



City of San Antonio

Legislation Details (With Text)

File #: 17-4648
Type: Zoning Case
In control: Board of Adjustment
On agenda: 8/21/2017
Title: A-17-149: A request by Frances Cisneros for a special exception to renew a one operator beauty/barber shop, located at 507 Creath Place. Staff recommends Approval. (Council District 3)
Sponsors:
Indexes:
Code sections:
Attachments: 1. A-17-149 Attachments

Date	Ver.	Action By	Action	Result
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Case Number: A-17-149
Applicant: Frances Cisneros
Owner: Frances Cisneros
Council District: 3
Location: 507 Creath Place
Legal: Lot 14, Block 31, NCB 11757
Description:
Zoning: “R-4 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 renewal of a one operator beauty shop pursuant to section 35-399.01. On July 15, 2013, the Board of Adjustment approved a special exception to allow a one operator barber shop. The applicant complies with all the 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 restrictions stated in the code.

Subject Property Zoning/Land Use

Existing Zoning	Existing Use
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"R-4 AHOD" Residential Single-Family Airport Hazard Overlay District	Single-Family Dwelling
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Surrounding Zoning/Land Use

Orientation	Existing Zoning District(s)	Existing Use
North	"R-4 AHOD" Residential Single-Family Airport Hazard Overlay District	Single-Family Dwelling
South	"R-4 AHOD" Residential Single-Family Airport Hazard Overlay District	Single-Family Dwelling
East	"R-4 AHOD" Residential Single-Family Airport Hazard Overlay District	Single-Family Dwelling
West	"R-4 AHOD" Residential Single-Family Airport Hazard Overlay District	Single-Family Dwelling

Comprehensive Plan Consistency/Neighborhood Association

The property is within the boundaries of the Stinson Airport Vicinity Plan and currently designated Low Density Residential in the future land use component of the plan. The subject property is not located within a neighborhood association.

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 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 complies with all the UDC requirements for a one-operator shop. 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. The proposed hours of operation will be limited to Tuesday through Saturday, from 9:00 am to 4:00 pm.

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 Board may choose to deny the request, resulting in the property owner not being permitted the beauty/barber shop use

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. The hours of operation will to be limited to Tuesday through Saturday, from 9:00 am to 4:00 pm.