



City of San Antonio

Legislation Details (With Text)

File #: 20-5536
Type: Staff Briefing - Without Ordinance
In control: Board of Adjustment

On agenda: 9/21/2020

Title: BOA-20-10300076: A request by Celia Saenz for a special exception to allow registration of a one-operator beauty/barber shop within a single-family residence, located at 41707 Ann Arbor Dr. Staff recommends Approval. (Council District 4) (Azadeh Sagheb, Planner (210) 207-5407, Azadeh.Sagheb@sanantonio.gov, Development Services Department)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Attachments

Date	Ver.	Action By	Action	Result
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Case Number: BOA-20-10300076
Applicant: Celia Saenz
Owner: Celia Saenz
 <[https://accela.sanantonio.gov/portlets/contact/contactDetail.do?value\(mode\)=view&&module=LandDevelopment&value%28contactSeqNumber%29=154644](https://accela.sanantonio.gov/portlets/contact/contactDetail.do?value(mode)=view&&module=LandDevelopment&value%28contactSeqNumber%29=154644)>

Council District: 4
Location: 1707 Ann Arbor
Legal Description: Lot 13, Block 1, NCB 14196
Zoning: "R-4 MLOD-2 MLR-2 AHOD" Residential Single-Family
 Lackland Military Lighting Overlay Military Lighting
 Region 2 Airport Hazard Overlay District
Case Manager: Azadeh Sagheb, Planner

Request

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

Executive Summary

The subject property is located at 1707 Ann Arbor, on the west side of Stinson Municipal Airport and the northeast of Palo Alto College. The area is predominately surrounded by residential dwellings. The applicant is

requesting the Board of Adjustment grant approval for the new registration of a one-operator beauty shop within the residential building. 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.

It has been the Board’s policy that when considering new registrations to a special exception application for one operator beauty salons, any initial approvals shall be for a to two-year period. If approved for two years, the current special exception request would expire September 21, 2022.

Code Enforcement History

There is no history of code enforcement records on this property.

Permit History

There is no permit history for the subject property.

Zoning History

The subject property was annexed into the City of San Antonio by Ordinance 18115, dated September 25, 1952 as “B” Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned “B” Residence District converted to the current “R-4” Single-Family Residential District.

Subject Property Zoning/Land Use

Existing Zoning	Existing Use
“R-4 MLOD-2 MLR-2 AHOD” Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District	Residential

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 Overlay Military Lighting Region 2 Airport Hazard Overlay District	Vacant
South	“R-4 MLOD-2 MLR-2 AHOD” Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District	Residential

East	“R-4 MLOD-2 MLR-2 AHOD” Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District	Residential
West	“R-4 MLOD-2 MLR-2 AHOD” Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District	Residential

Comprehensive Plan Consistency/Neighborhood Association

The property is within the West Sector Plan and designated as General Urban Tier in the future land use component of the plan. The subject property is not located within the boundaries of any Neighborhood Associations, but it is 200 feet away from the Villa Del Sol HOA. As such, they were notified and asked to comment.

Street Classification

Ann Arbor 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 operate within the main 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, morals, 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 follow UDC Section 35-399.01 guidelines.

Staff Recommendation

Staff recommends **APPROVAL of the special exception of BOA-20-10300076 for a period of twenty-four months (two years)** based on the following findings of fact:

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