

CITY OF GERMANTOWN
BOARD OF ZONING APPEALS
VIDEO CONFERENCE
Tuesday, February 9, 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; Greg Hurley; Frank Uhlhorn; Jodie Bowden; Rick Towne; and Mike Harless.

Staff Present: 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 Frank Uhlhorn.

ROLL CALL:

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

MOTION PASSED 6-0-0

4. Election of Officers:

Alderman Mary Anne Gibson called for nominations for BZA Chairman.

Mike Harless moved to nominate Jodie Bowden for Chairman, seconded by Rick Towne.

No additional nominations were made; Alderman Mary Anne Gibson asked the secretary to call the roll for a vote.

ROLL CALL:

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

MOTION PASSED 6-0-0

Alderman Mary Anne Gibson called for nominations for BZA Vice Chairman.

Mike Harless moved to nominate Frank Uhlhorn as Vice Chairman, seconded by Rick Towne.

No additional nominations were made; Alderman Mary Anne Gibson asked the secretary to call the roll for a vote.

ROLL CALL:

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

MOTION PASSED 5-0-1

Alderman Mary Anne Gibson turned the meeting over to Chairman Jodie Bowden.

5. Approval of the Minutes

Mike Harless moved to approve the Board of Zoning and Appeals minutes of January 12, 2021, seconded by Rick Towne.

ROLL CALL:

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

MOTION PASSED 6-0-0

6. Case Number: 21-005
Case Name & Location: 8677 Pepper Bush Lane
Property Owner/Applicant: Carey & Kirsten Talley
Request: Approval of a Variance to Reduce the Front Yard Setback in the “R-1” Single-Family Residential Zoning District.

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

Alderman Gibson recused herself from this item.

Sarah Goralewski made a staff presentation.

The applicant’s representative, Christopher Schmidt, 6925 Redfield Dr, Germantown, TN, and the applicant, Carey Talley, 8677 Pepper Bush Lane, Germantown, TN made a presentation.

The Board asked questions of the applicant and staff.

The public hearing was opened.

There were no public comments received for or against on this item.

Chairman Jodie Bowden closed the public hearing and called for a motion.

MOTION 1:

Mike Harless moved to approve a variance to reduce the front yard setback to 31 feet at 8677 Pepper Bush Ln. in the “R-1” 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.

ROLL CALL:

Harless – Yes, due to the uniqueness of the property and the situation that we are currently in of zoning ordinance needing to be updated.

Hurley – No, this request does not meet the legal standards for a variance, the subject property is not unique and the property’s setback is general to the area.

Uhlhorn – Yes, due to the setback differences between Shelby County and Germantown.

Towne – Yes, as this lot was originally part of Shelby County. The zoning ordinance has not been updated or changed for an extended amount of time, and for the reasons previously stated.

Bowden – No, cannot approve the variance under the criteria given to the board.

MOTION PASSED 3-2-0

7. **Old Business**

Chairman Jodie Bowden asked if there was any old business. There was none.

8. **New Business**

Chairman Jodie Bowden asked if there was any new business. There was none.

9. **Adjournment**

There being no further business, comments, or questions by the Commission, Chairman Jodie Bowden adjourned the meeting at 6:37 p.m.

Chairman Jodie Bowden
Board of Zoning Appeals
