



City of San Antonio

Legislation Details (With Text)

File #: 20-1114
Type: Staff Briefing - Without Ordinance
In control: Board of Adjustment
On agenda: 1/13/2020
Title: BOA-19-10300163: A request by Pura Zavala for a special exception to allow a four-year renewal for a one-operator beauty/barber shop in a single family home, located at 2031 West Pyron Avenue. Staff recommends Approval. (Council District 5) (Debora Gonzalez, Senior Planner (210) 207- 3074, debora.gonzalez@sanantonio.gov, Development Services Department)

Sponsors:

Indexes:

Code sections:

Attachments: 1. BOA-19-10300163 Attachments

Date	Ver.	Action By	Action	Result
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Case Number: BOA-19-10300163
Applicant: Pura Zavala
Owner: Pura Zavala
Council District: 5
Location: 2031 West Pyron Avenue
Legal Lot 46 & 47, Block 30, NCB 8523
Description:
Zoning: “R-6 MLOD-2 MLR-1 AHOD” Residential Single-Family
Lackland Military Lighting Overlay Military Lighting
Region 1 Airport Hazard Overlay District
Case Manager: Debora Gonzalez, Senior Planner

Request

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

Executive Summary

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 Tuesday to Saturday from 9 am to 5 pm, by appointment only. The applicant has a large driveway which provides ample off-street parking for customers. The applicant has maintained a one-operator beauty/barber shop since 1996, without any complains.

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.

Zoning History

The subject property was zoned “MM” Second Manufacturing District as part of the adoption of the 1938 Zoning ordinance. The subject property was rezoned from “MM” to “R-1” Single Family Residential District on March 17, 1977 by ordinance 47762. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the zoning converted from “R-1” Single Family Residential District to the current “R-6” Residential Single-Family District.

Code Enforcement History

There is no code enforcement history on this property.

Permit History

The property owner is seeking a special exception to allow a one-operator beauty/barber shop in a single family home.

Subject Property Zoning/Land Use

Existing Zoning	Existing Use
“R-6 MLOD-2 MLR-1 AHOD” Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District	Single-Family Dwelling

Surrounding Zoning/Land Use

Orientation	Existing Zoning District(s)	Existing Use
North	“I-1 MLOD-2 MLR-1 AHOD” General Industrial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District	Single-Family Dwelling
South	“R-6 MLOD-2 MLR-1 AHOD” Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District	Single-Family Dwelling
East	“R-6 MLOD-2 MLR-1 AHOD” Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District	Single-Family Dwelling

West	“R-6 MLOD-2 MLR-1 AHOD” Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District	Single-Family Dwelling
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Comprehensive Plan Consistency/Neighborhood Association

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

Street Classification

West Pyron Avenue is classified as a Collector street.

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 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. The applicant has proposed the hours of Tuesday to Saturday from 9 am to 5 pm, by appointment only.

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 alter the essential character of the district as the property is still used, primarily, as residence.

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 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 special exception in, **BOA-19-10300163**, 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 granting of the special exception will not injure the public safety or welfare of the subject neighboring properties.
3. The hours of operation will be Tuesday to Saturday from 9 am to 5 pm, by appointment only.