



# City of San Antonio

## Agenda Memorandum

**File Number:**18-5287

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**Agenda Item Number:** 3.

**Agenda Date:** 9/17/2018

**In Control:** Board of Adjustment

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Case Number: A-18-133  
Applicant: Hyoson Albert  
Owner: Hyoson Albert  
Council District: 2  
Location: 922 N. Pine Street  
Legal: Lot 3, Block A, NCB 1653  
Description:  
Zoning: "R-5 H AHOD" Residential Single-Family Dignowity Hill  
Historic Airport Hazard Overlay District  
Case Manager: Dominic Silva, Planner

### **Request**

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

### **Executive Summary**

The subject property is located on North Pine Street, approximately 150 feet south of Lamar Street. The site is currently developed with an existing single-family residence which includes the one-operator beauty shop within the residence. The applicant has proposed hours of operation from 9:00 a.m. - 6:00 p.m. by appointment only. The applicant has a driveway which could provide off-street parking for a customer as well as on-street parking. Also, the applicant currently has a valid Texas Cosmetologist Manicurist License. No violations of the requirements of the UDC were observed upon a staff visit to the site, and there have been no code violations reported.

The Board of Adjustment first granted approval for this one operator beauty salon in 2016 for a two (2) year initial approval. The current approval expired in July of 2018. Section 35-399.01(i) of the UDC allows the Board to approve the requested special exception for a period not to exceed four years.

It has been the Board's policy that when considering renewals to a granted special exception application for one operator beauty salons to time limit any approval to four years after an initial two-year period. As such, if approval is contemplated by the Board, it should be for a time limit of four years (48 months). If approved for four years, the current special exception request would expire September 17<sup>th</sup>, 2022.

### Subject Property Zoning/Land Use

Existing Zoning	Existing Use
"R-5 H" Residential Single-Family Dignowity Hill Historic Airport Hazard Overlay District	Single-Family Dwelling with a one-operator beauty salon

### Surrounding Zoning/Land Use

Orientation	Existing Zoning District(s)	Existing Use
North	"R-5 H" Residential Single-Family Dignowity Hill Historic Airport Hazard Overlay District	Single-Family Dwelling
South	"R-5 CD H AHOD" Residential Single-Family Conditional Use for four (4) Single-Family Homes Dignowity Hill Historic Airport Hazard Overlay District	Vacant
East	"R-5 H" Residential Single-Family Dignowity Hill Historic Airport Hazard Overlay District	Single-Family Dwelling
West	"R-5 H" Residential Single-Family Dignowity Hill Historic Airport Hazard Overlay District	Single-Family Dwelling

### Comprehensive Plan Consistency/Neighborhood Association

The property is within the Dignowity Hill 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 Dignowity Hill Neighborhood Association. As such, they were notified and asked to comment.

### Street Classification

Pine Street is classified as a Collector Street.

### Criteria for Review

According to Section 35-482(h) of the UDC, in order for a special exception to be granted, the 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 requested special exception will be in harmony with the spirit and purpose of the chapter in that the proposed one-operator beauty salon will follow the specified criteria established in Section 35-399.01 in the Unified Development Code.**

*B. The public welfare and convenience will be substantially served.*

**The public welfare and convenience will be served with the granting of this request as it will provide a valuable and needed public service to the residents of the neighborhood and it will not negatively impact surrounding properties.**

*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 shop will occupy only a small part of the structure, and the fact that a beauty shop is being operated from the home will likely be indiscernible to passersby. As such, neighboring properties will not be substantially injured.**

*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 will not alter the essential character of the district as the use will likely be indiscernible to passersby.**

*E. The special exception will not weaken the general purpose of the district or the regulations herein established for the specific district.*

**The purpose of the zoning district is to promote the public health, safety, morals, and general welfare of the city. The granting of this special exception will not weaken these purposes, nor will it weaken the regulations established for this district.**

### **Alternative to Applicant's Request**

The alternative to the applicant's plan would be to discontinue operations per Section 35-399.01 to allow a renewal of a one-operator beauty/barber shop within a home.

### **Staff Recommendation**

Staff recommends **APPROVAL of the special exception in A-18-133 for a period of forty eight months with the proposed hours of operation from 9:00 a.m. - 6:00 p.m. by appointment** based on the following findings of fact:

1. The request meets all criteria for granting the special exception.