

CITY OF GERMANTOWN  
BOARD OF ZONING APPEALS  
VIDEO CONFERENCE  
Tuesday, January 12, 2021  
6:00 p.m.

1. Call to Order: Alderman Mary Anne Gibson called the meeting to order at 6:00 p.m.
2. Roll Call and Establishment of a Quorum: Regina Gibson called the roll and established a quorum.

Members Present: Alderman Mary Anne Gibson; Frank Uhlhorn; Jodie Bowden; Rick Towne; and Mike Harless

Members Absent: Greg Hurley and Rhea Clift

Staff Present: Cameron Ross, Economic and Community Development Director; Sheila Pounder, Planning Division Manager; Sarah Goralewski, Senior Planner; Joseph Nunes, Neighborhood Services Division Manager; Regina Gibson, Administrative Assistant; and Alan Strain, Assistant City Attorney.

3. Establishment of Necessity to Conduct Board of Zoning Appeals Electronically

Mike Harless moved to approve the establishment of necessity to conduct the Board of Zoning Appeals electronically, seconded by Rick Towne.

ROLL CALL:

Bowden – Yes  
Uhlhorn – Yes  
Harless – Yes  
Towne – Yes  
Gibson - Yes

**MOTION PASSED 5-0-0**

4. Election of Officers

**DEFERRED TO NEXT MONTH**

5. Approval of the Minutes

Frank Uhlhorn moved to approve the Board of Zoning and Appeals minutes of December 8, 2020, seconded by Jodie Bowden.

ROLL CALL:

Harless – Yes  
Uhlhorn – Yes  
Bowden – Yes  
Towne – Yes  
Gibson - Yes

**MOTION PASSED 5-0-0**

6. Case Number: 21-001  
Case Name & Location: 2680 Meadow Hill Cv.  
Property Owner/Applicant: Eumarkjah Sanford  
Request: Approval of a Variance to Allow a Fence to Exceed 30” in Height in the Front Yard Setback in the “R” Low-Density Single-Family Residential Zoning District

\*Refer to complete application, plans and staff report on file.

Sarah Goralewski made a staff presentation.

The property owner, Mark Sanford, 2680 Meadow Hill Cv, Germantown, TN, made a presentation.

The Board asked questions of the applicant and staff.

The public hearing was opened.

The public hearing was opened. The following residents submitted emails/letters of opposition, which were read into the record:

John Auker, 8130 Meadow Glen Dr. (2 letters)

Carl Duncan, 8151 Meadow Glen Dr.

Scott Hall, 8154 Meadow Glen Dr. (2 letters)

The following residents submitted emails/letters of support, which were read into the record:

Henry Davis, 8125 Meadow Glen Dr.

Gary Gibson, 2686 Meadow Hill Cv. (2 letters)

Cynthia Tripp, 2675 Meadow Hill Cv.

\*\*All emails/letters are public record and are included in the official case file.

The public hearing was closed.

MOTION 1:

Frank Uhlhorn moved to approve a variance to allow a wooden 6’ high fence in the western and northern front yards of a triple frontage lot at 2680 Meadow Hill Cv. in the “R” Low-Density Single-Family Residential zoning district, subject to the Board’s discussion, staff comments noted in the staff report and the site plan submitted with the application, seconded by Rick Towne, with the following conditions of approval:

- An evergreen screen of at least 15’ deep shall be planted and maintained between the back edge of the curb and the face of the fence. This evergreen planting screen shall be a minimum of 6’ high, so as to screen the wood fence from view of the public right-of-way.
- The informal driveway existing on Meadow Glen Dr. shall be removed.

ROLL CALL:

Bowden – Yes, due to special conditions and exceptional situation of the property, namely that it has 3 front yards

Uhlhorn – Yes, due to topographical issues

Towne – Yes, due to privacy needs

Harless – Yes, encouraged staff to address triple frontage lot issue so this doesn't come up again because everyone should have a backyard that they can fence.

Gibson – Yes, as previously stated by other board members

**MOTION PASSED 5-0-0**

7. Case Number: 21-002  
Case Name & Location: 9076 Fernbrook Dr.  
Property Owner/Applicant: Haitham & Nisreen Alyousef  
Representative: Tim McCaskill, Agent  
Request: Approval of a Variance to Allow a Garage to Encroach 25' into the Rear Yard Setback in the "RE-1" Residential Estate Zoning District

\*Refer to complete application, plans and staff report on file.

Sarah Goralewski made a staff presentation.

The applicant's agent, Tim McCaskill, 7891 Stage Hills Blvd, Suite 112, Bartlett, TN 38133, made a presentation.

The Board asked questions of the applicant and staff.

The public hearing was opened. There were no public comments for or against this item. The public hearing was closed.

**MOTION:**

Frank Uhlhorn moved to approve a variance to allow a garage to encroach 23' into the rear yard setback at 9076 Fern Brook Dr. in the "RE-1" Residential Estate zoning district, subject to the Board's discussion, staff comments noted in the staff report and the site plan submitted with the application, seconded by Mike Harless.

**ROLL CALL:**

Harless – Yes, Unusual shaped lot and the applicant has approval from the Homeowners Association

Uhlhorn – Yes, Unusual shaped lot

Bowden – Yes, as previously stated by other board members

Towne – Yes, as previously stated by other board members

Gibson – Yes, as previously stated by other board members

**MOTION PASSED 5-0-0**

8. Case Number: 21-003  
Case Name & Location: 8161 Dogwood Rd.  
Property Owner/Applicant: Clay and Ashley Presley  
Representative: David Clark, Agent  
Request: Approval of a Variance to Allow a Black Vinyl-Coated 6' High Chain Link Fence on a Triple Frontage Lot in the "R" Low-Density Single-Family Residential Zoning District

\*Refer to complete application, plans and staff report on file.

Sarah Goralewski made a staff presentation.

The applicant's agent, David Clark, PO Box 38099, Germantown, TN, 38138 made a presentation.

The Board asked questions of the applicant and staff.

The public hearing was opened. There were no public comments for or against this item. The public hearing was closed.

**MOTION:**

Frank Uhlhorn moved to approve a variance to allow a black vinyl-coated 6' high chain link fence on a triple frontage lot at 8161 Dogwood Rd. in the "R" Low-Density Single-Family Residential zoning district, subject to the Board's discussion, staff comments noted in the staff report and the site plan submitted with the application, seconded by Mike Harless, with the following conditions of approval:

- An evergreen screen of at least 40' deep shall be maintained between the back edge of the curb and the face of the fence. This evergreen planting screen shall be a minimum of 6' high, so as to screen the chain link fence from view of the public right-of-way.
- The existing 6' wood fence along Poplar Ave. that is to remain shall be repaired to as new condition

**ROLL CALL:**

Harless – Yes, an exceptional situation and the fence will disappear with landscaping being proposed.

Uhlhorn – Yes, exceptional, and unique situation

Towne – Yes, as previously stated by other board members

Bowden – Yes, as previously stated by other board members

Gibson – Yes, as previously stated by other board members

**MOTION PASSED 5-0-0**

9. Old Business

Alderman Mary Anne Gibson asked if there was any old business. There was none.

10. New Business

Alderman Mary Anne Gibson asked if there was any new business. There was none.

11. Adjournment

There being no further business, comments, or questions by the Commission, Alderman Mary Anne Gibson adjourned the meeting at 7:20 p.m.