

CERTIFICATE OF APPROPRIATENESS

Application Date: March 11, 2015

Applicant: Sam Gianukos, Creole Design, LLC, for Bill Baldwin, owner; Bradley and Summer Smith, purchasers

Property: 3215 Morrison Street, Lot 1 & N 12.5 ft of Lot 2, Block 1, Manors at Woodland Heights Subdivision. The property is an 8,580 square foot (66' x 130') interior lot.

Significance: The property is a vacant lot located in the Woodland Heights Historic District.

Proposal: New Construction – Deferred from February 2015

At the November and December HAHC meetings that application was denied a COA for a new hybrid 1½ /2-story single family residence with side attached garage. The applicant submitted a new design for a 2-story residence at the February HAHC meeting; the February application did not meet criteria 1 and 3. The application was deferred in order to allow the applicant to submit revised drawings. For this meeting, the applicant made the following changes to the plans:

- The front setback has been increased from 10' to 21'-1".
- The width of the house has been reduced by 1'.

The new scope of work is as follows:

Construct a 5,479 square foot two-story single-family residence with a rear detached two-story garage.

- The house will be 46'-9" wide overall and 72'-1" deep, with an eave height of 23'-2", a ridge height of 30'-4" at the front, and rear ridge height of 31'-8" at the rear.
- The residence will be setback 21'-1" from the front property line, 14'-3" from the north side property line, and 5'-9" from the south side property line.
- The residence will be clad 4" smooth finish cementitious beveled lap siding and 6" flared smooth finish cementitious beveled lap siding.
- The residence will have a 1'-6" slab foundation
- Residence will feature a 37' wide front porch, with a 4/12 hip roof, 12" round columns on 23" square brick bases. The porch will have an 11'-8" eave.
- Rear two-story garage measuring 24' wide x 26' deep, 21'-6" to the eave and 27'-7" to the ridge

See enclosed application materials and detailed project description on p. 7-34 for further details.

Public Comment: No public comment received at this time.

Civic Association: No comment received.

Recommendation: Denial - does not satisfy criteria 3

HAHC Action: -

APPROVAL CRITERIA

NEW CONSTRUCTION IN A HISTORIC DISTRICT

Sec. 33-242: HAHC shall issue a certificate of appropriateness for new construction in a historic district upon finding that the application satisfies the following criteria:

S D NA S - satisfies D - does not satisfy NA - not applicable

(1) The new construction must match the typical setbacks of existing contributing structures in the historic district

(2) The exterior features of new construction must be compatible with the exterior features of existing contributing structures in the historic district

(3) The proportions of the new construction, including width and roofline, must be compatible with the typical proportions of existing contributing structures and objects in the historic district

The typical overall width of 1, 1½, and 2-story structures in Woodland Heights is 32'. The applicant is proposing a house with a width of 46'-9", which is not compatible with the typical proportions of historic houses in the district and overwhelms the contributing houses in the district. The proposed width is 15' more than typical.

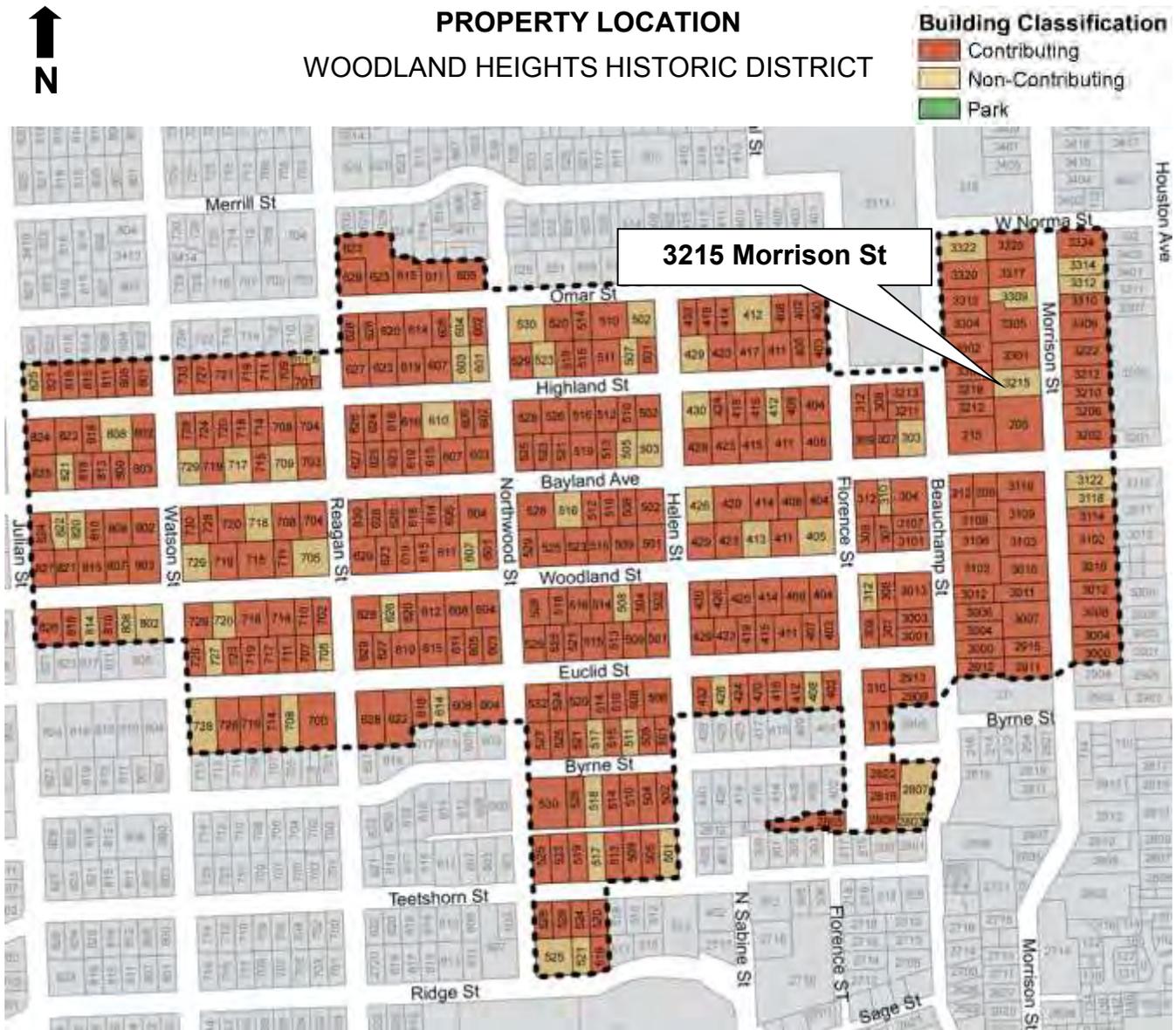
Directly across the street from 3215 Morrison are two, 2-story contributing residence, 3210 and 3222 Morrison. 3210 Morrison has a ridge height of 30' and an overall width of 27'. 3222 Morrison has a ridge height of 32', front width of 30', and an overall width of 33'.

Staff agreed that it would acceptable to allow the proposed house a maximum width of 40' because the neighboring properties at 205 Bayland and 3301 Morrison have overall width greater than 40'. However the Criteria for new construction in a Historic District compare the typical proportions of contributing structures throughout the whole district.

In order for the residence to compatible with the contributing structures the overall width of the proposed residence should be no more than 40'.

(4) The height of the eaves of a new construction intended for use for residential purposes must not be taller than the typical height of the eaves of existing contributing structures used for residential purposes in the historic district; and

(5) The height of new construction intended for use for commercial purposes must not be taller than the typical height of the existing structures used for commercial purposes in the historic district.



CURRENT PHOTO



DR

NEIGHBORING PROPERTIES



205 Bayland – Contributing – 1910 (neighbor)
Facing Bayland, not Morrison
67' wide, eave height 26', ridge height 40'



3301 Morrison – Contributing – 1910 (neighbor)
44' wide, eave height 10', ridge height 25'



3305 Morrison– Contributing – 1912 (blockface)
27' wide, eave height 11', ridge height 23'



3206 Morrison– Contributing – 1920 (across street)
26' wide, eave height 10', ridge height 20'



3210 Morrison– Contributing – 1924 (across street)
27' wide, eave height 20', ridge height 30'



3212 Morrison– Contributing – 1920 (across street)
32' wide, eave height 14', ridge height 10'

BLOCKFACE PHOTOS



3301 Morrison

3305 Morrison

3309 Morrison



3222 Morrison

3212 Morrison

3210 Morrison

DRAFT

TYPICAL DETAILS & PROPOSED RESIDENCE

CONTRIBUTING 2 -STORY RESIDENCES IN DISTRICT

MAX WIDTH			FRONT WIDTH			RIDGE HT			EAVE HT			PORCH EAVE HT		
205	Bayland	67	205	Bayland	67	215	Bayland	44	215	Bayland	27	3218	Beauchamp	18
629	Omar	49	3215	Morrison	40	205	Bayland	40	205	Bayland	26	215	Bayland	14
3215	Morrison	47	212	Bayland	39	3007	Morrison	37	3325	Morrison	26	205	Bayland	13
620	Woodland	45	514	Omar	37	3325	Morrison	33	3007	Morrison	25	3007	Morrison	13
312	Bayland	44	3103	Morrison	36	629	Omar	33	629	Omar	25	611	Omar	13
212	Bayland	39	3109	Morrison	36	611	Omar	33	611	Omar	25	3325	Morrison	12
3212	Beauchamp	38	312	Bayland	34	719	Woodland	33	612	Woodland	24	3011	Morrison	12
514	Omar	37	3006	Beauchamp	31	3215	Morrison	32	3222	Morrison	24	3222	Morrison	12
3103	Morrison	36	3222	Morrison	30	620	Omar	32	719	Woodland	23	629	Omar	12
3109	Morrison	36	208	Bayland	30	312	Bayland	32	3102	Beauchamp	23	3215	Morrison	12
3012	Beauchamp	35	611	Omar	30	3102	Beauchamp	32	608	Woodland	23	3210	Morrison	11
215	Bayland	34	620	Omar	29	3222	Morrison	32	3215	Morrison	23	3103	Morrison	11
608	Woodland	34	3202	Morrison	28	3011	Morrison	32	3011	Morrison	22	3102	Beauchamp	11
3222	Morrison	33	3325	Morrison	28	3103	Morrison	32	3103	Morrison	22	307	Woodland	11
3006	Beauchamp	31	3210	Morrison	27	612	Woodland	31	2915	Morrison	22	620	Omar	11
3007	Morrison	31	3306	Morrison	25	629	Woodland	31	629	Woodland	22	310	Bayland	11
3218	Beauchamp	31	310	Bayland	24	608	Woodland	31	620	Omar	22	312	Bayland	11
208	Bayland	30	430	Omar	21	3306	Morrison	30	620	Woodland	21	3006	Beauchamp	11
611	Omar	30	2915	Morrison	20	3210	Morrison	30	310	Bayland	21	3306	Morrison	10
3011	Morrison	29	307	Woodland	19	3006	Beauchamp	29	307	Woodland	21	2915	Morrison	10
620	Omar	29	215	Bayland	16	3109	Morrison	29	3306	Morrison	20	3202	Morrison	10
430	Omar	29	3212	Beauchamp	15	310	Bayland	29	3210	Morrison	20	3109	Morrison	10
623	Woodland	29	629	Omar	14	620	Woodland	29	3109	Morrison	20	212	Bayland	10
3202	Morrison	28	3007	Morrison	13	2915	Morrison	28	3202	Morrison	20	3012	Beauchamp	10
3325	Morrison	28	3011	Morrison	12	3202	Morrison	28	3012	Beauchamp	20	514	Omar	10
629	Woodland	28	3012	Beauchamp	9	3212	Beauchamp	28	212	Bayland	20	430	Omar	9
3210	Morrison	27	608	Woodland	n/a	3012	Beauchamp	28	208	Bayland	20	208	Bayland	9
612	Woodland	27	612	Woodland	n/a	208	Bayland	28	3212	Beauchamp	19	3212	Beauchamp	n/a
719	Woodland	25	620	Woodland	n/a	307	Woodland	28	3006	Beauchamp	19	608	Woodland	n/a
310	Bayland	24	623	Woodland	n/a	623	Woodland	27	312	Bayland	19	612	Woodland	n/a
307	Woodland	24	629	Woodland	n/a	3218	Beauchamp	27	623	Woodland	19	620	Woodland	n/a
2915	Morrison	20	719	Woodland	n/a	514	Omar	26	3218	Beauchamp	19	629	Woodland	n/a
3306	Morrison	n/a	3218	Beauchamp	n/a	430	Omar	25	514	Omar	19	623	Woodland	n/a
3102	Beauchamp	n/a	3102	Beauchamp	n/a	212	Bayland	n/a	430	Omar	16	719	Woodland	n/a

CONTRIBUTING 1 ½ -STORY RESIDENCES IN DISTRICT

MAX WIDTH			FRONT WIDTH			RIDGE HT			EAVE HT			PORCH EAVE HT		
304	Bayland	52	3301	Morrison	44	3317	Morrison	30	3317	Morrison	16	3317	Morrison	16
605	Omar	44	605	Omar	44	3106	Beauchamp	29	605	Omar	15	3015	Morrison	13
3301	Morrison	51	304	Bayland	34	3309	Morrison	27	3015	Morrison	15	605	Omar	13
3015	Morrison	37	3317	Morrison	31	605	Omar	27	3309	Morrison	12	3309	Morrison	12
3309	Morrison	33	3106	Beauchamp	28	3015	Morrison	27	3106	Beauchamp	12	3106	Beauchamp	12
3302	Beauchamp	32	3305	Morrison	27	3302	Beauchamp	27	3302	Beauchamp	11	3302	Beauchamp	11
3317	Morrison	31	3309	Morrison	14	3301	Morrison	25	3305	Morrison	11	3305	Morrison	11
3106	Beauchamp	28	3015	Morrison	n/a	3305	Morrison	23	3301	Morrison	10	3301	Morrison	10
3305	Morrison	27	3302	Beauchamp	n/a	304	Bayland	21	304	Bayland	10	304	Bayland	10

CONTRIBUTING 1-STORY RESIDENCES IN DISTRICT

MAX WIDTH		FRONT WIDTH		RIDGE HT		EAVE HT		PORCH EAVE HT	
3324	Morrison 52	3304	Beauchamp 41	3102	Morrison 30	3102	Morrison 18	623	Omar 16
3008	Beauchamp 48	3310	Morrison 36	3213	Beauchamp 30	623	Omar 16	3102	Morrison 15
3102	Morrison 45	3012	Morrison 34	3003	Beauchamp 30	3015	Morrison 15	614	Omar 14
3013	Beauchamp 44	626	Omar 33	3324	Morrison 29	3213	Beauchamp 15	3015	Morrison 13
309	Bayland 38	3212	Morrison 32	520	Omar 29	608	Omar 15	3213	Beauchamp 13
3015	Morrison 37	414	Omar 31	714	Woodland 28	714	Woodland 15	510	Omar 13
3213	Beauchamp 37	3119	Morrison 31	3015	Morrison 27	3324	Morrison 14	2913	Beauchamp 13
602	Omar 36	3004	Morrison 31	623	Omar 26	628	Omar 14	3008	Beauchamp 12
3310	Morrison 36	3000	Morrison 31	3013	Beauchamp 25	520	Omar 14	3013	Beauchamp 12
3320	Beauchamp 36	3108	Beauchamp 30	628	Omar 25	614	Omar 14	520	Omar 12
628	Woodland 34	2902	Beauchamp 30	2911	Morrison 25	3013	Beauchamp 13	2911	Morrison 12
628	Omar 34	3206	Morrison 29	3310	Morrison 24	714	Woodland 13	714	Woodland 12
3012	Morrison 34	312	Highland 28	714	Woodland 23	2911	Morrison 13	2914	Beauchamp 12
718	Woodland 33	614	Omar 28	608	Omar 23	510	Omar 13	3324	Morrison 11
626	Omar 33	3114	Morrison 28	614	Omar 23	2913	Beauchamp 13	602	Omar 11
520	Omar 33	3107	Beauchamp 28	510	Omar 23	3008	Beauchamp 12	3310	Morrison 11
711	Woodland 32	411	Omar 28	2913	Beauchamp 23	2914	Beauchamp 12	3320	Beauchamp 11
714	Woodland 32	510	Omar 27	715	Woodland 23	3304	Beauchamp 12	628	Omar 11
623	Omar 32	2913	Beauchamp 27	3008	Beauchamp 22	309	Bayland 11	3304	Beauchamp 11
3212	Morrison 32	608	Omar 26	718	Woodland 22	602	Omar 11	608	Omar 11
608	Omar 31	3003	Beauchamp 26	711	Woodland 22	3310	Morrison 11	414	Omar 11
414	Omar 31	2914	Beauchamp 26	602	Omar 21	3320	Beauchamp 11	3108	Beauchamp 11
3119	Morrison 31	3016	Morrison 25	3000	Morrison 21	3012	Morrison 11	3001	Beauchamp 11
3004	Morrison 31	3001	Beauchamp 24	615	Omar 21	711	Woodland 11	3000	Beauchamp 11
3000	Morrison 31	309	Bayland 21	3114	Morrison 21	414	Omar 11	2902	Beauchamp 11
3007	Bayland 31	3211	Beauchamp 20	3304	Beauchamp 21	3004	Morrison 11	3003	Beauchamp 11
611	Woodland 30	3300	Beauchamp 19	3211	Beauchamp 20	3000	Morrison 11	615	Omar 11
710	Woodland 30	3004	Beauchamp 18	3206	Morrison 20	3300	Beauchamp 11	3114	Morrison 11
408	Omar 30	3101	Beauchamp 17	3119	Morrison 20	3108	Beauchamp 11	3101	Beauchamp 11
312	Highland 30	2911	Morrison 15	3004	Morrison 20	3001	Beauchamp 11	3004	Morrison 11
3300	Beauchamp 30	308	Highland 15	611	Woodland 20	3000	Beauchamp 11	3000	Morrison 11
3108	Beauchamp 30	3324	Morrison 14	3000	Beauchamp 20	2902	Beauchamp 11	3012	Morrison 10
3001	Beauchamp 30	3102	Morrison 14	411	Omar 20	615	Omar 11	626	Omar 10
3000	Beauchamp 30	3213	Beauchamp 14	400	Omar 20	3114	Morrison 11	3312	Beauchamp 10
2902	Beauchamp 30	3320	Beauchamp 14	2914	Beauchamp 20	3101	Beauchamp 11	3212	Morrison 10
604	Woodland 29	628	Omar 14	2902	Beauchamp 19	405	Omar 11	3119	Morrison 10
726	Woodland 29	520	Omar 14	604	Woodland 19	715	Woodland 11	307	Bayland 10
615	Omar 29	623	Omar 14	726	Woodland 19	3003	Beauchamp 11	3206	Morrison 10
3206	Morrison 29	714	Woodland 14	3012	Morrison 19	3206	Morrison 10	308	Highland 10
2911	Morrison 29	615	Omar 14	626	Omar 19	626	Omar 10	3004	Beauchamp 10
308	Highland 29	402	Omar 13	414	Omar 19	3212	Morrison 10	405	Omar 10
614	Omar 28	418	Omar 13	307	Bayland 19	3119	Morrison 10	411	Omar 10
3114	Morrison 28	400	Omar 11	710	Woodland 19	307	Bayland 10	3016	Morrison 10
3211	Beauchamp 28	3312	Beauchamp 11	3300	Beauchamp 19	611	Woodland 10	400	Omar 10
3107	Beauchamp 28	3000	Beauchamp 10	3001	Beauchamp 19	710	Woodland 10	3107	Beauchamp 9
3101	Beauchamp 28	711	Woodland N/A	3101	Beauchamp 19	604	Woodland 10	3211	Beauchamp 9
3004	Beauchamp 28	714	Woodland N/A	405	Omar 19	308	Highland 10	312	Highland 9
405	Omar 28	307	Bayland N/A	402	Omar 19	3211	Beauchamp 10	402	Omar 9
411	Omar 28	611	Woodland N/A	418	Omar 19	3004	Beauchamp 10	418	Omar 9
615	Woodland 27	710	Woodland N/A	3016	Morrison 19	411	Omar 10	309	Bayland 8
510	Omar 27	718	Woodland N/A	3004	Beauchamp 18	615	Woodland 10	711	Woodland N/A
400	Omar 27	720	Woodland N/A	3108	Beauchamp 18	400	Omar 10	714	Woodland N/A
2913	Beauchamp 27	604	Woodland N/A	3320	Beauchamp 18	402	Omar 10	604	Woodland N/A
715	Woodland 26	726	Woodland N/A	628	Woodland 18	619	Woodland 10	726	Woodland N/A
402	Omar 26	405	Omar N/A	308	Highland 18	3016	Morrison 10	3300	Beauchamp N/A
3003	Beauchamp 26	615	Woodland N/A	615	Woodland 18	720	Woodland 10	611	Woodland N/A
2914	Beauchamp 26	715	Woodland N/A	619	Woodland 18	3312	Beauchamp 10	710	Woodland N/A
619	Woodland 25	619	Woodland N/A	3312	Beauchamp 18	726	Woodland 9	615	Woodland N/A
418	Omar 25	601	Woodland N/A	312	Highland 17	628	Woodland 9	715	Woodland N/A
3016	Morrison 25	628	Woodland N/A	601	Woodland 17	718	Woodland 9	619	Woodland N/A
720	Woodland 22	602	Omar N/A	309	Bayland 16	312	Highland 9	720	Woodland N/A
3312	Beauchamp 21	3015	Morrison N/A	3212	Morrison 14	3107	Beauchamp 9	601	Woodland N/A
3304	Beauchamp N/A	3013	Beauchamp N/A	720	Woodland 14	418	Omar 9	718	Woodland N/A
601	Woodland N/A	3008	Beauchamp N/A	3107	Beauchamp 13	601	Woodland 8	628	Woodland N/A

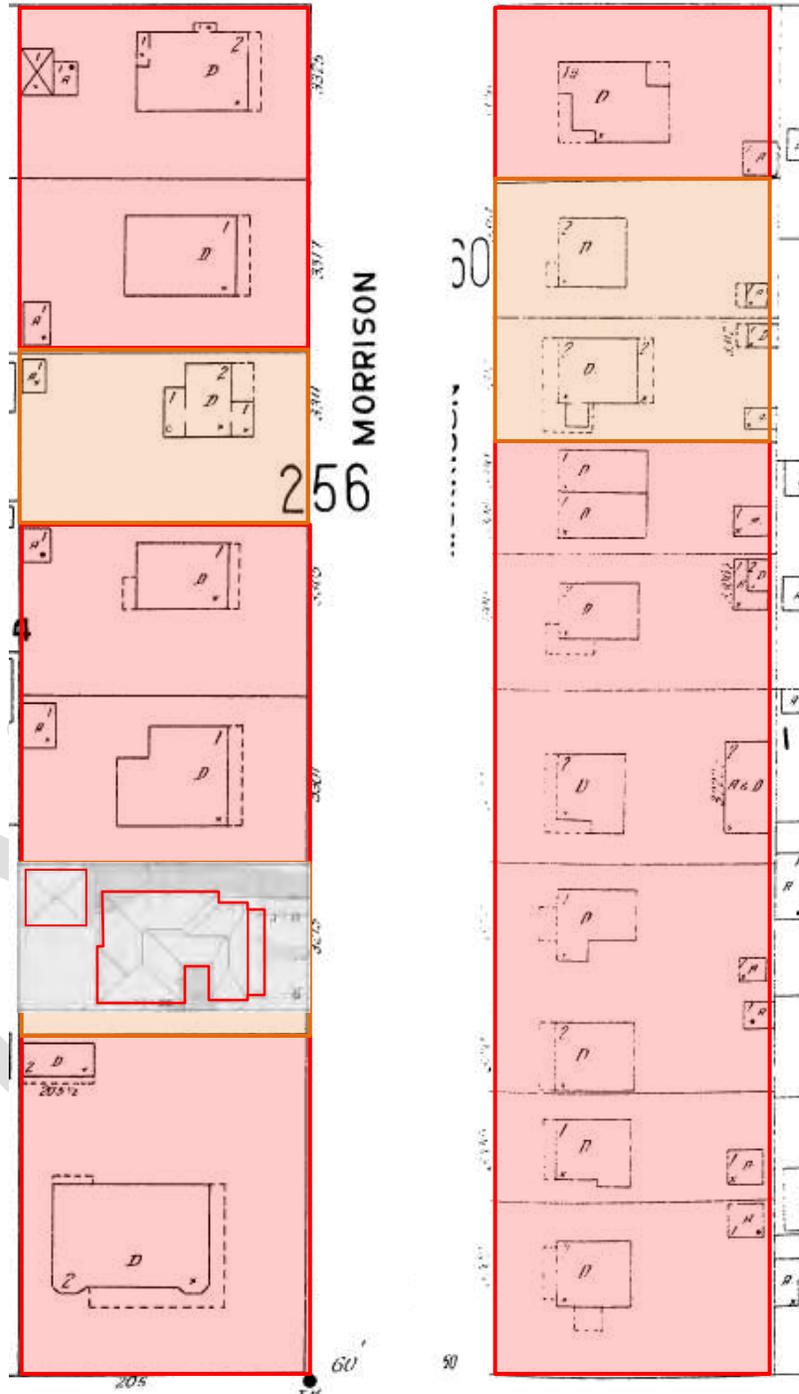
Morrison Street Front Setbacks



SANBORN FIRE INSURANCE MAPS

1924-1950

- Contributing
- Noncontributing



EAST ELEVATION – FRONT FACING MORRISON STREET

DENIED – 2/26/15



PROPOSED



SOUTH SIDE ELEVATION

DENIED – 2/26/15



PROPOSED



WEST (REAR) ELEVATION

DENIED – 2/26/15

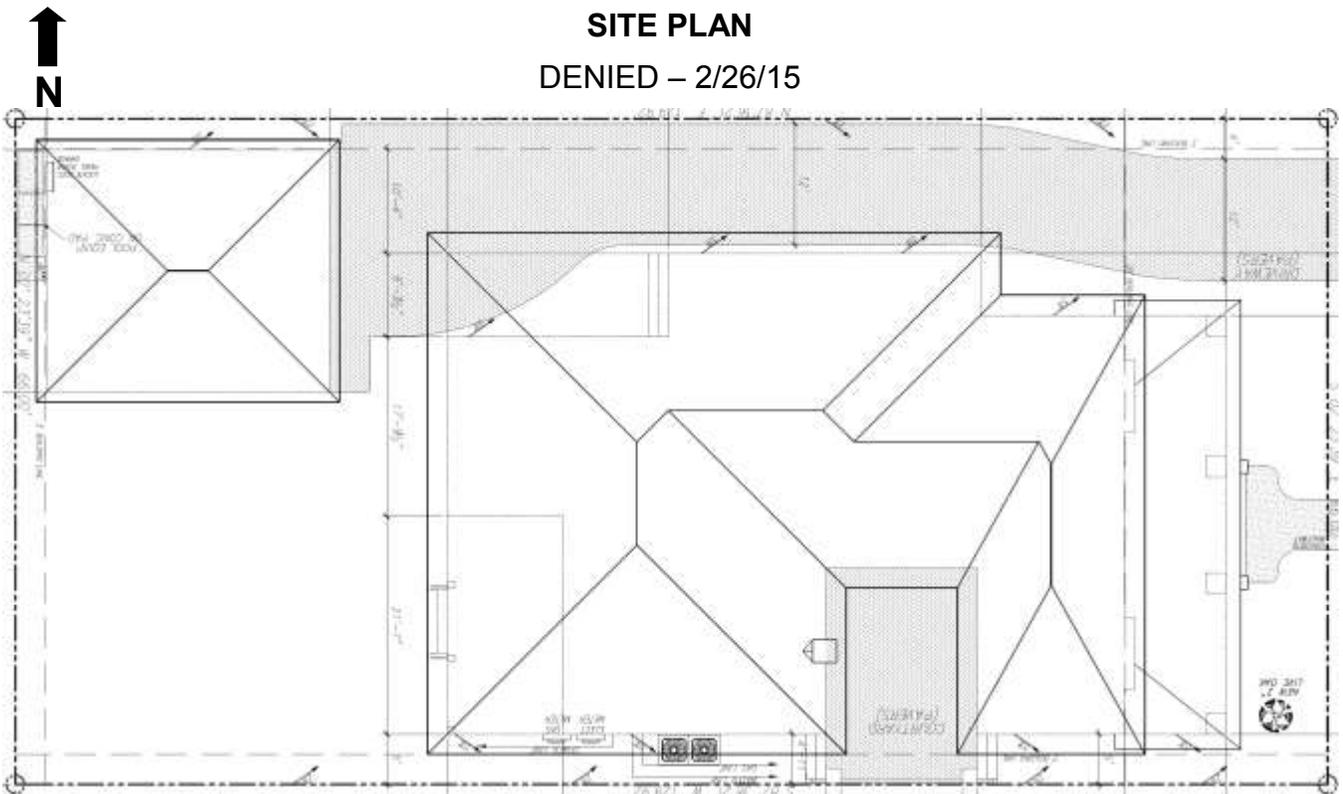


PROPOSED

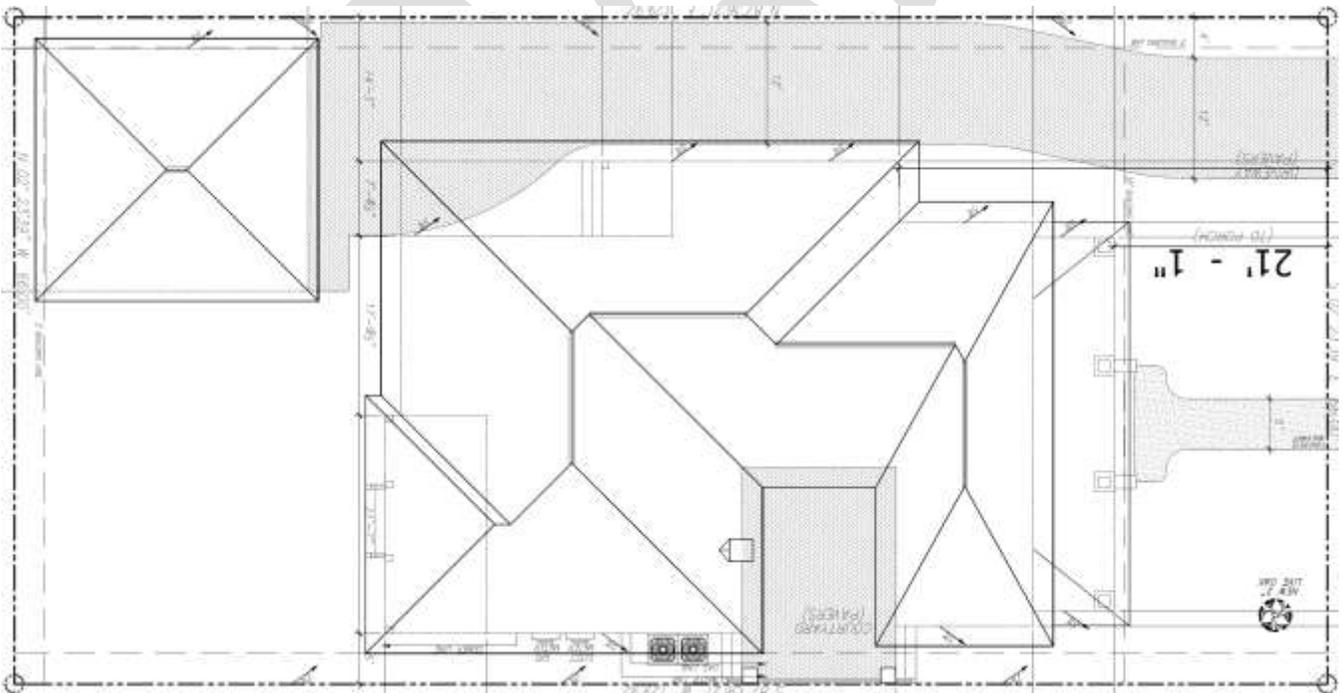


SITE PLAN

DENIED – 2/26/15



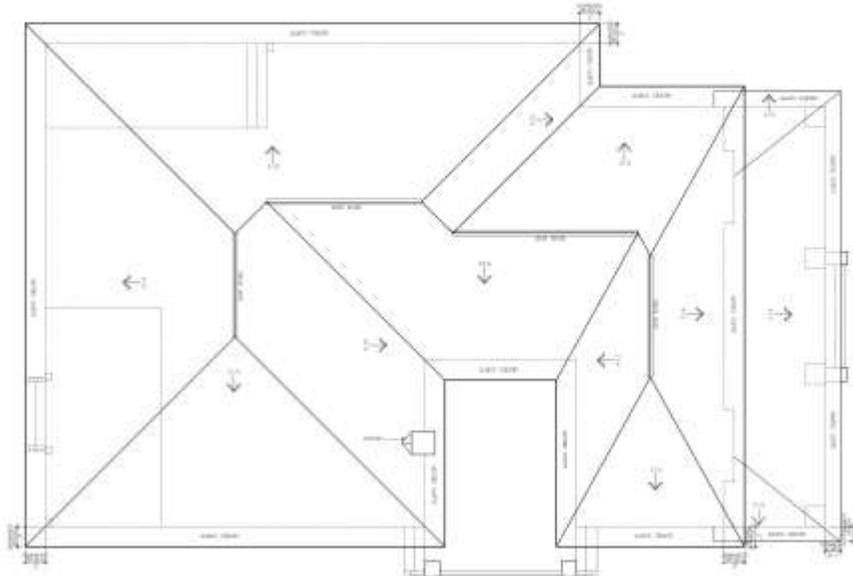
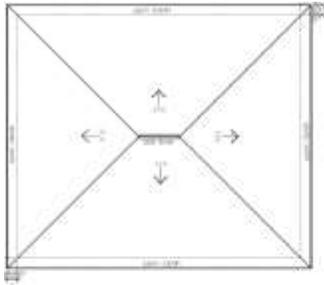
PROPOSED



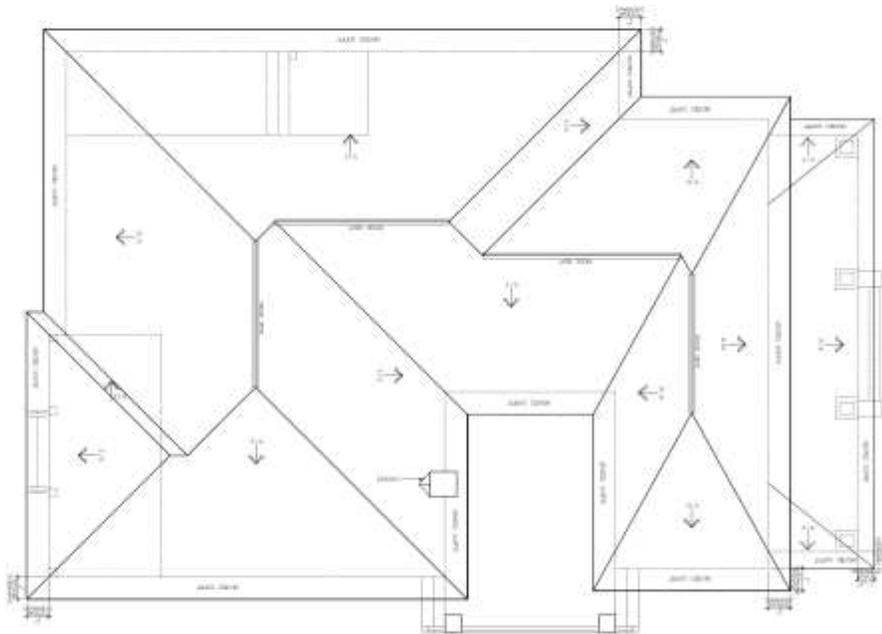
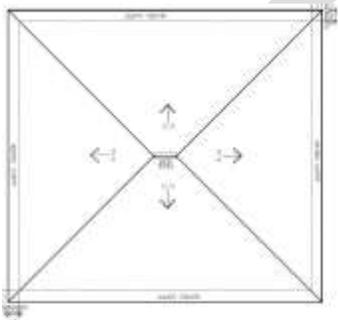


ROOF PLAN

DENIED – 2/26/15



PROPOSED



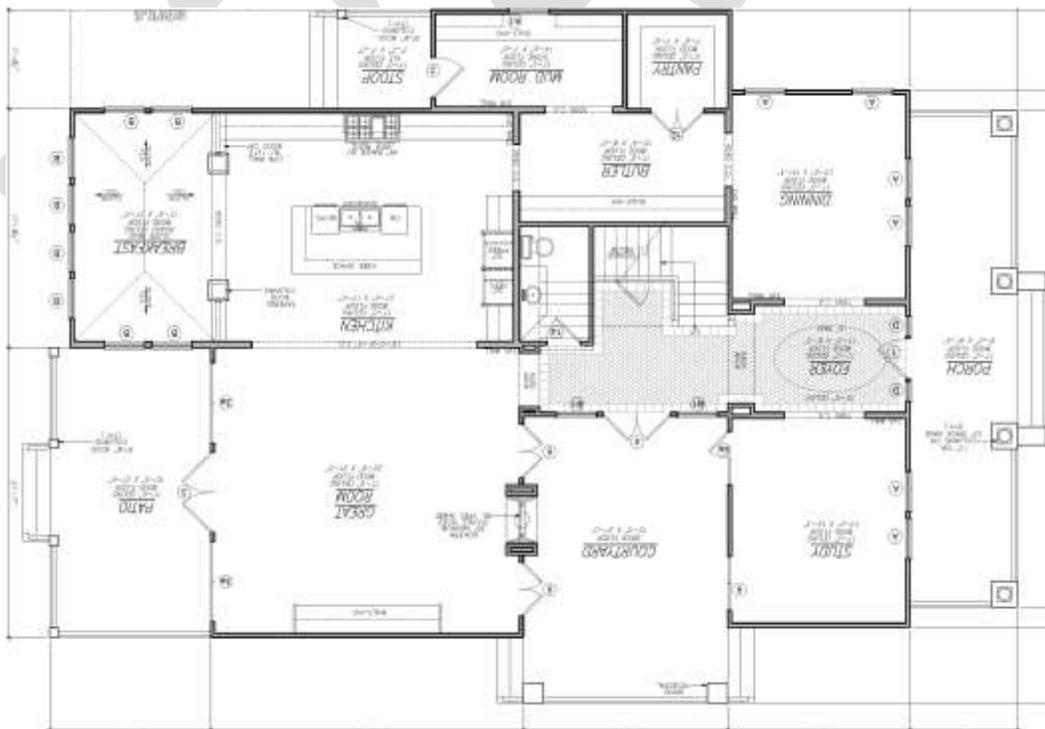


FIRST FLOOR PLAN

DENIED – 2/26/15



PROPOSED





SECOND FLOOR PLAN

DENIED – 2/26/15



PROPOSED



GARAGE ELEVATIONS

EAST ELEVATION – FRONT FACING MORRISON STREET

DENIED – 2/26/15

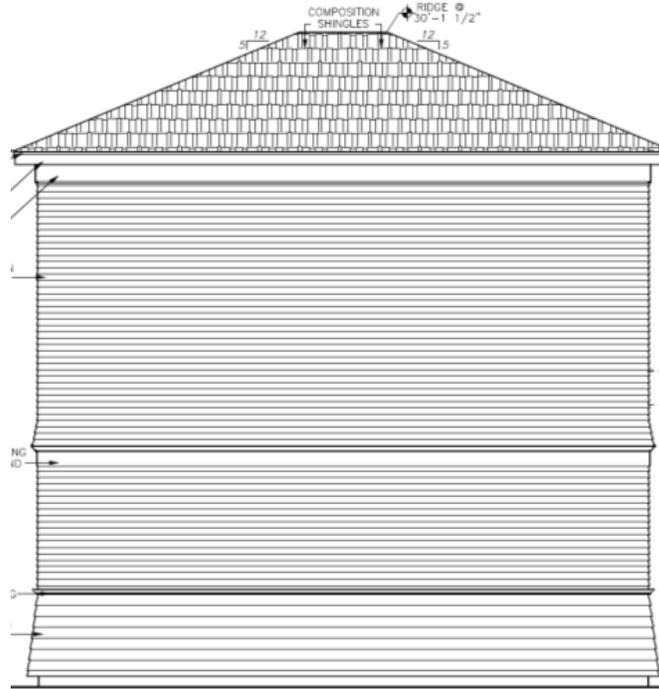


PROPOSED

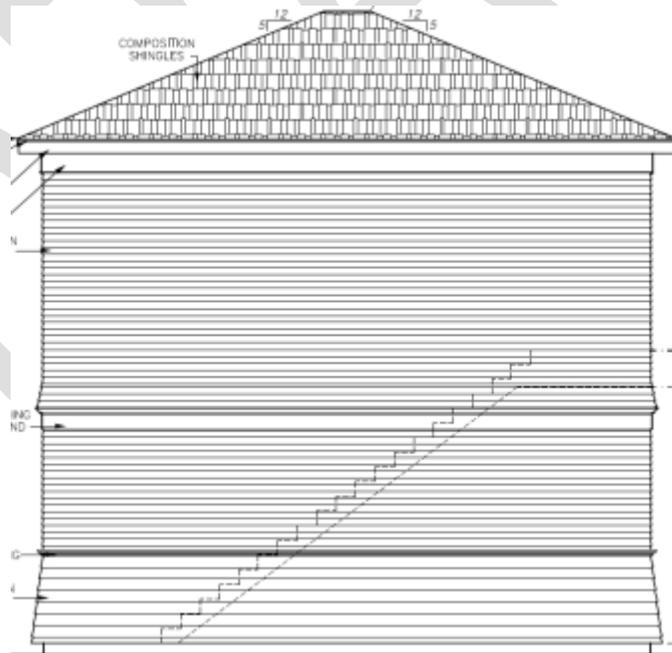


NORTH SIDE ELEVATION

DENIED – 2/26/15

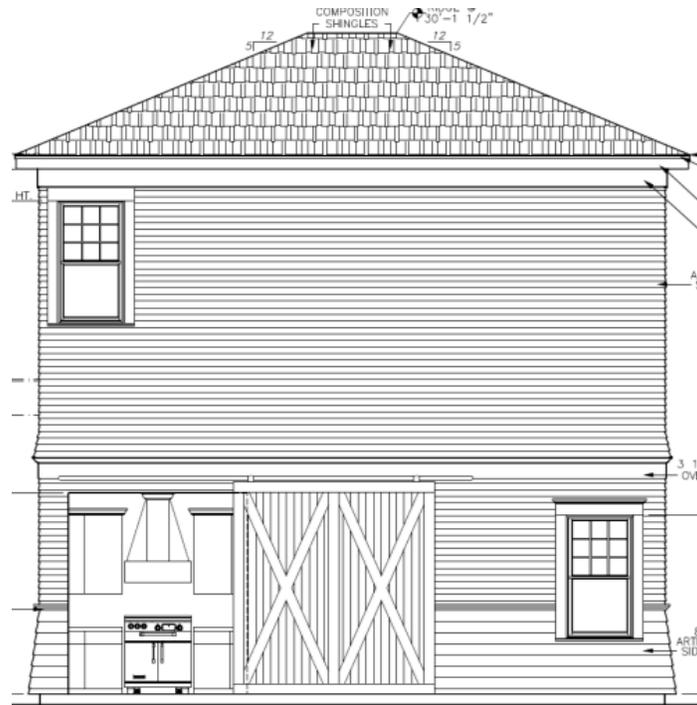


PROPOSED



SOUTH SIDE ELEVATION

DENIED – 2/26/15



**LEFT ELEVATION
PROPOSED**



WEST (REAR) ELEVATION

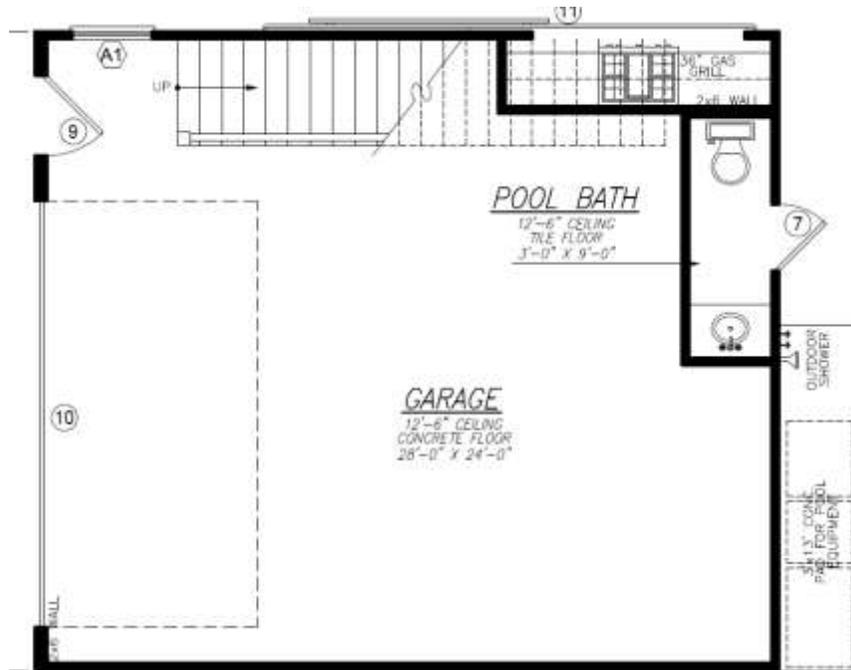
DENIED – 2/26/15



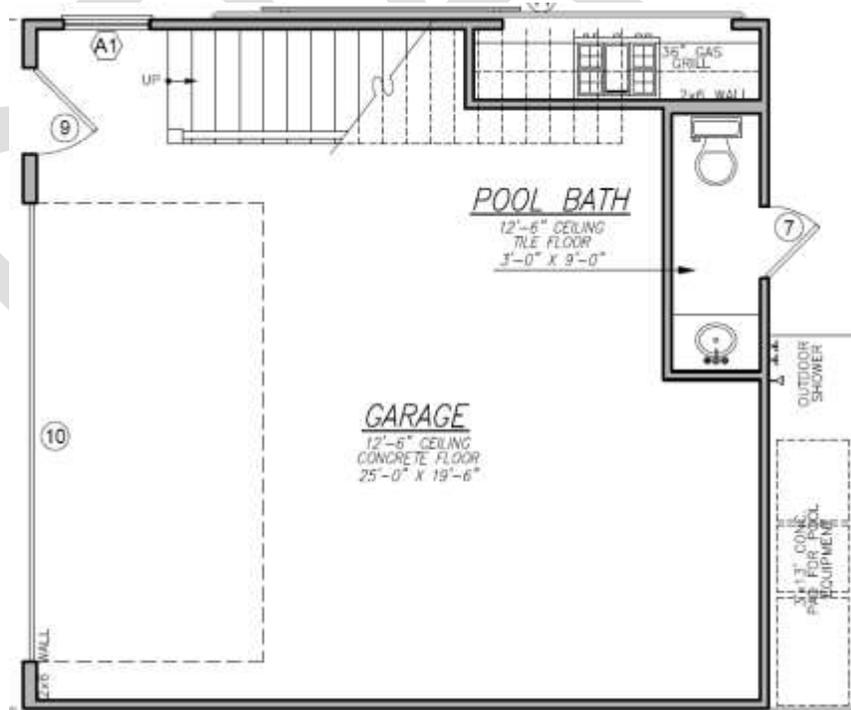
PROPOSED



GARAGE FLOOR PLANS
FIRST FLOOR PLAN
DENIED – 2/26/15

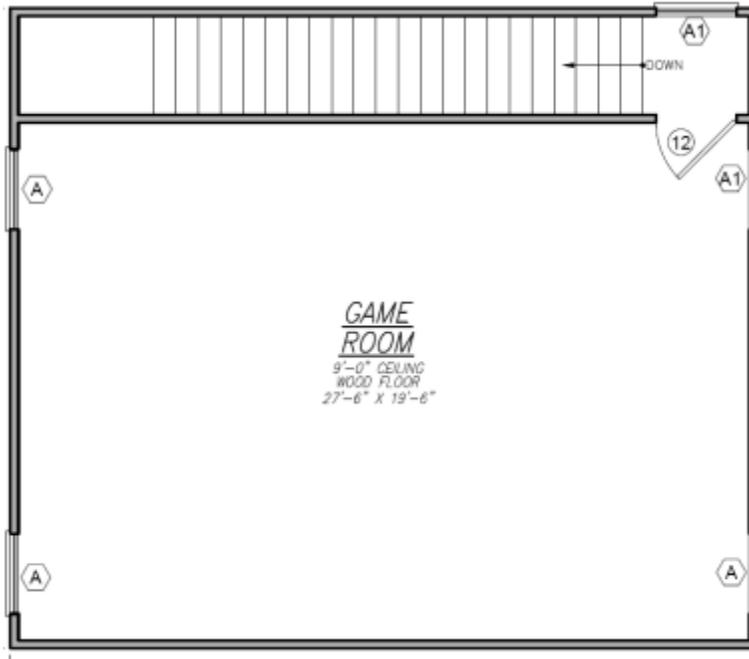


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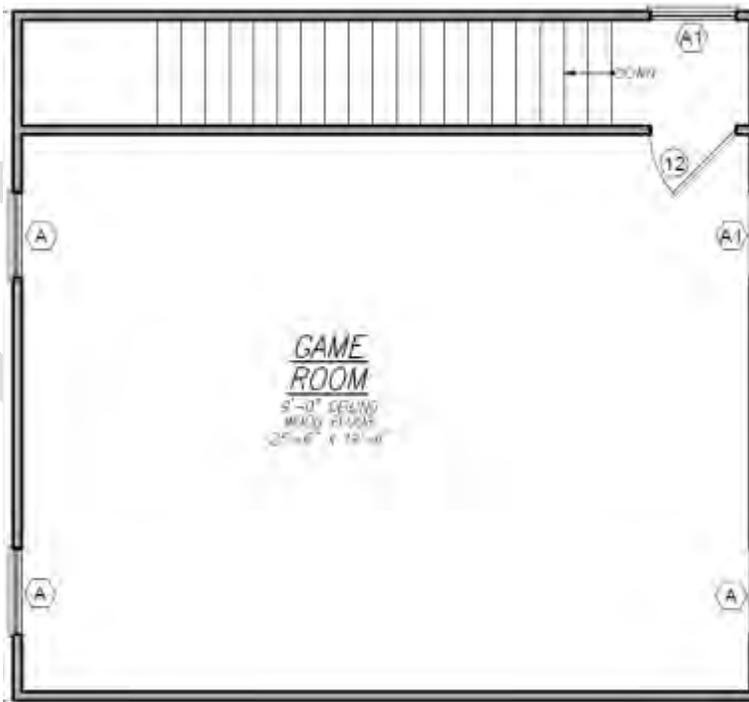


SECOND FLOOR PLAN

DENIED – 2/26/15



PROPOSED



WINDOW / DOOR SCHEDULE

WINDOW SCHEDULE

WINDOW SCHEDULE				
MARK	QTY	WIDTH	HEIGHT	DESCRIPTION
A	20	3'-0"	5'-6"	SINGLE HUNG
A1	8	3'-0"	5'-6"	SINGLE HUNG TEMPERED
B	8	3'-0"	6'-0"	SINGLE HUNG 3014 FIXED TRANS MULLED ABOVE
B1	2	3'-0"	6'-0"	SINGLE HUNG TEMPERED 3014 FIXED TRANS MULLED ABOVE
C	1	3'-0"	2'-0"	FIXED GLASS TEMPERED
D	2	1'-6"	8'-0"	FIXED GLASS SIDELIGHT W/ 34" WOOD PANEL BOTTOM & 1614 FIXED TRANS MULLED ABOVE ALL GLASS TO BE TEMPERED
E	1	1'-6"	3'-0"	FIXED GLASS TEMPERED
F	7	2'-6"	5'-6"	SINGLE HUNG

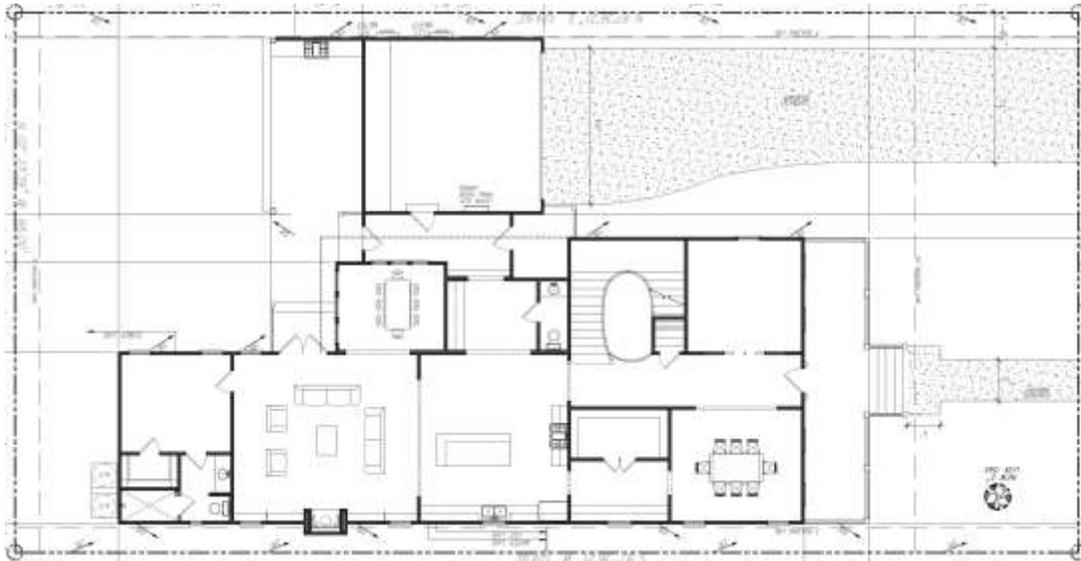
DOOR SCHEDULE

DOOR SCHEDULE				
DOOR NO.	QTY.	WIDTH	HEIGHT	DESCRIPTION
1	1	3'-0"	8'-0"	EXTERIOR FRONT DOOR W/ 3014 FIXED TRANSOM MULLED ABOVE
2	1	3'-0"	8'-0"	EXTERIOR REAR DOOR W/ 3014 FIXED TRANSOM MULLED ABOVE
3	1	(2)3'-0"	8'-0"	EXTERIOR FRENCH DOOR (UNIT) W/ 6014 FIXED TRANSOM MULLED ABOVE
3a	2	(2)3'-0"	8'-0"	EXTERIOR FRENCH DOOR (UNIT) W/ 6014 FIXED TRANSOM MULLED ABOVE—BOTH SIDES FIXED
4	1	(2)2'-6"	8'-0"	EXTERIOR FRENCH DOOR (UNIT) W/ 5014 FIXED TRANSOM MULLED ABOVE
5	3	(2)2'-0"	8'-0"	EXTERIOR FRENCH DOOR (UNIT) W/ 4014 FIXED TRANSOM MULLED ABOVE
5a	1	(2)2'-0"	8'-0"	EXTERIOR FRENCH DOOR (UNIT) W/ 4014 FIXED TRANSOM MULLED ABOVE—ONE SIDE FIXED
6	1	(2)2'-0"	8'-0"	EXTERIOR FRENCH DOOR (UNIT) W/ 4014 FIXED TRANSOM MULLED ABOVE—BOTH SIDES FIXED
7	1	2'-6"	8'-0"	EXTERIOR DOOR W/ 2614 FIXED TRANSOM MULLED ABOVE
8	1	(2)3'-0"	8'-0"	EXTERIOR FRENCH DOOR (UNIT)
9	1	3'-0"	8'-0"	20 MIN. FIRE RATED DOOR W/ CLOSER
10	1	16'-0"	8'-0"	OVERHEAD DOOR @ GARAGE
11	1	9'-0"	9'-6"	SITE-BUILT BARN DOOR ON SLIDE RAIL
12	1	3'-0"	8'-0"	INTERIOR DOOR
13	4	2'-8"	8'-0"	INTERIOR DOOR
14	2	2'-6"	8'-0"	INTERIOR DOOR
15	1	(2)2'-6"	8'-0"	INTERIOR POCKET DOOR (UNIT)
15a	1	(2)1'-6"	8'-0"	INTERIOR POCKET DOOR (UNIT)
16	8	2'-6"	8'-0"	INTERIOR POCKET DOOR
18	1	2'-6"		GLASS DOOR @ SHOWER ENCLOSURE

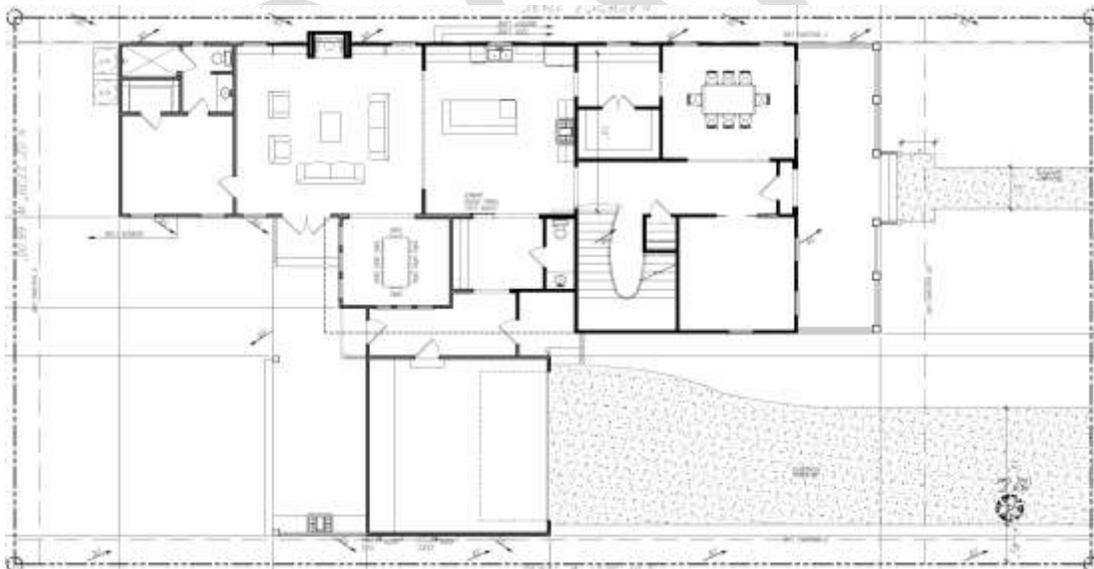
PRIOR PROPOSALS (NOV AND DEC 2014)

SITE PLAN

DENIED – 11/20/14



DENIED – 12/17/14



Front Elevation

DENIED – 11/20/14



DENIED – 12/17/14



SOUTH SIDE ELEVATION

DENIED – 11/20/14



DENIED – 12/17/14



NORTH SIDE ELEVATION

DENIED – 11/20/14



DENIED – 12/17/14



WEST (REAR) ELEVATION

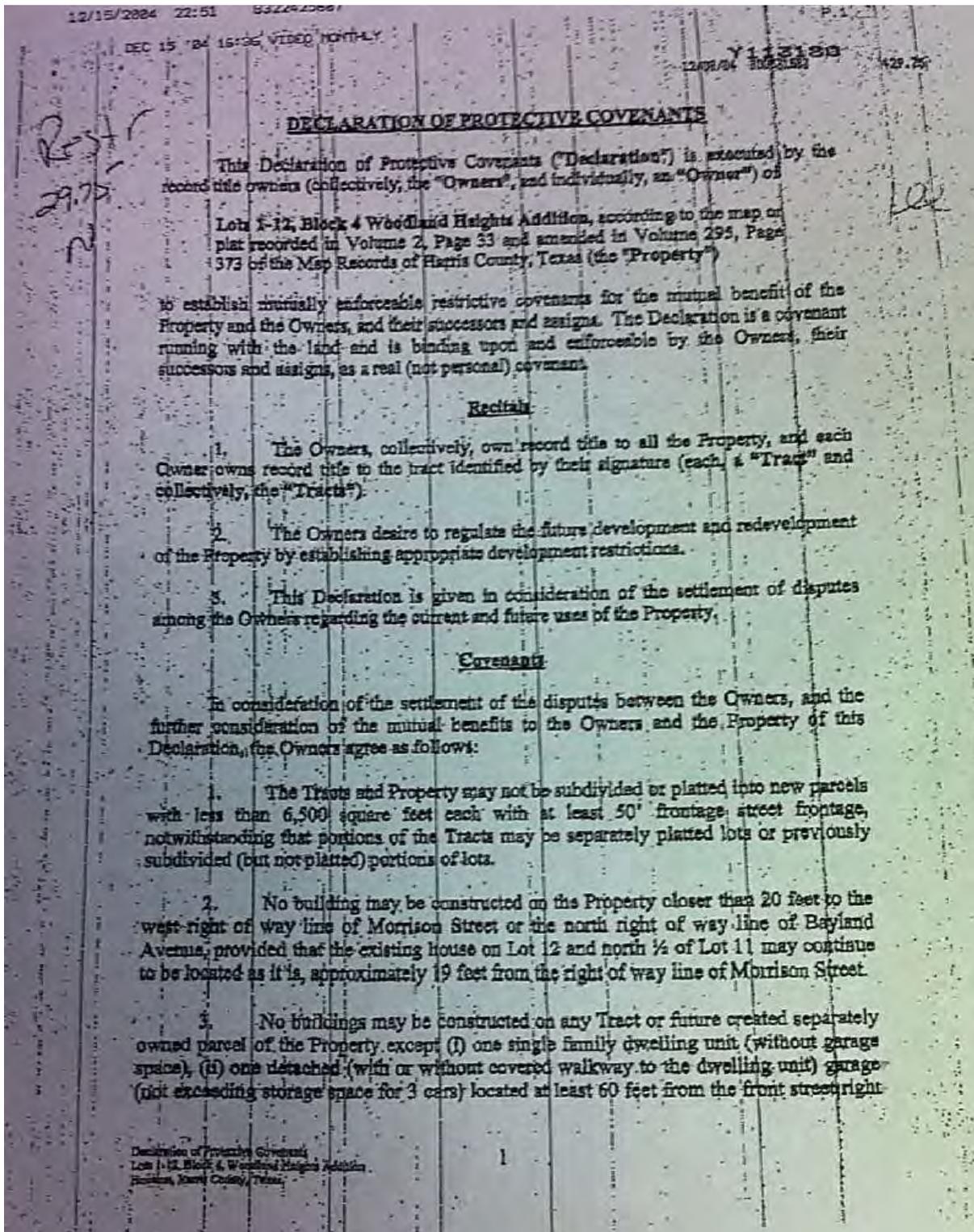
DENIED – 11/20/14



DENIED – 12/17/14



WOODLAND HEIGHTS ADDITION DEED RESTRICTIONS



of way line, with or without upstairs garage apartment (enclosed stairwell allowed), provided that the square footage of the enclosed living space of the apartment may not exceed 50% of the enclosed air conditioned square footage of the primary dwelling unit, and (iii) one single story accessory building which is not a separate dwelling unit and does not exceed 650 square feet in area.

4. The Owners adopt and ratify as valid covenants restricting the Property the Declaration of Restrictions for Woodland Heights recorded under Clerk's File No. L913034 in the Official Public Records of Real Property of Harris County, Texas recorded November 1, 1988 (the "Woodland Heights Declaration"). The covenants in Article II of the Woodland Heights Declaration are incorporated herein for all purposes. In the event of conflict between the Declaration and the Woodland Heights Declaration, the most restrictive shall control.

5. Each of the Owners represent that they are not in violation of either the Declaration or the Woodland Heights Declaration, with the exception of Flybaby, Inc. and St. Jude Assisted Living, Inc., who shall be bound by the Agreed Judgment signed on November 23, 2004 in Case No. 2004-38579, Singleton v. Flybaby, Inc. and St. Jude Assisted Living, Inc., in the 190th Judicial District Court of Harris County, Texas, and shall cease their non-conforming use by May 21, 2005.

6. This Declaration may be enforced by the Owners, their successors or assigns with record title to any portion of the Property or by Woodland Heights Civic Association or its successors or assigns as a non-profit entity representing the interests of Woodland Heights Neighborhood. Prior to bringing any action to enforce this Declaration, the party asserting violation must provide prior written notice by certified mail to the alleged violator detailing the alleged violation and the actions required to cure it within thirty (30) days from the posting of such notice within which to cure the violation. The notice may be sent to the residence located on the violator's property and a copy provided to the address reflected on the records of either Harris County Appraisal District or any governmental entity with taxing authority over the parcel in question. The prevailing party in any enforcement action shall collect its reasonable attorney's fees and costs.

7. This Declaration is construed under Texas laws and enforceable by an action brought in the applicable state or federal court with jurisdiction in Harris County, Texas.

8. This Declaration is perpetual and may not be modified except by a writing executed by all of the then record title Owners of all of the Property and recorded in the Official Public Records of Real Property of Harris County, Texas which writing amends or terminates the Declaration.

9. The Recitals are correct and relied upon as the basis for executing this Declaration.

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Declaration of Restrictive Covenants
 Lots 1-12, Block 4, Woodland Heights Addition
 Houston, Harris County, Texas

PROJECT DETAILS

Shape/Mass: The residence is 40' wide at the front wall and expands to 46' wide 13'-3 1/2" back from the front wall; the residence will have an overall width of 46'-9" (*previously proposed 41'-6" wide at the front wall but expands to 47'-8" wide 14'-3 1/2" back from the front wall*). The house is 72'-1" deep (*previously proposed 77'-1" deep*). The residence will have an eave height of 23'-2", a front ridge height of 30'-11" and a rear ridge height of 31'-8" (*previously proposed eave height of 23'-2", a front ridge height of 30'-9" and a rear eave height of 32'-5"*). The porch will measure 37' wide, 8' deep (*previously proposed 40' wide and 10' deep*) and will have an eave height is 11'-8".

The detached garage will measure 24' and 26' deep (*previously proposed 28' deep*). The garage will have an eave height of 21'-6" and a ridge height of 27'-7" (*previously proposed eave height of 24' and a ridge height of 30'-1 1/2"*). The residence will feature a full width front porch measuring 41'-6' wide and 10' deep.

Setbacks: The residence is setback 21'-1" from the front property line, 14'-3" from the north side property line, 5'-9" from the south side property line, and 36'-9" from the rear property line (*previously proposed 10'-1" from the front property line, 12' from the north side property line, 5' from the south side property line, and 42'-10 1/2" from the rear property line*).

The garage will be setback 100'-10" from the front property line, (*previously proposed 98'-10" from the front property line*), 3'-1" from the north side property line, 38'-11" from the side south property line, and 3'-1" from the rear property line.

Foundation: The residence will be built on a slab foundation with a 1'-6" foundation height.
The detached garage will be built on a slab foundation.

Windows/Doors: The residence and garage will feature 9-over-1 wood sash windows, 9-over-1 sash windows with three lite transoms and 3-lite fixed windows, a single lite wood paneled entry door with side lites and transom, and single lite French doors with divided transoms. The windows and door will feature cementitious trim; the tops of all windows will feature 9" cementitious trim.
The detached garage will feature a sectional overhead garage door.

Exterior Materials: The residence and garage will be clad with 4" and 6" smooth finish cementitious beveled lap siding, and 6" flared smooth finish cementitious beveled lap siding and the residence will feature an exterior brick chimney. The front porch will feature wood steps, wood handrails and guardrails and 12" round columns on 23" brick bases.

Roof: The residence will feature a hip roof with a combination of 5/12 and 9/12 pitches. The roof will feature closed eaves with 2' overhang. The front porch will feature a hip roof with a 4/21 pitch and 1'-6" overhang.

The detached garage will feature a hip roof with a 5/12 pitch. The garage will feature closed eaves with 1' overhang.

Front Elevation: Please see elevation drawings on pg. 12.
(East)

Side Elevation: Please see elevation drawings on pg. 13.
(North)

Side Elevation: Please see elevation drawings on pg. 14.
(South)

Rear Elevation: Please see elevation drawings on pg. 15.
(West)