



City of San Antonio

Agenda Memorandum

File Number:20-3920

Agenda Item Number: 3.

Agenda Date: 7/6/2020

In Control: Board of Adjustment

Case Number: BOA-20-10300054

Applicant:

<[https://accela.sanantonio.gov/portlets/contact/contactDetail.do?value\(mode\)=view&&module=LandDevelopment&value%28contactSeqNumber%29=154644](https://accela.sanantonio.gov/portlets/contact/contactDetail.do?value(mode)=view&&module=LandDevelopment&value%28contactSeqNumber%29=154644)>Fabian Carrillo

Owner: Fabian Carrillo

Council District: 5

Location: 219 Vista Del Sur

Legal Description: Lot 30 Vista Verde South UT-7A, Block 4, NCB 276

Zoning: "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District

Case Manager: Azadeh Sagheb, Planner

Request

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

Executive Summary

The subject property is located at 219 Vista Del Sur, which is a cul-de-sac street, on the south side of Guadalupe Street and West of IH 35 South. The area is predominately surrounded by residential dwellings. The applicant is requesting the Board of Adjustment to grant approval for the new registration of one-operator beauty shop within the residential building. The operating hours would be Tuesdays through Fridays from 10:00 am to 7:00 pm., Saturdays from 9:00 am. to 5:00 pm. making the hours of operation uniform on all days that the shop is open. The applicant will be the only cosmetologist at the location and will serve customers by appointment only.

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.

It has been the Board's policy that when considering new registrations to a special exception application for one operator beauty salons, any initial approvals shall be for a two-year period. If approved for two years, the current special exception request would expire July 6, 2022.

Code Enforcement History

There are code enforcement records on the history of this property related to the overgrown grass which have been closed.

Permit History

There is no permit history for the subject property.

Zoning History

The subject property is within the original 36 square miles of the city and was originally zoned "R-7" Small Lot Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "R-7" Small Lot Residence District converted to the current "R-4" Single-Family Residential District.

Subject Property Zoning/Land Use

Existing Zoning	Existing Use
"R-4 AHOD" Single-Family Residential Airport Hazard Overlay District	Residential

Surrounding Zoning/Land Use

Orientation	Existing Zoning District(s)	Existing Use
North	"R-4 AHOD" Single-Family Residential Airport Hazard Overlay District	Residential
South	"R-4 AHOD" Single-Family Residential Airport Hazard Overlay District	Residential
East	"R-4 AHOD" Single-Family Residential Airport Hazard Overlay District	Residential
West	"R-4 AHOD" Single-Family Residential Airport Hazard Overlay District	Residential

Comprehensive Plan Consistency/Neighborhood Association

The property is within the Downtown Area Regional Center and designated as Urban Low-Density Residential in the future land use component of the plan. The subject property is located within the boundaries of Historic Westside Residents Association. As such, they were notified and asked to comment.

Street Classification

Vista Del Sur 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 operate within the main 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 follow UDC Section 35-399.01 guidelines.

Staff Recommendation

Staff recommends **APPROVAL** of the special exception of BOA-20-10300054 for a period of twenty-four months (two years) based on the following findings of fact:

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