

AGENDA

La Vergne Board of Zoning Appeals

June 27, 2023 at 5:30 PM

- Call meeting to order.
- Determine quorum.

ORDER OF BUSINESS

1. Approve Minutes: **March 28, 2023 Regular Meeting.**

OLD BUSINESS

2. Request for Variance to Parking Regulations in the La Vergne Zoning Ordinance. Property located at 703 Waldron Road (Tax Map 29, Parcel 22.02). R-3 (High Density Residential) Zoning District. Parcel owned by John M. Gilliland Living Trust.

NEW BUSINESS

3. Request for Sign Variance - Property located at 503 New Paul Road (Tax Map 17, Parcel 40.03). I-2 (Heavy Industrial) Zoning District. Property owned by AMERCO Real Estate Company.

ADJOURN

MINUTES OF THE REGULAR MEETING OF THE BOARD OF ZONING APPEALS OF THE CITY OF LA VERGNE, TENNESSEE ON MAY 30, 2023 IN LA VERGNE CITY HALL, LA VERGNE, TENNESSEE

The La Vergne Board of Zoning Appeals met in a regular meeting on May 30, 2023 in La Vergne City Hall starting at 5:30 p.m. The meeting was called to order by Chairman Graeme Coates.

Members Present

Members present: Chairman Graeme Coates, Vice-Chairman Craig Pollock, Charles Jones, Terrence Smith, and Alfred Lane.

Staff Members Present

Staff members present: Assistant City Administrator Kyle Brown, City Attorney Phillip Dodd, City Planner Bo Logan, Engineering Director Gary Lide, Codes Director Randolph Salyers, Executive Assistant Juliet Williams, and Media Services Jerry Davenport.

1. Approve Minutes: March 28, 2023, Regular Meeting

A motion, made by Vice-Chairman Craig Pollock, seconded by Alfred Lane, to approve the minutes of the March 28, 2023 Regular Meeting, was adopted with all voting AYE.

NEW BUSINESS

2. Request for Variance to Height Restriction in the La Vergne Zoning Ordinance. Property located at 703 Waldron Road (Tax Map 29, Parcel 22.02). R-3 (High Density Residential) Zoning District. Parcel owned by John M. Gilliland Living Trust.

Mr. Bo Logan gave his report.

Chairman Coates swore in Mr. Terry Rasmussen, a representative of BRS Development.

Mr. Lane asked Mr. Rasmussen how far back the development will extend. Mr. Rasmussen stated it would be 23 acres. A discussion about the property ensued.

Chairman Coates asked about the rooms and the roofline. Mr. Rasmussen explained the ceiling height and the current issues with the city's ordinance. He made comments about the steam from the showers being an issue.

Mr. Lane asked about the setback. Mr. Rasmussen stated that the setback would be up to code. Mr. Pollock explained his concerns. Mr. Logan stated that the building would look better if the height is extended. A discussion ensued.

A motion was made by Terrence Smith, seconded by Chairman Graeme Coates, to approve the request for variance.

Mr. Charlie Jones made comments about his concerns.

The motion was adopted following a roll-call vote.

Terrence Smith	AYE
Vice-Chairman Pollock	AYE
Charlie Jones	NO
Alfred Lane	AYE

3. Request for Variance to Parking Regulations in the La Vergne Zoning Ordinance. Property located at 703 Waldron Road (Tax Map 29, Parcel 22.02). R-3 (High Density Residential) Zoning District. Parcel owned by John M. Gilliland Living Trust.

Mr. Logan gave his report.

Chairman Coates swore in Mr. Terry Rasmussen, a representative of BRS Development. He explained the reasoning for the sign variance request. He stated only 10% of the complex will have three bedrooms.

Mr. Lane made comments about his concerns. Mr. Rasmussen explained.

Chairman Coates asked Mr. Logan if there were issues with other apartment complexes and parking. Mr. Logan explained. He stated that it is more environmentally friendly to have less parking.

Mr. Jones stated it would be too restricted if it changes. Mr. Pollock gave his concerns with the zoning ordinance. A discussion ensued. Chairman Coates stated that the Board would need to propose a parking space number that the Board is comfortable with.

Mr. Jones asked if they would consider 800 parking spaces. Mr. Rasmussen stated that he couldn't answer without doing the design. Mr. Lane requested 700 parking spaces.

A motion, made by Terrence Smith, seconded by Alfred Lane, to approve the variance request as submitted, failed following a roll-call vote.

Terrence Smith	AYE
Vice-Chairman Polluck	NO
Charlie Jones	NO
Alfred Lane	NO

No further action was taken.

ADJOURNMENT

There being no further business to come before this meeting, Chairman Coates declared the meeting adjourned at 5:52 p.m.

Chairman

City Recorder

Approved: _____



Item #: 2.

Item Title: Request for Variance to Parking Regulations in the La Vergne Zoning Ordinance. Property located at 703 Waldron Road (Tax Map 29, Parcel 22.02). R-3 (High Density Residential) Zoning District. Parcel owned by John M. Gilliland Living Trust.

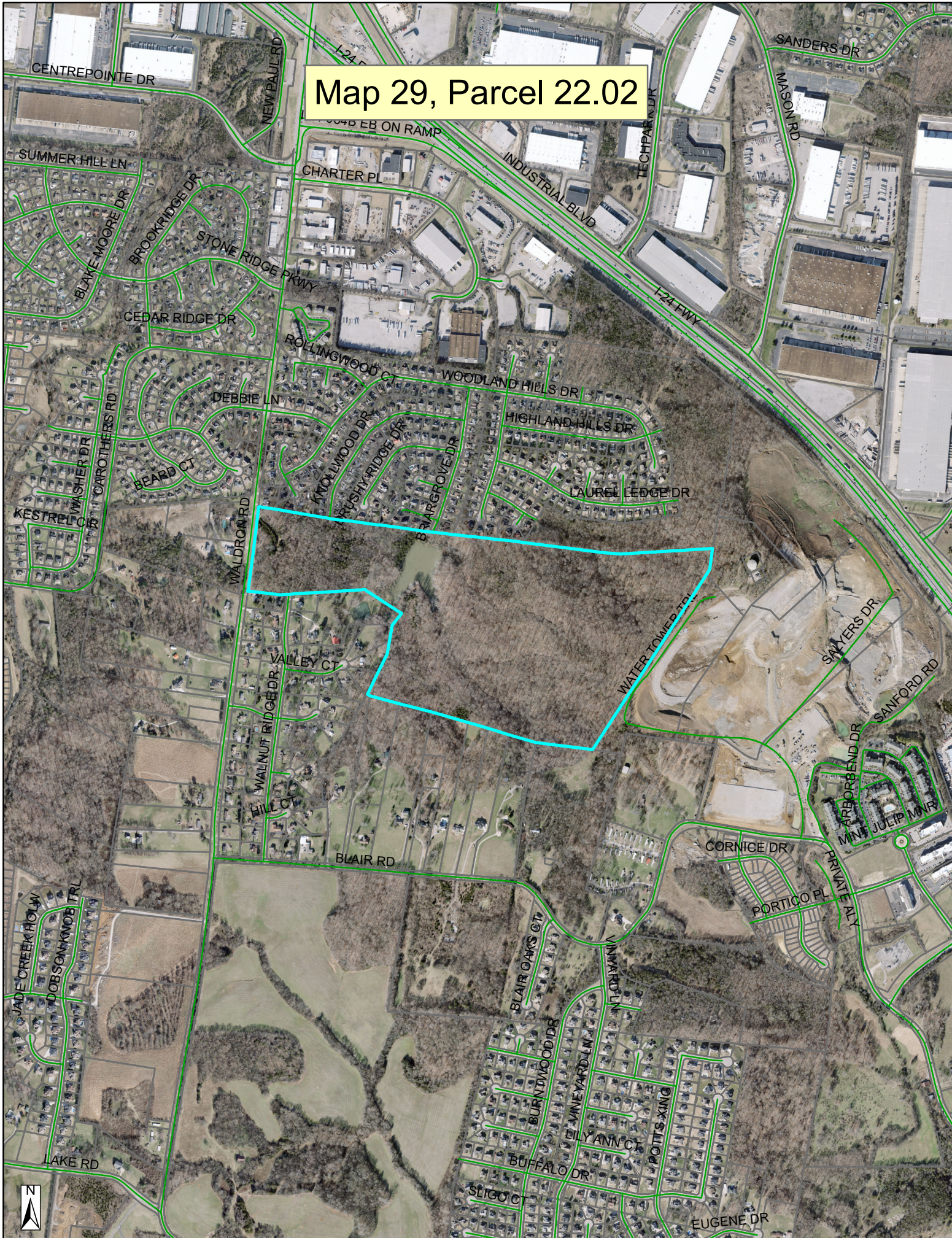
Reviewed By: Bo Logan

Summary: The applicant would like to request a variance from the parking regulations contained in the La Vergne Zoning Ordinance. This multi-family project will contain 324 apartments. The parking areas must contain 972 parking spaces under the current zoning ordinance, or 3 spaces for every dwelling unit. The apartment site would like to provide 669 parking spaces.

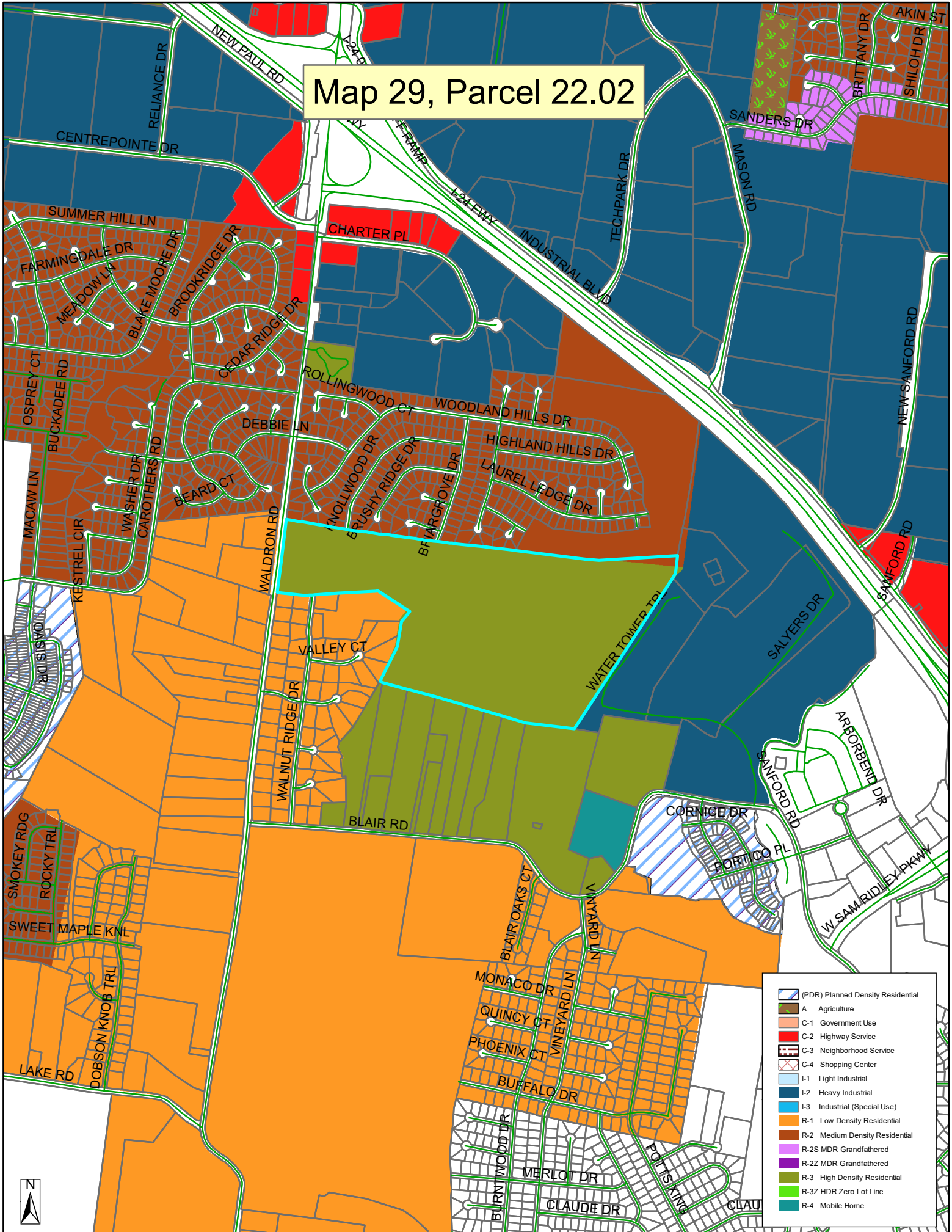
Background Information: The property is located at 703 Waldron Road (Tax Map 29, Parcel 22.02). This site is zoned R-3 (High Density Residential) Zoning District. The parcel is owned by the John M. Gilliland Living Trust.

Other Comments: At the last meeting, a motion was made to approve the request and the motion failed. There was no motion made to deny the request. This item is still open and a motion to approve or deny the request needs to be approved.

Map 29, Parcel 22.02



Map 29, Parcel 22.02



	(PDR) Planned Density Residential
	A Agriculture
	C-1 Government Use
	C-2 Highway Service
	C-3 Neighborhood Service
	C-4 Shopping Center
	I-1 Light Industrial
	I-2 Heavy Industrial
	I-3 Industrial (Special Use)
	R-1 Low Density Residential
	R-2 Medium Density Residential
	R-2S MDR Grandfathered
	R-2Z MDR Grandfathered
	R-3 High Density Residential
	R-3Z HDR Zero Lot Line
	R-4 Mobile Home



BOARD OF ZONING APPEALS APPLICATION

APPLICANT INFORMATION

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

1. Date of Application: 04/10/2023 2. Phone Number: 615.840.2553
3. Property Owner's Name: Gilland John M Living Trust
4. Property Owner's Address: 3180 Waterlevel Hwy
Cleveland, TN 37311
5. Your Name (If Different): BRS Development, LLC
6. Address: 5617 Cottonport Dr
Brentwood, TN 37027
7. Property Location: 703 Waldron Road
La Vergne, 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.)

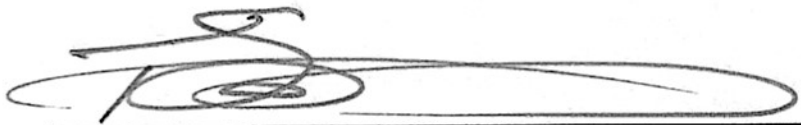
Section 2 - Application for a Variance / Special Exception.

9. Type of Variance / Special Exception Needed: Height Restriction and Parking Requirements for Multifamily Design Standards R3 Zoning,
10. Peculiar or Unusual conditions which justify the Variance Requested: City of La Vergne is Changing the Design Standards for Multifamily R3 Zoning, The Variance requested it to match those future Design Standards For Hight and Parking Restrictions

(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: 4/10/23

I, Joseph D. Dixon, Trustee of the John M. Gilliland Trust U/A dtd December 22, 2014, Property Owner, hereby grant permission to BRS Development to represent our interests in an application to be filed with the City of La Vergne, TN Planning Commission for the purpose of obtaining a Preliminary Plat for the property located along Waldron Rd La Vergne, TN.

Joseph D Dixon Trustee
Property Owner

Witness My had and official seal at Chattanooga, Tennessee this 27th
City State

Day of May, 2022

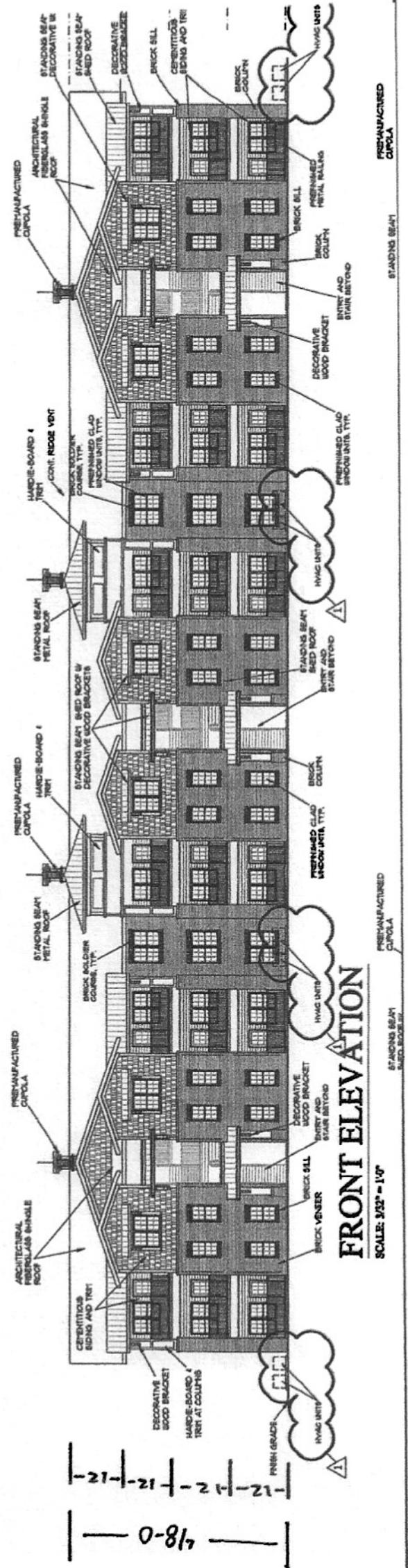
H. Diane Dixon

Notary Public

My Commission Expires: 1/29/2025



BUILDING TYPE B - ELEVATIONS



FRONT ELEVATION

SCALE: 3/32" = 1'-0"

PRE-MANUFACTURED COPULA

STANDING SEAM METAL ROOF

STANDING SEAM METAL ROOF

PRE-MANUFACTURED COPULA

BOZA Parking Request

Current Zoning Design Standards for Parking Requirements

	Number of Units <u>By Bedroom</u>	Number of Spaces <u>By Bedroom</u>	Number of Spaces <u>By Bedroom</u>
1 Bedroom Units	113	3	339
2 Bedroom Units	179	3	537
<u>3 Bedroom Units</u>	<u>32</u>	<u>3</u>	<u>96</u>
Total	324		972

Future Zoning Design Standards for Parking Requirements

	Number of Units <u>By Bedroom</u>	Number of Spaces <u>By Bedroom</u>	Number of Spaces <u>By Bedroom</u>
1 Bedroom Units	113	1.5	170
2 Bedroom Units	179	2.2	394
<u>3 Bedroom Units</u>	<u>32</u>	<u>3.3</u>	<u>106</u>
Total	324		669

Zoning Appeal Request for Parking Provided

	Number of Units <u>By Bedroom</u>	Number of Spaces <u>By Bedroom</u>	Number of Spaces <u>By Bedroom</u>
1 Bedroom Units	113	1.5	170
2 Bedroom Units	179	2.2	394
<u>3 Bedroom Units</u>	<u>32</u>	<u>3.3</u>	<u>106</u>
Total	324		669



Item #: 3.

Item Title: Request for Sign Variance - Property located at 503 New Paul Road (Tax Map 17, Parcel 40.03). I-2 (Heavy Industrial) Zoning District. Property owned by AMERCO Real Estate Company.

Reviewed By: Bo Logan

Summary: The applicant is requesting approval of a sign variance on behalf of their client, UHAUL. This site has been home to UHAUL for just shy of 18 months.

The property is located in the overlay.

The applicant has identified a need for more signage than is allowed by the municipal zoning ordinance. Per the signage regulations codified in Section 4.070 of the zoning ordinance, commercial and industrial structures may be allowed additional signage as long as they meet the requirements set forth in the ordinance.

In addition to the normal signage allowed, the owners would like to install additional wall signs throughout the site. The proposal calls for the installation or modification of at least 6 signs per their application. However, staff has counted closer to 12 wall signs when counting canopy signs, orange metal waves, etc.

The sign plans in the packet show the detail sheets of each sign. The shape and colors of the signs are indicated on the plans in the packet as well.

There has been a BOZA sign on the property for over 3 weeks (at the time of this writing), and staff has received no phone calls of inquiry.

Background Information: This applicant last appeared on March 28, 2023 at the Board of Zoning Appeals. The applicant submitted the incorrect sign package to BOZA, so the variance request was withdrawn.

Other Comments: None

503 New Paul Rd



503 New Paul Rd

I-24 FWY

BRIDGESTONE PKWY

I-24 FWY

HEE GAJAKER BLVD

NEW PAUL RD

MADISON DR

CENTREPOINTE WAY

RELIANCE DR

CENTREPOINTE DR



J P HENNESSY RD

503 New Paul Rd

CHEROKEE DR

J F K DR

ROCKY TOCK ST

JONES BLVD

BAIN DR

LONGVIEW ST

INGRAM BLVD

ENTERPRISE BLVD

I-24 FWY

I-24 064D WB ON RAMP

I-24 064C WB OFF RAMP

I-24 FWY

I-24 064B EB ON RAMP

INDUSTRIAL BLVD

CHARTER PL

SUMMER HILL LN

FARMINGDALE DR

MEADOW LN

BLAKE MOORE DR

BUFORD JOHNSON RD

PEAK TOP TRL

MACAW LN

KESTREL C

WASHER DR

CAROTHERS RD

BEARD CT

STEVE SCARLET PL

MOUNTAIN TOP TRL

DEBBIE LN

ROLLINGWOOD CT

STONE RIDGE PKWY

BROOKRIDGE DR

CEDAR RIDGE DR

OAKWOOD CV

BRUSHY RIDGE DR

KNOLLWOOD DR

WOODLAND HILLS DR

OVE DR

OLLOW DR

WALNUT RIDGE DR

HEIL QUAKER BLVD

EDGESTONE PKWY

WALDRON RD

MADISON DR

CENTREPOINTE WAY

CENTREPOINTE DR

RELIANCE DR

SAKS 5TH AVE

	(PDR) Planned Density Residential
	A Agriculture
	C-1 Government Use
	C-2 Highway Service
	C-3 Neighborhood Service
	C-4 Shopping Center
	I-1 Light Industrial
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	I-3 Industrial (Special Use)
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	R-3 High Density Residential
	R-3Z HDR Zero Lot Line
	R-4 Mobile Home



City of La Vergne, Tennessee
5093 Murfreesboro Road, La Vergne, TN 37086 ♦ (615) 793-6295

BOARD OF ZONING APPEALS APPLICATION

APPLICANT INFORMATION

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

1. Date of Application: 2/22/2023 2. Phone Number: 615-432-4611
3. Property Owner's Name: AMERCO Real Estate CO
4. Property Owner's Address: 2727 N Central AVE STE 500 Phoenix, AZ 85004-1120
5. Your Name (If Different): Christopher Hardin
6. Address: 1519 Beasie RD Murfreesboro, TN 37128
7. Property Location: 503 New Paul Rd 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: SIGN VARIANCE

10. Peculiar or Unusual conditions which justify the Variance Requested: _____

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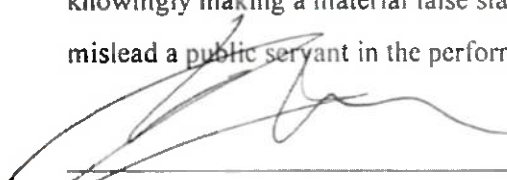
Applicant Signature

Date: 2-22-23

Certification Statement

I hereby certify that Amerco Real Estate CO is the owner of the property located at 503 New Paul Rd Laverne, TN 37086 which is the subject of this application, and that I, Christopher Hardin, in my capacity as Market Company President, 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.



Signature

2-22-23

Date

Chris Hardin MCP

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.



Notary Signature

2/22/2023

Date

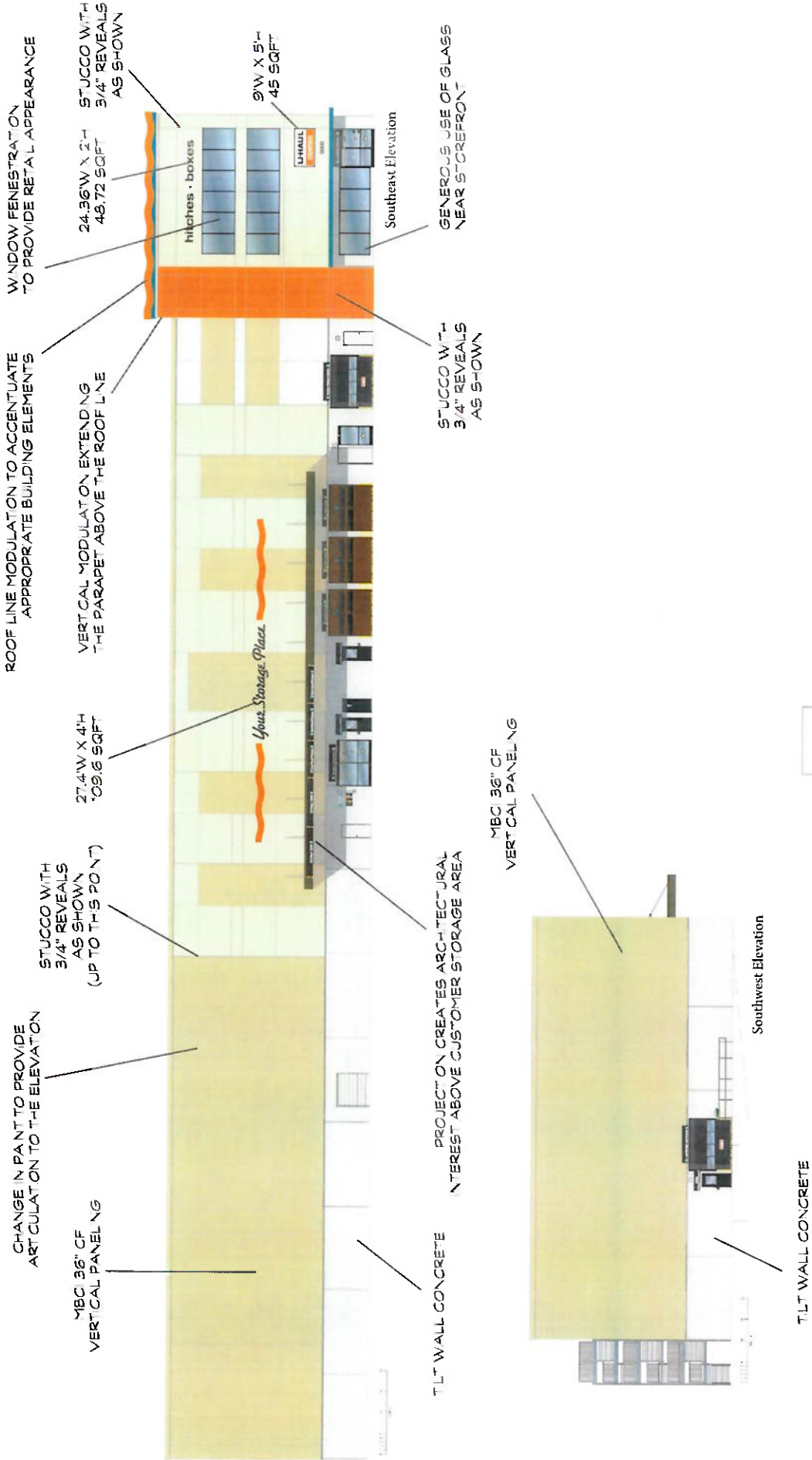


Revised 7/21/08

LR 04/18/2025

MOVING & STORAGE OF LA VERGNE

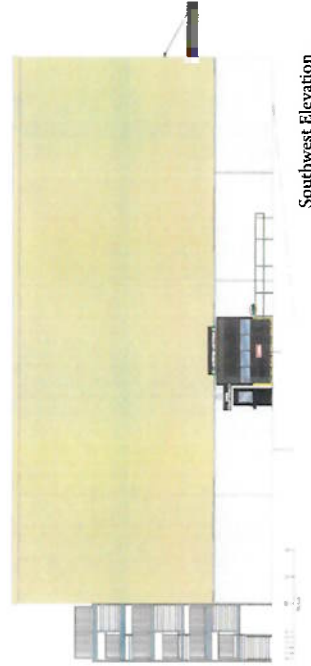
503 New Paul Rd. La Vergne, Tennessee 37086



MOVING & STORAGE OF LA VERGNE
 503 New Paul Rd, La Vergne, Tennessee 37086

LI-HAUL

STUCCO WITH
 3/4" REVEALS
 AS SHOWN



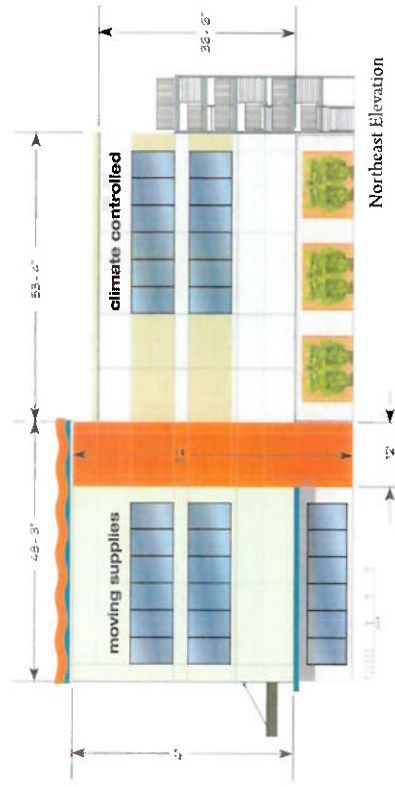
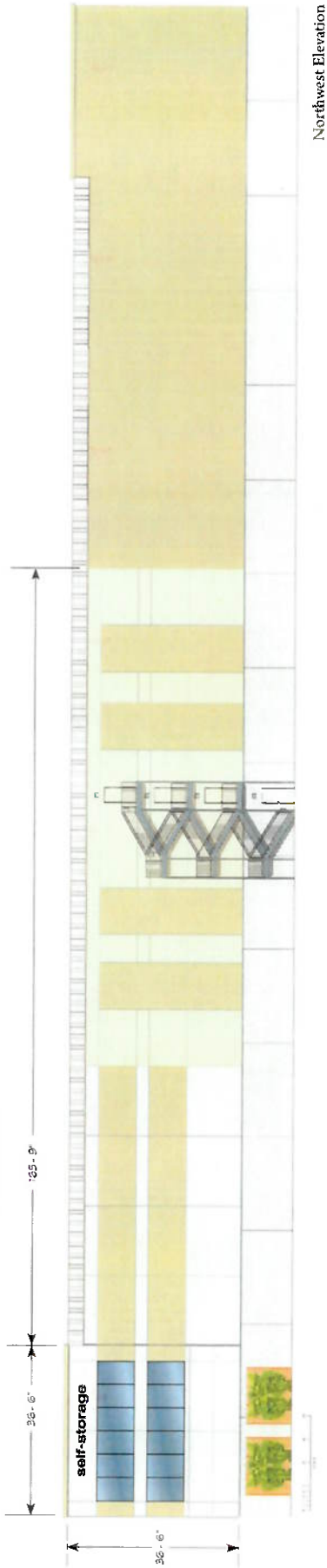
ADVERTISING & MARKETING ASSOCIATES, INC. ARCHITECTURAL DESIGN & FACILITY IMAGING

April 13, 2022

MOVING & STORAGE OF LA VERGNE

503 New Paul Rd, La Vergne, Tennessee 37086

STUCCO WITH
3/4" REVEALS
AS SHOWN





customer entrance