



# City of San Antonio

## Legislation Details (With Text)

**File #:** 17-2434

**Type:** Zoning Case

**In control:** Board of Adjustment

**On agenda:** 4/3/2017

**Title:** A-17-074: A request by Concepcion Amparan for a special exception to allow the operation of a beauty shop in the home, located at 2814 War Arrow. Staff recommends Approval. (Council District 6)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Photos, 2. 17-074 Plot Plan, 3. 17-074 Aerial Map, 4. site plan

Date	Ver.	Action By	Action	Result
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**Case Number:** A-17-074

**Applicant:** Concepcion Amparan

**Owner:** Concepcion Amparan

**Council District:** 6

**Location:** 2814 War Arrow

**Legal:** Lot 1, Block 12, NCB 14542

**Description:**

**Zoning:** "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District

**Case Manager:** Oscar Aguilera, Planner

### Request

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

### Executive Summary

The applicant is requesting a one operator beauty shop pursuant to section 35-399.01. Barber Shops and Beauty Shops may be permitted in all residential zones established by Section 35-399.01 of the Unified Development Code. This is the first time that the applicant has applied for a special exception. The applicant has already constructed the shop within her home and has complied with all requirements established by the Unified Development Code. The Board of Adjustment can approve the special exception request for up to four years. The approval is subject to the applicant meeting the limitations, conditions and restriction stated in the code.

### Subject Property Zoning/Land Use

Existing Zoning	Existing Use
“R-6 AHOD” Residential Single-Family Airport Hazard Overlay District	Single-Family Dwelling

**Surrounding Zoning/Land Use**

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

**Comprehensive Plan Consistency/Neighborhood Association**

The property is within the boundaries of the West/Southwest Sector Plan and currently designated General Urban Tier in the future land use component of the plan. The subject property is located within the Thunderbird Hills Neighborhood Association as such they were notified and asked to comment.

**Criteria for Review**

According to Section 35-482(h) of the UDC, in order for special exception to be granted, 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 spirit of the chapter, in this case, is represented by minimum requirements to ensure that the operation of a one-operator beauty/barber shop does not negatively impact the character of the community or the quality of life of neighbors. Staff noted that nothing about the home distinguishes it from others in the community. The applicant has fulfilled all requirements for a one-operator shop as established in the Unified Development Code. Staff finds that the special exception is in harmony to the spirit of the chapter.**

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

**The applicant has already constructed the beauty/barber shop within her home and this is her first request for a special exception. Approving the request for the special exception, with limited hours, will allow the applicant to serve customers in her community and therefore the public welfare will be served.**

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

**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 beauty/barber shop. Also, during field visits staff noted a driveway capable of providing any necessary parking for the proposed use.**

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 alter the essential character of the district as the property**

**is still used, primarily, as a single-family residence. From the street, the home is not unlike other homes in the community.**

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 one-operator barber/beauty shop will have restricted hours, which are established by the Board of Adjustment. The applicant has met all other requirements established by the Unified Development Code.**

**Alternative to Applicant's Request**

The applicant is denied her operator beauty shop request pursuant to section 35-399.01.

**Staff Recommendation**

Staff recommends **APPROVAL** of the special exception requests based on the following findings of fact:

1. The applicant has complied with all requirements established by the Unified Development Code.
2. The granting of the special exception will not injure the public safety or welfare of the subject neighboring properties.
3. Staffs recommends the hours of operation to be daily from 9:00 am to 6:00 p.m.