



City of San Antonio

Legislation Details (With Text)

File #: 21-4736

Type: Staff Briefing - Without Ordinance

In control: Board of Adjustment

On agenda: 7/19/2021

Title: BOA-21-10300064: A request by Shannon Lowe for a special exception to allow a registration of a one-operator beauty/barber shop within a single-family residence, located at 515 Tara Drive. Staff recommends Approval. (Council District 1) (Kayla Leal, Senior Planner (210) 207-0197, kayla.leal@sanantonio.gov, Development Services Department)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Attachments

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

Case Number:	BOA-21-10300064
Applicant:	Shannon Lowe
Owner:	Shannon Lowe
Council District:	1
Location:	515 Tara Drive
Legal Description:	Lot 24, Block 6, NCB 13431
Zoning:	"R-5 AHOD" Residential Single-Family Airport Hazard Overlay District
Case Manager:	Kayla Leal, Senior Planner

Request

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

Executive Summary

The subject property is located at 515 Tara Drive and currently has a single-family residence on the property. The area is surrounded by single-family residential dwellings and is in close proximity to San Pedro Avenue which consists of several commercial uses. The applicant is requesting the Board of Adjustment grant approval of a new registration of a one-operator beauty shop within the residential dwelling. The hours of operation are proposed to be Tuesday through Saturday from 10:00 am to 4:00 pm. The applicant will be the only cosmetologist at the location and will serve customers by appointment only.

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.

Code Enforcement History

Code Enforcement investigated the property for a current Certificate of Occupancy on April 15, 2021. The applicant was notified she needed an updated Certificate of Occupancy for her residence and was directed to apply for a Special Exception.

Permit History

There is no relevant permit history on this property.

Zoning History

The subject property was annexed into the City of San Antonio on September 25, 1952, established by Ordinance 18115, and was zoned “A” Residence District. Upon adoption of the 2001 Unified Development Code (Ordinance 93881, dated May 3, 2001), the zoning converted from “A” to the current “R-5” Residential Single-Family District.

Subject Property Zoning/Land Use

Existing Zoning	Existing Use
“R-5 AHOD” Residential Single-Family Airport Hazard Overlay District	Residential

Surrounding Zoning/Land Use

Orientation	Existing Zoning District(s)	Existing Use
North	“R-5 AHOD” Residential Single-Family Airport Hazard Overlay District	Residential
South	“R-5 AHOD” Residential Single-Family Airport Hazard Overlay District	Residential
East	“R-5 AHOD” Residential Single-Family Airport Hazard Overlay District	Residential
West	“R-5 AHOD” Residential Single-Family Airport Hazard Overlay District	Residential

Comprehensive Plan Consistency/Neighborhood Association

The property is within the San Antonio International Airport Vicinity 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 Greater Harmony Hills Neighborhood Association, and as such have received notification of this special exception request.

Street Classification

Tara 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 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 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.

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 no longer be permitted to operate the beauty shop.

Staff Recommendation

Staff recommends **APPROVAL of the requested Special Exception of BOA-21-10300064 for a period of two years**, 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; and
2. The hours of operation are to be Tuesday through Saturday from 10:00 am to 4:00 pm; and
3. The applicant has complied with all the specific requirements established in the Unified Development Code for the special exception.