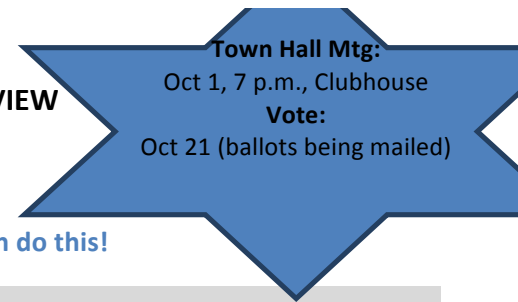


## THE NEWLY PROPOSED NOTTINGHAM DEED RESTRICTION AMENDMENTS OVERVIEW

*“The unity of freedom has never relied on uniformity of opinion,” JFK*

**Unity and Compromise: Two important themes for this vote. Nottingham residents – we can do this!**



**FACT:** 67% of homeowners must vote yes on each amendment or each amendment will not pass.

**FACT:** The last time homeowners voted on deed restrictions, nothing passed because not enough people voted.

**FACT:** This vote includes amendments to existing deed restrictions, not a new set of deed restrictions.

**FACT:** There are a total of 8 proposed amendments that will be listed separately on the ballot (a menu). Each amendment will be individually voted.

**FACT:** Voting against the house height amendment, will result in the status quo – no limitations whatsoever to house height for an undefined period of time.

**FACT:** There currently are separate deed restrictions for each Nottingham Section 1, 2 and 3. Vote yes to the amendment to simply combine to reduce filing costs and complexity or it could likely result in different DRs (deed restrictions) for each Nottingham section.

**\*A note about house height** – below you will see the proposed height restriction is 32 ft. This is based on the following:

- Keeping with new build trends, 10ft ceilings are standard, usually resulting in 32+ ft
- 32 ft is a good compromise for the neighborhood (the survey results last week indicated an increasing number of homeowners (40%!) want the restriction at 34 ft or higher. Knowing that some residents still prefer 30 ft, a 32 ft restriction is a good compromise. Remember – we must compromise to get a height restriction passed – vote yes or there will continue to be no limits.
- Neighboring, similar lot-sized communities (Wilchester) are passing 32 ft
- Local builders have stated average roof height for new homes are at a minimum 34ft– 36 ft

**\*\*About the last survey...**2 years ago, homeowners were surveyed on a 30 ft height restriction. This was the only height listed on the survey. Since then, further evaluation concludes a more appropriate question could have been posed, as homeowners were very much wanting new height restrictions and this was presented as the only option. It’s important not to “get stuck” on that number. The recommended height of 32 ft is based on hours of neighbor conversations, survey results, talking with active home buyers and real estate agents, meetings with builders and architects and more. The most recent survey last week further verifies that an increasing number of homeowners (40%) want homes even taller than 32 ft. 32 ft is a good compromise.)

**REMEMBER** – Voting against this amendment, will result in continued lack of any height restriction, for an indefinite time period

Proposed Amendments	Current Deed Restrictions	More Information
1. Formation of Deed Restriction Enforcement Committee	The current DRs do not contain an enforcement or guidelines committee.	Create a DR committee consisting of one board member and two non-board members whose task will be to review home plans and to ensure compliance with DRs and guidelines. <u>Restrictions are only as good as the enforcement behind it.</u> With the increasing volume of house plans, more than one person is needed to review, approve and enforce.
2.*House and garage height	There currently is not a restriction in place to limit the height of a newly built or remodeled house or garage.	Limit the height of a newly built or remodeled house to <u>32 feet</u> and limit the <u>height of a garage to the height of the house.</u> (FYI, our current DRs already limit homes to 2 stories.)

**PROPOSED NOTTINGHAM AMENDMENTS CONTINUED**

Proposed Amendments	Current Deed Restrictions	More Information
3.Permeable ground	There currently is not a restriction around ground “material” surrounding the house.	To create a restriction that limits impermeable lot coverage to 60% and thereby <u>requiring that 40% of the lot be made of permeable material</u> . The permeable portion of the Lot must be covered with <u>grass and living landscape</u> . Yards covered in rock or stone are not permitted.
4.Construction/home building materials	There currently is not a restriction in place guiding use of home-building materials.	To create a restriction requiring a newly built home or reconstructed home to have a minimum of <u>51% brick and stone with a maximum of 10% stone</u> . Existing brick may not be covered with siding. Stucco and Hardi Plank (or similar materials) may not be included in the required 51%.” (Siding may be wood, aluminum, fiber-cement or vinyl provided that the siding has the appearance of painted wood.) The goal of this restriction is to preserve the traditional look and feel of our neighborhood.
5.Combine Nottingham Deed Restrictions	There currently are separate DR documents for each section, resulting in costly and confusing filings.	Simply combine the deed restrictions for Nottingham sections 1, 2 and 3 into one document to reduce costs and complexity. The different minimum dwelling size requirements for each Nottingham section will remain in place in the new DR document. <u>IMPORTANT: Voting against this amendment will keep separate DRs for each section, resulting in possibly different restrictions for each Nottingham section.</u>
6.Side lot lines	3 ft. to any side lot line.	Increase to 5 ft. Read the ballot Exhibit A details for further understanding of allowances provided for remodels and new garages to existing homes.
7.Second-story garage	A garage shall not be converted or modified to a two-story structure. <u>Currently, new construction two-story garages are allowed.</u>	This restriction would <u>provide the same opportunity currently given to new construction homes as existing homes, as well as setting guidelines for all second story garages, regardless new or existing</u> . Requirements include: garage must be attached to the house, exterior colors and materials must match the main structure, it not used as a second home or separate address, and it may not have any window, door or balcony with an imposing view to a neighbor’s rear or side yard. This amendment encourages existing homeowners who want more sq footage to stay and invest in our neighborhood, while also allowing new construction owners more sq footage above the garage. (Remember, voting for the 25 ft garage setback amendment is key to this “holistic” garage picture.)
8.Garage setback	The detached garage must be set within 25 ft of the rear property line.	Change to: a detached <u>or attached</u> garage must set back 25 ft. <u>from the front of the house</u> . This will position garages behind homes. This measurement is based on homeowner feedback and other neighboring subdivisions. Also important to note this restriction indicates 25 ft from the front of the house, not the street, which is more in line with traditional homes.

## FREQUENTLY ASKED QUESTIONS

### **Q. How can I vote?**

A. There are a number of ways to submit your vote by Oct. 21. 1) Mail in with pre-stamped envelope, 2) Drop off at a board member house, or 3) Scan your completed ballot and email to a board member (preferably drop off or email to the Secretary - info on next page).

### **Q. Why wasn't a 30 ft height restriction on the survey or ballot and will 32 ft homes allow for 3 stories?**

A. See bottom of page 1. No, the number of stories a home can have are already outlined in our current Deed Restrictions – the limit is 2 stories.

### **Q. What if I want to remodel my existing structure – do I have to comply with the 5 ft side lot lines?**

A. See exhibit A, number 5. Remodels at 3 ft can be permitted.

### **Q. Why aren't there restrictions included on the ballot for front and rear lot lines?**

A. Front, rear and other lot line restrictions are already in place. The current Deed Restrictions can be found in Article 3, Section 3 at: <http://www.ournottinghamhoa.org/>

### **Q. Is there a restriction of the foundation of height of new homes? I'm afraid of drainage issues from these larger homes.**

A. No. New construction/bigger homes require larger foundation. However, drainage is governed by State law and all houses are required to be permitted to properly drain by the City of Houston. It is not possible to hire an engineer to check each home's drainage before approving plans.

### **Q. What will change if we vote to combine each section's deed restrictions into one document?**

A. Nothing, except simply reducing filing costs and complexity. The only difference in the current deed restrictions is minimum dwelling size requirements – and those are being kept and transferred to the new deed restrictions.

### **Q. What about other deed restriction ideas?**

A. These are the 8 amendments most important to the neighborhood right now. Future deed restriction ideas are still possible – please submit any new ideas to Brooke Daniel for consideration in the months to come.

### **Q. Why is a 60/40 permeable lot coverage recommended? Why not a lower than 60% impermeable recommendation?**

A. If less impermeable hardscape and foundation were required, this could encourage home building closer to the street in order to eliminate driveway space to meet a lesser impermeable requirement. 60% will still encourage homeowners to build their houses in line with other existing homes with long driveways.

### **Q. How will the Deed Restriction Architectural Committee be formed?**

A. Nominations can be made to the Board during the Board election process. The Board will review all nominees and select those that are most qualified to assist the neighborhood with review and enforcement.

### **Q. Why are the garage and house height maximums in one amendment?**

A. They both are simply limits to structure height. The height maximum amendment simply states the limit for height of homes, as well as ensuring garages can not be taller than the height of the home.

## Questions?

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