

## Draft Code Language

### Amendments Related to Residential Building Height

\*This document has not been finally reviewed and approved by legal and is still in the drafting stage.

Section 107-3 of Definitions is amended to read as follows:

Building height, residential, means the vertical distance above any point on the surveyed existing grade.

~~Building height, residential, means the vertical distance above a reference datum measured to the highest point of the building. The reference datum shall be selected by either of the following, whichever yields a greater height of the building:~~

~~(1) — The elevation of the highest adjoining original native ground surface to the exterior wall of the building when such original native ground surface is not more than ten feet above the lowest adjoining original native ground surface; or~~

~~(2) — An elevation of ten feet higher than the lowest adjoining original native ground surface when the highest adjoining original native ground surface described in subsection (1) of this section is more than ten feet above lowest adjoining original native ground surface;~~

~~(3) — The original native ground surface shall be determined as the existing grade on the lot prior to development of the residential building as may be shown on approved building plans or survey of the property.~~

~~This definition shall apply to all residential buildings or structures within the city including residential buildings constructed in the R — Residential Zoning District (see section 107-71 for Maximum permissible height in R — Residential Zoning District).~~

*(Alternate language for Definition of Building height, residential proposed by Chair Dave Bench)*

Building height, residential, means the vertical distance from the original native ground surface or finished grade, whichever is lower, to the highest point directly above.

Original native ground surface is the existing grade on the lot prior to development of the residential building as may be shown on approved building plans or survey of the property

Draft language regarding manual to be referenced for maximum allowable height.

Section 107-5 is added as follows:

Sec. 107-5 Residential Manual for Determining Maximum Allowable Height.

(a) The Residential Manual for Determining Maximum Allowable Height is a supporting document to the applicable regulations contained in this Chapter and the Code of Ordinances of the City of Rollingwood and may contain illustrations, graphical representations, and examples. The Residential Manual for Determining Maximum Allowable Height may be adopted and updated from time to time by resolution approved by the City Council.

Section 107-71 is amended to add the following language:

**Sec. 107-71. - Maximum permissible height.**

(a) No portion of any building or structure (except a chimney, attic vent, lightning rod, or any equipment required by the city building code) may exceed 35 feet in height. Except as may be required by applicable codes, no chimney, attic vent, lightning rod or required equipment may extend more than three feet above the highest point of the following: the coping of a flat roof, the deck line of a mansard roof, or the gable of a pitched or hipped roof. See exhibit in the Residential Manual for Determining Residential Building Height for examples of conforming residential buildings or structures.

(b) The maximum allowable building height along the building setbacks, when starting from the 10ft. setback is 25ft. as measured from existing or finished grade, whichever is lower, adding one foot of height to every additional foot of setback, up to 35ft., such that the maximum height of 35ft. is at least 20ft. horizontal from the nearest property line. See exhibit in the Residential Manual for Determining Residential Building Height for examples of conforming residential buildings or structures.

(c) Should a landowner believe the slope of a lot be so severe that the requirements proposed above have extreme adverse impact on the lot, an owner may seek relief from these requirements by special exception granted by the Board of Adjustment.

*(DRAFT Alternate language for Subsection (c) regarding Special Exception that adds more objective criteria as requested by legal)*

*(c) A special exception from the maximum permissible height may be granted by the Board of Adjustment upon a finding that: (i) objective criteria, (ii) objective criteria, and (iii) objective criteria....*

*Possible ideas for criteria (these have not been reviewed or approved by engineering or legal):*

- the slope of the lot is greater than X%*
- the slope of the lot precludes all reasonable access to the property or all reasonable use of the property*

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