



City of San Antonio

Agenda Memorandum

File Number:18-1035

Agenda Item Number: 4.

Agenda Date: 12/18/2017

In Control: Board of Adjustment

Case Number: A-18-005
Applicant: Esther Ponce
Owner: Esther Ponce
Council District: 2
Location: 1220 Wyoming Street
Legal: East 61.5 Feet of Lot 16, Block 111, NCB 45
Description:
Zoning: "MF-33 AHOD" Multi-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 renewal for one operator beauty shop pursuant to section 35-399.01 and was previously approved in 2010 and 2012. 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
"MF-33 AHOD" Multi-Family Airport Hazard Overlay District	Duplex

Surrounding Zoning/Land Use

Orientation	Existing Zoning District(s)	Existing Use
North	"RM-4 AHOD" Residential Mixed Airport Hazard Overlay District	Single-Family Dwelling

South	“RM-4 AHOD” Residential Mixed Airport Hazard Overlay District, “RM-4 HS AHOD” Residential Mixed Historic Significant Airport Hazard Overlay District	Single-Family Dwelling, Church
East	“RM-4 AHOD” Residential Mixed Airport Hazard Overlay District	Vacant Home, Single-Family Dwelling
West	“MF-33 AHOD” Multi-Family Airport Hazard Overlay District, “RM-4 AHOD” Residential Mixed Airport Hazard Overlay District	Duplex, Single-Family Dwelling

Comprehensive Plan Consistency/Neighborhood Association

The property is located within the boundaries of Downtown Neighborhood Plan and currently designated Residential in the future land use component of the plan. The subject property is located within the Denver Heights 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 and purpose of the chapter is 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. The applicant has fulfilled all requirements for a one-operator shop as established in the Unified Development Code. Staff finds that the special exception will be in harmony with the spirit and 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. The proposed hours of operation will be limited to Tuesday through Saturday from 7 am to 7 pm, by appointment only.

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. There is also 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 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 residence. 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-18-005 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 7:00 am to 7:00 pm.