

Old Braeswood Property Owners Association

Plan Review Instructions & Check List

Plan review by the Old Braeswood Architectural Review Committee (ARC) is required for all new construction and any kind and for any remodeling project that impacts an exterior building line of a home, garage or outbuilding.

Review is not required for interior remodeling that does not include any exterior changes. However, projects such as window, door and siding replacement, must be submitted for approval under the "Site Feature" category.

Please complete and return the following items to the address listed below to facilitate review of your plans. While we endeavor to review plans within 30 days based on the availability of the Review Committee to meet, the review period does not begin until all required items have been received.

- Completed and signed *Application and Agreement* for review of plans
- Completed *Transmittal Form*
- Appropriate *fee* payable to *OBPOA*
- Survey* and *Site Plan*
- Site Plan*
- Construction plans* including elevations and/or sample materials if applicable. For new home construction project, please include plans for new or replacement sidewalks. Plans are to be submitted electronically in PDF format to info@OldBraeswood.com. Be certain to include cut sheets for windows, doors, garage doors, and/or roof materials (website links are fine).

[Actual physical samples of brick, stone and stucco or siding (may only be used minimally); color selections for exterior finishes. Office will instruct applicant of sample drop off location. Be sure to mark all samples with your name, telephone # and project address.

We strive to respond within 30 days to complete submittals. Please ensure all items have been submitted. You should receive a response regarding your plans within 30 days. Once you receive confirmation that all items have been received you will receive a response within 30 days informing whether your plans have been approved or if changes are needed. Further reviews related to changes will be scheduled for the next monthly meeting of the committee.

Review Fees: (Based on total square fee of added or remodeled space)

- (1) New home construction - \$100 per 1000 sf. (\$500 minimum)
- (2) Renovation/Addition or new garage - \$250
- (3) Exterior remodeling projects - \$250
- (4) Late fee - for projects not submitted for approval prior to construction - \$500
- (5) Fences and or other "Site Features" - \$100 including walls, retaining walls and driveway gates.

Submission:

Please send the last three items to info@OldBraeswood.com and mail the first three (original forms and payment) to:

Old Braeswood POA (OBPOA)
PO Box 541346
Houston, TX 77254-1346

Questions? Call (713) 807-1787 or send a message to info@oldbraeswood.com.

Old Braeswood Property Owners Association

Plan Review Transmittal Form

Date: _____

Rec.# _____
(Office Use only)

Property Owner: _____

Property Address: _____

Mailing Address: _____

Phone Numbers: (w) _____ (h) _____ (cell) _____

Email Address: _____

Architect: _____

Mailing Address: _____

Phone Numbers: (w) _____ (h) _____ (cell) _____ (fax) _____

Email Address: _____

Contractor: _____

Mailing Address: _____

Phone Numbers: (w) _____ (h) _____ (cell) _____ (fax) _____

Email Address: _____

Description of project: _____

****ABOVE TO BE COMPLETED BY APPLICANT. THIS SECTION OFFICE USE.****

House faces: _____ N _____ S. _____ E. _____ W. Lot Sq. Ftg. _____

Residence setbacks: _____ feet from front property line; _____ N. _____ S. _____ E. _____ W.

Garage Setbacks: _____ feet from front property line; _____ N. _____ S. _____ E. _____ W.

Restrictions vs. Request: _____

APPLICATION
AND AGREEMENT FOR REVIEW AND APPROVAL OF PLANS
FOR CONSTRUCTION OR ALTERATION OF IMPROVEMENTS IN
OLD BRAESWOOD

**TO: THE ARCHITECTURAL REVIEW COMMITTEE,
OLD BRAESWOOD PROPERTY OWNERS ASSOCIATION**

1. The undersigned (“Owner”) is the owner (s) of Lot____, Block____, Section ____, Braeswood Addition (the “Lot”), also known as _____, Houston, TX 77030. Owner understands that the Lot is subject to certain restrictive covenants (the “Restrictions”) of record in Harris County, Texas, which govern construction on and use of lots in Braeswood Addition generally, and in particular, of the Lot. A copy of the Restrictions applicable to the Lot will be furnished to Owner on request.
2. Old Braeswood Property Owners Association (“OBPOA”) is empowered by its charter and By-laws to review and approve plans for construction or alteration of improvements in Braeswood Addition, and to enforce the Restrictions.
3. Owner is contemplating certain improvements or alterations to certain improvements (the “Project”) situated or to be situated on the Lot. Owner herewith submits plans (the “Plans”), for the Project for architectural review and approval by the Architectural Review Committee (the “ARC”) of OBPOA for compliance with the Restrictions and to ensure suitability and harmony of the structure and materials with neighboring property.
4. In consideration of the review of the Plans by the ARC, in addition to any fee to defray costs, Owner agrees to the following terms and conditions:
 - a. The Plans submitted are the final working plans, and will be retained by the ARC as a record of the approved Project. Any material change in the Plans, including the siting of the improvements, requires re-submission to and further approval by the ARC. Owner agrees to notify the ARC when the Project has been staked (if applicable) and agrees to a siting inspection by the ARC before continuing with the Project.
 - b. Owner agrees to build, use and maintain the Project and the Lot, during construction and at all times thereafter, (i) according to the Plans as approved by the ARC, subject to any changes required by the ARC, and not otherwise, and (ii) in complete compliance with the Restrictions; and Owner agrees that OBCC shall be entitled to equitable remedies if Owner fails to do so. Owner agrees that interpretation of the Restrictions by the ARC or OBPOA as they apply to the Project and to the Lot shall be final and conclusive.
 - c. Review and approval of the Plans by the ARC is on behalf of OBPOA only, and does not constitute approval on behalf of, nor guarantee approval by, the City of Houston, Harris County, any lender, or any other person or organization. Owner consents to posting a notice of this application on the OBPOA web site.
 - d. Owner will furnish such additional materials and records under Owner’s control and relating to the Project as may be requested by the ARC, and hereby grants access to the Lot and to the Project for inspections and measurement by the ARC and its representatives and contractors. Work will not commence at the site until Owner receives an ARC conditional approval letter. Verbal approvals do not satisfy the Restrictions and may not be given nor relied upon.

5. Owner will allow 30 days for review by the ARC. When the review is complete Owner may receive a conditional approval letter or a request for revisions to the Plans. Any special conditions applicable to the approval will be set out in the letter. When the Project is completed in accordance with approved Plans and the Restrictions, final approval will be recorded in the real property records of Harris County, Texas, by the ARC. Submittals must be complete in order for a review to begin. Therefore, incomplete submissions may result in a longer review period.

6. Owner represents that this application is accompanied by complete and correct Plans for the Project, which are hereby submitted for review and approval in accordance with the above terms and conditions.

Dated _____, 201__.

Owner:*

Name (Please print)

Name (Please print)

Name (Please print)

***All co-owners of the Lot must sign. Husband and wife should sign "John Jones" and "Mary Jones", not "Mrs. John Jones".**

Old Braeswood Height Restriction for All Sections

(adopted July 24, 2007)

The following restriction, with respect to height of new homes and additions, shall be consistently enforced in the manner prescribed below:

Dimensional Restrictions:

Height:

- a. Height shall be determined from the **Lot Grade**.
- b. A House exceeding 35 feet in height from **Lot Grade** to top of ridge is prohibited.
- c. A detached garage, exceeding 25 feet in height is prohibited.
- d. An Accessory Structure or other structure exceeding 15 feet in height is prohibited, other than a House or detached garage.
- e. A chimney may exceed the height of the House by not more than 3 feet.

Number of Stories: A House may not exceed two full stories and an additional half-story contained within the structure's roof line provided that:

- a. The floor area of the half story may not exceed sixty (60) percent of the floor area of the second story; and
- b. The roof must be a pitched roof which springs from the second floor top plate and run as an unbroken plane to the ridge line or lines (this provision is specifically meant to preclude mansard roofs as a means to circumvent the intent of this restriction).

Definitions:

"Lot Grade" :

- a. For lots outside of the identified 100 year floodplain on the **FEMA Flood Insurance Rate Map (FIRM)**, the lowest point of elevation of the finished surface of the ground, paving, or sidewalk within the area between the structure and a line 5 feet from the structure,
- b. For only those lots within the identified 100 year floodplain on the **FEMA Flood Insurance Rate Map (FIRM)**, the elevation of the 100-year base flood elevation as established on the FIRM current at the time of construction.

For most lots, one would have approximately 34 feet from finished floor to ridge, since one is measuring from a point outside the structure; however, for lots in the floodplain the height from finish floor would be similar, since one is required to raise the finish floor above the flood plain by one foot. The intent of this application of the rules is to give both conditions the same height restrictions to work within, without penalizing properties in either situation.