

AIRPORT BOARD OF ADJUSTMENT

ORDER OF DECISION—HAS 2018-HV23

September 27, 2018

The Airport Board of Adjustment held a meeting on September 27, 2018 to hear a request for a variance from Sections 9-709, 9-711, and 9-751 of the Airport Hazard Area Regulations Ordinance, and Section 9-360, Article VI, of the Airport Compatible Land Use Regulations Ordinance to allow for the construction of a flood control and recreational facility located at:

1303 Reseda Drive, Houston, TX 77058, owned by the Clear Lake City Water Authority, and encompassing the entirety of the area known as Exploration Green.

The meeting was called to order at 6:15 p.m. with the following board members in attendance:

John Martinec, Chair
Ann Collum
Johnny Gant
Lee Allen Krause
Thomas Seymour

The public hearing on this item was opened at approximately 6:25, and closed by the chair following all public comments. Bill Zrioka, representing Houston Airport System made opening comments and presented the staff report. Sam Johnson, an attorney representing Clear Lake City Water Authority, presented the request of Clear Lake City Water Authority for the variances at Exploration Green. Speakers then presented supporting and opposing arguments for the variance request. A list of witnesses, recording of the hearing, and exhibits received are included in the case file.

Following the presentation of evidence and discussion by the Board, Board Member Gant made a motion, to approve the request by the applicant:

MOTION:

To approve variance HAS 2018-HV23, to grant the requested variances and allow construction on Exploration Green flood control and recreational facilities in accordance with this variance and compliance with all other city regulations and ordinances.

The Board finds that granting the variance is appropriate based on the evidence presented during the hearing, as the site contained water features prior to the effective date of Articles VI and VII of the Code of Ordinances, and that it is being repurposed primarily for flood control purposes to serve the public and that will be maintained by the Harris County Flood Control District. Evidence was also presented that the design and plantings on the property will not create a dangerous bird attractant. The Board further finds that granting the variance under these

circumstances will result in substantial justice being done, not be contrary to the public interest, and is in accordance with the spirit of the airport hazard ordinance.

The motion was seconded by Board Member Krause.

A roll call vote was taken by the Board Chair, as recorded below:

MEMBER	VOTE
Ann Collum	Aye
Johnny Gant	Aye
Lee Allen Krause	Aye
Thomas Seymour	Aye
John Martinec	Aye

The motion was passed and approved unanimously, and the applicant's request for variance was granted. This Order shall be entered into the Board's Records as of this ____ day of September, 2018.

John Martinec, Chairman
AIRPORT BOARD OF ADJUSTMENT
HOUSTON AIRPORT SYSTEM
CITY OF HOUSTON

ATTEST:

Scott Hill, Secretary