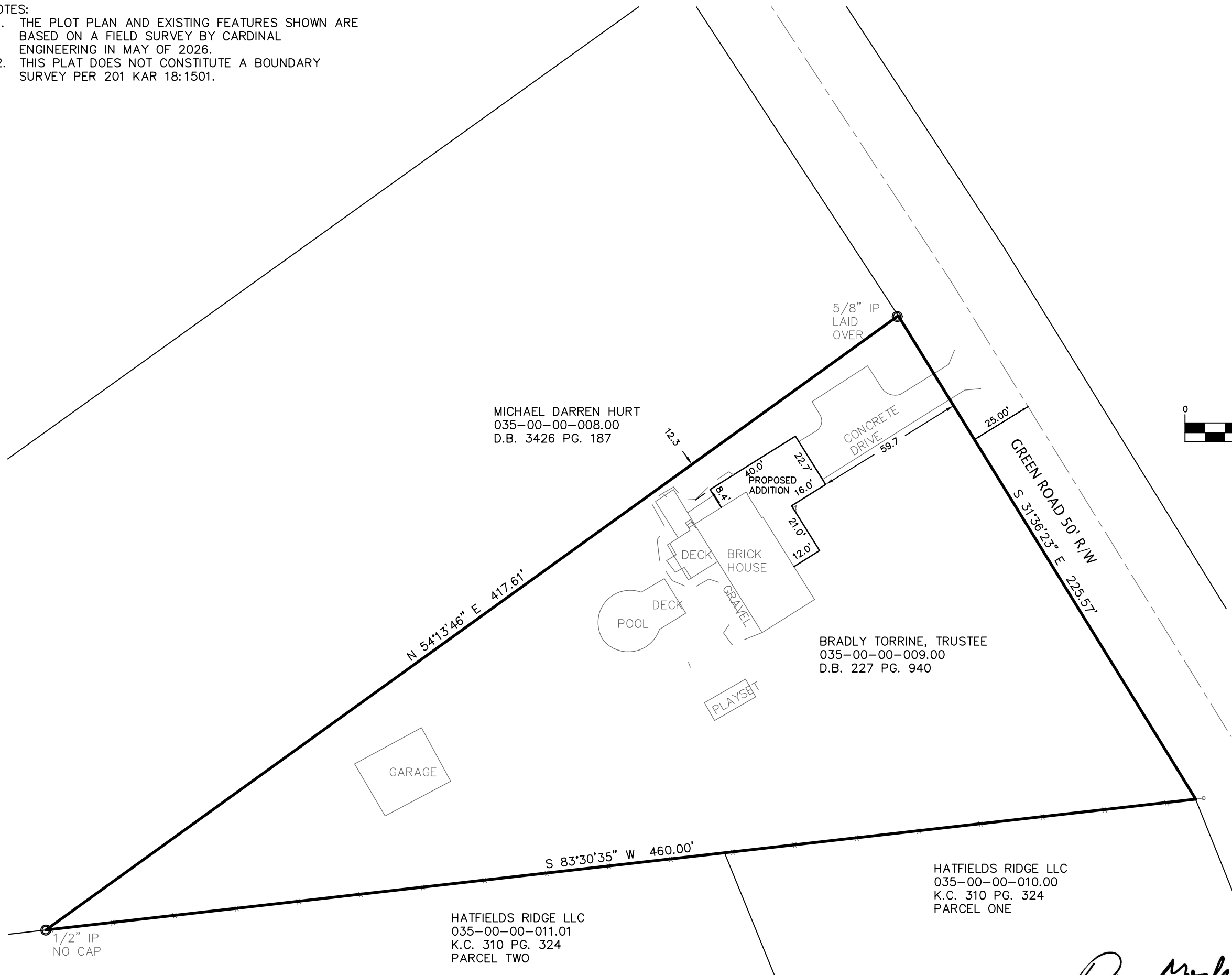
Thank you for your time and consideration of this application. I am available to answer any questions or provide additional details leading up to the public hearing.

Sincerely,

Gary Hammons

Cypress Building Group (owner)

- NOTES:
- 1. THE PLOT PLAN AND EXISTING FEATURES SHOWN ARE BASED ON A FIELD SURVEY BY CARDINAL ENGINEERING IN MAY OF 2026.
 - 2. THIS PLAT DOES NOT CONSTITUTE A BOUNDARY SURVEY PER 201 KAR 18:1501.



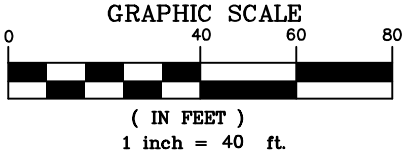
MICHAEL DARREN HURT
035-00-00-008.00
D.B. 3426 PG. 187

BRADLY TORRINE, TRUSTEE
035-00-00-009.00
D.B. 227 PG. 940

HATFIELDS RIDGE LLC
035-00-00-011.01
K.C. 310 PG. 324
PARCEL TWO

HATFIELDS RIDGE LLC
035-00-00-010.00
K.C. 310 PG. 324
PARCEL ONE

LEGEND	
[Symbol]	OVERHEAD ELECTRIC
[Symbol]	UNDERGROUND ELECTRIC
[Symbol]	ELECTRIC BOX
[Symbol]	ELECTRIC MANHOLE
[Symbol]	ANCHOR POLE
[Symbol]	LIGHT POLE
[Symbol]	UTILITY POLE
[Symbol]	GROUND LIGHT
[Symbol]	OVERHEAD TELEPHONE
[Symbol]	UNDERGROUND TELEPHONE
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[Symbol]	TELEPHONE MANHOLE
[Symbol]	BOLLARDS
[Symbol]	SIGN
[Symbol]	MAIL BOX
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[Symbol]	WATER VALVE BOX
[Symbol]	WATER VALVE MANHOLE
[Symbol]	POST INDICATOR VALVE
[Symbol]	GAS LINE
[Symbol]	GAS METER
[Symbol]	GAS VALVE
[Symbol]	GAS VALVE BOX
[Symbol]	UTILITY MANHOLE
[Symbol]	SEWER MANHOLE
[Symbol]	STORM MANHOLE
[Symbol]	DITCH OR CREEK
[Symbol]	GUARDRAIL
[Symbol]	FENCE LINE
[Symbol]	R/W FENCE LINE



BASIS OF BEARING: STATE PLANE
KENTUCKY NORTH 1601 (NAD83)

Dan York
5/14/26



REVISIONS

DATE	#	ITEM

CARDINAL
ENGINEERING
LAND SURVEYING
ONE MOCK ROAD
WILDER, KENTUCKY 41071
PHONE: (859) 581-9600
FAX: (859) 581-9636
WEBSITE: <http://www.cardinalengineering.net>

PROJECT: PLOT PLAN
12064 GREEN ROAD

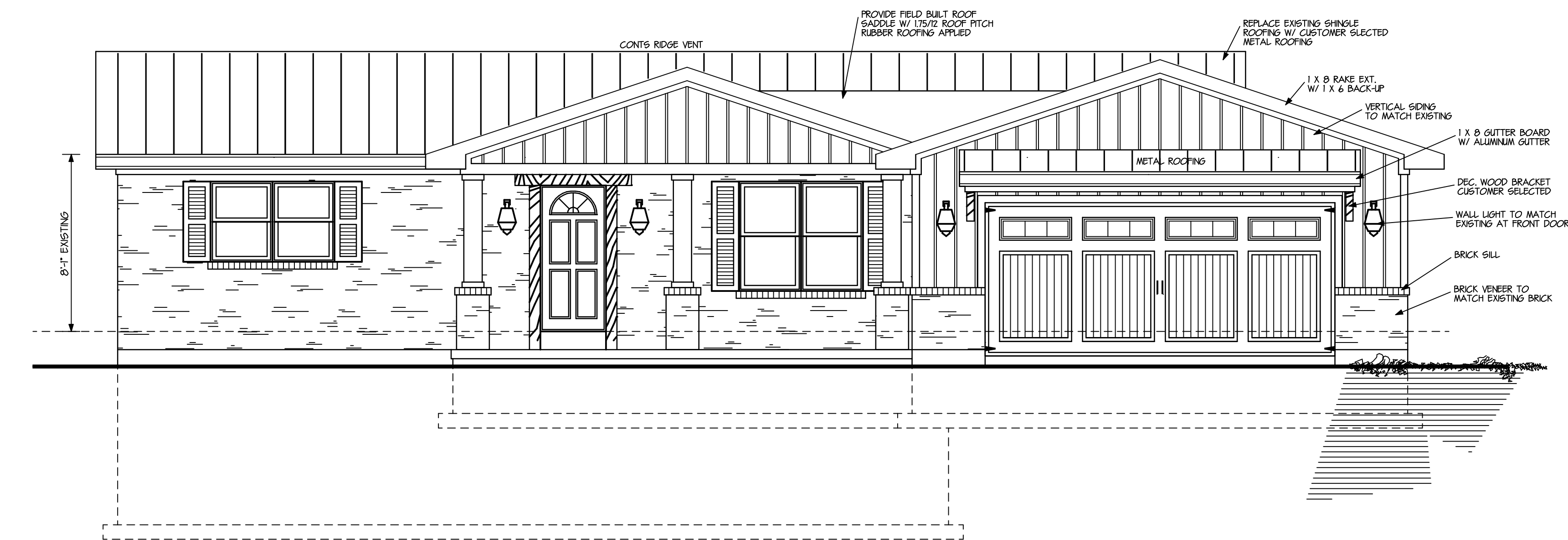
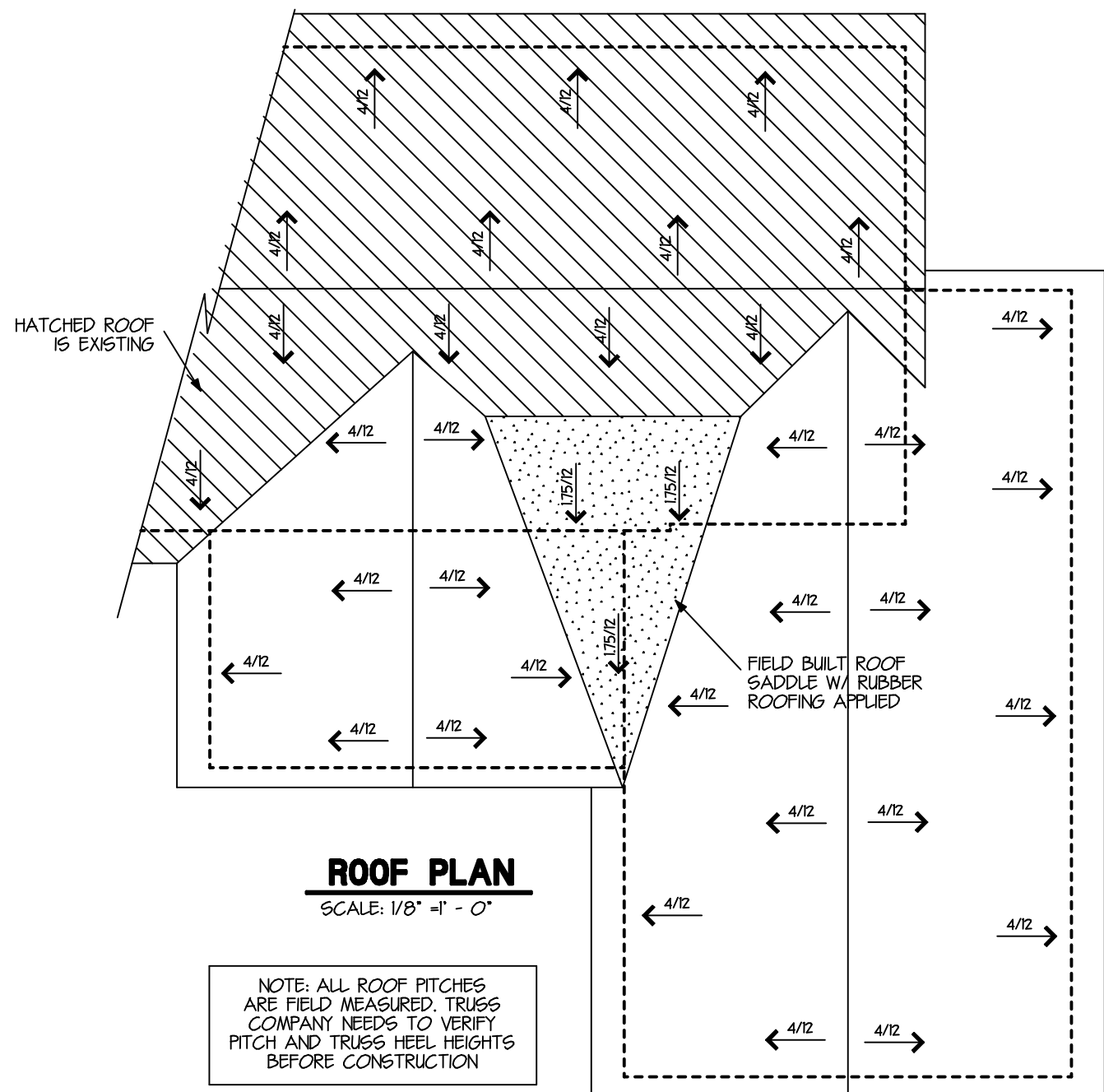
CLIENT: CYPRESS BUILDING GROUP
P.O. BOX 76273
HIGHLAND HEIGHTS, KENTUCKY, 41076

DRAWN BY:	SEAL
BMP	
CHECKED BY:	
DKY	
PROJECT MANAGER:	

PROJECT NO. 26-069
SCALE 1" = 40'
DATE 05-13-26
SHEET TITLE
SHEET 1 OF 1

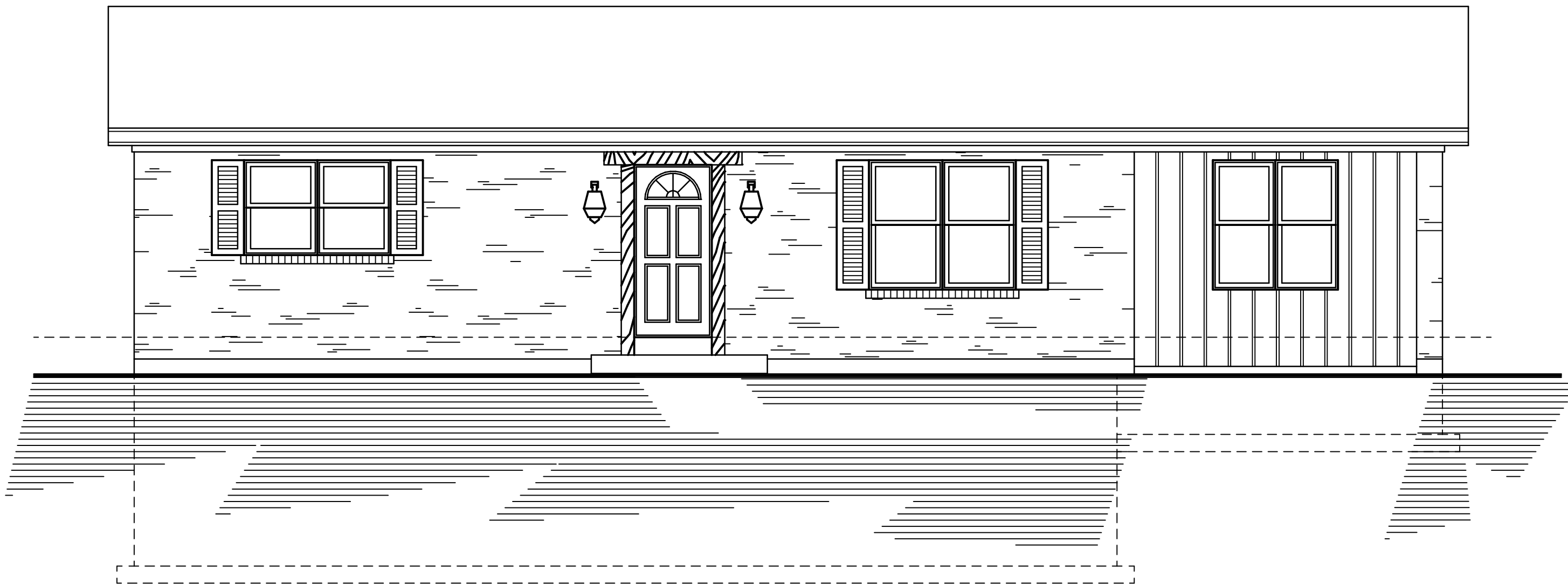
GENERAL NOTES:

- HOUSE DESIGN TO MEET ALL REQUIREMENTS OF RESIDENTIAL CODE OF OHIO - 2019 RCO
- ANY 3 OR MORE WOOD BEAMS MUST BE BOLTED W/ 1/2" DIA BOLTS @ 24" O/C STAGGERED
- ALL SMOKE DETECTORS 110 VOLTS WIRED, INTER CONNECT, BATTERY BACK UP
- ALL WALLS AND DRIVEWAYS 3 1/2" MINIMUM THICKNESS
- ALL EGRESS WINDOWS TO HAVE MIN OPENING HEIGHT OF 24" WIDTH OF 20" AND MAX 44" SILL HGT.
- 2" MIN DEPTH FROM NOSE OF WATER CLOSET, 30" MIN WIDTH
- ALL ATTIC ACCESS PANELS TO BE MINIMUM 22" X 30"
- VENT DRYER AND ALL BATHROOM EXHAUSTS TO THE OUTSIDE W/ MIN 50 CFM
- ALL EXIT DOORS TO HAVE 3' X 3' MIN LANDING, SHALL NOT BE MORE THAN 8 1/4" BELOW THE TOP OF THRESHOLD
- 20" MINIMUM HEARTH
- PROVIDE BRIDGING FOR ALL FLOOR JOIST
- INSTALL COMBUSTION AIR TO FIREPLACES
- PROVIDE FIRESTOPPING FOR ALL HOR. AND VER. OPENINGS BETWEEN FLOORS
- WALL BRACING METHOD CS-WSP CONTINUOUS SHEATHING METHODS TO BE USED WITH 7/16" O.S.B. O.S.B. WALL SHEATHING AT ALL EXTERIOR WALL SURFACES. USE CODE TABLE 602.3(3) FOR ATTACHMENT REQUIREMENTS
- ADD SOFFIT VENTS (4' X 16") @ 4' O/C
- ENGINEERED TRUSS DRAWINGS TO BE SUPPLIED TO BLDG. INSPECTOR PRIOR TO FRAMING INSPECTION
- W/ ALL LUMBER SPECIES AND GRADES SIGNED BY DESIGN PROFESSIONAL
- ALL WALL SHEATHING SEAMS TO BE BACKED BY BLOCKING EQUAL TO STUD SIZE
- CONCRETE PSI RATINGS
FOOTINGS & BASEMENT SLABS 3000 PSI
FOUNDATION WALLS 3000 PSI
EXTERIOR CONC. FLAT WORK & GARAGE FLOORS 4500 PSI
GARAGE FLOORS & EXTERIOR CONCRETE & FOUND. WALLS REQUIR 5% TO 7% ENTRAINMENT
- PROVIDE INSIDE/OUTSIDE STAIRWAY ILLUMINATION. OPEN/COVERED PORCHES, SCREENED PORCHES, DECKS, ECT.
- INSTALL ALL PRE-MANF. PRODUCTS ON THIS HOUSE PER MANF. SPEC.
- ALL GLASS GLAZING U_g = 0.35 MAX
- ALL DOORS HAVING GLASS PANELS SIDELIGHTS/TRANSOMS TO BE TEMP GLASS
- ALL EXPOSED FASTENERS TO BE HOT-DIPPED GALV. OR STAINLESS STEEL
- PROVIDE CARBON MONOXIDE ALARM IN EACH AND DIRECTLY OUTSIDE ALL SLEEPING AREAS
- ALL DIMENSION WERE FIELD MEASURED AND SHOULD BE DOUBLE CHECK IN THE FIELD BEFORE CONSTRUCTION
- ALL SMOKE AND CARBON MONOXIDE ALARMS TO UPGRADED TO CURRENT BUILDING CODES.



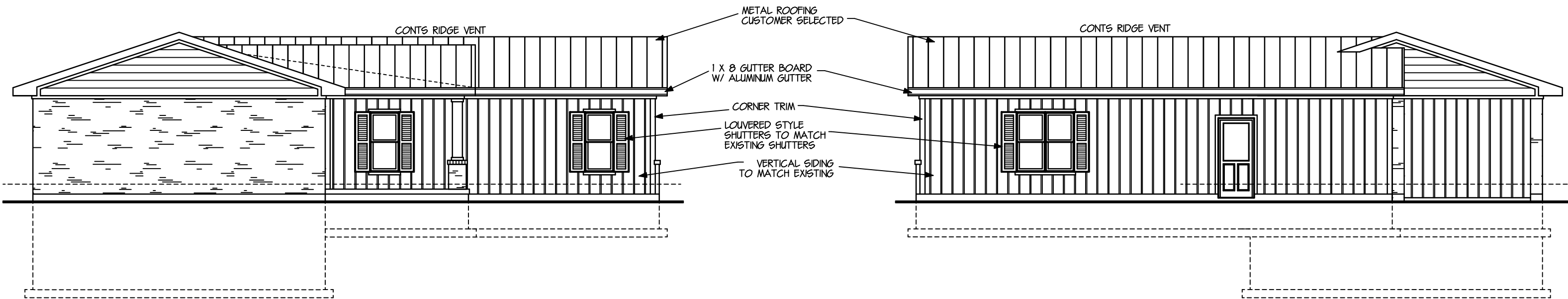
PROPOSED FRONT ELEVATION

SCALE: 1/4" = 1' - 0"



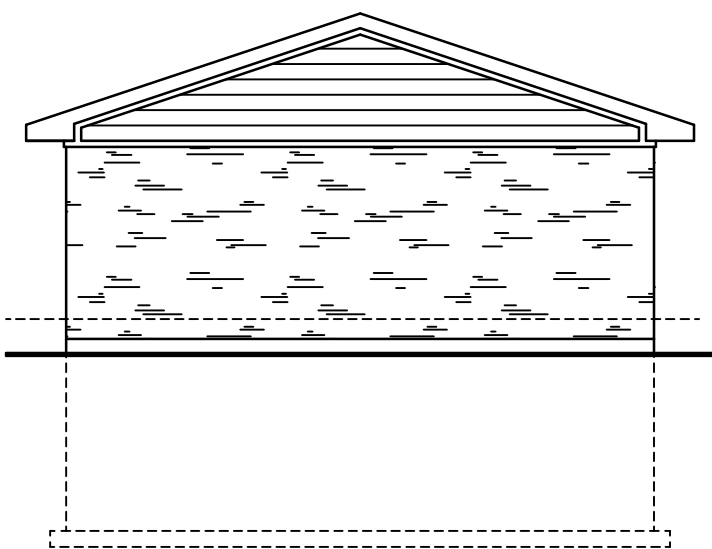
EXISTING FRONT ELEVATION

SCALE: 1/4" = 1' - 0"



PROPOSED LEFT SIDE ELEVATION

SCALE: 1/4" = 1' - 0"

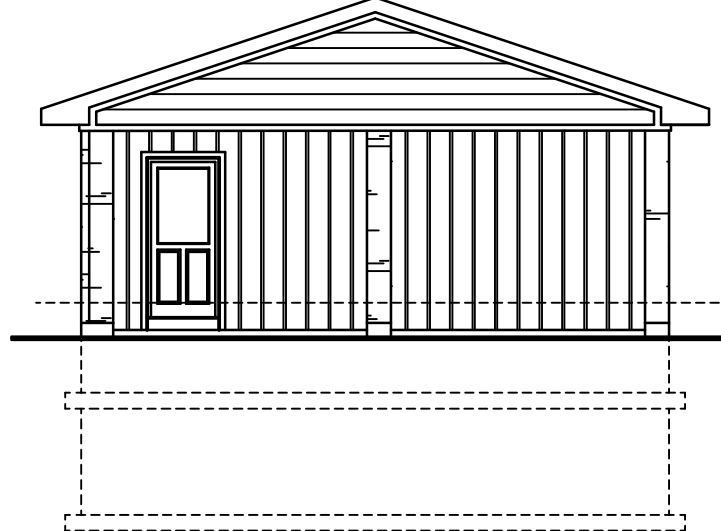


EXISTING LEFT SIDE ELEVATION

SCALE: 1/4" = 1' - 0"

PROPOSED RIGHT SIDE ELEVATION

SCALE: 1/4" = 1' - 0"



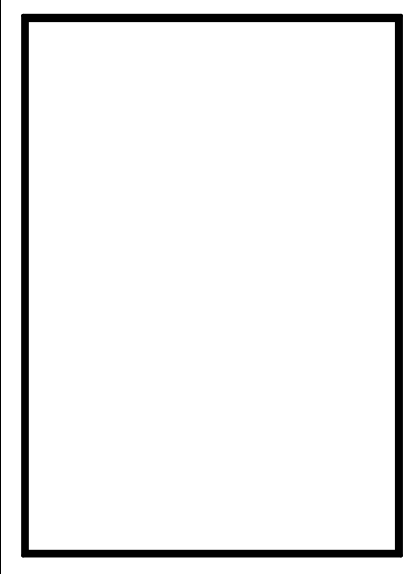
EXISTING RIGHT SIDE ELEVATION

SCALE: 1/4" = 1' - 0"

MATTHEW KIRSCH

15686 Highway 10 North
Dallas, KY 40306
(859) 472-7551

DATE	BY	DATE	BY
7-5-24	M. KIRSCH	7-5-24	M. KIRSCH
7-9-24		7-9-24	
10-29-25		10-29-25	
10-29-25		10-29-25	



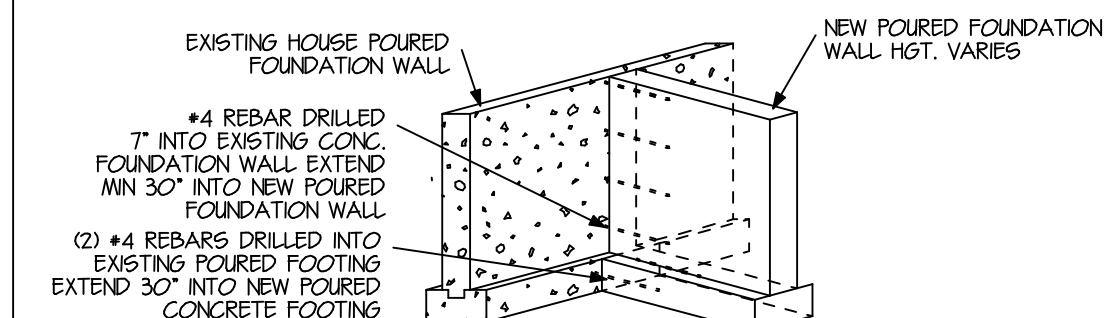
A Addition For:
Pearce Residence
12064 Green Road
Walton, Ky 41094

Home Type:
CUSTOM

Job No.

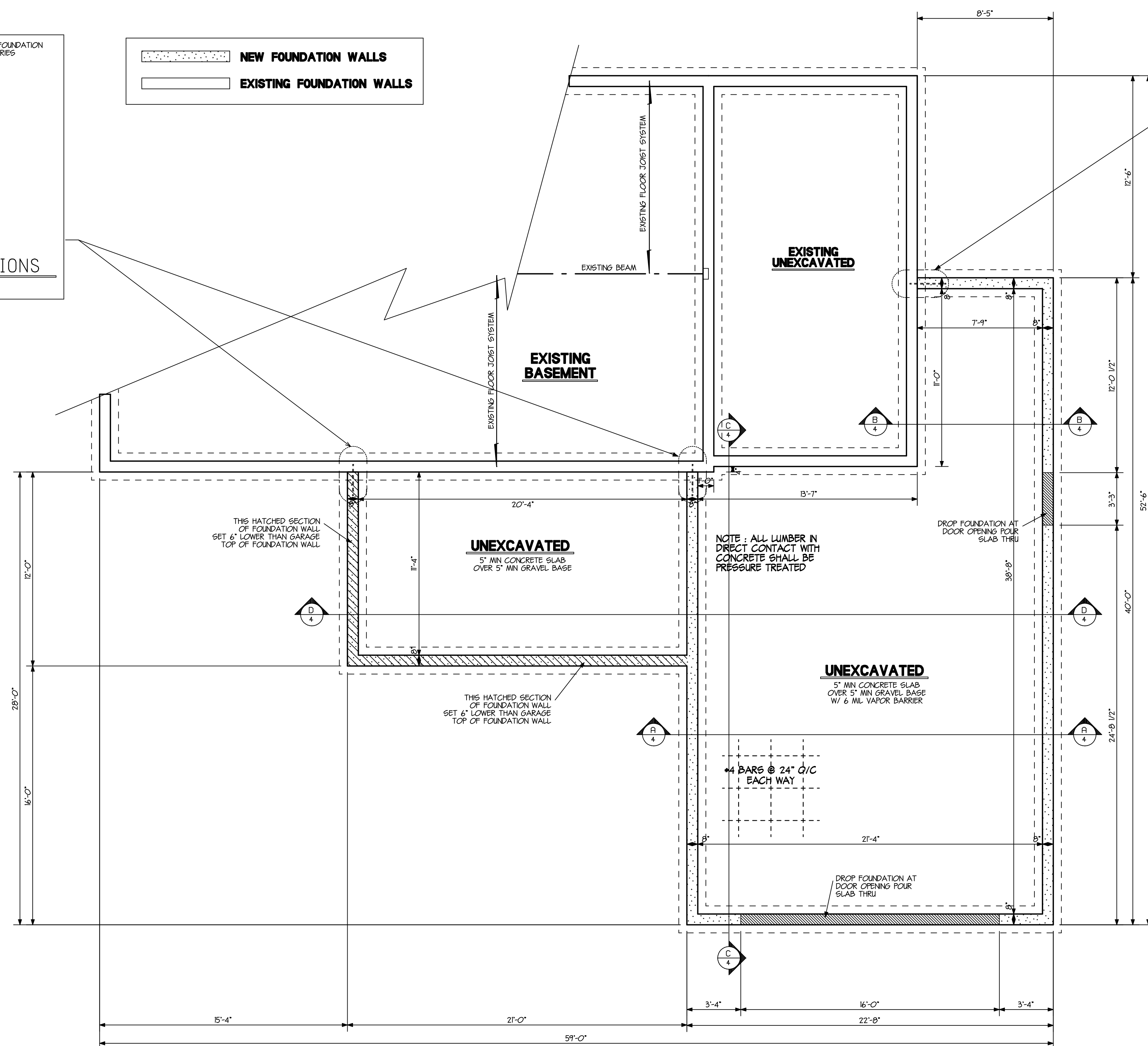
Sheet No.

1



NEW TO EXISTING
FOUNDATION WALL CONNECTIONS

SCALE: $1/4" = 1' - 0"$



PROPOSED FOUNDATION PLAN

SCALE: 1/4" = 1' - 0"

A Addition For:

Pearce Residence

12064 Green Road
Walton, Ky 41094

Home Type:
CUSTOM

Job No.

Sheet No.

2

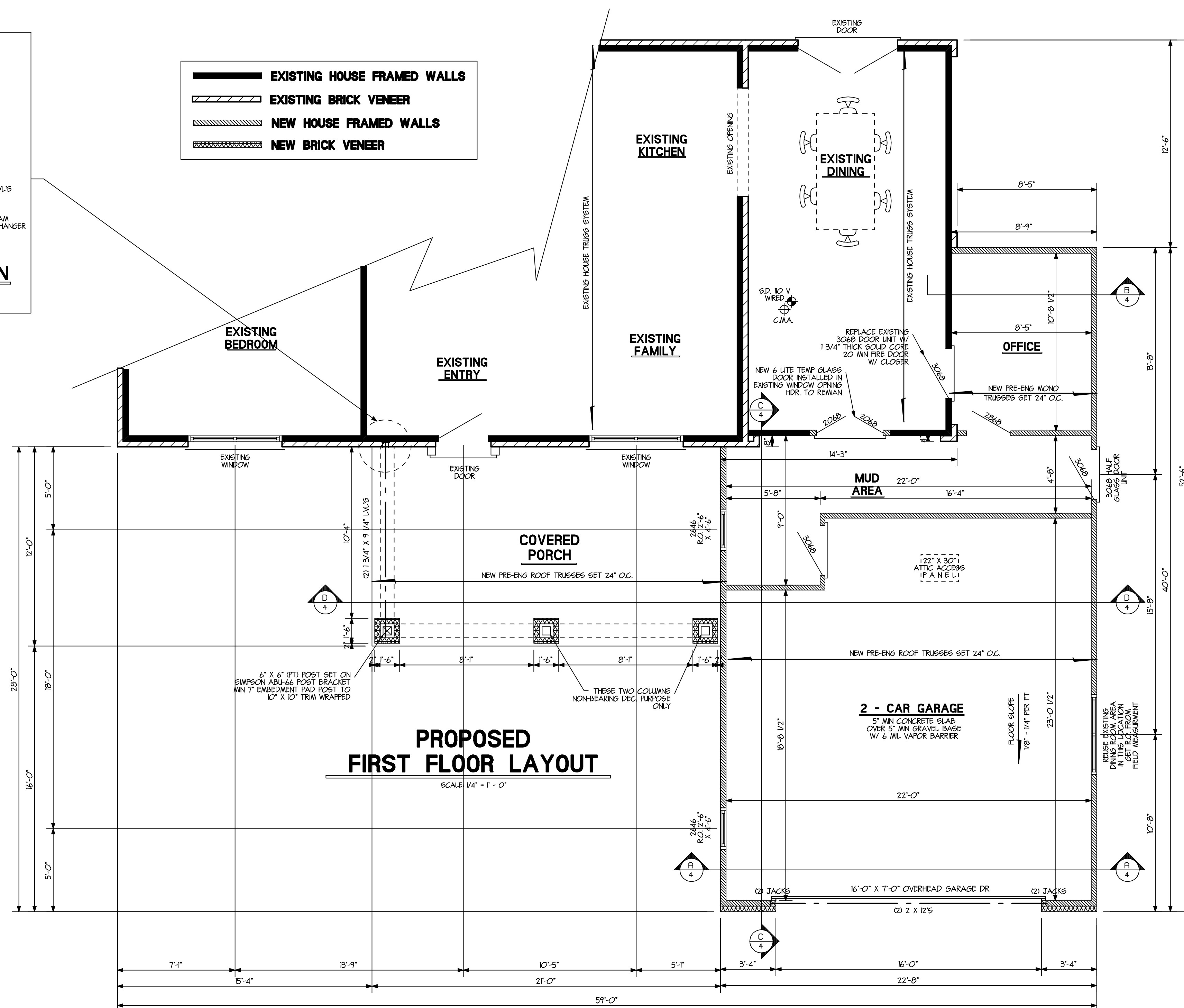
MATTHEW KIRSCH

15686 highway 10 north
Butler , KY 41006
(859) 472-7551

DRAWN BY	SCALE		
M. KIRSCH	AS NOTED		
DATE	REVISIONS	BY	REVISIONS
	7-5-24		
	7-9-24		
	10-28-25		
	10-29-25		

FOUNDATION NOTES:

1. Do not scale drawings. Foundation contractor to take care to note location of sill plates for the purpose of location of the anchor bolts.
2. Footings - typical 22"x8" concrete continuous and a cut keyway. Footing to bear on solid undisturbed earth or engineered piers. Bottom of footings to be a minimum 30" below grade.
3. Provide 1/2" hot-dipped galvanized anchor bolts at 32" o.c., min (2) per plate max. 12" from corners. Min 7" embedment.
4. Provide slab control joints at max. 30'-0" each way.
5. Foundation walls to be coated with spray or brush applied bituminous material. If habitable room are to be located below grade. Walls are to be waterproofed with 6 mil. polyvinyl chloride membrane or equal.
6. All lumber in direct contact with concrete to be pressure treated.
7. Provide outside combustion air intake for furnace and water heater as required.
8. All foundation walls to be 3'-0" +/- in hgt. and 8" thick unless stated otherwise
horizontal steel: (2) #4 bars top and bottom of wall
vertical steel: no vertical steel required
9. All exposed fasteners to be hot-dipped galvanized or stainless steel.
10. Provide full depth blocking in all joist cavities immediately adjacent to the foundation wall in areas where the joist parallel the foundation wall. Spacing to match the joist spacing in each area.



1. Do not scale drawings.
2. All temp gage locations to follow 2019 ROC code 308.4
3. All smoke detectors to be 10 foot with battery backup and connected so that if one sounds all sound.
4. All windows shown to be as manufactured by customer selected window brand.
5. Standard window header height this floor to be 6'-10 3/4" A.F.F., unless noted otherwise.
6. All existing header heights are 6'-10 3/4"
6. Ceiling height this floor to be 8'-1 1/8" A.F.F. (rough) unless noted otherwise.
- 6a. Existing ceiling heights are 8'-1 1/8" and are to be matched
7. All inside/outside stairway/open/covered porches/screened porches/decks,etc., shall be properly illuminated.
8. All wall sheathing runs backed by blocking equal to stud size. Sheathing to span across, over all plate seams, all sheathing seams shall break over studs or at the mid-point of the stud. Sheathing for this floor to be 7/8" o.s.b., attach w/ 1d nails 3" l.g. o.c., on all intermediate edges and 4" o.c. all boundary edges.
9. Show guardrails 34"-38" above nosing • all open stairs over 30" high. Guardrails 36" min. above floor • all floors/ decks over 30" high. Guardrails shall not allow an object 4" or less in diameter to pass through and shall not be constructed in any pattern that results in a ladder effect.
10. 5/8" type X gypsum board for garage ceilings beneath habitable rooms shall be installed perpendicular to the ceiling framing and shall be fastened at maximum 6 inches o.c. with 1 1/8" x 7/8" inches d.c. coated nails or equivalent drywall screws.
11. All wall width to be min. at 36" finished per R313.1
12. All exposed fasteners to be hot-dipped galv. or stainless steel.
- 13.1) smoke detectors are in each sleeping room, outside each sleeping room, and on each building level.
- 13.2) smoke detectors are interconnected (all sound) in new construction.
- 13.3) smoke detectors are powered by the building wiring w/ battery backup.
- 13a) Update all existing smoke detectors in existing house area to up to date building code.
- 14.1) provide carbon monoxide alarm outside each separate unit and in immediate vicinity of all bedrooms.

DRAWN BY	SCALE
M. KIRSCH	AS NOTED
DATE	REVISIONS
	BY DATE REVISIONS
	7-5-24
	7-9-24
	10-28-25
	10-29-25

A Addition For:
Pearce Residence
12064 Green Road
Walton, Ky 41094

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CUSTOM

Job No.

Sheet No.
3

DESIGN LOAD :	
LIVE LOADS - LIVING SPACE FLOORS	40 * PER SQ. FT.
DECKS (EXTERIOR)	60 * PER SQ. FT.
ROOFS	25 * PER SQ. FT.
WIND	90 MPH NOMINAL
	15 MPH 3 GEC. GUST
GARAGE	50 * PER SQ. FT.
Ceilings	10 * PER SQ. FT.
SNOW	20 * PER SQ. FT.
ATTICS	10 * PER SQ. FT.
BALCONIES	40 * PER SQ. FT.
GAIRDRAILS	60 * AN FT. POINT
BAULSTERS	60 * AN FT. POINT
STAIRS	40 * 300 PER TREAD
DEAD LOADS - AS CALCULATED	
SOIL BEARING - ASSUMED - 5000 PSF MIN.	
NOTE : ALL LUMBER FOR FRAMING	
2 X 10 @ Fb VALUES = 1050	
2 X 12 @ Fb VALUE = 1000	
STUDS TO BE SPT STD GRADE OR EQUAL	

SEALANT

FLASHING AND WEEPHOLES

1" AIR SPACE

BRICK VENEER

BUILDING PAPER ON APPROVED WATER-REPELLENT SHEATHING

METAL WALL TIE

FLASHING

WEEP HOLE

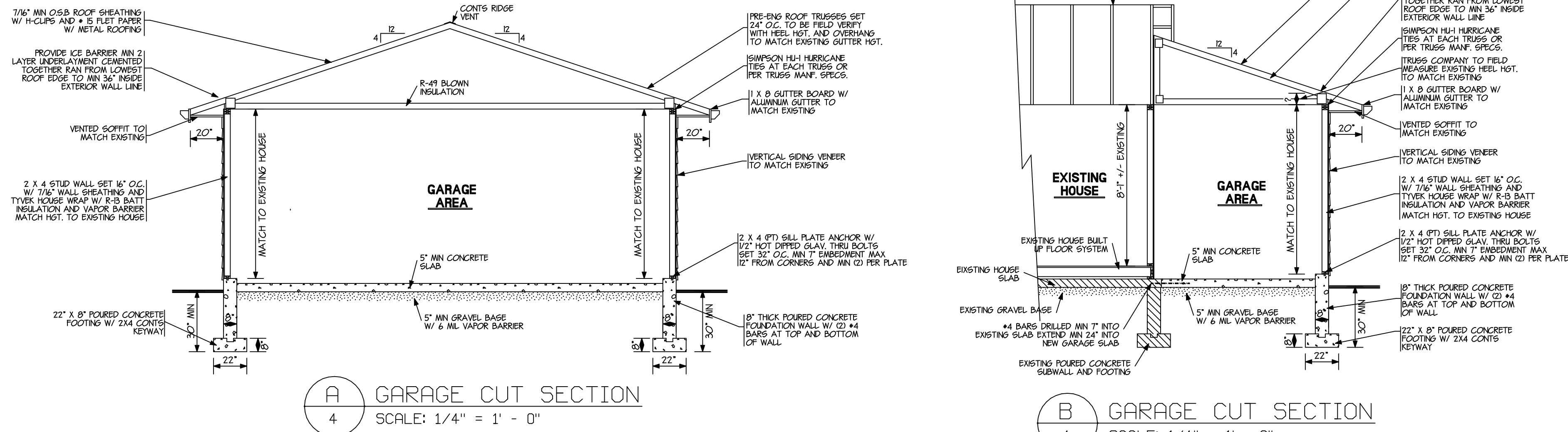
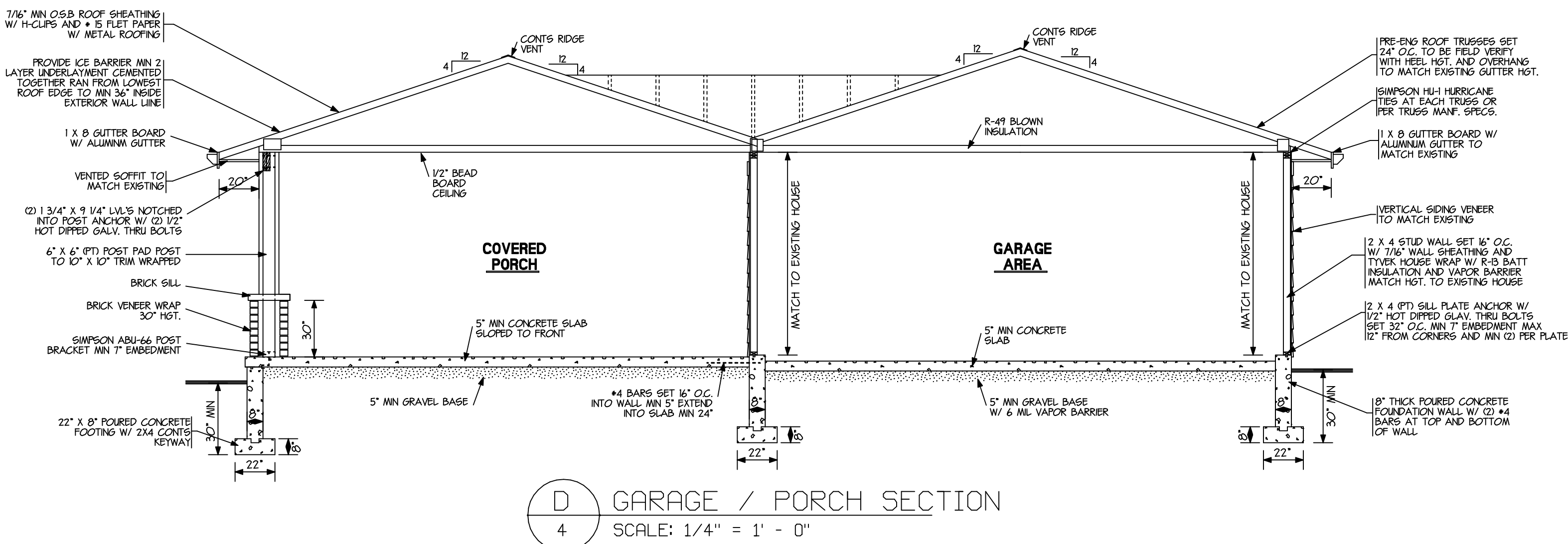
INTERIOR WALL BOARD

PROVIDE FLASHING ABOVE ALL MASONRY LINTELS BELOW ALL SILLS PATIO AREAS ALL AREA TURNED UP AND SEALED

allowable spans for lintels supporting masonry veneer_{a,b,c,d}

For 1 inch = 25.4 mm, 1 foot = 304.8 mm

- Long leg of the angle shall be placed in a vertical position.
- Depth of reinforced lintels shall not be less than 8 inches and all cells of hollow masonry lintels shall be grouted solid. Reinforcing bars shall extend not less than 8 inches into the support.
- Steel members indicated are adequate typical examples, other members meeting structural design requirements may be used.
- Either steel angle or reinforced lintel shall span opening.



DRAWN BY M. KIRSCH	SCALE AS NOTED	
	REVISIONS BY	DATE
	7-5-24	
	7-9-24	
	10-28-25	
	10-29-25	

A Addition For:
Pearce Residence
12064 Green Road
Walton, Ky 41094

Home Type:
CUSTOM

Job No.

Sheet No.
4