



# City of San Antonio

## Agenda Memorandum

**File Number:**16-3960

**Agenda Item Number:** 5.

**Agenda Date:** 7/25/2016

**In Control:** Board of Adjustment

Case Number: A-16-120  
Applicant: Ashley Magno  
Owner: Ashley Magno  
Council District: 10  
Location: 14122 Swallow Drive  
Legal: Lot 6, Block 3, NCB 16015  
Description:  
Zoning: "R-6 AHOD" Single-Family Residential 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 14122 Swallow Drive. The home was built in 1974 and includes approximately 1,065 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 Tuesday - Saturday 11:00 a.m. - 6:00 p.m. The applicant has a driveway which could provide off-street parking for a customer, but on-street is also available.

### Subject Property Zoning/Land Use

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

### Surrounding Zoning/Land Use

Orientation	Existing Zoning District(s)	Existing Use
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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 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 located within the boundaries of the El Chaparral Fertile Valley Neighborhood Association. As such, the neighborhood association was notified and asked to comment.

### **Criteria for Review**

According to Section 35-482(h) of the UDC, in order for a special exception to be granted, the applicant must demonstrate all of the following:

*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.*

**The public welfare and convenience will be served as it will provide a valuable service to the residents of the neighborhood.**

*C. 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.**

*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 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 shop in the home.

### **Staff Recommendation**

Staff recommends **APPROVAL of A-16-120 for a period of two (2) years for the initial approval with the proposed hours of operation, Tuesday - Saturday 11:00 a.m. - 6:00 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.

### **Attachments**

Attachment 1 - Notification Plan (Aerial Map)

Attachment 2 - Plot Plan (Aerial Map)

Attachment 3 - Site Plan

Attachment 4 - Site Photos