



City of San Antonio

Legislation Details (With Text)

File #: 16-3538

Type: Zoning Case

In control: Board of Adjustment

On agenda: 6/20/2016

Title: A-16-107: A request by Leybi Pon for a special exception to allow a one operator beauty/barber shop, located at 12315 Walthampton Street. (Council District 9)

Sponsors:

Indexes:

Code sections:

Attachments: 1. A-16-107 Attachments

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
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Case Number: A-16-107

Applicant: Leybi Pon

Owner: Mario R. Pon

Council District: 9

Location: 12315 Walthampton Street

Legal Description: Lot 8, Block 3, NCB 1511

Zoning: "MF-33 AHOD" Multi-Family Airport Hazard Overlay District

Case Manager: Shepard Beamon, 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 12315 Walthampton Street. The home was built in 1976 and includes a home that is over 1,800 square feet. The applicant is seeking a special exception to begin the operation of a one-operator beauty/barber shop. The applicant has proposed the hours of Monday - Friday from 8:00 a.m. - 5:00 p.m. and Saturday from 8:00 a.m. - 4:00 p.m. The applicant has a large driveway which provides ample off-street parking for customers.

Subject Property Zoning/Land Use

| Existing Zoning | Existing Use |
|--|------------------------|
| "MF-33 AHOD" Residential Single-Family Airport Hazard Overlay District | Single-Family Dwelling |

Surrounding Zoning/Land Use

| Orientation | Existing Zoning District(s) | Existing Use |
|-------------|---|------------------------|
| North | “MF-33 AHOD” Multi-Family Single-Family Airport Hazard Overlay District | Single-Family Dwelling |
| South | “MF-33 AHOD” Multi-Family Single-Family Airport Hazard Overlay District | Single-Family Dwelling |
| East | “MF-33 AHOD” Multi-Family Single-Family Airport Hazard Overlay District | Single-Family Dwelling |
| West | “MF-33 AHOD” Multi-Family Single-Family Airport Hazard Overlay District | Single-Family Dwelling |

Comprehensive Plan Consistency/Neighborhood Association

The property is within the boundaries of 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 not located within a registered Neighborhood Association.

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/beauty shop in the home.

Staff Recommendation

Staff recommends **APPROVAL of A-16-107 for a period of two (2) years for the initial approval with the proposed hours of operation, Monday - Friday from 8:00 a.m. - 5:00 p.m. and Saturday from 8:00 a.m. - 4:00 p.m.**, 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 by the Unified Development Code.