



City of San Antonio

Legislation Details (With Text)

File #: 17-1282

Type: Zoning Case

In control: Board of Adjustment

On agenda: 2/6/2017

Title: A-17-041: A request by Tanya Scisney for a special exception to allow a one-operator beauty shop in the home, located at 10303 Tippecanoe. Staff recommends Approval. (Council District 4)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Attachments A-17-041

Date	Ver.	Action By	Action	Result
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Case Number: A-17-041

Applicant: Tanya Scisney

Owner: Renate Scisney Revocable Trust

Council District: 4

Location: 10303 Tippecanoe

Legal: Lot 19, Block 67, NCB 15910

Description:

Zoning: "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District

Case Manager: Margaret Pahl, AICP, Senior Planner

Request

A request for a special exception to allow a one-operator beauty shop in the home, pursuant to Section 35-399.

Executive Summary

The subject property is a single family home built in 1988 in the Heritage Farms Subdivision. The owner just purchased the home and desires to add an in-home beauty shop which requires a special exception pursuant to the Unified Development Code Section 35-399. This section of the ordinance includes specific limitations under which the special exception can be granted, including a size limitation of 25%, specified hours of operation, and a prohibition against outside employees. The Board of Adjustment typically considers the first special exception for a period of two years to allow the new operator to establish good operating habits and provide the neighbors with an opportunity to document problems. In this case, the applicant is proposing business hours of Sunday through Thursday 10:00 am to 7:00 pm. for a total of 45 hours per week. The applicant intends to reside in the home and will be the only operator at the location. Interior modifications have not begun, but the plans include a 14 foot by 14 foot salon space, far less than the 25% limitation.

Subject Property Zoning/Land Use

Existing Zoning	Existing Use
“R-6 AHOD” Residential Single-Family Airport Hazard Overlay District	Single-Family Residence

Surrounding Zoning/Land Use

Orientation	Existing Zoning District(s)	Existing Use
North	“R-6 AHOD” Residential Single-Family Airport Hazard Overlay District	Single-Family Residence
South	“R-6 AHOD” Residential Single-Family Airport Hazard Overlay District	Single-Family Residence
East	“R-6 AHOD” Residential Single-Family Airport Hazard Overlay District	Single-Family Residence
West	“R-6 AHOD” Residential Single-Family Airport Hazard Overlay District	Single-Family Residence

Comprehensive Plan Consistency/Neighborhood Association

The property is located within the boundaries of the West Sector Plan and is designated as Suburban Tier in the future land use component of the plan. The subject property is located within the boundaries of the Heritage Neighborhood Association. As such, they were notified and asked to comment.

Criteria for Review

According to Section 35-482(h) of the UDC, in order for a special exception to be granted, the Board of Adjustment must find that the request meets each of the five following conditions:

A. The special exception will be in harmony with the spirit and purpose of the chapter.

The purpose of the review is to ensure that the operation of one-operator beauty/barber shop does not negatively impact the character of the community. The applicant has fulfilled all requirements for a one-operator shop as established in the Unified Development Code. As such, staff finds that the special exception will be in harmony with the purpose of the chapter.

B. The public welfare and convenience will be substantially served.

Public welfare and convenience will be served as it will provide a valuable service to the residents of the neighborhood.

C. The neighboring property will not be substantially injured by such proposed use.

The subject property will be primarily used as a single family residence. The beauty/barber shop will occupy only a small portion of the home, as required by the UDC. A neighboring property owner should not have any indication that a portion of the home is being used for this purpose.

D. The special exception will not alter the essential character of the district and location in which the property for which the special exception is sought.

The requested special exception is not likely to negatively impact adjacent property owners as the home is in character with those around it. During the field visit, staff noted a large driveway capable of

providing any necessary parking for the proposed use.

E. The special exception will not weaken the general purpose of the district or the regulations herein established for the specific district.

The primary use of the dwelling remains a single-family home. The granting of this special exception will not weaken the purposes of the residential zoning district.

Alternative to Applicant's Request

The applicant would not be permitted to install and operate the beauty shop.

Staff Recommendation

Staff recommends **APPROVAL** of the requested special exception of **A-17-041** for a period of two years **with the requested hours of operation**, based on the following findings of fact:

1. The home will retain its residential character and will not detract from the residential nature of the community;
2. The applicant has complied with all of the specific requirements established in the Unified Development Code for the special exception.