

AGENDA

La Vergne Board of Zoning Appeals June 30, 2026 at 5:30 PM

- Call meeting to order.
- Determine quorum.

ORDER OF BUSINESS

1. Approve Minutes: May 27, 2025 Regular Meeting.
2. Public Comment Period.
3. Nominate and Elect a Chairman for 2026.
4. Nominate and Elect a Vice-Chairman for 2026.

NEW BUSINESS

5. Appeal the Decision of the Building Official, Property located at 5152 Murfreesboro Road (Tax Map 15M, Group B, Parcel 5.02). DD (Downtown District) Zoning District. Property owned by Mohammed Alkifi.

ADJOURN



- Item #: 5.** **Appeal the Decision of the Building Official, Property located at 5152 Murfreesboro Road (Tax Map 15M, Group B, Parcel 5.02). DD (Downtown District) Zoning District. Property owned by Mohammed Alkifi.**
- Reviewed By:** Bo Logan
- Summary:** The property is located in the overlay.
- This site is the former Dollar General on Murfreesboro Road. The parcel is zoned DD, Downtown District Commercial, by the City of La Vergne.
- The applicant is currently displaying more signage than is allowed by the municipal zoning ordinance. Per the signage regulations codified in the zoning ordinance, commercial and industrial structures may be allowed additional signage only as long as they appear before BOZA to receive a sign variance.
- The size of the sign is indicated on the plans in the packet.
- The applicant requests to appeal the decision of the Building Official and Codes Department regarding the signs on this property.
- Background Information:** No additional information.
- Other Comments:** No other comments from staff.

Certification Statement

I hereby certify that Mohammed Alkafi is the owner of the property located at 5152 Murfreesboro pike which is the subject of this application, and that I, Khalid Mohssin, in my capacity as Acting Representative, am authorized to sign this application on behalf of the owner.

I understand that knowingly providing false information on this Application may result in any action taken heron being declared null and void. I further understand that pursuant to TCA 39-16-301 et seq., knowingly making a material false statement, or otherwise providing false information with the intent to mislead a public servant in the performance of his duty is punishable as a Class B misdemeanor.

[Handwritten Signature]

Signature

4/23/26

Date

Khalid Mohssin

Printed Name and Title

Note: A Certification Statement must be submitted with an application form requiring the owner's signature if the owner of the subject property is a corporation, limited liability company, partnership, association, trustee, etc., or if someone other than the owner signs the application. All Certification Statements **must** be notarized.

Julissa Ferrera

Notary Signature

04/23/2026

Date



blagan
jblat @lavergetn.gov
julite

BOARD OF ZONING APPEALS APPLICATION

APPLICANT INFORMATION

(Please Print or Type - Any Correspondence will be addressed to the individual.)

1. Date of Application: 4/21/26 2. Phone Number: 615-810-6645
3. Property Owner's Name: Golden Plaza
4. Property Owner's Address: 516 Glenn Cherry DR
Nashville TN 37211
5. Your Name (If Different): John Drake
6. Address: 80 Benzina Rd
Antioch TN 37013
7. Property Location: 5752 Murfreesboro pike
LaVergne TN 37086
- (If additional space is needed, please use an additional sheet of paper.)

Section 1 - Appeal the Decision of the Building Inspector / Codes Enforcement Officer.

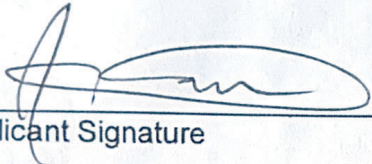
8. Decision of the Building Inspector / Codes Enforcement Officer: _____
- (If additional space is needed, please use an additional sheet of paper.)

Section 2 - Application for a Variance / Special Exception.

9. Type of Variance / Special Exception Needed: See attached.
10. Peculiar or Unusual conditions which justify the Variance Requested: See attached.
- (If additional space is needed, please use an additional sheet of paper.)

In granting a variance, the Board shall ascertain that the following criteria are met:

1. Variances shall be granted only where special circumstances or conditions, fully described in the finding of the Board, do not apply generally in the district.
2. Variances shall not be granted to allow a use otherwise excluded from the particular district in which requested.
3. For reasons fully set forth in the findings of the Board, the aforesaid circumstances or conditions are such that the strict application of the provisions of this ordinance would deprive the applicant of any reasonable use of his land. Mere loss in value shall not justify a variance. There must be a deprivation of beneficial use of land.
4. The granting of any variance shall be in harmony with the general purpose and intent of this ordinance and shall not be injurious to the neighborhood, detrimental to the public welfare, or in conflict with the comprehensive plan for development.
5. In reviewing an application for a variance, the burden of showing that the variance should be granted shall be upon the persons applying therefore.
6. Variances must return to the planning commission for site approval and be accompanied by a written explanation from the Board of Zoning Appeals stating the reason the variances was granted or was not granted.



Applicant Signature

Date:

4/21/26



A Place To Come Home To!

Joshua A. Miller
City Recorder
jmiller@lavergetn.gov

City of La Vergne
5093 Murfreesboro Road
La Vergne, TN 37086

Office: (615) 287-8663
Cell: (615) 981-1325

City of La Vergne Board of Zoning Appeals
Application of Gold Plaza Partnership

5152 Murfreesboro Road, La Vergne, Tennessee

Attachment to Section 2 — Application for a Variance / Special Exception

Question 9 — Type of Variance / Special Exception Needed:

Continuation of a lawful nonconforming wall sign exceeding current dimensional limits (approximately 5 ft. x 40 ft.) at 5152 Murfreesboro Road, La Vergne, Tennessee.

Question 10 — Peculiar or Unusual Conditions Which Justify the Variance:

The wall sign was lawfully erected and continuously maintained on the building facade prior to the effective date of the current Zoning Ordinance, making it a legal nonconforming sign under Chapter 3, Section 3.1.1 of the La Vergne Zoning Ordinance. The sign has not been expanded, altered, replaced, or structurally modified. The prior tenant (Dollar General) vacated approximately six months ago, but the sign itself has remained in place and in continuous existence. Under Section 3.2.2(A) of the Ordinance and Tenn. Code Ann. § 13-7-208, abandonment requires discontinuance for thirty (30) months — a threshold that has not been met. Additionally, Section 3.2.1(B) provides that a change in occupancy does not, by itself, constitute a change of use. The sign's nonconforming status is therefore legally intact, and no provision of the Ordinance authorizes its forced removal under these circumstances. The variance is needed solely to allow the sign to remain as-is while the property is re-tenanted.

Applicant submits this application without waiving its position that the sign is a lawful nonconforming sign requiring no variance, and reserves all rights accordingly.



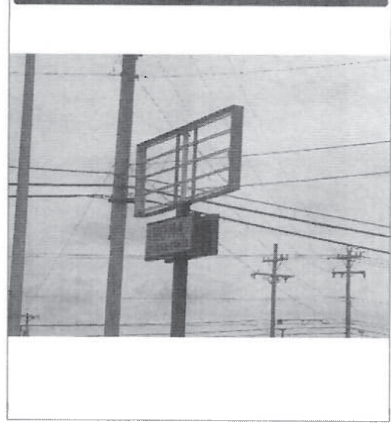
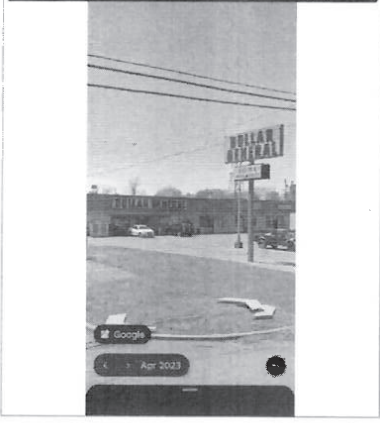
SHEET 2 OF 2 — POLE / PYLON SIGN — REFERENCE · FASCIA SIGN · CURRENT · PROPOSED
POLE SIGN UPDATE — EXISTING NONCONFORMING SIGN — TOP PANEL FACE CHANGE ONLY — NO NEW CONSTRUCTION

IMAGE 1 — REFERENCE: Dollar General pole sign (prior to demolition)

IMAGE 2 — Current fascia sign (Supermercado)

IMAGE 3 — Pole sign, top panel removed (current condition)

IMAGE 4 — Proposed: SUPERMERCADO sign rendering



THIS IS NOT NEW CONSTRUCTION — NONCONFORMING SIGN UPDATE ONLY

The pole structure, footing, height, setback, and Roma Pizza & Pasta lower panel are entirely unchanged from the Dollar General era. Only the top panel face is being replaced. This is a lawfully established nonconforming sign (§ 3.1.1) permitted to continue under Chapter 3. No new electrical. No structural modification. No expansion of sign area. Applicant halted installation pending BOZA approval — good-faith compliance.

POLE SIGN SPECIFICATIONS

Structure:	Existing single-pole pylon — no change to pole, footing, or height	Face Colors:	Black background · Red (SUPER) · White (MER) · Green (CADO)
Overall Height:	±20'-0" (existing, unchanged)	New Electrical:	None
Top Panel:	Existing cabinet — new face: SUPERMERCADO (pending BOZA approval)	Structural Chg:	None — identical footprint and height
Bottom Panel:	Roma Pizza & Pasta — existing, not modified	Setback Change:	None
Illumination:	Internal LED — existing, no new electrical work		

LEGAL BASIS — NONCONFORMING SIGN (LA VERGNE ZONING ORDINANCE CHAPTER 3)

1. The pole sign was lawfully established by Dollar General and qualifies as a nonconforming sign under § 3.1.1, expressly permitted to continue under Chapter 3.
2. Per § 3.2.1(B), the change of tenant does not constitute a change of use. Nonconforming status is unaffected by Dollar General's departure.
3. No abandonment per § 3.2.2(A); vacancy approx. 6 months, well below the 30-month threshold under T.C.A. § 13-7-208. Sign structure remained in place continuously.
4. Per § 3.3.1, nonconforming structure provisions do not apply to signs. This sign is governed exclusively by Chapter 3's sign-specific provisions.

PROJECT Supermercado 5152 Murfreesboro Rd., La Vergne, TN	APPLICANT Gold Plaza Partnership Atty: John M. Drake · 615-810-6645	SUBMITTED TO Board of Zoning Appeals City of La Vergne · Mtg. March 31, 2026	DRAWING Pole / Pylon Sign Existing Conditions & Proposed Face	SHEET / DATE 2 of 2 Deadline: March 2, 2026
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