

**METROPOLITAN SHREVEPORT ZONING BOARD OF APPEALS
SUMMARY MINUTES OF THE PUBLIC HEARING
February 21, 2024**

A regularly scheduled public hearing was held by the Metropolitan Shreveport Zoning Board of Appeals on Wednesday, February 21, 2024 at 3:00 p.m., at Government Plaza Chamber, 505 Travis Street, Shreveport, Caddo Parish, LA. Members met in the MPC Conference room prior to the hearing for case manager presentations.

Members Present

Alan Berry, Chair
Michael Brannan
Melissa Anderson
Bernie Woods

Staff Present

Stephen Jean, Deputy Director
Adam Bailey, Community Planning & Design Manager
Kamrin Hooks, Executive Assistant/Planner 1
Reginald Jordan, Zoning Administrator
Emily Trant, Land Development Coordinator
Tanner Yeldell, City Attorney's Office
PeiYao Lin, Community Planner 1
Christian Terrell, Planner 1

Members Absent

Durwood Hendricks
JaCoby Marshall

The hearing was opened with prayer led by Mr. Berry. The Pledge of Allegiance was led by Mr. Berry.

The meeting was called to order & the procedure for hearing the applications on today's agenda was explained. Speakers were asked to clearly state their name & mailing address. Comments on any item not on the agenda will be limited to 3 minutes at the end of our public hearing.

All decisions rendered by the Zoning Board of Appeals are subject to appeal to the District Court. Appeals must be filed within 10 days from the date a decision is rendered by the Zoning Board of Appeals.

► **APPROVAL OF MINUTES**

A motion was made by Mr. Woods, seconded by Ms. Anderson, to approve the minutes of the December 20th, 2023 public hearing as submitted.

The motion was adopted by the following 3-1 vote: Ayes: Messrs. BERRY & WOODS, and Meses. ANDERSON. Nays: None. Abstain: Messrs. BRANNAN Absent: Messrs. HENDRICKS, MARSHALL

► **PUBLIC HEARING**

CASE NO. 23-39-BAC VARIANCE

Applicant: John C. Tanner
Owner: John C. Tanner
Location: 286 N. Emerald Loop (West side of Emerald Loop at the intersection of Colorado Cir.)
Existing Zoning: R-1-5
Request: Variance to On-Site Development Standards
Proposed Use: Carport

Representative &/or support:

John Hogan 2115 General Forrest Dr, Bossier City, LA, 71112

Hogan stated that the applicant was requesting the carport to aid his elderly mother get into the home safely during inclement weather. WOODS asked if there were other carports in the area. Hogan stated that there are, and the applicant's carport will be similar.

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Opposition: NONE

A motion was made by Mr. Brannan, seconded by Mr. Woods, to approve application as submitted.

The motion was adopted by the following 4-0 vote: Ayes: Messrs. BERRY, BRANNAN, & WOODS, and Meses. ANDERSON. Nays: None. Absent: Messrs. HENDRICKS, MARSHALL

CASE NO. 23-38-BAC VARIANCE

Applicant: Hubbard, Andrea Nicole Vozzella
Owner: Hubbard, Andrea Nicole Vozzella
Location: 461 HURON ST (south side of Huron St., approx., 660 ft west of Gilbert Ave)
Existing Zoning: R-1-7
Request: Variance to On-Site Development Standards
Proposed Use: Carport

Representative &/or support: NONE

Opposition: NONE

A motion was made by Mr. Woods, seconded by Ms. Anderson , to approve withdraw of application.

The motion was adopted by the following 4-0 vote: Ayes: Messrs. BERRY, BRANNAN, & WOODS, and Meses. ANDERSON. Nays: None. Absent: Messrs. HENDRICKS, MARSHALL

CASE NO. 23-40-BAC APPEAL

Applicant: Jacqueline Scott And Associates
Owner: Jacqueline Scott And Associates
Location: 1115 Pierremont Rd (Southeast corner of Pierremont Rd and Southern Ave)
Existing Zoning: C-2
Request: Appeal of Zoning Admin Decision
Proposed Use: Sign - On-Premises Advertisement

Representative &/or support:

Jacqueline Scott 401 Hamilton Rd #110, Bossier City, LA, 71101

Scott stated that the lighting has been adjusted on the sign to come into compliance, as being a good neighbor is important to her. She stated that her goal is to make a difference in the area. BERRY asked if the issue has been addressed then is it no longer an issue and referred to JORDAN. JORDAN stated that the sign not dimming at night was a problem and if that has been addressed then it is no longer an issue. Scott stated that the video on the sign was to attract business and that she has seen videos on billboards around town. She stated that in studies show no correlation between digital signs and crashes but does show a correlation between digital signs and crashes. She stated she would like to maintain the ability to show her short video. Scott stated that many people drive with phones and her billboard is high off the ground and not more distracting than a cell phone.

WOODS stated that he has seen other videos around the city on digital boards. He asked since the UDC says that the video is not allowed, does the applicant know how to get the UDC changed. As the law should apply to everyone and it does not. Scott stated that this is a new age, and she is willing to help make the change. She stated she felt the laws were antiquated.

Jonathan Ho 526 E Southfield, Shreveport, LA, 71105

Ho stated he was representing LED Design studios, the company the applicant purchased the billboard from. He stated that the sign is set at a time zone that turns down the brightness level, it is 500 at night and 5000 during the day. BERRY asked does it include daylight savings, to which Ho answered yes.

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Carlos D. Hartwell 6116 Wincanton Dr, Shreveport, LA, 71129

Hartwell stated that he is the applicant's relator, and that the applicant is very diligent with doing everything necessary to be complying.

Opposition:

Molly McInnis 455 Southfield Rd, Shreveport, LA, 71105

McInnis spoke on behalf of the South Highlands Neighborhood Association and stated that people agreed that the brightness is very distracting changing between a red, green, and white sign. She stated it confuses people to think that the traffic lights are changing. McInnis asked if the brightness of the sign would be tested by zoning to ensure it has been dimmed. Jordan stated that the violation is still open, and it will be tested to ensure it is dimmed. She also stated that the video is very distracting and takes attention away from the stoplight.

Ron Lepow 1132 Eris St, Shreveport, LA, 71106

Lepow stated that he does not think video signs are the sign of the future. He stated that having the signs will inspire competition and people will start having bigger and brighter signs, which will look like the Las Vegas Strip.

Jeff Spikes 4740 Richmond Ave, Shreveport, LA, 71106

Spikes stated he lives in sight of the sign, and it is very bright. He stated that navigating the intersection is difficult already, but adding the video will make it more dangerous.

Adam Bailey MPC Staff

BAILEY stated that the issue is the video. If the applicant wants to change the sign to video, she will need to contact the MPC office, and it would have to go before the City Council as a code text amendment. He stated that in article 2 of the UDC it describes what a video display sign is and in article 9 of the UDC it states that those signs are prohibited. He stated because of that the MPC Staff concludes that the zoning administrator acted appropriately in citing Ms. Scott.

Rebuttal:

Jacqueline Scott 401 Hamilton Rd #110, Bossier City, LA, 71101

Scott stated that she drove the area to see the surrounding lights at 1 am and 4am, she stated that you can not see the lights from a block away. BERRY stated that the Board would be voting on the video violation, not the brightness of the sign.

JORDAN stated that the MPC office accepts complaints at any given notice and if anyone is aware of any location with video display to make the MPC office aware.

A motion was made by Mr. Brannan, seconded by Ms. Anderson , to deny the application.

ANDERSON informed the applicant that she appreciated her making the necessary changes once notified of the violation, but they would be voting on what is before them today which is the video.

BERRY stated that what happens is not a reflection of their beliefs but an agreement that the actions taken by the Zoning Administrator were within the guidelines of the UDC.

WOODS stated that the video display sign is regulated within the UDC code, but something can be done to change the code. He stated that if the video signs are dangerous then keep the code, but if it is proven that they are not, and many people are using video signs then someone should change the UDC code.

The motion was adopted by the following 4-0 vote: Ayes: Messrs. BERRY, BRANNAN, & WOODS, and Meses. ANDERSON. Nays: None. Absent: Messrs. HENDRICKS, MARSHALL

CASE NO. 23-41-BAC APPEAL

Applicant: Once Upon a Diamond
Owner: Once Upon a Diamond
Location: 1003 Pierremont Rd (Southwest corner of Pierremont Rd and Fairfield Ave)
Existing Zoning: C-2
Request: Appeal of Zoning Admin Decision

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Proposed Use: Sign - On-Premises Advertisement

Representative &/or support:

Steve Brown 109 Family Cir, Benton, LA, 71006

Brown raised confusion on who he should be speaking with about having the video sign if the ZBA Board cannot make that change for him. JEAN stated that the code says videos are not allowed and that is why a violation was issued. JORDAN stated that the video issue has nothing to do with the sign types and that the applicant for case 23-40-BAC does not have a billboard, she has a on-premises sign. JEAN stated that to have the video display, he would need to apply for a code-text amendment to change the UDC and have it approved by the City Council. Brown stated that he came before the wrong Board. BERRY stated that he should appeal the case and they are there to decide whether the Zoning Administration acted appropriately. Brown stated that the sign has been up for a year and no wrecks have happened in front of his business. He then stated that it is a 5 second video that is less distracting than having a phone. He stated that the video is a rotating diamond and someone torching gold to educate clients on what is being done with their jewelry. JEAN stated that the MPC office is open to seeing how the code can be improved, but that change must be initiated.

Jordan Brown 6251 E Oxbow Lp, Bossier City, LA, 71112

Brown stated that they are interested in the safety of others. He stated that seeing billboards and signs with a lot of text is more distracting than a 5 second video of a ring moving. He stated that digital signs can bring your attention to the road. He stated that they have an online store, and a moving picture helps with sales.

Jacqueline Scott 401 Hamilton Rd #110, Bossier City, LA, 71101

Scott stated that she wants to make sure that there is no selective enforcement. She stated that the applicant has the video for a long time until she came to the area. BERRY stated that speeding is against the law, but everyone does not get caught and that the rules are across the board, but the MPC office is complaint driven. She stated that the applicant only got in trouble after she moved into the neighborhood. BERRY stated that is causation and correlation as someone new could have moved into the neighborhood and complained. He stated that no one was waiting for her to arrive to complain about the sign.

Opposition:

Adam Bailey MPC Staff

BAILEY stated that the MPC staff would be glad to pursue the possibility of changing the code surrounding the video display. He stated that the zoning enforcement does not single people out.

A motion was made by Ms. Anderson , seconded by Mr. Brannan, to deny the application.

BERRY stated that he would be voting to deny the application for the same reasons he voted to deny case 23-40-BAC.

The motion was adopted by the following 4-0 vote: Ayes: Messrs. BERRY, BRANNAN, & WOODS, and Meses. ANDERSON. Nays: None. Absent: Messrs. HENDRICKS, MARSHALL

CASE NO. 23-44-BAC VARIANCE

Applicant: Interplan Architects, INC.
Owner: Corner Market 72, LLC
Location: 6976 Jewella Ave (NW Corner of W. 70th and Jewella Ave.)
Existing Zoning: C-UC
Request: C-3
Proposed Use: 10' Variance to Rear yard

Representative &/or support:

Gianni Valle 19855 Greenwood Chase, Houston, TX, 77084

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Valle stated that they are wanting to honor the same building line that is existing. He stated that he saw that the ZBA Board has approved certain variances in the past based on the hours of operations and the operation hours will be 6am to 11pm. He stated that the variance would not be detrimental to the public or alter the character of the neighborhood. He stated that if denied. They will not be able to do the L-shape design and the client may not go forward with the project. BERRY asked Valle to speak to an alternative plan that would allow for the square footage, but not require the variance. JEAN stated that there are other viable options, therefore no hardship is available as there are other options. JEAN stated that the 44' section could be shifted to the right. BERRY stated that there is an option to defer and continue the case. Valle asked for clarification on what the opposition to them extending the building as they proposed is. JEAN stated that the staff refers to the code and makes recommendations based on that. With the variance he stated that they look at possible hardships or compatibility. JEAN stated that the hardship standard has not been met, as there are things that can be done that are within the applicant's control. Valle asked for an example of a hardship. JEAN stated that topography issues would be considered a hardship. BERRY asked if the applicant would keep the awning. Valle stated they will not and they will propose a new canopy, for the single operation corner market. WOODS asked what would be sold there. Valle stated convenience store items would be sold there, like soda and beer, it is not a grocery store.

Opposition: NONE

A motion was made by Mr. Brannan, seconded by Ms. Anderson , to approve this application.

BRANNAN stated that presentation will help improve the property and that the hardship clause of the UDC is not enough to deny this application.

WOODS stated that he is opposed to this application because he is not clear on what the C-store will be selling.

The motion was adopted by the following 3-1 vote: Ayes: Messrs. BERRY, BRANNAN, and Meses. ANDERSON. Nays: Messrs. WOODS Absent: Messrs. HENDRICKS, MARSHALL

END OF PUBLIC HEARING

- ▶ **OLD BUSINESS**
- ▶ **NEW BUSINESS**

- ▶ **OTHER MATTERS TO BE REVIEWED BY THE ZBA**
- ▶ **CHAIR / BOARD MEMBERS' COMMENTS**

MEETING ADJOURNED 4:18 p.m.

Alan Berry, Chairman

Bernie Woods, Secretary