

Structures Outside Building Lines Policy

Applicability

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

Structures existing prior to this Structures Outside Building Lines 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 MCIA review committee or the Board, without violating this Structures Outside Building Lines Policy.

Enforcement

This Structures Outside Building Lines Policy may be enforced, by the MCIA, acting by and through the Board, in the Board's sole discretion, to the fullest extent allowed by law, and applicable Deed Restrictions. This Structures Outside Building Lines Policy shall apply to all lots that fall within the jurisdiction of the MCIA.

Purpose/Definition

The purpose of this Structures Outside Building Lines Policy is to ensure the aesthetics of the 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 Structures Outside Building Lines Policy be interpreted to limit the authority of the Board or the appropriate MCIA review committee, other than specifically as set forth in this Structures Outside Building Lines Policy.

As used herein, "structure" is defined as anything which is built, erected, constructed, assembled, or otherwise joined by other than natural force.

As used herein, "landings" is 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 the appropriate MCIA review committee).

As used herein "building line" is defined as the boundary upon which a building and certain structures may not encroach, pursuant to the applicable Deed Restrictions, the plat covering the applicable lot recorded in the Official Public Records (the "Plat"), City of Houston (COH) Code of Ordinances, MCIA policies and/or per authority granted the Board and the appropriate MCIA review committee. As used herein, "building line" shall also include setback line and similar terms that denote the same line. To determining whether proposed or completed construction complies with the building line (setback) requirements, the board and the appropriate MCIA committee considered the building line (setback) provisions to apply to all structures.

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 as determined by the Board or the appropriate review committee AND which are allowable by the applicable Deed Restrictions AND which are approved in writing by the appropriate MCIA review committee or the Board may be allowable outside of the building (setback) lines as long as such non-building structures comply with the limits as to distance per the applicable MCIA review committee decision.

Front Lot Line and Front Building (Setback) Line

No structure shall be located on any lot between the front lot line and the front building (setback) line as shown on the Plat, other than the following if not specifically allowed by the applicable Deed Restrictions:

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

Side Street Lot Line and Building (Setback) Line

No structure shall be located on any lot between the side street lot line and the side street building (setback) line as shown on the Plat, other than the following if not specifically allowed by the applicable Deed Restrictions:

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

Interior Lot Line and Building (Setback) Line

No structure shall be located on any lot between the interior lot line and the interior building (setback) line as shown on the Plat or, other than the following if not specifically restricted by the applicable Deed Restrictions:

- (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) HVAC systems, water filtration/conditioner equipment, pool equipment, utility, and mechanical type equipment as per the discretion of the appropriate MCIA review committee, and/or
- (vi) other non-building structures as may be allowed by other written policies of MCIA or by written decision of the appropriate MCIA review committee.

Specific Restrictions

Notwithstanding the foregoing, the following structures may be located outside the building (setback) line with the written approval of the appropriate MCIA review committee, who may have more strict standards than COH:

1. Unroofed stairs, steps, ramps, and landings, but not porches, may be:
 - i up to five feet (5') outside of the building (setback) line;
 - ii the maximum distance allowed by the City of Houston (COH) Code of Ordinances;
 - iii up to the distance specified in a property-specific variance (indicating no violation or non-enforcement) granted in writing by the COH; or
 - iv up to the distance specified in a written statement from a COH department to Lot Owner or MCIA indicating no violation or non-enforcement, if also approved in writing by the appropriate MCIA review committee or the Board, who may have more strict standards than COH.
 - v The 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 requirements and where access to home is limited due to the driveway or other existing architectural features and so long as COH grants written approval for such design.
 - vi Walkway steps that generally follow natural contour and natural grade of lot, as determined by the appropriate MCIA review committee, shall not be considered as "stairs" and may be more than five feet (5') outside building lines.
2. Outdoor lighting and light posts suitable for residential use which do not encroach on another lot or any utility easement.
 - i All exterior lighting shall be shielded, located, and of a color and/or intensity which is consistent with residential use, as determined by the appropriate MCIA review committee, so as not to be a nuisance to neighboring lot owners or residents, as determined by the appropriate MCIA review committee.
 - ii The number of lights and light posts shall be approved/denied via MCIA review committee decision on a case by case basis which may consider the entirety of the 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.

Every lot owner and/or resident shall comply with all COH, Harris County, Texas, and federal law/codes/regulations (including but not limited to building codes).

All structures and lot modification must be of an aesthetically acceptable design, as determined by the appropriate MCIA review committee 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 MCIA review committee or the 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 written approval from the appropriate MCI review committee or the Board prior to the start of any installation/work. Approval may be withheld for purely aesthetic considerations, even if similar structures were previously approved or already exist in the Community.

<End of Policy>

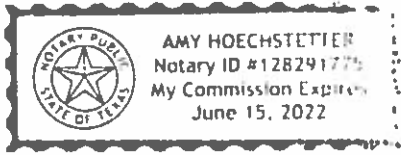
EXECUTED on the date of the acknowledgment set forth herein below, to be effective upon recordation in the Official Public Records.

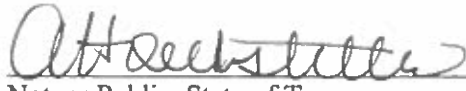
Meyerland Community Improvement Association,
a Texas non-profit corporation

By: 
Gerald R. Radack, President

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This instrument was acknowledged before me on June 08, 2021, by Gerald R. Radack, President of Meyerland Community Improvement Association, a Texas non-profit corporation, on behalf of said corporation.




Notary Public, State of Texas