

Case Number:	BOA-22-10300040
Applicant:	Virginia Losoya
Owner:	Virginia & Frank Losoya
Council District:	7
Location:	248 W Cheryl Drive
Legal Description:	Lot 71A, Block B, NCB 11508
Zoning:	“R-5 MLOD-2 MLR-2 AHOD” Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District
Case Manager:	Rebecca Rodriguez, Senior Planner

Request

A request for a special exception, as described in Section 35-399.01, to allow the renewal of a one-operator beauty salon.

Executive Summary

The subject property is located on West Cheryl Drive, and currently has a single-family residence. The applicant is requesting to continue the business of a one-operator beauty salon on the property. The property was first granted approval for the one-operator beauty salon in 1997. A renewal of the special exception was processed and approved by the Board of Adjustment on March 5, 2018. The proposed hours of operation are Tuesday from 10:00 AM to 5:00 PM, Thursday – Friday from 11:00 AM to 5:00 PM, and Saturday from 11:00 AM to 3:00 PM.

Code Enforcement History

There are no code violations reported for the property.

Permit History

A Certificate of Occupancy was issued in 1998 for the one-operator beauty salon.

Zoning History

The property was annexed into the City of San Antonio by Ordinance 18115, dated September 25, 1952, and zoned “A” Single-Family Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned “A” Single-Family Residence District converted to the current “R-5” Residential Single-Family District.

Subject Property Zoning/Land Use

Existing Zoning	Existing Use
“R-5 MLOD-2 MLR-2 AHOD” Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District	Single-Family Dwelling

Surrounding Zoning/Land Use

Orientation	Existing Zoning District(s)	Existing Use
North	“R-5 MLOD-2 MLR-2 AHOD” Residential Single-Family Lackland Military Lighting	Single-Family Dwelling

	Overlay Military Lighting Region 2 Airport Hazard Overlay District	
South	“R-5 MLOD-2 MLR-2 AHOD” Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District	Single-Family Dwelling
East	“R-5 MLOD-2 MLR-2 AHOD” Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District	Single-Family Dwelling
West	“R-5 MLOD-2 MLR-2 AHOD” Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District	Single-Family Dwelling

Comprehensive Plan Consistency/Neighborhood Association

The subject property is in the West Sector Plan and is designated “Rural Estate Tier” in the future land use component of the plan. The subject property is located within the University Park Neighborhood Association and they were notified of the case.

Street Classification

West Cheryl is classified as a local road.

Criteria for Review – Barber Shop / Beauty Salon

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 UDC states the Board of Adjustment can grant a special exception for a single operator beauty salon. The Barber shop/beauty salon is intended to be operated by a single owner and follow specified criteria as stated in Section 35-399.01. If granted, this request would be in harmony with the spirit and purpose of the ordinance.

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

In this case, these criteria are represented by the owner to operate a Barber shop/Beauty Salon located at the residential property by a single owner while still promoting a sense of community.

C. The neighboring property will not be substantially injured by such proposed use.

The Barber Shop / Beauty Salon will not disrupt privacy for the subject property and surrounding properties and is highly unlikely to injure adjacent properties.

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 Barbershop / Beauty Salon will not alter the essential character of the district. The operation of this one-operator salon was established in the neighborhood over twenty (20) years ago.

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

The current zoning permits the current use of a single operator Barber/Beauty Salon. The requested special exception will not weaken the general purpose of the district. The zoning base district and overlays will remain in place.

Alternative to Applicant's Request

The alternative to the applicant's request is to conform to a commercial zoning or discontinue operations.

Staff Recommendation – One-Operator Beauty Salon

Staff recommends **Approval** in **BOA-22-10300040** based on the following findings of fact:

1. The business will not negatively affect neighboring properties; and
2. The request meets all criteria for granting the exception.