

MEMORIAL BEND

**ARCHITECTURAL
REVIEW COMMITTEE**

2019 SUMMARY

SUMMARY OF MEMORIAL BEND PROJECT ACTIVITY REVIEWED BY ARC

2019

Demolish Structure	16
New Construction**	23
Major Renovation	3
Pool	7
Tree Related	13
Exterior Changes	9
Other/Misc	3
Total	74 [#]

** Includes two expired resubmissions + one rebuild

Reflects 15.6% increase in reviewed projects vs. 2018

2018 (Summary)

Demolish Structure	18
New Construction	16
Major Renovation	2
Pool	2
Other	24
Total	64

2017 (Summary)

Demolish Structure	23
New Construction	17
Major Renovation	2
Pool	2
Other	19
Total	63

Reporting period is generally Feb 1 each CY through Jan 31 the following CY.

REVIEW PROCESS - TIMING

MEMORIAL BEND PLAN REVIEW (2019)

Project Type	Typical Plan Review Time (weeks) [#]
Demo	2-3 Weeks
New Construction	4 weeks
Major Renovation	4 weeks
Resubmissions/Revisions of the Above	2-3 weeks
Minor Projects/Misc	1-2 weeks

Assumes the ARC receives a complete application, without defects or obvious issues

CITY OF HOUSTON PLAN REVIEW 2018 vs. 2019

New Construction - Single Family

Year	Typical Plan Review Time (weeks)
2018	8 weeks
2019	6-8 weeks**

** queried builders shared that electronic plan submission and lower volume 1+ year post Harvey may be contributing to slightly faster review times.

Factors that Impact the Project Review Process

Factors that **advance** the ARC review and response process:

- Complete application with all relevant information and specificity
- Include all requisite application documents, site plans and elevations
- Application documents signed by owner or responsible party
- Application fee included (for new construction and major projects)
- No obvious, flagrant violations of Memorial Bend rules (height excessive, impervious coverage excessive etc.)

Factors that can **delay or hinder** the ARC review and response process:

- Incomplete, vague submissions
- Missing documents that are essential to the review process
- Missing signatures
- Application Fee note included
- Obvious violations of Memorial Bend rules
- Unapproved changes made after receiving an approval or contingent approval including site changes, elevation changes, flat work changes, tree removal, etc.

Application Issues and Mistakes that Contribute to Delays

Incomplete Applications

- Incomplete a submission for technical reasons. This includes missing signatures, missing notary stamp, missing documents and other technical issues.
- Failure to provide required information. This includes information concerning colors, height coverage etc.
- Failure to provide required documents. For new construction, applicants sometimes neglect to include full size plans (e.g. rolled architect format plans such as those that will be available at the job site). Applicants sometimes neglect to include important documents like surveys, site plans and tree plans.

Missing documents or incomplete applications create informational deficiencies. Because the ARC and HOA rely on the data submitted by applicants, if there is insufficient data, the committee is unable to conduct a review. And it would be inappropriate for the committee to substitute “guesses” and “assumptions” in place of data.

Height Problems

Post-Hurricane Harvey, height of the structure cannot exceed 33 feet from natural grade. Height of structure means fill + foundation + primary structure to ridgeline (chimney height does not count against). Height > 33 feet from natural grade will be denied. Incorrect calculations can result in delays and rejections.

Errors in Calculating Buildable Area

Buildable Area is calculated by taking total lot size LESS front setback and side setbacks and 10 feet in back. For front setback and side setbacks, refer to recorded plat. For rear setback (for HOA purposes) use 10 feet. Also, if there are areas that cannot be built due to easements (utility easement, flood control etc.), then those must also be deducted from total lot size to arrive at the buildable area. A common mistake is the use of the utility easement depth (5 feet) instead of the HOA 10-foot depth requirement at the rear of the lot. Incorrect calculations can result in delays and rejections.

Errors in Calculation or Excessive Impervious Coverage

Memorial Bend’s impervious coverage limit is 70% of the Buildable Area. When calculating impervious coverage as percentage of the Buildable Area, all impervious features within the Buildable Area must be accounted. This includes the foundation plus any overhangs, flatwork, steps etc. Impervious materials outside the Buildable Area may be considered by the committee as part of their overall consideration of the project and site plan. However, for the purpose of calculating Impervious coverage for the application, the applicant should only count impervious features WITHIN the Buildable Area. Incorrect calculations can result in delays and rejections.

Application Issues and Mistakes that Contribute to Delays

Note: Some neighboring communities like Memorial Glen and Wilchester and others apply an impervious coverage limit that is 60% of the entire lot. That would pull in all flatwork throughout the entire lot. And, unlike Memorial Bend, many of those communities, limit the square footage of the residence (some to only 4500 sf). Memorial Bend does not limit the total SF provided the coverage limitations are met.

Aerial Encroachments

In addition to foundation location, MBCA's rules prohibit aerial encroachments into setback areas. This includes things like eaves and soffits. Eaves (or any part of the structure) should not protrude into front, rear or side setback areas. Plans should call out both foundation footprint and overhangs. Often this is done with a solid line and dotted line to enable efficient review of plans. Failure to disclose and document these matters can result in delays and rejections.

Planning for Progressive Aerial Setbacks

MBCA has progressive aerial setbacks. This is based on average heights within a defined area. Plans should specifically identify compliance with these progressive setbacks. Applicants should refer to Section 2.01(e)(i)-(iv) of the 2018 Architectural Guidelines.

Tree Plans

1 tree per 1000 square feet is required for each lot. Tree requirements are based on the overall lot size. Half of the trees must be at least 4-inch caliper and half must be 6-inch caliper. Hardwoods are preferred but the ARC can consider other species mixed with hardwoods on the lot. Common issues are failure to provide a sufficient number of trees, trees too small (i.e. < 4inch and 6inch caliper), locations not specified, species not specified etc. Failure to submit an adequate tree plan can cause delay or rejection of an application.

Excessive Driveway Width

Per Memorial Bend rules, driveways and driveway extensions should be no wider than necessary to reasonably accommodate two (2) non-commercial, passenger vehicles, not to exceed twenty-two (22') feet in total width at the widest point (i.e. approach and entry to garage bays). However, the average driveway width should not exceed 16-18 feet. The 22-foot maximum width is not intended except at the opening at the street and at the garage entrance. Driveway plans that attempt 22 feet outside those areas are typically not approved and out of character for the neighborhood.

Recommendations for 2020 Board / ARC consideration / Member Comment

Suggested Updates to Architectural Guidelines:

- Consider making height allowances in cases where the city or other government body requires additional structural elevation. This could be overall adjustment of up to 1 foot or done a progressive basis where X % of the roof occupies feet 31-32, Y% of the roof occupies 32-33 and Z% of the roof occupies 33-34.
- Consider shifting tree requirement to 1 tree per 1500 sf vs. current requirement of 1 tree per 1000sf
- Tightening drainage requirements to avoid situations where high elevations cause runoff
- Consider rules governing location of certain windows when they would be intrusive or imposing on neighbors

For that last point, here is how Wilchester addresses the issue in their guidelines:

"No new window, door or balcony shall be placed such that it offers an imposing view to a neighbor's rear or side yard. The ACC shall, subject to an owner's right to appeal an ACC decision to the Board, have the sole and absolute discretion to determine if a window, door or balcony offers an imposing view to a neighbor's rear or side yard."

Suggested Process Updates:

- Accept 100% electronic submission for review purposes provided all details are legible when enlarging or "zooming" images. This saves paper cost and reduces time from receipt of application to submission to committee because no physical transfer is required.
- Establish Ombudsperson program for dealing with outlier cases. This would be resident volunteer who is not (i) a current board member and (ii) a current ARC member. This person could be a former board member or former ARC member or someone familiar with our current guidelines. This person would act as a neutral resource and sounding board to help the homeowner achieve compliance or successful approval.