



# City of San Antonio

## Agenda Memorandum

**File Number:**15-3164

**Agenda Item Number:** 2.

**Agenda Date:** 5/18/2015

**In Control:** Board of Adjustment

**Case Number:** A-15-084  
**Applicant:** Shannon Goodman  
**Owner:** Frank and Shannon Goodman  
**Council District:** 1  
**Location:** 2 Sleepy Cove  
**Legal Description:** Lot 30, Block 1, NCB 11555  
**Zoning:** "R-5" Residential Single-Family District  
**Case Manager:** Logan Sparrow, Planner

### Request

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

### Executive Summary

The subject property is located at 2 Sleepy Cove at the southwest corner of the Sleepy Cove and Vance Jackson Road intersection. The applicant is seeking a special exception to allow for a one-operator beauty/barber shop within the single-family home. The barber shop is located towards the rear of the subject property and is indistinguishable from the rest of the home. The applicant has complied with all requirements of the Unified Development Code including shop size limitations, signage, and the limitation that only one operator may be present. The applicant has proposed hours of operation to be Monday through Friday from 9:00am to 5:00pm and to be closed on the weekends. The Board of Adjustment may approve the special exception request for a period of time up to four years.

### Subject Property Zoning/Land Use

Existing Zoning	Existing Use
"R-5" Residential Single-Family District	Single-Family Dwelling

### Surrounding Zoning/Land Use

Orientation	Existing Zoning District(s)	Existing Use
North	"R-5" Residential Single-Family District	Single-Family Dwelling
South	"R-5" Residential Single-Family District	Single-Family Dwelling

East	"R-5" Residential Single-Family District	Single-Family Dwelling
West	"R-5" Residential Single-Family District	Single-Family Dwelling

### **Comprehensive Plan Consistency/Neighborhood Association**

The property is within the boundaries of the North Sector Plan and designated Low-Density Residential in the land use component of the plan. The subject property is located within the boundaries of the Vance Jackson registered 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 public interest in this case is represented by minimum requirements to ensure that the operation of one-operator beauty/barber shop does not negatively impact the character of the community. Staff noted that nothing about the shop distinguishes it from other homes in the community. Also, 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 is not contrary to the public interest.**

2. *The public welfare and convenience will be substantially served.*

**The applicant has already constructed the beauty/barber shop within her home. As she has complied with all of the requirements established by the UDC a literal enforcement of the code and not granting the exception may result in unnecessary hardship.**

3. *The neighboring properties will not be substantially injured by such proposed use.*

**The special exception request may be considered consistent with the spirit of the ordinance because the minimum requirements for a one-operator beauty/barber shop have been met by the applicant.**

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 because the home is in character with those around it. During field visits staff noted nothing visible from the street that would indicate the presence of a barber shop. Furthermore the applicant has limited the hours of operation to only five days a week at 8 hours per day. Also, during staff field visits 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 one-operator barber/beauty shop will have restricted hours, which are established by the Board of Adjustment. The applicant has met all requirements established by the Unified Development Code.**

### **Alternative to Applicant's Request**

If the request for a special exception is denied, the applicant would not be permitted to operate the shop out of her home.

### **Staff Recommendation**

Staff recommends **APPROVAL of A-15-084** based on the following findings of fact:

1. The applicant has complied with all requirements established by the Unified Development Code;
2. The barber shop is indistinguishable from the street.