



City of San Antonio

Agenda Memorandum

File Number:19-8928

Agenda Item Number: 3.

Agenda Date: 12/2/2019

In Control: Board of Adjustment

Case Number: BOA-19-10300138
Applicant: Conception Amparan
Owner: Conception Amparan
Council District: 6
Location: 2814 War Arrow Drive
Legal: Lot 1, Block 12, NCB 14542
Description:
Zoning: "R-6 MLOD-2 MLR-2 AHOD" Residential Single-Family
Lackland Military Lighting Overlay Military Lighting
Region 2 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 shop in 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 2017. 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 annexed into the City of San Antonio by Ordinance 39443, dated May 27, 1971, as "R-1" Single Family Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "R-1" Single Family Residence District converted 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 renew the use.

Subject Property Zoning/Land Use

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

Surrounding Zoning/Land Use

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

Comprehensive Plan Consistency/Neighborhood Association

The property is not located within the boundaries of neighborhood plan. The subject property is located within the Thunderbird Hills Neighborhood Association. As such they were notified and asked to comment.

Street Classification

War Arrow is classified as a local 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 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 Monday through Friday 1 pm - 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. Additionally, there are no code enforcement actions on this property.

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 special exception in, **BOA-19-10300138**, 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 Monday through Friday 1 pm - 7 pm.