



City of San Antonio

Agenda Memorandum

File Number:15-2398

Agenda Item Number: 4.

Agenda Date: 4/6/2015

In Control: Board of Adjustment

Case Number: A-15-059
Date: April 20, 2015
Applicant: Lisa Miranda
Owner: Lisa Miranda
Council District: 6
Location: 1710 Rob Roy Lane
Legal Description: Lot 3, Block 9, NCB 34400
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, 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 1710 Rob Roy Lane in the Oak Creek Community. The parcels are generally large in this neighborhood, averaging about a half-acre in size. The home was built in the late 1970s and includes approximately 1,850 square feet. The applicant is seeking a special exception to allow for a one-operator beauty/barber shop to be located within what used to be the garage. According to photos submitted with the application, necessary plumbing work has already been completed without proper permits. A building permit and inspections will be required prior to issuance of a Certificate of Occupancy, the final requirement prior to beginning operation.

This is 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. It has been the Board's policy however to grant the initial approval for a period less than four years to determine the potential impact of the use on the surrounding neighborhood. The special exception provision of the UDC includes a list of performance standards which are adopted to address anticipated impacts from the proposed use. These include having no employees, limiting the size of the space to no more than 25% of the home's floor area, maintaining the residential appearance of the home, and no commercial signage. The applicant has proposed the hours of Monday through Saturday from 9:00 am to 6:00 pm. The shop will be closed on 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 AHOD” Residential Single-Family Airport Hazard Overlay District	Single-Family Dwelling

Surrounding Zoning/Land Use

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

Comprehensive Plan Consistency/Neighborhood Association

The property is within the boundaries of the West/Southwest Sector Plan and designated as Rural Estate future land use. The subject property is located within the boundaries of the Oak Creek 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-15-059 for a period of 24 months with the proposed hours of operation, Monday through Saturday 9-6**, 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 for a special exception by the Unified Development Code.