

CITY OF HOUSTON
Houston Airport System
Board of Adjustment Application

VARIANCE REQUEST

City of Houston Ordinance # 2008-1052, now codified in Chapter 9, Article VI of the City of Houston Code, describes types of prohibited development, restrictions and conditions on development and specifies development requirements within the designated tiers surrounding Houston Airport System's three facilities, Intercontinental Airport-Houston (IAH), William P. Hobby Airport (HOU) and Ellington Field (EFD). Any deviation from any of these prohibitions, restrictions or conditions in the ordinance requires that the applicant request a variance from the specific regulation.

SIGNATURE OF APPLICANT(S) or AGENT(S):

I affirm and acknowledge that all the information contained in this application is true and correct to the best of my knowledge.

Date: _____

AIRPORT LAND USE ORDINANCE VARIANCE

**CITY OF HOUSTON
HOUSTON AIRPORT SYSTEM
BOARD OF ADJUSTMENT**

VARIANCE REQUESTOR CONTACT PERSON:

LOCATION (address or HCAD No.	CASE NO.	TIER	AIRPORT	TYPE OF LAND USE	RESTRICTION
16016 Green Manor Drive	LV-10	1	IAH	Multi-Family Residential	Not Permitted

ADDITIONAL INFORMATION

HEIGHT HAZARD RESTRICTION
247 feet above mean sea level

APPLICANT'S PURPOSE OF VARIANCE:

The purpose for a request for a variance is to convert an existing single-family residential home into a multi-family residential development on property in Intercontinental Airport-Houston Tier One.

ORDINANCE #2008-1052 REFERENCES:

Sec. 9-403. Land uses in IAH tier one.

(b) Residential uses. An existing, unmodified residential use shall be allowed to continue. Enlargement, replacement, or reconstruction of an existing residential use shall not increase the density or the intensity of the use.

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APPLICANT’S BASIS FOR VARIANCE. THE APPLICANT MUST STATE THE GROUNDS FOR THE VARIANCE, SHOWING HOW THE LITERAL ENFORCEMENT OR APPLICATION OF THE CODE WOULD RESULT IN PRACTICAL DIFFICULTY OR UNDER HARDSHIP. FINANCIAL HARDSHIP OR A DESIRE TO INCREASE THE VALUE OF THE PROPERTY IS NOT SUFFICIENT.

STATEMENT OF FACTS:

The applicant has purchased the property in the Glen Lee subdivision on May, 2019. The property is located at 16016 Green Manor Drive near the southeastern corner of the intersection of Green Manor Drive and Greens Road and is designated as HCAD Parcel 085-410-0000-030. My company was approached on August 15, 2019 to renovate a single-family home into a multi-family development on the property. Plans for the property were submitted on September 10, 2019 and was rejected on January 15, 2020 for noncompliance with the airport ordinance and I needed to contact HAS staff about requesting a variance. I contacted HAS staff on July 24, 2020 and requested a variance for the property. As per SEC. 9-403. Land uses in IAH Tier one, (2) Hotels and motel lodging uses. We are allowed to build new or reconstruct lodging. In Section (b) Residential use. We are not allowed to increase the density or the intensity of the use. This seems contradictory and we need clarification of “increase the density or intensity of the use”. Our property is being labeled as multifamily which commercial code applies. The same code would apply to hotel standards. Our building, after reconstruction, would accommodate far less than a hotel or motel occupancy level. Therefore, we are here to respectfully ask the board to consider this variance request.

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STAFF REPORT

STAFF RECOMMENDATION:

Deny the variance

BASIS OF RECOMMENDATION:

The applicant is proposing to renovate an existing single-family residential home into a multi-family residential use in Intercontinental Airport-Houston (IAH) Tier One thereby in direct violation of **Sec. 9-403** of the Airport Compatible Land Use Ordinance. This proposed conversion would increase the density and intensity of the use from the current land use.

Staff does recognize that this board has previously granted numerous variances in the Glen Lee subdivision from height restrictions related to the Airport Hazard Area Ordinance based on the elimination of the proposed Runway 9R-27L located north of the applicant's property as part of the 2005-2006 George Bush Intercontinental Airport Master Plan. The runway is not included in the 2018 George Bush Intercontinental Airport Master Plan.

Consequently, an amendment to the Airport Compatible Land Use Ordinance reflecting the elimination of the proposed Runway 9R-27L would unequivocally take the applicant's property out of Tier One. However, a planning study as part of the amendment process would need to be conducted to discern if the property would be within an area designated as Tier Two, where the property would be subject to the same restrictions on density and intensity of use (**Sec. 9-404**) or Tier Three where no restrictions would be applied.

Given the uncertainty of a future amendment's findings, staff is compelled to rely on the current application of the Airport Compatible Land Use Ordinance and recommend the variance be denied.

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HOUSTON AIRPORT SYSTEM
BOARD OF ADJUSTMENT**

STAFF EVALUATION:

BOARD OF ADJUSTMENT ACTION:

BASIS OF BOARD OF ADJUSTMENT ACTION:

ADDITIONAL FINDINGS BY BOARD:

AIRPORT LAND USE ORDINANCE VARIANCE

CITY OF HOUSTON
HOUSTON AIRPORT SYSTEM
BOARD OF ADJUSTMENT

MAP OF SUBJECT PROPERTY

AIRPORT LAND USE ORDINANCE VARIANCE

Board of Adjustment

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