



City of San Antonio

Legislation Details (With Text)

File #: 18-6383
Type: Zoning Case
In control: Board of Adjustment
On agenda: 11/19/2018
Title: A-18-180: A request by Manuela L. Rodriguez for a special exception to allow a renewal of a one-operator beauty/barber shop within a home, located at 322 Lemur Drive. Staff recommends Approval. (Council District 1)
Sponsors:
Indexes:
Code sections:
Attachments: 1. A-18-180 Attachments

Date	Ver.	Action By	Action	Result
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Case Number: A-18-180
Applicant: Manuela L. Rodriguez
Owner: Manuela L. Rodriguez
Council District: 1
Location: 322 Lemur Drive
Legal: Lot 60, Block 14, NCB 10195
Description:
Zoning: "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District
Case Manager: Dominic Silva, Planner

Request

A request for a special exception, as described in Section 35-399.01, to allow a renewal of a one-operator beauty/barber shop within a home.

Executive Summary

The subject property is located on Lemur Drive, approximately 352' west of Barbet Drive. The site is currently developed with an existing single-family residence which includes the one-operator beauty shop within the residence.

The Board of Adjustment first granted approval for this one operator beauty salon in 1999. Subsequent approvals have been obtained from the Board in 2000; 2002; 2006; 2010; and 2014. The last approval was 2014 for a period of four years. The current approval expired on October 6th, 2018. Section 35-399.01(i) of the UDC allows the Board to approve the requested special exception for a period not to exceed

four years.

The applicant has proposed hours of operation as Wednesday through Friday from 8:00AM until 2:00PM. The proposed hours of operation total less than 40. The applicant will be the only cosmetologist at the location. No violations of the requirements of the UDC were observed upon a staff visit to the site, and there have been no code violations reported.

It has been the Board's policy that when considering renewals to a granted special exception application for one operator beauty salons to time limit any approval to four years after an initial two-year period. As such, if approval is contemplated by the Board, it should be for a time limit of four years (48 months). If approved for four years, the current special exception request would expire November 19th, 2022.

Code Enforcement History

There has been no Code Enforcement history for this property.

Permit History

The applicant has obtained renewals from the Board in 2000; 2002; 2006; 2010; and 2014.

Subject Property Zoning/Land Use

Existing Zoning	Existing Use
"R-4 AHOD" Residential Single-Family Airport Hazard Overlay District	Single-Family Dwelling with a one-operator beauty salon

Surrounding Zoning/Land Use

Orientation	Existing Zoning District(s)	Existing Use
North	"R-4 AHOD" Residential Single-Family Airport Hazard Overlay District	Single-Family Dwelling
South	"R-4 AHOD" Residential Single-Family Airport Hazard Overlay District	Single-Family Dwelling
East	"R-4 AHOD" Residential Single-Family Airport Hazard Overlay District	Single-Family Dwelling
West	"R-4 AHOD" Residential Single-Family Airport Hazard Overlay District	Single-Family Dwelling

Comprehensive Plan Consistency/Neighborhood Association

The property is within the Greater Dellview 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 Dellview Area Neighborhood Association. As such, they were notified and asked to comment.

Street Classification

Lemur Drive is classified as a Local street.

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 requested special exception will be in harmony with the spirit and purpose of the chapter in that the proposed one-operator beauty salon will follow the specified criteria established in Section 35-399.01 in the Unified Development Code.

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

The public welfare and convenience will be served with the granting of this request as it will provide a valuable and needed public service to the residents of the neighborhood and it will not negatively impact surrounding properties.

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 shop will occupy only a small part of the structure, and the fact that a beauty shop is being operated from the home will likely be indiscernible to passersby. As such, neighboring properties will not be substantially injured.

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 will not alter the essential character of the district as the use will likely be indiscernible to passersby.

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

The purpose of the zoning district is to promote the public health, safety, and general welfare of the city. The granting of this special exception will not weaken these purposes, nor will it weaken the regulations established for this district.

Alternative to Applicant's Request

The alternative to the applicant's plan would be to discontinue operations per Section 35-399.01 to allow a renewal of a one-operator beauty/barber shop within a home.

Staff Recommendation

Staff recommends **APPROVAL** of the special exception in **A-18-180 for a period of forty eight months not to exceed forty hours per week** based on the following findings of fact:

1. The request meets all criteria for granting the special exception.