



# City of San Antonio

## Legislation Details (With Text)

**File #:** 15-5865

**Type:** Staff Briefing - Without Ordinance

**In control:** Board of Adjustment

**On agenda:** 11/16/2015

**Title:** A-16-004: A request by Diana Fuentes for a special exception renewal to allow an in-home beauty shop, located at 5931 Cliff Ridge. (Council District 6)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A-16-004 Exhibits

Date	Ver.	Action By	Action	Result
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**Case Number:** A-16-004

**Date:** November 16, 2015

**Applicant:** Diana Fuentes

**Owner:** Diana Fuentes

**Council District:** 6

**Location:** 5931 Cliff Ridge

**Legal Description:** Lot 123, Block 12, NCB 18712

**Zoning:** "R-6" Residential Single-Family District

**Case Manager:** Kristin Flores, Planner

### Request

A request for a special exception, pursuant to Section 35-399.01 (i) of the Unified Development Code, to allow a one-operator beauty/barber shop in the home.

### Executive Summary

The subject property is located at 5931 Cliff Ridge. The home was built in the late 1970s and includes approximately 1,360 square feet. The applicant is seeking a special exception to continue the operation of a one-operator beauty/barber shop. The applicant has previously been granted four special exceptions to permit the operation of the beauty shop. Most recently the applicant was granted a special exception in December 2011 for four (4) years.

This is not the applicant's first request for a special exception and Section 35-399.01 (i) allows the Board to grant the special exception for a period of four years. The applicant has proposed the hours of Monday 12:00 pm-5:00 pm; Tuesday 1:00 pm-6:00 pm; Thursday 10:00 am-2:00 pm; Friday & Saturday from 9:00 am to 12:00 pm. The shop will be closed on Wednesdays and Sundays. The applicant has a large driveway which provides ample off-street parking for customers.

### Subject Property Zoning/Land Use

Existing Zoning	Existing Use
"R-6" Residential Single-Family District	Single-Family Dwelling

### Surrounding Zoning/Land Use

Orientation	Existing Zoning District(s)	Existing Use
North	"R-6" Residential Single-Family District	Single-Family Dwelling
South	"R-6" Residential Single-Family District	Single-Family Dwelling
East	"R-6" Residential Single-Family District	Single-Family Dwelling
West	"R-6" Residential Single-Family District	Single-Family Dwelling

### Comprehensive Plan Consistency/Neighborhood Association

The property is within the boundaries of the Northwest Community Plan and designated as Low Density Residential in the future land use component of the plan. The subject property is located within the boundaries of the Great Northwest Neighborhood Association. As such, the neighborhood association was notified and asked to comment.

### Criteria for Review

According to Section 35-482(e) of the UDC, in order for a variance to be granted, the applicant must demonstrate all of the following:

1. *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.**

2. *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.**

3. *The neighboring properties 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.**

4. *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 nothing visible from the street that would indicate the presence of a beauty/barber shop. Also, staff noted a large driveway capable of**

**providing any necessary parking for the proposed use.**

*5. The special exception will not weaken the general purpose of the district or the regulations herein established for the specified 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 operate the barber shop in the home.

#### **Staff Recommendation**

Staff recommends **APPROVAL of A-16-004 for a period of four (4) years with the proposed hours of operation, Monday 12:00 pm-5:00 pm; Tuesday 1:00 pm-6:00 pm; Thursday 10:00 am-2:00 pm; Friday & Saturday from 9:00 am to 12:00 pm**, based on the following findings of fact:

1. The home retains its residential character and does not detract from the residential nature of the community;
2. The applicant has complied with all of the requirements established by the Unified Development Code.

#### **Attachments**

Attachment 1 - Notification Plan (Aerial Map)

Attachment 2 - Plot Plan (Aerial Map)

Attachment 3 - Site Plan

Attachment 4 - Site Photos