

## **AGENDA**

### **La Vergne Board of Zoning Appeals**

April 30, 2024 at 5:30 PM

- Call meeting to order.
- Determine quorum.

#### **ORDER OF BUSINESS**

1. Approve Minutes: January 30, 2024 Meeting.
2. Nominate and Elect a Chairman for 2024.
3. Nominate and Elect a Vice-Chairman for 2024.

#### **NEW BUSINESS**

4. Request for Sign Variance - Property located at 1210 Heil Quaker Boulevard (Tax Map 17, Parcel 28.03). I-2 (Heavy Industrial) Zoning District. Property owned by Ryder Truck Rental, Inc.
5. Appeal the Decision of the Building Official, Property located at 141 Blue Valley Road (Tax Map 18I, Group B, Parcel 21). R-3 (High Density Residential) Zoning District. Property owned by Brenda Pinkston.
6. 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. **(DEFERRED)**

#### **ADJOURN**

# **MINUTES OF THE REGULAR MEETING OF THE BOARD OF ZONING APPEALS OF THE CITY OF LA VERGNE, TENNESSEE ON JANUARY 30, 2024 IN LA VERGNE CITY HALL, LA VERGNE, TENNESSEE**

The La Vergne Board of Zoning Appeals met in a regular meeting on January 30, 2024 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: City Attorney Evan Cope, Assistant City Administrator Kyle Brown, Codes Director Joe White, City Planner Bo Logan, Engineering Director Gary Lide, Assistant Fire Marshal Kevin Douglas, Executive Assistant Juliet Williams, and Media Services Jerry Davenport.

## **ORDER OF BUSINESS**

### **1. Approve Minutes: January 9, 2024, Meeting**

A motion, made by Vice-Chairman Craig Pollock, seconded by Terrance Smith, to approve the minutes of the January 9, 2024 Meeting, was adopted with all voting AYE.

### **2. Request for Special Exception to Allow Sales and Leasing of Trucks and Trailers, Property located at 470 Dick Buchanan Street (Tax Map 14, Parcel 50). I-2 (Heavy Industrial) Zoning District. Property owned by 470 Dick Buchanan, LLC.**

Mr. Logan gave his report.

Chairman Coates swore in Mr. Alex Dickerson, 1808 West End Ave, Nashville, and Mr. Brent Long, 344 Wilhagen Road, Nashville.

Chairman Coates asked the applicants if this location was originally set up for storage. The applicants stated yes. He asked them what percentage would be trailer sales versus trailer storage. Mr. Dickerson stated there would be no sales, just leasing. Chairman Coates asked about maintenance being done on the property. Mr. Dickerson stated there would be some maintenance done on the lessee's trailers. A discussion ensued.

A motion, made by Charles Jones, seconded by Alfred Lane, to approve the special exception, was adopted with all voting AYE.

**3. Request for Sign Variance, Property located at 5145 Murfreesboro Road (Tax Map 15, Parcel 2.11). C-4 (Shopping Center) Zoning District. Property owned by Kroger LTD Partnership I.**

Mr. Logan gave his report.

Chairman Coates swore in Ms. Betsy Shackelford, 5145 Murfreesboro Road. Chairman Coates asked if the color of the sign would be the same as the existing sign. Mr. Shackelford confirmed it would be. Chairman Coates also asked about the parking. Ms. Shackelford stated she did not know much about the parking, but made comments about the past use of the parking area and space. She stated that it would now be for the pick-up area where the new sign would go. A discussion ensued.

A motion, made by Alfred Lane, seconded by Terrence Smith, to approve the sign variance request, was adopted with all voting AYE.

**ADJOURNMENT**

There being no further business to come before this meeting, Chairman Coates declared the meeting adjourned at 5:41 p.m.

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
City Recorder

Approved: \_\_\_\_\_



**Item #: 4.**

**Item Title:** Request for Sign Variance - Property located at 1210 Heil Quaker Boulevard (Tax Map 17, Parcel 28.03). I-2 (Heavy Industrial) Zoning District. Property owned by Ryder Truck Rental, Inc.

**Reviewed By:** Bo Logan

**Summary:** The applicant is requesting approval of a sign variance on behalf of their client, Ryder Trucks. This site has been home to Ryder for many years.

The property is located in the architectural overlay.

The applicant wishes to install a monument sign on an existing brick structure.

Per the sign regulations codified in Section 4.070 of the zoning ordinance, commercial and industrial structures may be allowed a monument sign as long as the sign does not exceed 10 feet in height. The proposed monument sign will exceed the 10-foot rule by 1 foot, 4 inches.

The sign plans in the packet show the detail sheets of the sign. The shape and colors of the sign are also 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 has not appeared before at the Board of Zoning Appeals with this request.

**Other Comments:** None

Map 17, Parcel 28.03



WALDRON RD

HEIL QUAKER BLVD

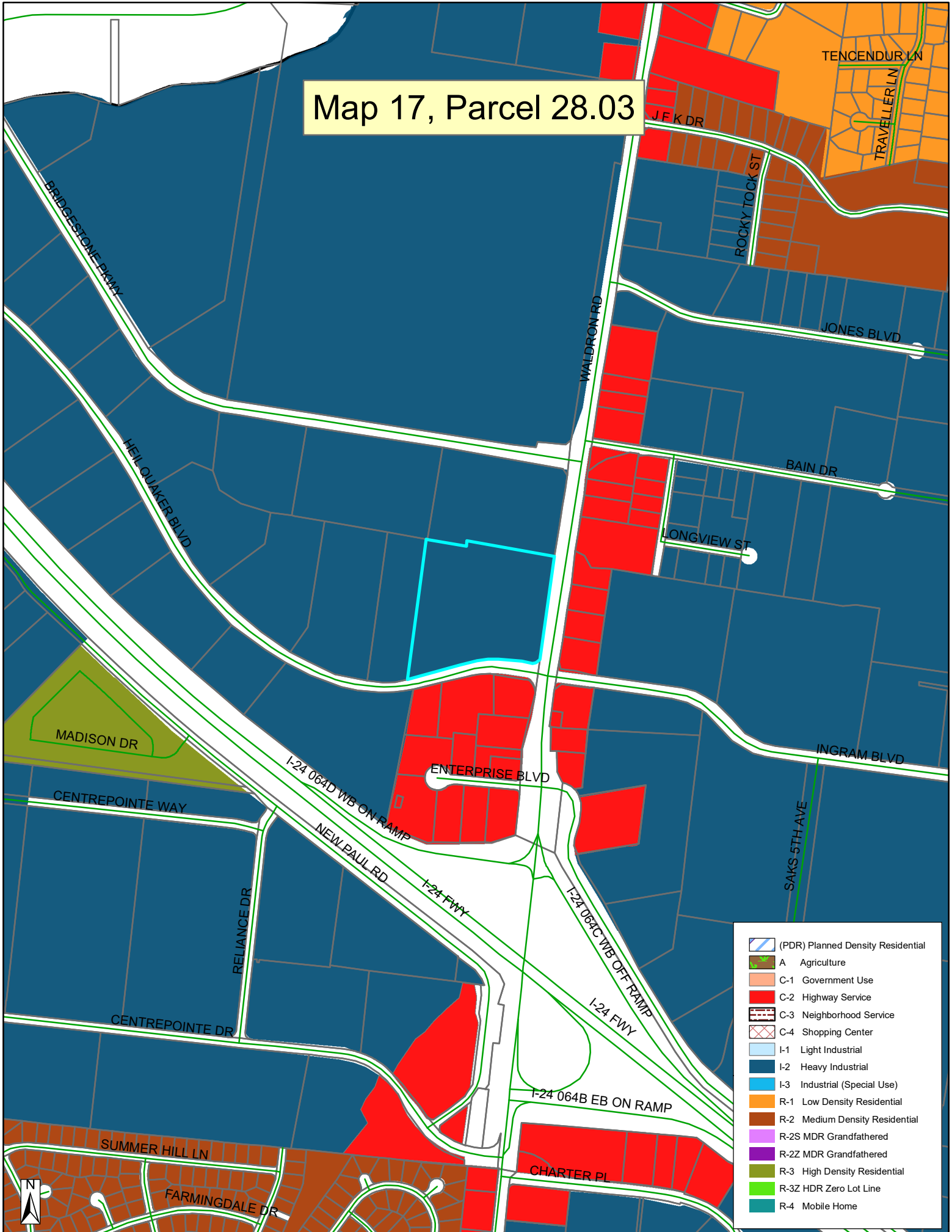
INGRAM BLVD



Map 17, Parcel 28.03



# Map 17, Parcel 28.03



- (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**

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**APPLICANT INFORMATION**

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

1. Date of Application: 3/18/2024                      2. Phone Number: (904) 465-7670
3. Property Owner's Name: Ryder Systems, Inc.
4. Property Owner's Address: 6000 Winward Parkway Alpharetta, GA. 30005  
\_\_\_\_\_
5. Your Name (If Different): Mike Lev - Harbinger Sign Company
6. Address: 2756 Park Street Jacksonville, Florida 32205  
\_\_\_\_\_
7. Property Location: Ryder #0716  
1210 Heil Quaker Blvd. 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: N/A  
\_\_\_\_\_
- (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: Request consideration to allow 120" tall by 97" wide illuminated monument sign to replace existing monument panels.
10. Peculiar or Unusual conditions which justify the Variance Requested: \_\_\_\_\_  
Please reference additional document labeled #10 - Additional space needed for comments.  
\_\_\_\_\_  
\_\_\_\_\_
- (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.

*Mike Lev*

\_\_\_\_\_  
Applicant Signature

Date: 3/18/2024

## Certification Statement

I hereby certify that Ryder Systems, Inc. is the owner of the property located at 1210 Heil Quaker Blvd. La Vergne, TN. 37086 which is the subject of this application, and that I, Mike Lev - Harbinger Sign Company, in my capacity as Ryder's sign provider, 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.

Mike Lev  
Signature

3/18/2024  
Date

Mike Lev VP of Industry Relations  
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.

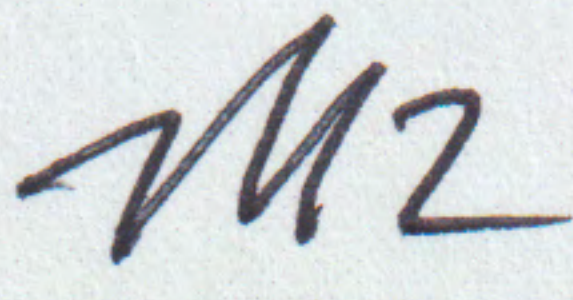
\_\_\_\_\_  
Notary Signature

\_\_\_\_\_  
Date

## Certification Statement

I hereby certify that Ryder Systems, Inc. is the owner of the property located at 1210 Heil Quaker Blvd. La Vergne, TN. 37086 which is the subject of this application, and that I, Mike Lev - Harbinger Sign Company, in my capacity as Ryder's sign provider, am authorized to sign this application on behalf of the owner.

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Mike Lev   
Signature

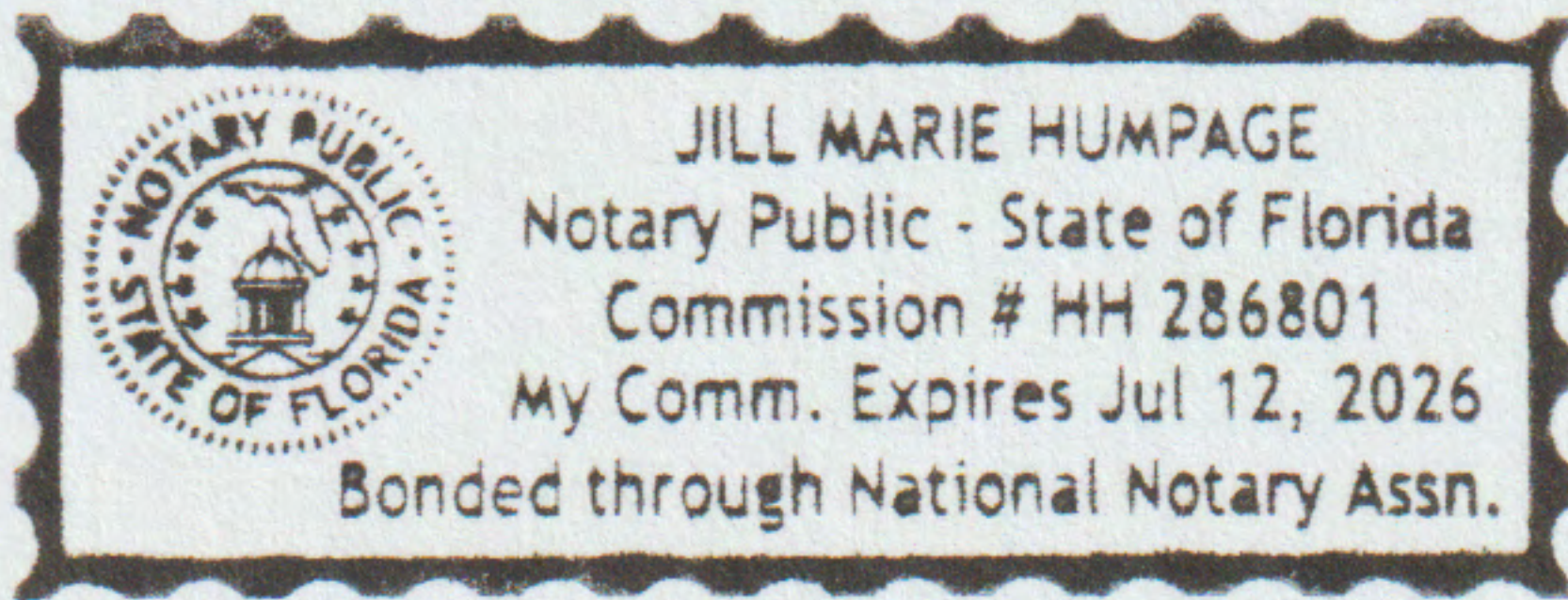
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Jill M Humpage  
Notary Signature

3/18/2024  
Date





Ryder  
Vehicle Sales, LLC  
615-259-5525

**Ryder**  
Vehicle Sales, LLC  
615-259-5525





**MONUMENT SIGN PACKAGE**  
1210 Heil Quaker Blvd. LaVergne, TN 37086  
Revised 03.25.24





Photo Overlay  
NTS

SALES ASSOC: Mike Lev  
PROJECT MGR: Renee Prey  
DESIGNER: Brandon Winebarger

FILE: RYDER\_0716\_LA VERGNE, TN\_SIGN PACKAGE\_R3.cdr  
PATH: F:\Customers\Ryder Truck Rentals

DATE	REV	DESCRIPTION	INITIALS
02.09.24	00	Original	bw
02.15.24	R1	Updates Per Client Feedback	JO
02.19.24	R2	Updates Per Client Feedback	JO
02.28.26	2A	Small update	JO
03.18.24	R3	Add Banners to Package	JO
03.25.24	3A	Update Monument design with road perspective	BW

SQUARE FOOTAGE FORMULA

ZONING:

CALCULATIONS:

ALLOWED TOTAL \_\_\_\_\_  
PROPOSED TOTAL \_\_\_\_\_

CUSTOMER APPROVAL:

- Approved
- Approved as Noted
- Not Approved

Customer Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Customer Notes: \_\_\_\_\_



Complies with  
**UL 48**  
CSA C22.2 No.207

THE STRUCTURAL DESIGN CONFORMS TO THE FOLLOWING CODES AND SPECIFICATIONS: THE FLORIDA BUILDING CODE SEVENTH EDITION (2020). THE AMERICAN INSTITUTE OF STEEL CONSTRUCTION (MANUAL OF STEEL CONSTRUCTION, 9TH EDITION). THE AMERICAN WELDING SOCIETY (AWS D1.1-15. THE AMERICAN CONCRETE INSTITUTE BUILDING CODE REQUIREMENTS FOR STRUCTURAL CONCRETE (ACI 318-14). THE SPECIFICATION FOR ALUMINUM STRUCTURES BY THE ALUMINUM ASSOCIATION (CURRENT EDITION).

EXISTING RACETRACK SIGN ALONG THE ROAD EQUAL HEIGHT OF PROPOSED SIGNAGE



SALES ASSOC: Mike Lev  
 PROJECT MGR: Renee Prey  
 DESIGNER: Brandon Winebarger

FILE: RYDER\_0716\_LA VERGNE, TN\_SIGN PACKAGE\_R3.cdr  
 PATH: F:\Customers\Ryder Truck Rentals

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Photo Overlay  
 NTS



Photo Overlay  
NTS

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**harbinger.**  
sign of the future

2756 Park St, Jacksonville, FL. 32206  
harbingersign.com 904.268.4681

**Ryder** 1210 Heil Quaker Rd,  
La Vergne, TN 37086

SALES ASSOC: Mike Lev  
PROJECT MGR: Renee Prey  
DESIGNER: Brandon Winebarger

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SQUARE FOOTAGE FORMULA

ZONING:

CALCULATIONS:

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PROPOSED TOTAL \_\_\_\_\_

CUSTOMER APPROVAL:

- Approved
- Approved as Noted
- Not Approved

Customer Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Customer Notes: \_\_\_\_\_



Complies with  
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Overlay Site plan  
NTS





SALES ASSOC: Mike Lev  
PROJECT MGR: Renee Prey  
DESIGNER: Brandon Winebarger  
FILE: RYDER\_0716\_LA VERGNE, TN\_SIGN PACKAGE\_R3.cdr  
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**SQUARE FOOTAGE FORMULA**

ZONING:

CALCULATIONS:

ALLOWED TOTAL \_\_\_\_\_  
PROPOSED TOTAL \_\_\_\_\_

CUSTOMER APPROVAL:

- Approved
- Approved as Noted
- Not Approved

Customer Signature: \_\_\_\_\_

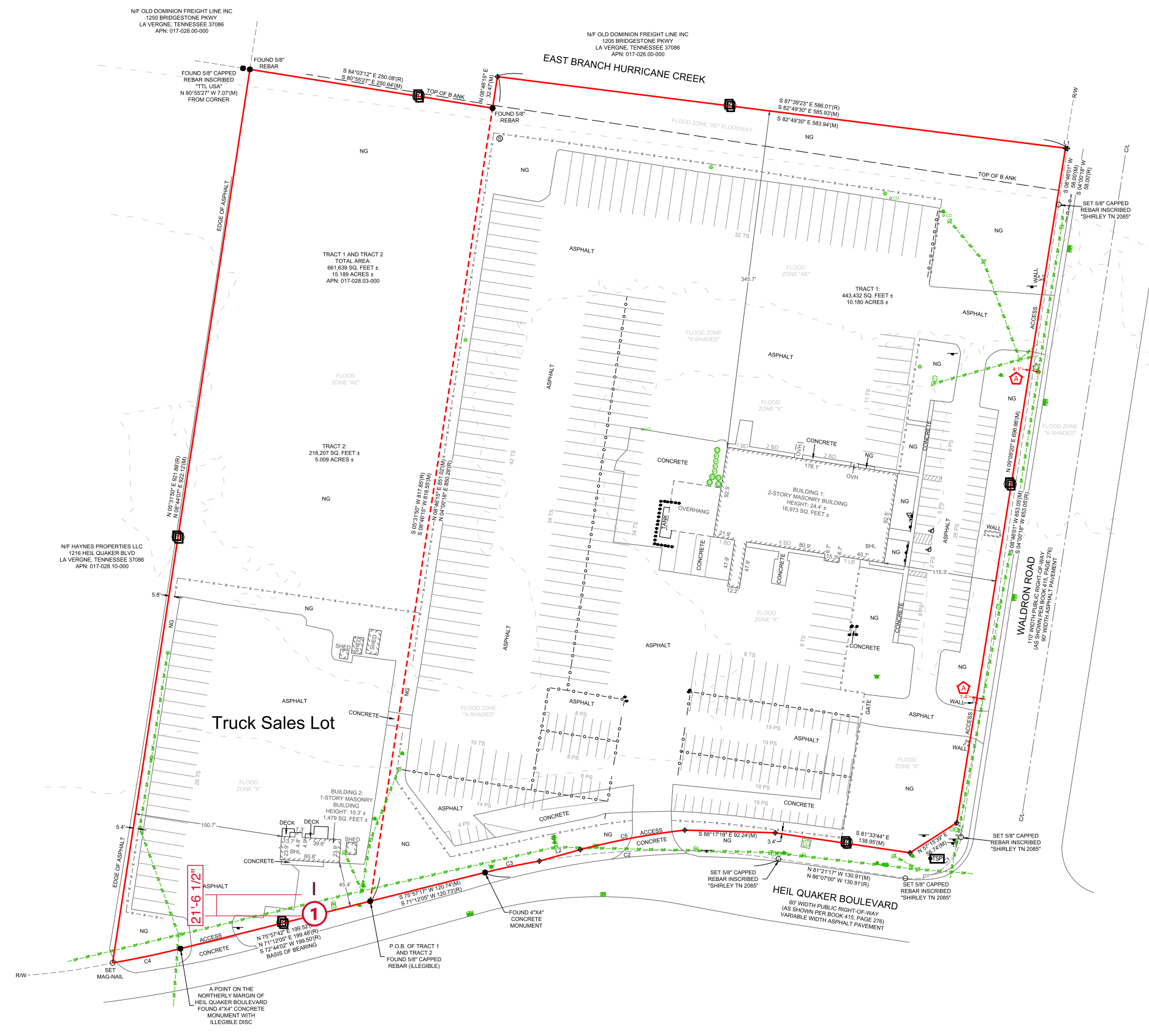
Date: \_\_\_\_\_

Customer Notes: \_\_\_\_\_



Complies with  
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Overall Ryder Site plan

1" = 120'-0"



**Item #: 5.**

**Item Title:** **Appeal the Decision of the Building Official, Property located at 141 Blue Valley Road (Tax Map 18I, Group B, Parcel 21). R-3 (High Density Residential) Zoning District. Property owned by Brenda Pinkston.**

**Reviewed By:** Bo Logan

**Summary:** This property contains one home and is approximately 0.40 acres. The parcel is zoned R-3, High Density Residential, by the City of LaVergne.

Also located on the parcel (or soon to be depending on BOZA) is a detached carport made of metal. This is a temporary structure due to the design and nature of the metal material.

The applicant requests to have this carport in front of the main structure. This is not allowed per the zoning ordinance. All structures must be in the rear yard.

Staff has investigated and reviewed the applicant's property and the request, and staff finds that no impediment exists in the rear yard for this carport. Therefore, staff opines that the carport should be located in the rear yard.

There is no stream, creek or ditch in the rear yard, so water flow is not a reason to allow the carport in the front yard or side yard.

**Background Information:**

**Other Comments:**

141 Blue Valley Rd

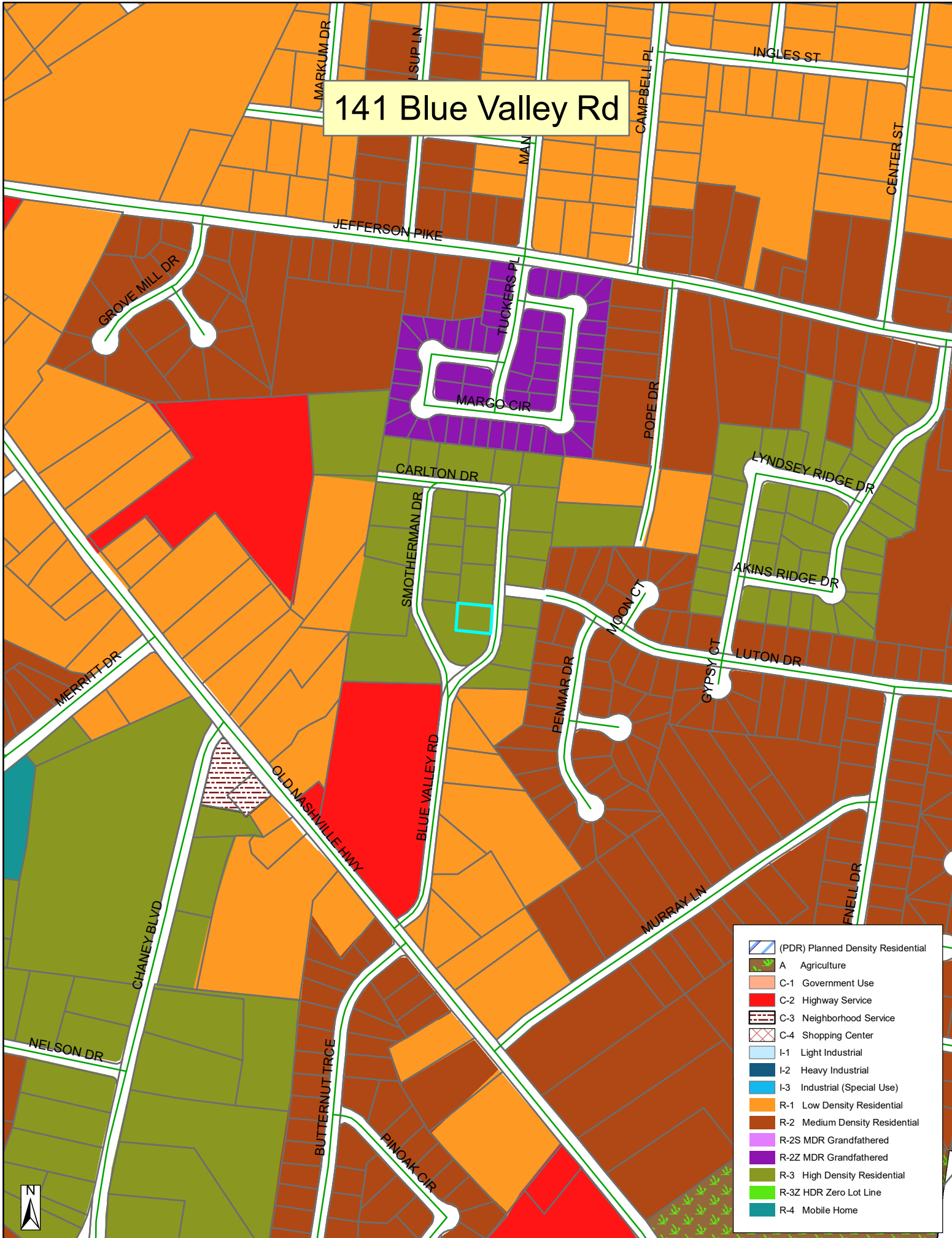


141 Blue Valley Rd

BLUE VALLEY RD



# 141 Blue Valley Rd



	(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: 3/22/24      2. Phone Number: 615-476-6284
3. Property Owner's Name: Brenda Pinkston
4. Property Owner's Address: 119 Smotherman Drive  
LaVergne, TN 37086
5. Your Name (If Different): Brenda Pinkston
6. Address: 119 Smotherman Drive  
LaVergne, TN 37086
7. Property Location: 141 Blue valley 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: Joe White denied application for carport

(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: \_\_\_\_\_
10. Peculiar or Unusual conditions which justify the Variance Requested: \_\_\_\_\_

(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.

Brenda Pankost  
Applicant Signature

Date: 3/22/24

## Certification Statement

I hereby certify that Brenda Pinkston is the owner of the property located at 141 Blue Valley Rd. Laverge, TN 37086 which is the subject of this application, and that I, Brenda Pinkston, in my capacity as property owner, 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.

Brenda Pinkston  
Signature

3/22/24  
Date

Property Owner  
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.

Sharon R. Lane  
Notary Signature



4-23-24

3/22/24  
Date













**ITEM REPORT**  
**Board of Zoning Appeals**  
**Meeting Date: April 30, 2024**

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**Item #: 6.** 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. **(DEFERRED)**

**Department:** Planning

**Presented By:** Bo Logan

**Item Attachments:** 1. Item 6 Combined

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**Summary:**

The applicant would like to request a variance to the height restriction in the La Vergne Zoning Ordinance. The applicant is proposing that each apartment building contain 4 stories and be at least 50 feet high.

If the hipped roofs or ridgelings or gables need to be higher than 50 feet then they will be allowed to do so with this approval by BOZA. But the floor limit will be 4 stories regardless of the height.

The current R-3 district prohibits any buildings over 35 feet in height. Also, when adopted, the proposed zoning ordinance will allow a maximum of 4 stories in this area.

**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. The proposed multi-family development will contain 324 apartments.

**Financial Summary:**

**Staff Recommendation:**

Map 29, Parcel 22.02



# Map 29, Parcel 22.02





**BOARD OF ZONING APPEALS APPLICATION**

**APPLICANT INFORMATION**

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

1. Date of Application: 4/4/2024                      2. Phone Number: 615-977-2363
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: 1136 Glenwood Ave  
Nashville TN 37204
7. Property Location: 703 Waldron Road La Vergne TN 37086

David Pierce - contact

(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 Requirments for  
Multi-Family Design Standards R3 Zoning

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

La Vergne is in the procces of changing the design standards for Multi-Family R3 Zoning to

4 stories. The variance requested is to match those future design standards for the height of 4 stories

(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.
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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: 4/4/2024

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 hand 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

