

Structures Outside Building Lines Policy

Applicability

This Policy supersedes any prior policy or part of a prior policy as it relates to structures outside the building lines. Additionally, this policy shall be used to clarify those Deed Restrictions which do speak to such structures listed herein, but which this policy does not directly conflict with.

Structures existing prior to this Policy which had prior approval by the appropriate review committee and met all MCIA and governmental requirements at the time of construction/installation may be maintained and repaired, but only to the extent allowed by the appropriate review committee or MCIA Board, without violating this Policy.

Enforcement

This Policy may be enforced, within Meyerland Community Improvement Association (MCIA) Board's discretion, to the fullest extent allowed by law, applicable deed restrictions and the MCIA. This Policy shall apply to all lots that fall within the jurisdiction of the MCIA.

Purpose/Definition

The purpose of this Policy is to ensure the aesthetics of the Meyerland community as pertaining to structures outside the building lines. Such purposes include but are not limited to types of structures, location, size, approvable materials, maintenance, and overall aesthetics. In no manner should this Policy be interpreted to limit authority of appropriate MCIA review committee, other than specifically as denoted in this Policy.

For the purpose of this policy, a structure is anything which is built, erected, constructed, assembled or otherwise joined by other than natural force.

For the purpose of determining whether proposed or completed construction complies with the building line (setback) requirements, the appropriate MCIA committee considers the building line (setback) provisions to apply to all structures.

For the purpose of this policy, landings as used herein, shall be defined as those structures used as part of stairs or ramps and that are more than six inches (6") above natural grade (as determined by appropriate review committee).

For the purpose of this policy, building line is the boundary upon which a building and certain structures may not encroach, pursuant to Deed Restrictions, the Plat, City of Houston Code of Ordinances, MCIA policies and/or per authority granted the appropriate review committee. As used herein, shall include setback line and similar terms that denote the same line.

Rules

Deed Restrictions

All construction, renovation and lot modifications must comply with all provisions set forth in the applicable Deed Restrictions.

Structures and Locations

Structures which are not buildings, garages, carports, porte cocheres, gazebos or similar type structures AND which are allowable by the Deed Restrictions and approved by the appropriate MCIA review committee or MCIA Board may be allowable outside of the building (setback) lines which may have limits as to distance per RCC decision.

Front Lot Line & Front Building (Setback) Line

No structure shall be located on any lot nearer to the front lot line than the front building (setback) line as shown on the Plat or limitations per deed restrictions, other than the following if not specifically restricted by afore mentioned documents:

~~No structure shall be located on any lot nearer to the front lot line than the front building setback line as shown on the Plat or limitations per deed restrictions, except:~~

- (i) erosion control devices,
- (ii) sidewalks,
- (iii) walkways,
- (iv) driveways,
- (v) stairs, steps or ramps, and
- (vi) other non-building exceptions as may be allowed by Policy or decision of the appropriate review committee for structures appropriate for residential purposes.

Side Street Lot Line & Building (Setback) Line

No structure shall be located on any lot nearer to the side street lot line than the side street building (setback) line as shown on the Plat or limitations per deed restrictions, other than the following if not specifically restricted by afore mentioned documents:

~~No structure shall be located on any lot nearer to the side street lot line than the side street building (setback) line as shown on the Plat or limitations per deed restrictions, except:~~

- (i) erosion control devices,
- (ii) sidewalks,
- (iii) walkways,
- (iv) driveways,
- (v) stairs, steps or ramps,
- (vi) fences, and
- (vii) other non-Building exceptions as may be allowed by Policy or decision of the appropriate review committee for structures appropriate for residential purposes.

Interior Lot Line & Building (Setback) Line

No structure shall be located on any lot nearer to the interior lot line than the interior building (setback) line as shown on the Plat or limitations per deed restrictions, other than the following if not specifically restricted by afore mentioned documents:

~~No structure shall be located nearer than that stated in appropriate Deed Restrictions and if not so stated, then per MCIA review committee decision, to any side Interior Lot Line, except:~~

- (i) fences/walls,
- (ii) sidewalks/walkways
- (iii) stairs, steps or ramps to a structure, (only for elevating existing homes)
- (iv) a driveway may be as close as three feet (3') to the side interior lot line,

- (v) any approved structure, not specifically addressed in appropriate Deed Restrictions and not a building or carport, which is further back than the rear most portion of the dwelling, or is inside a fenced area, and which is less than six feet (6') in height, may be as close as three feet (3') from a side interior lot line,
- (vi) HVAC systems, water filtration/conditioner equipment, pool equipment, utility, and mechanical type equipment as per the discretion of the appropriate review committee, and/or
- (vii) other non-building exceptions as may be allowed by policy or decision of appropriate review committee for structures appropriate for residential purposes.

Specific Restrictions

The following structures may be located outside the building (setback) line with the approval of the appropriate Meyerland review committee:

1. Unroofed stairs, steps, ramps, and landings, but not porches, may be up to five feet (5') outside of the building (setback) line or as to maximum distance allowed by the City of Houston (COH) Code, property specific variance (indicating no violation or non-enforcement) granted by COH or a written statement from a COH department specific to that property (indicating no violation or non-enforcement), AND so long as also approved by the appropriate Meyerland review committee or MCIA Board, who may have more strict standards than COH. Walkway steps that generally follow natural contour and natural grade of lot, as decided by the appropriate Meyerland review committee, shall not be considered as "stairs" and may be more than five feet (5') outside building lines. Appropriate MCIA review committee MAY allow special exceptions/allowances as to distance beyond front building/setback line for NECESSARY and limited instances where an existing structure is raised to meet COH Minimum Flood Protection Elevation (MFPE) and where access to home is limited due to driveway or other existing architectural features and so long as COH grants written approval for such design.
2. Outdoor lighting and light posts suitable for residential use which do not encroach on another lot or any utility easement.
 - a. All exterior lighting shall be shielded, located, and of a color and/or intensity which is consistent with residential use, so as not to be a nuisance to neighboring lot owners or residents.
 - b. Number of lights and light posts shall be approved/denied via review committee decision on a case by case basis which may consider entirety of lot's lighting plan.
3. Landscaping structures including but not limited to, planters, and raised flower beds.

General

In no circumstance may a structure encroach upon an easement.

All city, county, state, or federal law/codes/regulations (including but not limited to building codes) must be followed.

All structures must be of an aesthetically acceptable design, including, but not limited to all proposed structure installation and lot or structure modifications including but not limited to types of structures, location, size, materials, and exterior color. Structures must be maintained for both aesthetic requirements and function, as determined by the appropriate Meyerland review committee or the MCIA Board.

Approval

Any and all proposed structure installation and lot or structure modifications including but not limited to types of structure(s), location, size, materials, color, and overall aesthetics must receive approval from

the appropriate Meyerland review committee or the MCIA Board prior to the start of any installation/work. Approval may be withheld for purely aesthetic considerations, even if similar structures where previously approved or already exist in the Meyerland community,
<End of Policy>

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