

**AIRPORT LAND USE REGULATIONS  
BOARD OF ADJUSTMENT**

ORDER OF DECISION—2010-V1  
**April 22, 2010**

The Airport Board of Adjustment held a meeting on **April 22, 2010** to hear **a request for a variance from Section 9-403 of the City Code:**

**To allow for the construction of a 62,000 square foot rehabilitation hospital facility at 18839 McKay Drive, Houston, Texas.**

The meeting was called to order at 6:00 p.m. with the following board members in attendance:

Dale Rudick  
Gary Shirley  
Wally Huerta  
Pardha Namuduri  
Johnny Gant

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 Huerta made a motion to **approve** the request by the applicant to construct a 62,000 square foot rehabilitation hospital facility in Tier 1, at 18839 McKay Drive, Houston, Texas with sound attenuation building measures, and subject to certain conditions; as follows:

**MOTION:**

To approve variance HAS 2010-V1 for the construction of a 62,000 square foot rehabilitation hospital facility in Tier 1, with the conditions of execution of an avigation easement and noise release, and the verification of meeting the 45 dBa interior noise levels.

The Board finds that granting the variance is appropriate based on the evidence presented during the hearing, specifically that the applicant has relocated the building substantially out of the noise area and is adjacent to other noise generators. 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 land use ordinance.

The motion was seconded by Board Member Shirley.

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

MEMBER	VOTE
Dale Rudick	Aye
Gary Shirley	Aye
Wally Huerta	Aye
Pardha Namuduri	Aye
Johnny Gant	Aye

The motion **was approved**, and the applicant's request for variance was **approved with conditions**. This Order is entered into the Board's Records this 22nd day of April, 2010.



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Dale Rudick, Chairman  
AIRPORT BOARD OF ADJUSTMENT  
HOUSTON AIRPORT SYSTEM  
CITY OF HOUSTON

ATTEST:



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Eric Potts, Secretary