



City of San Antonio

Legislation Details (With Text)

File #: 17-1134

Type: Zoning Case

In control: Board of Adjustment

On agenda: 1/9/2017

Title: A-17-030: A request for the renewal of a special exception to allow a one operator beauty shop in the home, located at 2031 W. Pyron Avenue. Staff recommends Approval. (Council District 5)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Attachments

Date	Ver.	Action By	Action	Result
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Case Number: A-17-030

Applicant: Pura Zavala

Owner: Jose & Pura Zavala

Council District: 5

Location: 2031 W. Pyron Avenue

Legal: Lots 46 & 47, Block 30, NCB 8523

Description:

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 to allow a four-year renewal of a special exception granted on January 14, 2013 for a one-operator beauty shop.

Executive Summary

The subject property is located at the northwest corner of West Pyron Avenue and Otto Street and is currently developed as a single-family home containing an in-home beauty shop. The Board of Adjustment has previously approved special exceptions for this home occupation eight times since 1996. The owner is requesting a renewal prior to its expiration as required by the UDC 35-399. The applicant is proposing the same business hours; Tuesday through Saturday 9:00 am to 5:00 pm. for a total of 40 hours per week. The applicant will be the only cosmetologist at the location.

Subject Property Zoning/Land Use

Existing Zoning	Existing Use
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"R-6 AHOD" Residential Single-Family Airport Hazard Overlay District	Single-Family Residence
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Surrounding Zoning/Land Use

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

Comprehensive Plan Consistency/Neighborhood Association

The property is located within the boundaries of the Kelly/South San Pueblo Neighborhood Plan and is designated as Low-Density Residential in the future land use component of the plan. The subject property is not located within the boundary of a registered neighborhood association.

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 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.

B. 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.

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/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.

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 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.

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

Staff Recommendation

Staff recommends **APPROVAL of the requested renewal A-17-030 for a period of four years**, 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; and
2. The applicant has complied with all of the specific requirements established in the Unified Development Code for the special exception.