## AIRPORT BOARD OF ADJUSTMENT

## Order of Decision October 22, 2009

The Airport Board of Adjustment held a meeting on October 22, 2009 to hear a request for a variance from section 9-504 of the City Code:

To allow a modular building structure on vacant lot within Tier 2 for religious gathering purposes without sound attenuation building measures.

The meeting was called to order at  $(2^{\circ})$  with the following board members in attendance:

Gary Shirley Wally Huerta Pardha Namuduri Hugo Alvarez Ann Collum

The applicant, Director, and members of the public presented evidence and make comments. Witnesses were/were not sworn in by the Chair. A list of witnesses and exhibits received is included in the case file.

Following the presentation of evidence and discussion by the Board, Board Member made a motion to approve/deny the request by the applicant to build a modular building structure on vacant lot within Tier 2 for religious gathering purposes without sound attenuation building measures; as follows:

## MOTION:

To approve variance HAS 2009-V2 for the allowance to build a modular building structure on vacant lot within Tier 2 for religious gathering purposes without sound attenuation building measures.

The Board finds that granting the variance is appropriate as the applicant applied for a water and wastewater and storm drainage reservation on April 11, 2008, and paid associated impact fees on October 14, 2008, prior to the effective date of the Airport Compatible Land Use Ordinance. Additionally, the applicant proceeded with the purchase of a modular structure based on the acceptance of his applications. Granting of 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 land use ordinance.

WITH CONDITIONS TO EXECUTE ANNIGHTION EASETIENT AND NOISE COTTPLAINT RELEASE.

The motion was seconded by Board Member New Due.

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

MEMBER VOTE

Gary Shirley		AYE
Wally Huerta		AYE
Pardha Namuduri		AVE
Hugo Alvarez		AYE
Ann Collum	Abstain	Mar Come

The motion failed/was approved, and the applicant's request to overturn the building official's decision was denied/approved/approved with conditions. This Order is entered into the Board's Records this 22 day of Cobba 2009

,Chairman

AIRPORT BOARD OF ADJUSTMENT HOUSTON AIRPORT SYSTEM CITY OF HOUSTON

ATTEST:

Eric Potts, Secretary