



City of San Antonio

Agenda Memorandum

File Number:17-5095

Agenda Item Number: 2.

Agenda Date: 9/18/2017

In Control: Board of Adjustment

Case Number: A-17-162
Applicant: Mary Alice Vasquez and Raul L. Vasquez
Owner: Mary Alice Vasquez and Raul L. Vasquez
Council District: 3
Location: 1706 Clark Avenue
Legal: Lot 20, 21, and 22, Block 3, NCB 3178
Description:
Zoning: "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District
Case Manager: Oscar Aguilera, Planner

Request

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

Executive Summary

The applicant is requesting a one operator beauty shop pursuant to section 35-399.01. 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
"R-4 AHOD" Residential Single-Family Airport Hazard Overlay District	Single-Family Dwelling

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, Church
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 not located within the boundaries of any neighborhood or sector plan. Therefore, there is no the future land use component designation. The subject property is not located within a neighborhood association. However, the Highland Park Neighborhood Association is within 200 feet and was notified.

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 A-17-162 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.