



# City of San Antonio

## Agenda Memorandum

**File Number:**20-1452

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**Agenda Item Number:** 2.

**Agenda Date:** 2/3/2020

**In Control:** Board of Adjustment

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Case Number: BOA-19-10300165

Applicant: Elva Laureano

Owner: Elva Laureano

Council District: 3

Location: 245 Isabel Street

Legal Lot 29, Block 4, NCB 3978

Description:

Zoning: “R-6 H MPOD-1 AHOD” Residential Single-Family Mission  
Historic Mission Conception Overlay Airport Hazard  
Overlay District

Case Manager: Dominic Silva, Senior Planner

### **Request**

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

### **Executive Summary**

The subject property is located on Isabel Street, approximately 258 feet east of Mission Road. The site is currently developed with an existing single-family residence which includes the one-operator beauty shop within the residence.

The applicant is applying for the first time for a beauty salon at this address. They have proposed hours of operation as Monday through Saturday, 8:30am until 6:30pm by appointment only. The applicant will be the only cosmetologist at the location.

It has been the Board’s policy that when considering approving a one operator beauty salon, it shall be for an initial two-year period following by any subsequent renewals of four years (48 months). If approved for two years, the current special exception request would expire February 3, 2022.

### **Zoning History**

The subject property was part of the original 36 square miles of the city of San Antonio and zoned “R-1”

Residential District by ordinance 61454, on September 19, 1985. “R-1” Residential District converted to the current “R-6” Residential Single-Family District with the adoption of the 2001 Unified Development Code (UDC), established by Ordinance 93881, on May 3, 2001.

### **Code Enforcement History**

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.

### **Permit History**

No permits have been issued in relation for the proposed special exception.

### **Subject Property Zoning/Land Use**

| Existing Zoning   | Existing Use  |
|---|---|
| “R-6 H MPOD-1 AHOD” Residential Single-Family Mission Historic Mission Conception Overlay 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-6 H MPOD-1 AHOD” Residential Single-Family Mission Historic Mission Conception Overlay Airport Hazard Overlay District | Single-Family Dwelling |
| South       | “R-6 H MPOD-1 AHOD” Residential Single-Family Mission Historic Mission Conception Overlay Airport Hazard Overlay District | Single-Family Dwelling |
| East        | “R-6 H MPOD-1 AHOD” Residential Single-Family Mission Historic Mission Conception Overlay Airport Hazard Overlay District | Single-Family Dwelling |
| West        | “R-6 H MPOD-1 AHOD” Residential Single-Family Mission Historic Mission Conception Overlay Airport Hazard Overlay District | Single-Family Dwelling |

### **Comprehensive Plan Consistency/Neighborhood Association**

The property is within the South Central Plan and designated as Low Density Residential in the future land use component of the plan. The subject property is not located within the boundaries of a registered neighborhood association.

### **Street Classification**

Isabel Street is classified as a local 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 one-operator beauty/barber shop within a home.

### **Staff Recommendation**

Staff recommends **APPROVAL** of the special exception in BOA-19-10300165 for a period of 2 years not to exceed forty hours per week based on the following findings of fact:

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