

Desiree Adair

From: Jeff Ezell [REDACTED]
Sent: Tuesday, January 10, 2023 1:51 PM
To: Kevin Glasheen
Subject: RE: Thoughts on Proposed Zoning Changes

Kevin,

Thank you for the emails. I'll try to combine my responses into one email:

- Regarding your neighbor's house and height:
 - I understand your position and taking the feedback you have heard and bringing up the topic of height regulations is spot on.
- Regarding the feedback / complaints you have received:
 - I agree we should review the code, but a piecemeal approach will only lead to more problems. We need a city wide comprehensive review of the residential code
 - Furthermore, I encourage you to ask those people who have concerns with height to write emails to P&Z / Council to state their position, so that we have transparency on how many people really are voicing this opinion. I plan to do ask people I know to email their opinions. What we don't want is a false sense of majority to impact the vote in either direction. I don't think the dozen or so people you have heard from so far constitutes sufficient concern to outvote the remaining residents are have not voiced an opinion, are against any changes or against any quick changes.
- Quick thoughts / no-brainer fixes:
 - No four story homes
 - Add resources to ensure current code is being applied correctly
 - Limit difference in slope calculation to within the setback
 - 601 Riley did their change in elevation calculation across the entire property. Thus, if the calculation was done only in buildable area they would not have received bonus 10'
 - Currently, 35' in front yard and 40' in backyard
 - Limit projections in setbacks, as currently being contemplated at P&Z and Council

Also, once you've had a chance to review the topographical changes around the community and the existing structures of significant height, please let me know your thoughts. What we have to remember is that with as much topo as we have someone will always be impacted, no matter the height of the homes (a good example of this is the homes on the east side of Park Hills and how they tower over the west side of Pleasant).

Per your original email I am always happy to jump on a call or meet. I will stay in touch and please do the same. Thank you and keep your axe sharp, because as a city we have a lot of wood to chop

From: Kevin Glasheen [REDACTED]
Sent: Monday, January 9, 2023 5:31 PM
To: Jeff Ezell [REDACTED]
Subject: Re: Thoughts on Proposed Zoning Changes

And I don't have a problem with 35'. It's the goofy definition that lead to uncertainty and threats of litigation which led to the park hills house.

Kevin Glasheen
806-789-0734

On Jan 9, 2023, at 4:14 PM, Jeff Ezell [REDACTED] wrote:

Kevin,

Out of curiosity, and as a way to better understand how you are thinking about heights, I was curious to get your perspective on your own lot. The home directly across the street from your residence (11 Inwood Circle) was constructed in 2012 and is a 3 story home. You purchased your lot in January 2014, which means you purchased it with full knowledge of your neighbor's house. With that said, I have a couple questions:

1. How did you perceive that home to impair your lot at the time of your purchase?
2. What has your experience been with such a tall home across the street for the past 8 years?
3. How does your experience play into your current position?
4. Why have you not voiced concerns in the past?

Thank you in advance for your time and I appreciate you digging into the review of the residential building code.

-Jeff

From: Kevin Glasheen [REDACTED]
Sent: Monday, January 9, 2023 10:47 AM
To: Jeff Ezell [REDACTED]
Subject: Re: Thoughts on Proposed Zoning Changes

That's a lot of good info. I will look at the lots and houses you listed.

Kevin Glasheen
806-789-0734

On Jan 9, 2023, at 10:24 AM, Jeff Ezell [REDACTED] wrote:

Kevin,

I appreciate the quick feedback. I'm going to respond sequentially to your topics with thoughts with the hopes to remove subjectivity out of the conversation and hopefully put us on level playing field as far as understanding:

1. I have heard from way more than a dozen people who do not want to change building heights
 1. In this example, city council should not act as the majority of the residents have spoken

2. A 45' height will not severely impact my property value as there are homes that are existing that are north of 35', let alone 30', and none of the adjacent properties are impaired
 1. Look at the home at 3215 Park Hills. That is tall and it hasn't impacted adjacent values. This home was built in 2015.
 2. Look at 1 Brett Cove. 35'+ and hasn't impacted adjacent values
 3. Look in the backyard of 4823 and 4829 Timberline. Both 35'+ and hasn't impacted adjacent values
 4. Look in the backyard of 4826 Rollingwood. 35'+ and hasn't impacted adjacent values
 5. Look in the backyard of 2804 Rollingwood and 2806 Rollingwood
 6. This is just a few examples and the list goes on, but these homes already exist and there are a bunch of them...
3. I agree that the home on Park Hills should not have been approved, but my question is who approved a 4 story home, irrespective of its height. If you want a layup just say under no circumstance can a home exceed 3 stories. Then, you don't punish people with sloped lots and you would have 100% unanimous support from every resident in the neighborhood!
4. I'm a little confused on your 3% comment, but will try to bring perspective:
 1. 3% of the homes equals approximately 14 homes.
 2. The only way you can exceed 35' is if your lot has greater than 10' change in slope and in that case you can build up to 45' from the low point, but the number of lots in Rollingwood that have slope greater than 10' far exceeds 3%.
 1. Look at the slope at the lots on the south side of Timberline, Timberline Ridge, Ewing Circle, Westgate.
 2. Look at the lots on the north side of the 4900 block of Timberline
 3. Look at the slope between the lots of the 4700 and 4800 block Rollingwood and Timberline
 4. Look at the slope of the lots on the lower 3200 block Gentry and Pickwick on both sides of the street
 5. Look at the slope of the lots on both sides of Pleasant Drive and Pleasant Cove
 6. Look at the slopes of the lots on both sides of Ashworth
 7. Look at the slope of the lots on both sides of the 300 and 400 block of Inwood
 8. Look at the slope of the lots on both sides of the 400 block of Almarion
 9. Look at the slope of the lots on both sides of the 2800 block of Pickwick
 10. Look at the slope of the lots on both sides of Wallis
 11. ...this is probably 50%+/- of the homes
 3. So, to tie it back to your 3%, a change like your proposing could severely impact a huge number of our residents. But, if 3% is correct, and I have absolutely no clue, but think it would be much higher, than it shows you that even though people have the option to build greater than 35' they chose not to build a home like that. At the end of the day the vast majority of residents want a one story or two story home. They only go up (or down) because they have to based on their lots.

4. As far as other cities height ordinances I have not done due diligence on this subject, but I know other examples have been provided to council and P&Z. I do know Dripping Springs is 40', but just as Westlake Hills isn't a comp neither is Dripping Springs.

At the end of the day we should all work to a resolution to keep Rollingwood the best place to live with the most valuable homes, but to do that we should measure twice and cut once. I've never build a company or done a deal in a hurry...

From: Kevin Glasheen [REDACTED]
Sent: Monday, January 9, 2023 9:22 AM
To: Jeff Ezell [REDACTED]
Subject: Re: Thoughts on Proposed Zoning Changes

Thanks for sharing your thoughts. I sincerely believe that discussion and debate leads to better outcomes.

I have heard from at least a dozen people that they want us to do something about building heights. The House on Park Hills Drive the biggest source of complaints.

I'm sure that I'd a house was built behind you that was 45' tall it would severely impair your property value.

As far as the board of adjustment as a mechanism - I doubt there are more than 3% of the houses in Rollingwood that exceed 35'. I do think that the impact of any exceedance is lot dependent - is the extra height next to the neighbor? The street? Looming over the neighbor's back yard? Jose does the slope affect the lot? That does make variances based on lot slope a BOA issue in my opinion.

If you have any data on other cities' height limits that you think are more comparable I would be glad to look at those.

Kevin Glasheen
806-789-0734

On Jan 9, 2023, at 8:45 AM, Jeff Ezell <jeff@blueriveradvisors.com> wrote:

Quick thoughts here since I got invited to the party:

1. Effective leadership is not enacting a policy that results in the ultimate resolution being determined at Board of Adjustments. In this example, leadership did not help solve a subject, all it

really did was make that subject matter someone else's problem.

2. 35' is not almost taller than any other city, it is almost taller than any other of the cities you have a chosen for your data set, which may not even be accurate comparables for Rollingwood. Proximity isn't a an effective barometer
3. So far as I can tell based on my conversations, there is little to no support for lowering the heights outside of the justification that the voters want to reign in development. Although reigning in development is an actual concern of our residents that is a view to be examined and not a carte blanche directive to change policy solely amongst council. I am supportive of reviewing our code because it has problems, but I am not supportive of a knee jerk reactions that have major impacts to our properties. To Jim's point outside of obvious holes in the code such as projections in setbacks we should not do anything without a comprehensive look.

I do not envy you, Phil and Kevin, because this is not an easy time to serve on council, but it's incumbent upon you to lead with a servants heart and not bring in your own biases.

Jeff Ezell
Cell: (404) 909 - 2810
www.blueriveradvisors.com

From: Kevin Glasheen [REDACTED]
Sent: Sunday, January 8, 2023 12:00 PM
To: Jim F [REDACTED]
Cc: Christie Finnigan [REDACTED]; Jeff Ezell
[REDACTED] Phillip McDuffee
[REDACTED]
Subject: Re: Thoughts on Proposed Zoning Changes

Thanks for the kind words. I agree with almost everything that have to say about the development rules.

I think fixing the setback problem is a quick and easy win.

We definitely need to revisit the tree ordinance. The one we have does not actually prevent any trees from being cut down.

I agree that impervious cover limits can be complicated - but they can be a good tool to limit overdevelopment. I was in a hurry - but I now believe we should take time with a task force to consider IC limits **and other tools** to address the overdevelopment. We want to avoid unintended consequences.

Regarding height - I think we should address the height now, and then revisit it during the more comprehensive review. 35' is taller than almost any city. I think we could address particular slope issues in the Board of Adjustment. Westlake hills has 30' and up to 32' on a slope.

Height should be measured from the grade immediately below the roof - so you don't lose height as the grade falls. You may need to have different levels to follow the grade. We build our house 8 years ago on a steep grade - it follows the grade and is cantilevered some. Here is a link to an article with pictures that shows our house.

<https://www.dwell.com/article/rollingwood-residence-lake-flato-architects-9862cc1b>

If you have a house plan or even a concept I'd like to meet and look at your lot with you to see how the proposed changes could affect you.

Thanks for your email. Do you have any interest in serving on a residential code review task force?

Kevin Glasheen
806-789-0734

On Jan 8, 2023, at 9:09 AM, Jim F
[REDACTED] wrote:

Hi Kevin,

I've been watching the RWGC chat from afar. Thanks for being so active and hitting the ground running. We wanted to weigh in on the proposed zoning changes.

At a high level we think the codes can be improved. The developer at the house next to us at 4707 timberline (we are at 4705 timberline) has ruined the lot and "woody" vibe for all neighbors around us. We're all pissed. Even though we have a tree ordinance, he basically clear cut the lot - mostly cutting down large trees in the setbacks, even a large oak. It's horrible.

1. I think we might need to take a step back and think about the specific problems we are trying to solve. Sadly I don't think any of the proposed rules (Height, Setback, Impervious Cover) would have helped what happened at 4707 Timberline. The developer cut down the trees because it would be easier/cheaper for him than having to worry about roots, keeping the trees

alive, etc. These trees were already in a setback but were clear-cut anyways. I'm adding Jeff E to this email since he's on the other side of 4707 timberline at 4709 and deeply cares about this as well.

2. From a personal perspective, we are very concerned about changes to the height rules. For a flat lot a flat 35 foot rule make a lot of sense, but other lots on a steep grade there needs to be more leeway. I assume the current rules were put in place when people thought about steep lots.

For example, the lot where we are planning our forever home (2804 hubbard) is extremely steep and 100% on a hill. There is a 35" grade difference between the top and bottom of the lot (see screenshot below). Without the extra 10" our options may be severely impacted - especially since the lot has a ton of huge oaks that we don't want to cut down. If we end up being limited by the height rules given the slope, we may be forced to go wide and cut down trees (which we absolutely don't want to do....).

We have not had time to dig into how the proposed height rules would impact us, but overall strongly urge you to slow things down so residents like us have time to understand the nuances for their specific lots, provide feedback, etc. The idea of starting a task force for this would be really helpful.

Given the extreme variation in Rollingwood lots, any new rule can have serious impacts on some lots and no impact on others

3. It seems to me like a lot of the problems are created by developers trying to maximize their \$ and not homeowners building their own homes. Since homeowners who build are going to live there, they seem to take more care of the lots, greenspace, their neighbors, etc. Developers don't care since they are gone after the sale. I'm sure it would be difficult, but maybe there is a way to add more restrictions to developers vs. homeowners building homes they plan to live in for 20+ years.

For example, at 4707 timberline I'm sure any homeowner building would have done all they could to keep the huge oak on the lot line that was cut down.

4. The existing overhang in the setback rule seems crazy. I think a quick win would be to close that. Maybe there is a middle ground where you can show quick

progress on smaller items that few folks will be concerned about and push other issues for the future.

Jim
708-207-1655
4705 Timberline



I am writing to give you an update from our December City Council Meeting, and to let you know what issues are coming up for City Council January.

I also intend to post this update on our new Rollingwood City Council Message Board that has just gone live. Before this new message board, council members were not allowed to talk to more than one other council member about any city business without violating the Open Meetings Act. With the message board, council members can bring up an issue in a post, and any council member can respond and discuss the issue on the message board, which is a “public forum”. The message board does not allow the public to comment, but hopefully you’ll see some discussion of the issues among council members between the regular council meetings. Here is a link to the message board:

<https://councilforum.rollingwoodtx.gov/forums/rollingwood-city-council-message-board.2/>

I very much want your input on all these issues, and you can email me or other council members to weigh in on the issues.

Current Council Issues

The two issues that I am most concerned with now are:

1. Amending our residential code to better preserve green space and trees as lots are redeveloped; and,
2. Improving the maintenance and care of the grass on our ball fields at our park.

I have proposed that we amend the residential code to limit the percentage of impervious cover on lots as they are redeveloped. *I’ve received a lot of feedback supporting impervious cover limits.* I intend to propose specific ordinance language soon.

I have learned that other council members have already been working on some ways to protect us from overbuilding. There is a council proposal to amend our ordinance limiting the height of new buildings, and another proposal to amend our building setback ordinance. The proposed changes would be part of the zoning code, and under State law, any amendment to the zoning ordinance must be first considered by the planning and zoning commission at a public hearing, and then planning and zoning must issue a report before city council can vote on those changes.

Building Height Limits



The Planning and Zoning Commission has already had a hearing on building heights on December 7th and has another scheduled for January 4th at 6 pm. Our current building height limit is 35’, which I think is reasonable. I would support lowering the height to 30’ like Westlake Hills. The biggest problem with our code is that the definition of “building height” includes a formula that allows new house to be built up to 45’ were there is some slope in the lot. Many voters have expressed concern about houses that are too tall, and I think this loophole is part of the problem. I would like to see that definition of “building height” changed to make it clear that the 35’ limit is to be measured from the adjacent natural grade.

Section 22.03.279 Westlake Hills Ordinance provides: “No part of any principal structure shall rise more than the maximum height shown on the schedule of regulations... above natural ground grade or

original grade directly below.” The maximum is 30’ for residential construction. The Westlake Hills ordinance further provides: “If the average natural slope in the area directly below the foundation of the principal structure is 25% or greater, than no part of any principal structure shall rise more than 32’ above natural ground grade directly below.”

Building Setback Requirements



The building setback ordinance is supposed to keep houses setback either 10’ or 15’ from the side yards, 20’ from the back lot line and 30’ from the street. Developers have been pushing those limits with roof overhangs, balconies, swimming pools and air conditioning equipment all being placed in the setbacks. The way the current rules are being interpreted, two houses next to one another could have balconies or even roof overhangs that touch each other above the property line. The proposal to amend the setback ordinance is set to be heard at the planning and zoning hearing set for January 4th.

We have not set a date for planning and zoning to consider an impervious cover ordinance, but I plan to have an agenda item on our January city council meeting to set a date for a planning and zoning hearing on such an ordinance.

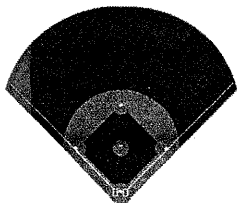
A Possible Temporary Hold on New Permit Applications



I am concerned about the delay in addressing the problem of developers overbuilding. On the one hand, it’s good to get input from the community and from the Planning and Zoning Commission on these changes. On the other hand, very few people showed up at the Planning and Zoning hearing on building height. The law does not give the planning and zoning commission any deadline to make a report which is a mandatory pre-requisite to any Council action amending the ordinance.

I am going to ask for an agenda item at our next council meeting to consider placing a temporary hold on new building permit applications while council fixes these issues with building heights, setbacks, and impervious cover limits. There are pros and cons to such a temporary delay, but I believe it needs to be discussed and considered. It would be a shame if these code amendments were delayed for months while developers submit a flood of permit applications. On the other hand, if a homeowner has plans that are almost complete and ready to submit then it may create hardship to delay the permit process or to change the rules abruptly. I’d especially like to hear from you, the voters, and from the other council members about this issue.

Artificial Turf and Improvements to the Field #1



At the December Council meeting, we considered and denied the request by Western Hills Little League to place artificial turf in the infield of Field #1. I received a lot of feedback from residents opposing artificial turf.

Phil McDuffee and I have been working with Chad Smith and the leadership of Western Hills Little League (WHLL), along with Rollingwood City Staff to see what we can do to improve the fields. The first and most obvious improvement is to have a regular turf maintenance program, with regular applications of preemergent weed control, fertilizer and irrigation

water. Our City Administration and Maintenance departments are all new within the last year. I cannot speak to previous years or previous City Staff, but I am excited about the progress we are making, working with the Mayor, and our City Administrator Ashley Wayman to implement a reasonable and regular turf maintenance program. We should see real results in the quality of the natural grass fields by the end of the Summer.

We are also working with Chad Smith and WHLL to improve Field #1 immediately. WHLL has pivoted from artificial turf to considering new sod in the infield, which I support. This item will be on the next council agenda in January for Council approval, and I am very much inclined to support the request.

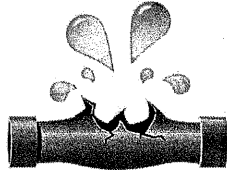
Longer term, Phill McDuffee and I are working with WHLL to develop a plan to improve all the ball fields, beyond improved maintenance. We are studying a soil amendment program that we may be able to implement this Fall after baseball season. More on that later in the year as plans develop.

A Possible Irrigation Well in the Park



I had proposed that we consider placing an irrigation well in the park to save on the cost of watering the fields. I have investigated the issue and believe a water well could be feasible. However, we don't have enough data about how often the previous administration watered the fields and how much water was being used. I asked Council to table the water well issue until the end of this Summer, so we can look back on Spring and Summer water usage and cost and evaluate the economic benefit of drilling a water well. You'll be hearing more from me about that next Fall.

Bond Issues - Water Line Project and New City Hall



The voters have approved bonds for new water lines and for a new City Hall and Public Safety building. Our engineering firm K Friese is expected to present a proposal at our January Council Meeting for engineering services to design the water system upgrade, along with a proposed phasing of the project and a proposed schedule. The engineers told us it would take about six months to design the work, and maybe another six months to do the work for each phase. They are probably going to recommend two phases. More details later after they present in January.



Regarding our new City Hall and public safety building, Mayor Massengill suggested we form a citizen committee to work with architects to develop a proposal for design services and some preliminary design suggestions. Council approved the recommendation.

Serving on City Committees and Commissions



Council approved some year-end reappointments and some new appointments to various committees and commissions. I want to clarify the purpose of service on Committees and Commissions, and the process for being appointed.

Most City Commissions, like the Park Commission are simply "advisory" commissions who exist for the purpose of advising City Council. Others such as Planning and Zoning has some specific responsibility laid out by law but can be overruled by a supermajority of the Council. The

Board of Adjustment acts independently of Council to grant variances, and their decisions can only be reviewed by a District Court.

The process to be appointed to a Board or Commission is to make an application with the City Administration. When there is an opening, Council, and in some cases the Mayor can nominate a person. Appointment to a Board or Commission by Council is *entirely within Council's discretion*. *Nobody is entitled* to be appointed. If you would like to serve, you are encouraged to apply. We have a lot of talented people in our community. Anybody who wants to make a positive contribution is encouraged to apply. If you would like Council to approve your appointment, I suggest that you speak directly to a council person and ask them to support your appointment.



A citizen does not need to agree with my agenda to get my support. Opposing views are helpful and encouraged so long as the input is civil, substantive, and constructive. Anybody is welcome to call me or meet with me and talk to me about any appointment. Anyone.

From: Taylor Smith [REDACTED]
Sent: Wednesday, February 1, 2023 9:02 AM
To: Desiree Adair <dadair@rollingwoodtx.gov>; Ashley Wayman <awayman@rollingwoodtx.gov>
Cc: Gavin Massingill <gmassingill@rollingwoodtx.gov>; Brook Brown <bbrown@rollingwoodtx.gov>; Kevin Glasheen <kglasheen@rollingwoodtx.gov>; Sara Hutson <shutson@rollingwoodtx.gov>; Phil McDuffee <pmcduffee@rollingwoodtx.gov>; Alec Robinson <arobinson@rollingwoodtx.gov>; Elizabeth Patton [REDACTED]
Subject: Proposed Code Amendments Related to Residential Properties

Good Morning Commissioners,

In advance of today's Planning and Zoning Commission meeting, please see the attached letter from the Austin Board of REALTORS® (ABoR) regarding Items 3, 4, 5, and 8 related to proposed code amendments related to residential properties. We understand the Planning and Zoning Commission's desire to address concerns from some community members and develop new regulations to help ensure that residential buildings are visually consistent with the scale and mass of neighborhoods in Rollingwood. However, ABoR is concerned about recent proposals to significantly reduce property owner's current rights and entitlements in the City of Rollingwood. The proposed amendments to the city's code include reductions to residential building height by five feet, from 35 feet to 30 feet and reductions to a roof height from any point in the original ground survey to 40 feet.

On behalf of more than 15,000 Central Texas REALTORS®, **we ask the Planning and Zoning Commission to not support additional regulations on residential properties that reduce property owner's existing rights and entitlements in the City of Rollingwood.** We have concerns about reducing property owner's exiting entitlements and how these new regulations would force hundreds of homes out of compliance. ABoR has long supported healthy, sustainable, and responsible development that plans appropriately for growth while protecting private property rights and homeowners entitlements. With the demand of housing increasingly outpacing supply, we must meet the challenge of housing our rapidly growing population by embracing creative ways to increase the abundance and variety of options without significantly reducing current entitlements or adding unnecessary regulations.

We also ask that if the Planning and Zoning Commission creates a Comprehensive Residential Zoning Task Force, that they consider inviting a diverse set of stakeholders, including members of the development and housing community, to ensure balanced solutions to residential housing in Rollingwood. ABoR supports regulatory changes that remove unnecessary regulations that increase the cost of housing and provide property owners with greater flexibility as it relates to their property. ABoR is a strong supporter of private property rights which includes the freedom of a property owner to fully utilize their property as protected by the 5th amendment.

Thank you for your dedicated service to the City of Rollingwood and for carefully considering this request. We appreciate your leadership, and we look forward to

working with you in the future to address the cost of housing by identifying and removing additional barriers to housing.

We respectfully ask the City Administrator or the City Secretary to share the attached letter with the members of the Planning and Zoning Commission.

Regards,

Taylor G. Smith | Deputy Director of Government Affairs

Austin Board of REALTORS® | ABoR.com

o: (512) 533-4927 | c: (214) 801-0518

Pronouns | He | Him | His



From: Terri McCabe [REDACTED]

Sent: Wednesday, February 1, 2023 1:11 PM

To: Desiree Adair <dadair@rollingwoodtx.gov>; Phillip McDuffee <philmcduffee@gmail.com>; Kevin Glasheen <kglasheen@rollingwoodtx.gov>

Subject: Planning & Zoning

PLEASE reinstate heights limits anywhere on lot of no more than 35'
PLEASE reinstate setbacks from any side of 15+'

PLEASE explain why others are breaking the rules and building above 35' and placing foundation/roofs in setbacks

PLEASE save Rollingwood

From: Mary Elizabeth Cofe [REDACTED]
Sent: Wednesday, February 1, 2023 1:17 PM
To: Desiree Adair <dadair@rollingwoodtx.gov>
Subject: Planning & Zoning

Please consider stopping the building into the setbacks for any construction in Rollingwood. Even balconies and roof overhangs should not be allowed in the setbacks. This is not the way our neighborhood was meant to be developed and it takes away the privacy of the neighbors. We also need to reconsider height limitations so that we do not have some homes towering over the neighborhood at 40 and 50 feet. Again, this invades the neighbors privacy, not just next door but even in the homes behind this building. Our lots in Rollingwood are larger than many in Austin and if someone finds it difficult to build a large enough home on a lot here, maybe they need to move onto a larger lot. What comes to mind is that people move to Rollingwood because they like our little town but then all this type of construction is changing it into a different animal altogether! Help Save Rollingwood! Thank you for your consideration.

From: Andy Richardson [REDACTED]
Sent: Wednesday, February 1, 2023 2:20 PM
To: Desiree Adair <dadair@rollingwoodtx.gov>
Subject: Planning and Zoning commission meeting

My name is Andrew Richardson and I'm the owner of 208 Ashworth. I'd like to voice my very STRONGLY held opinion that the commission not rush to change the building code. A hastily made decision to change the code without a thorough review is a TERRIBLE idea.

As someone who has recently gone through the permit review process, I can emphatically state that more rule changes based on a few loud emotional community members would make development in Rollingwood much slower and the community would be worse off.

For instance, the building height restriction is a much more nuanced issue and requires a nuanced solution. I think there are probably many cases where a higher height should be allowed because someone's property is on a hill. If we hastily lower the height limit then new development on sloped lots could be very very difficult.

As a long term member of this community I want to see further development. I want new residents and builders to feel like development in Rollingwood is easy and straightforward.

Thank you for your consideration,

Andrew Richardson
208 Ashworth Dr
(713) 553-9449

From: Bobby McQuiston [REDACTED]
Sent: Wednesday, February 1, 2023 2:20 PM
To: Desiree Adair <dadair@rollingwoodtx.gov>
Cc: Bobby McQuiston [REDACTED]; Kevin Glasheen <kglasheen@rollingwoodtx.gov>
Subject: Planning & Zoning - Building Heights and Setback Rules

To members of the Planning and Zoning Commission,

We have seen many changes to Rollingwood since we built and moved into our home in May, 1976. Some changes have been wonderful, some not. With the breath-taking size of homes being built in our City and the resulting cutting of trees on the lots due to the new size homes, we no longer recognize the Rollingwood we have lived in for the past 47 years. We urge you to fix the problems with the building height and setback rules as they are currently established. It is imperative that limits be set on heights and intrusions into the setbacks.

We have read that some members of P&Z are wanting to wait to act on these issues until a comprehensive review of the residential codes can be completed. If so, delaying changes to these two codes until a comprehensive residential code review is completed - up to a year from now - will only exacerbate the problems for existing home owners that these two issues are causing during that lengthy delay, for without doubt, certainly builders and their clients, realizing these issues are to be reviewed for the purpose of revision, will be appreciative of the delay and greatly accelerate the filing of applications for building permits in order to fall under our existing, problematic rules.

Again, we ask for your immediate and urgent attention to fix these two issues now and revisit them if necessary in the course of the City's review of the comprehensive residential codes.

We also support Council Members Kevin Glasheen and Phil McDuffee's proposal to establish a Residential Code Review Task Force and its proposed balanced members.

Thank you for your service to the citizens of Rollingwood.

Respectfully,

Bobby and Margaret McQuiston
2804 Rock Way

From: Susan Fernandes [REDACTED]
Sent: Wednesday, February 1, 2023 2:20 PM
To: Desiree Adair <dadair@rollingwoodtx.gov>
Subject: Input for Planning & Zoning Commission

I want to encourage the Building and Zoning Commission to review and revise the Rollingwood building height and setback limits as soon as possible. Concerns include the need to preserve impervious cover and to protect the privacy of adjacent properties. Acting now will prevent more of these problems—we already have too many!

Thank you for your service and for listening!
Susan Fernandes

From: Moise Levy [REDACTED]
Sent: Wednesday, February 1, 2023 2:21 PM
To: Desiree Adair <dadair@rollingwoodtx.gov>
Subject: Planning & Zoning

We agree with taking some action now regarding setbacks, etc based upon what we see in our immediate neighborhood and what we saw in our fmr neighborhood in Houston (West U).
Thanks
Moise and Joan Levy

Sent from my iPhone

From: Philip Ellis [REDACTED]
Sent: Wednesday, February 1, 2023 2:26 PM
To: Desiree Adair <dadair@rollingwoodtx.gov>
Cc: Terri McCabe [REDACTED]
Subject: Planning rules

Hi There

I want to give you some input on the planning rules, and the height and setback requirements.

First of all, here's the summary. If you have time I have given some more specific stuff below.

- a) Are we sure we are implementing the current rules properly? Are we checking up and requiring non-compliant builds to be demolished or redone until they comply? Are there consequences for breaking the rules?
- b) Is there some way that the residents can all see that a house has been measured and is in compliance? We are not interested in what the plans say - we want to see what has been actually built. I am sure some houses are well out of line. What can we do if something is out of line?
- c) Can the rules be tightened up a bit so that people can't try and be clever and build a weird overhang or balcony or something to get round a rule. You should be able to chuck something out for not being within the spirit of the rules, as well as the letter.
- d) Let's keep Rollingwood green and leafy. I don't mind if a few trees have to go, but not close to the property line. And make them replace the ones they fell with equivalent ones..

Ok, here's some detail.

First of all I agree that some new constructions loom over their neighbors, furthermore they look silly and out of place. For some houses, I find it hard to believe that they are in compliance with the 35' requirement from wherever it is measured. Are you sure the rules are being implemented accurately? I have heard rumors that plans have been required to be altered, and the builder has just ignored the alteration and gone ahead with the original plan. The new ones on Riley certainly look that way.

Second, some constructions are just awful. Can't we toss something out because it is just hideous? That one on Rollingwood Drive with the weird overhang about 4 feet off the ground, is either bending the rules, probably to get round some impervious cover rule, or it is just 'ugly on purpose'. Is it impossible to have some aesthetic requirement? Can we require that folk obey the spirit of the rules, as well as the letter?

Third, some extensions suffer from both of the above. I can think of houses on Hatley and Vance that have constructed ludicrous decks way up above the house, just so they can say they have a view of downtown, They look far above 35', and hideous too!

Finally I think some builders fell trees down unnecessarily. I don't want to get like Westlake Hills, where you cannot chop down a weed, such as an Ashe juniper. But the ass with all the diggers on Timberline has chopped down a whole bunch of perfectly nice trees, apparently with impunity. I didn't think that was allowed. Again, are we enforcing the rules properly?

Thanks for reading this!

--

Kind regards

Phil Ellis

+1 512 665 3968 (cell)

From: Tony Broglio [REDACTED]
Sent: Wednesday, February 1, 2023 2:34 PM
To: Desiree Adair <dadair@rollingwoodtx.gov>
Subject: Feedback for P&Z meeting

Hi Desiree,

I live at 2403 Vance Lane. I'm writing to give feedback on potential changes being considered by the P&Z commission regarding changes to the building height rules and the setback requirements. I don't think the P&Z commission or city council should make any changes on these matters or impervious cover limitations without a comprehensive survey and public input process. I understand that changes may be temporary and potentially revised after public input is gathered, but I think it is hard to put the toothpaste back in the tube after (temporary) changes are implemented, and public opinion may be swayed by changes made today vs. starting with a blank slate. Kevin Glasheen suggested in a recent email that a comprehensive public review process could take a year or more and that temporary revisions should be implemented ASAP to avoid undesired construction in the intervening period. I don't believe the public input process has to take a year, and I think development is slowing down materially such that we should do it "right" rather than rush to a temporary solution that may unnecessarily impact someone's project.

Best
Tony
773-865-7130

From: Deborah Arnow [REDACTED]
Sent: Wednesday, February 1, 2023 2:46 PM
To: Desiree Adair <dadair@rollingwoodtx.gov>
Subject: Planning & Zoning

Desiree,

I just wanted to write to voice my desire to amend the building height and building setback ordinances. I am good with 30-35 feet total height, but would like to close height loophole and make it clear that the 35 foot limit is to be measured from the adjacent natural grade so to avoid homes that are above 35'. Adopting the Westlake Hills language is a good idea and I would support.

Also, regarding building setback requirements, ALL building structures including roof overhangs, balconies, swimming pools, and ac equipment should ALL fall within the existing setback requirements. If this is not being adhered to then plans should not be approved.

I would support an impervious coverage ordinance as well that is dependent upon lot size.

Best,
Deborah Arnow
512.633.7669

From: Matthew Horne [REDACTED]
Sent: Wednesday, February 1, 2023 2:48 PM
To: Desiree Adair <dadair@rollingwoodtx.gov>
Subject: Building codes

I would like to state for the record that I am against making any changes to the building code at this time until a comprehensive study is completed.

Matt Horne
Resident since 2008.

Sent from my iPhone

From: Owen Brainard [redacted]
Sent: Wednesday, February 1, 2023 3:02 PM
To: Desiree Adair <dadair@rollingwoodtx.gov>
Subject: Building code changes comments

I have called Rollingwood home since 2009 and I am writing to express an opinion against any changes to building codes at this time. This seems to be a rushed personal agenda of a minority view and I am against this type of building code change and style of governance.

Owen Brainard

From: Jacaré [REDACTED]
Sent: Wednesday, February 1, 2023 3:08 PM
To: Desiree Adair <dadair@rollingwoodtx.gov>
Cc: Kevin Glasheen <kglasheen@rollingwoodtx.gov>; philmcduffee@gmail.com; Sara Hutson <shutson@rollingwoodtx.gov>; John Hinton [REDACTED]
Subject: Planning & Zoning

P and Z,

I have lived in my house for over half of my life. For 35 years, my backyard was a peaceful, private, green sanctuary.

Over the past two years the Roman Coliseum has been built looming over my back fence. On top of the towering structure is a balcony which looks directly into my house. The pool is close enough to what was once my 8ft privacy fence that water will splash on it. In the process of building, they have destroyed portions of my fence and, despite my requests, have done nothing to fix it.

The Brawleys, my neighbors up the street now have a giant wall of what looks like a French convent looming over their house.

The current codes are unfair to those of us who have lived here and helped to make this city what it is....or was.

Please be considerate of all Rollingwood citizens. Protect the peace and privacy of their properties. We're not all rich but we do have rights and deserve respect.

Robert Patterson
3205 Pickwick Ln

From: patsy rider [REDACTED]
Sent: Wednesday, February 1, 2023 3:28 PM
To: Desiree Adair <dadair@rollingwoodtx.gov>
Subject: Planning & Zoning

I am in favor of the Planning and Zoning Commission recommending changes in building heights and setbacks immediately, before the residential building code is reviewed for revisions.

Many houses have been built to the setback lines in recent years. They are massive, very tall and tower over existing smaller even 2 story homes. These are forever not so attractive changes to our city. Please do what is needed to address this as soon as possible.

I have a previous commitment and cannot attend the planning and Zoning Commission meeting tomorrow.

Patsy Rider
2906 Hatley Dr.

From: Ashley Withers [REDACTED]
Sent: Wednesday, February 1, 2023 3:52 PM
To: Kevin Glasheen <kglasheen@rollingwoodtx.gov>; Desiree Adair <dadair@rollingwoodtx.gov>
Subject: Opposition: Changing Building Codes in RW

Dear Rollingwood Planning and Zoning Committee,

I would like to express my opposition to any building code changes at this time. Community feedback is needed before changes are rushed through. This decision affects every resident in Rollingwood and potentially our property values.

Thank you for your time.

Ashley Withers
305 Almarion Drive

From: Jim Withers [REDACTED]
Sent: Wednesday, February 1, 2023 4:00 PM
To: Desiree Adair <dadair@rollingwoodtx.gov>; Kevin Glasheen <kglasheen@rollingwoodtx.gov>
Subject: Fwd: Kevin Glasheen's Rollingwood City Council Update

Dear P&Z Commission and Kevin,

Kevin - thank you for your communication efforts, requesting feedback, and your willingness to serve. As a successful attorney protecting the rights of your clients, you are well qualified to protect the rights of the citizens of Rollingwood, your clients. That is comforting.

With that said, I urge you and the P&Z Commission to protect the property rights and property values of your citizens (clients) by not changing any building codes at this time. Your rushed, proposed changes could decrease property values and new rules might not be a good fit for the entire neighborhood.

You mentioned that you have not received much feedback. Proposed changes such as this, should be communicated to every citizen. Have we posted a large sign notice of proposed changes on Rollingwood drive and other well traveled roadways? Have we sent a mailer to every address in Rollingwood? Many citizens receive too high volume of emails and may not have noticed your emails, might not be on your distribution list, or email might go into spam. Grass roots request for feedback needs to happen.

Thank you so much. Please slow your roll and get more feedback and study on proposed changes.

Jim Withers
Cell: 512-417-2917

From: Chris Wilbratte <[REDACTED]>
Sent: Wednesday, February 1, 2023 4:12 PM
To: Ashley Wayman <awayman@rollingwoodtx.gov>
Subject: Re: Tonight's P&Z Meeting Postponed to Thursday, February 2

I would like for ya'll to hold off on revising the building codes

Because most rollingwood residents are busy with their careers and raising families, you may be getting feedback that is skewed towards the views of a vocal minority of homeowners.

Chris Wilbratte
4201 Bee Cave Road Suite C-101
Austin, TX 78746
512-381-4500
(f) 888-476-9118

From: Hunter Jones [REDACTED]
Sent: Wednesday, February 1, 2023 5:11 PM
To: Desiree Adair <dadair@rollingwoodtx.gov>
Cc: Teresa Jones [REDACTED]
Subject: Planning & Zoning / City Council Discussion

Desiree-

I would kindly ask that my wife and I's stance on the restructuring of our/Rollingwood's zoning code be considered by the city and the city council.

We firmly believe that any material changes to our / Rollingwood's residential zoning code should be made after factoring in extensive community input and extensive discussion, including analysis of both intended and unintended consequences, around any proposed modifications.

I am in favor of a task force versus Rollingwood's City Council having the unilateral right to make changes.

Thank you for the consideration,

John Hunter Jones and Teresa Jones
209 Ashworth Dr.

From: ann russell [REDACTED]
Sent: Wednesday, February 1, 2023 6:01 PM
To: Desiree Adair <dadair@rollingwoodtx.gov>
Subject: Planning & Zoning

I am in agreement with council members Glasheen, Brown and Hutson about amending the building height and setback rules. I understand neighborhood changes are inevitable, but some homes resemble in size unusually large structures, changing the "vibe" of Rollingwood.

Thank you,
Ann Russell

From: Kathy Borth [REDACTED]
Sent: Wednesday, February 1, 2023 7:44:44 PM
To: Kevin Glasheen <kglasheen@rollingwoodtx.gov>
Subject: Height and set back

I am sorry I cannot attend this meeting but fully support not changing the maximum height of buildings and for maintaining setbacks.

The character of ROLLingwood has suffered greatly in the recent deluge of building. I do not support any increase in height in particular.

I also feel strongly that we need a tree ordinance and protection and that homeowners should be required to plant the equivalent number of trees taken out. In addition: encourage native plants in the landscape and less lawn and grass which require huge amounts of water to maintain.

Good luck at the meeting.

Kathy Borth
512-569-0375

From: Virginia Bettis [REDACTED]
Sent: Wednesday, February 1, 2023 8:27 PM
To: Desiree Adair <dadair@rollingwoodtx.gov>
Subject: Planning & Zoning

Hello,

This is my input to the Planning and Zoning Commission to consider changes to both the height and setback ordinances now.

Some houses seem too big for the lot, or they loom over the neighbors in a way that invades the peace and privacy of the adjacent property. Some houses have been built to the setback lines, to the maximum height; or have overhangs or balconies that intrude into the setbacks.

I am for changing height limits, or limiting intrusions into the setbacks such as roof overhangs and balconies, so that they do not invade the peace and privacy of an adjacent property.

I am for a fix for those two issues NOW rather than wait for comprehensive residential code review a year from now-- this could be revisited later during the comprehensive residential code review if necessary.

Thank you,

-Virginia Bettis

4712 Timberline Dr

Dear Mayor, Council, and P&Z Members,

I support the timely need to address current building height and setback rules, although I appreciate how challenging a quick fix is in Rollingwood. At the very least, putting a cap on building heights and how we measure it is imperative. Some people argue their property values are affected by not being able to build as high as currently allowed, myself and others worry what happens to our own property values if people continue to build increasingly tall and massive homes around us while exploiting the current rules. Set the height limit to match Westlake Hills and City of Austin at 30', and adopt the suggested revisions on how to calculate the height.

Encroaching into the setback should be limited to 2'-3' for roofs and not at all for bay windows or other habitable projections. This is how most of us interpreted the rule as limiting anything over the setback except an eave. Why else would you have a setback?

There are many homes in Rollingwood, old and new, built in harmony with the slope of the land - and not an egregious attempt to capture views - which may exceed the current 35' height limit while still maintaining an appropriate sense of scale. There should be a clause that takes into account the variable character of Rollingwood's steeply sloping lots, or even corner lots that do not directly impact neighbors, which the Board of Adjustment can argue as needed. This is also the sort of argument that cannot be easily written into a code.

Thank you kindly,
Alex Robinette
2500 Hatley Dr.

Please share with P&Z Members as I do not have their emails.

From: Bryan Hamren [REDACTED]
Sent: Friday, February 3, 2023 3:56 PM
To: Desiree Adair <dadair@rollingwoodtx.gov>
Subject: Height restriction feedback

Hi Desiree,

I don't think it's fair to current residents or homeowners currently in the process of designing a house to rush through any height change restrictions. Many architects have up to a 5 month waitlist to even begin the design process, and the variety of required permits all have their delays as well. To rush a change through with such drastic impacts on many of the lots in this city is thus completely unfair.

Aside from that, I don't think a change in the height is fair to anyone not grandfathered in as well.

I don't think the height needs to be changed at all, and it certainly shouldn't be a rushed decision.

Thanks,
Bryan

Desiree Adair

From: Sheila Peters [REDACTED]
Sent: Tuesday, February 7, 2023 5:02 PM
To: Desiree Adair; Ashley Wayman
Subject: Complaint for P&Z public hearing

Follow Up Flag: Follow up
Flag Status: Completed

To: P&Z Commission and Mayor& City Council

These are my comments complaining about the current heights and setbacks allowed on current building in Rollingwood. I am writing to let you know that the current codes are inadequate in preventing new structures from becoming overbearing and obtrusive to their immediate neighbors. The structure across the street from us at 3225 Park Hills looms up and over from every side. Come stand on the curb at my house and take it in. Four stories rises up and is overbearing on this lot size. I can sit on my back deck of my two story house and look over my house to see the fourth story loom overhead. This city has allowed a HEB to be built on a postage stamp size lot. I have sent emails out to Council about my frustration with the crews working on weekends... to which the only council member who replied and had any action was Brooke Brown, who I am grateful to. My point being, these massive structures on smaller lots bring so much disruption and chaos to every day living here. And now we're left with huge walls looming over us, homes with absolutely no yards. I have a new build next door to me that elevated their pool so it sits 2 feet higher than my privacy fence. I could go on and on. Please, review these rules and think about how you would feel to have this structure looming over your house! Thank you, Sheila Peters 3222 Park Hills

Sent from my iPhone

Desiree Adair

From: Owen Brainard [REDACTED]
Sent: Wednesday, February 8, 2023 9:10 AM
To: Desiree Adair
Subject: Building codes in RW

To whom it may concern,

I've been a resident of Rollingwood since 2008. I support no change in the residential building codes. What makes Rollingwood so attractive is the contrast to the overly Big Brother hand of Austin regulations. We have large, beautiful lots that very interesting family homes can be built on now under the current guidelines.

Thank you,

Owen Brainard

Desiree Adair

From: Shaesby Scott [REDACTED]
Sent: Wednesday, February 8, 2023 10:05 AM
To: Desiree Adair
Subject: Rollingwood residential zoning changes

City Council,

As a Rollingwood Resident for over 10 years, I would like to voice my opposition to any zoning changes being considered including height, setbacks, impervious coverage etc. We have enjoyed the benefits of limited building restrictions and should work hard to preserve them.

Regards,

Shaesby Scott
303 Farley Trail

Desiree Adair

From: Mary Tucker <[REDACTED]>
Sent: Monday, February 13, 2023 11:07 AM
To: Desiree Adair
Subject: Rollingwood

RE: Potential Regulations for New Builds in Rollingwood

Hi,

My husband and I have lived on Park Hills since 1985. We would like to register our support for potential regulations regarding new construction.

Priorities for us:

1. Protect trees in set back areas.

The developer of a new house under construction on Hatley cut all the trees in the back of the lot, even those not in the construction area. The future neighbors will have a direct view into our primary bedroom while we will have a direct view into their backyard and living area. The trees cut before construction would have obscured these views and offered more privacy.

Rollingwood is known for its tree canopy, something that increases home values

2. Consider some impervious cover restrictions. We live near the 9,300 sf house under construction on Park Hills. The neighbors call this behemoth "The new HEB"

The size of the house is out of proportion with the lot. Attractive homes that fit well with the natural landscape, increase the desirability of a neighborhood and the housing values.

That's my two cents for now.

Thank you for serving Rollingwood and taking on the job of looking at building regulations. It's an important service that will determine the livability of our neighborhood for decades to come.

Best,
Mary Tucker

Desiree Adair

From: Ashley Wayman
Sent: Monday, February 13, 2023 9:21 AM
To: Ashley Wayman
Cc: Desiree Adair
Subject: FW: Proposed additional lease on fields 3,4,5.

Good Morning Mayor and Council,

Please see the email below from Jack and Torye Holland.

Thanks,
Ashley

Ashley Wayman
City Administrator
City of Rollingwood
(512) 327-1838
www.rollingwoodtx.gov

-----Original Message-----

From: jack holland [REDACTED]
Sent: Sunday, February 12, 2023 1:39 PM
To: Ashley Wayman <awayman@rollingwoodtx.gov>
Subject: Proposed additional lease on fields 3,4,5.

Ashley,

We have heard that fields 3, 4 & 5 are under a proposal to be leased out by the City to another youth sports organization.

We are opposed to that idea because that would further reduce the amount of time Rollingwood residents and their dogs have use of those fields.

The fields 3, 4 & 5 are the only public place where Rollingwood residents can gather with their dogs and engage with other members of our community. We are already limited in our access to them through the Little League leasing arrangements and regular field maintenance programs so we oppose any more reductions in our usage of them in the future.

Please pass on this email to the five members of the RW city council. Thank you.

Kind regards,

Jack & Torye Holland

3307 Park Hills Drive

Desiree Adair

From: Desiree Adair
Sent: Monday, February 13, 2023 9:21 AM
To: Desiree Adair
Cc: Ashley Wayman
Subject: FW: Foundation Height

Good morning Mayor and Council,

Please see below email from Catherine Horne.

Best,
Desiree

Desiree Adair
City Secretary
City of Rollingwood
512.327.1838
www.rollingwoodtx.gov



From: Gavin Massingill <gmassingill@rollingwoodtx.gov>
Sent: Sunday, February 12, 2023 8:39 PM
To: Desiree Adair <dadair@rollingwoodtx.gov>; Ashley Wayman <awayman@rollingwoodtx.gov>
Subject: Fwd: Foundation Height

Sent from my iPhone

Begin forwarded message:

From: catherine horne [REDACTED]
Date: February 9, 2023 at 5:47:06 PM CST
To: Gavin Massingill <gmassingill@rollingwoodtx.gov>
Subject: Foundation Height

Please forward the following to all of City Council.

I am in full support of the City Council pursuing changes to our city code regarding foundation and building height. I have lived in Rollingwood since 2006 and built a home beginning in 2005. We were very aware of the code and the 35 foot height limit. It has become very apparent over the last 5 to 7 years the City has allowed many builders to interpret our code in ways it was not meant to be.

Please take the time to tighten our building codes so abuses of code are stopped, abuses of code have financial deterrents with meaningful fines and work stops, abuses of height and overhangs along setback

lines, foundation size and height guidelines should be reviewed and revised, and we need multiple reviews of plans by multiple city staff prior to approval of a building permit to avoid homes that do not meet code from beginning construction.

I am in full support of the City Council taking steps to improve our City code.

Thank you.

Catherine Horne

Sent from my iPhone

Desiree Adair

From: Mark Queralt [REDACTED]
Sent: Monday, February 13, 2023 2:23 PM
To: Desiree Adair; Mark Queralt
Cc: Alison Queralt
Subject: Residential building discussion - set backs

Good afternoon,

While the height discussion is above my pay grade, I have more concern regarding the 30 foot setbacks in addition to the 10 foot ROW creating a total 40' setback in some cases like ours - especially troublesome on a corner lot, placing our home somewhat oddly in a corner (102 Wallis Dr).

If the spirit of the law was to provide appropriate space between street and home, then a total 30' setback (with or without the 10' ROW) would seem more reasonable.

FYI, I have no plans to remodel or sell our home, but, like everyone else, it could affect my ultimate resale.

Thanks!

Mark

Desiree Adair

From: Loren Nyer [REDACTED]
Sent: Monday, February 13, 2023 2:46 PM
To: Desiree Adair
Subject: Rollingwood

I've lived in Rollingwood for 43 years and was amazed to find out that legacy trees are not protected and 3 and 4 story homes are allowed. I welcome a commission to collect input on These issues. The minimum size lot here is 1/3 acre. I'm about to find out what privacy is left when 3 stories looms next door.

Get [Outlook for iOS](#)

Desiree Adair

From: Maria Abernathy [REDACTED]
Sent: Tuesday, February 14, 2023 10:56 AM
To: Desiree Adair
Subject: Letter for P&Z

Dear Ms. Adair,

I've already emailed the mayor and each Council member, but no email addresses appear on the website for Planning and Zoning commission. Could you email this to each member?

Thanks for your help!

Maria Abernathy

First, I want to thank you for serving Rollingwood in often contentious times and situations. Your contributions are much appreciated!

I want to add my thoughts regarding efforts to scrutinize, possibly change, and then enforce our residential building codes:

- 1) I do support limits on residential building heights (30? 35? 25? feet) and very clear guidelines regarding the reference datum from which to measure building height. (The discussion initiated by Dave Bench at the Council meeting 1/18/23 was enlightening.)
- 2) I also support adherence to setback requirements, with special attention to side setbacks. Cantilevers and very wide eaves should not be allowed in the side setbacks. Houses which encroach on side setbacks diminish neighbors' privacy, and trees are often removed because these setbacks are so narrow. These two consequences - threats to privacy and absence of trees - are detracting from the beauty and comfort of Rollingwood. I had high hopes that the tree canopy ordinance would prevent developers' wanton destruction of heritage oaks, etc., but they have found ways to continue the destruction.
- 3) I strongly support efforts in Council - especially the efforts of Brook Brown and Sarah Hutson and the proposal initiated by Kevin Glasheen - to examine our building ordinances, to suggest ways to clarify and strengthen them, and to investigate compliance with them. This work, I think, is critical to retaining the character of our city, to avoiding drainage disasters, and to discouraging lawsuits. Having clear and consistent ordinances, uniformly enforced, should also make the jobs of city staff easier.
- 4) When we finally have ordinances which are reviewed and accepted, I propose:
 - a) that persons who apply to build new residences in Rollingwood should be advised of our ordinances and be expected to comply with them (If they dislike the ordinances, there are other areas in which they can build); and
 - b) that variances should be difficult to obtain and that the guidelines for approving a variance should be carefully reviewed by our legal counsel.

Thank you for considering my input.

Maria Abernathy

Desiree Adair

From: Andrea Davidson [REDACTED]
Sent: Tuesday, February 14, 2023 1:31 PM
To: Desiree Adair; Kevin Glasheen
Cc: Justin Davidson
Subject: Residential building code reform- No Change

Hello,

We are writing to make it known that we do not support changes to the residential building codes in Rollingwood.

We do not support the city council or P&Z Commission limiting impervious cover, building heights or restricting setback incursions into setbacks.

Thank you,
Andrea & Justin Davidson
3207 Pickwick Lane

Desiree Adair

From: Alexandra Robinette [REDACTED]
Sent: Wednesday, February 15, 2023 9:47 AM
To: Gavin Massingill; Kevin Glasheen; Alec Robinson; Phil McDuffee; Brook Brown; shutson@rollingwoodtx
Cc: Ashley Wayman; Desiree Adair; Mike Rhodes
Subject: Take Two: Building Heights and Setbacks

All,

I rushed my last email out the door ahead of the P&Z meeting that was in fact rescheduled. I've had a chance to think more carefully about this complex topic, and I'd like to amend what I said previously by suggesting alternatives that might appeal to people on both sides of the issue. At this time, I feel that these issues are too complicated to fix in one council meeting, and should be evaluated by a committee before further action is taken.

If we really parse the number of homes that are causing concern, it's very few. I think if we only did one thing, the City of Rollingwood could reach out directly to the builder/s (Waters) that are causing the most concern and have a friendly conversation with them about the intent of our rules. Letting them know that what they are doing is concerning to residents, that RW welcomes creative solutions, but does not want to dictate any particular style, aesthetic, roof type, building material percentages, or have to rewrite all the rules. Rollingwood wants homes to be mindful of scale and context, and not to exploit the rules by cutting down numerous trees, egregiously overlapping setbacks, and building 3-4-stories in search of downtown views. This could also be a standard letter that is shared on the RW website, distributed to any builders that have previously done work in Rollingwood, or with anyone seeking a demolition permit.

HEIGHT

1. Keep the current building height at 35ft, but specify that no portion of any building can exceed 35ft, as measured from the lowest point of the foundation to the highest point on the roof, over a horizontal area less than 15ft, or something like that. If someone chooses to terrace their foundation to follow the slope (which is encouraged), or dig some portion into the ground as a 1/2 basement/garage, they won't be in violation so long as they don't build from existing grade to a height above 35ft. There are many examples in RW of homes that may have an overall height that exceeds 35ft in 2D, but to look at it in 3D shows the height above 35ft. is stepping back and away from the facing elevation so as not to impact neighbors directly. This is not the case at 3225 Park Hills. Allowing for some horizontal setback of 15ft or greater may mitigate the height issue. RW might also say that front, rear, and corner lot elevations may have an exception since those locations have less impact to neighbors due to the deeper building setback.

2. Adopt the suggestions requiring height to be measured from undisturbed soil which can be taken from a survey if the house is removed - and no demo permits should be issued without an existing survey.

SIDE-SETBACK

I previously suggested no overhangs at all in the setback because it would be very easy to exploit the intent, however, it is nice to see some push and pull instead of flat elevations, but I still have concerns that this rule can be gamed.

1. Side setbacks shall only allow:

- fireplace massing;
- max of 2ft. deep bay window projections that cannot extend more than say 6-8ft. in length, nor exceed one story in height @ max of ~10'-12' in height.
- Projections cannot be stacked, where an 8'x10' bay could effectively be doubled, but on a separate story, and bay windows must be separated by some distance both vertically and horizontally, lest an elevation become a 2 ft. deep patchwork of bay windows on both sides, impacting neighbors;
- 2-3ft. max. uninhabitable eave overhang (no decks or balconies in setbacks!)

2. in lieu of an impervious cover ordinance, consider deeper side setbacks than current since Rollingwood has 100ft wide lots that were built out at time to accommodate septic systems, so there is very little hardship with our current setbacks. Since some people are building pretty massive houses on increasingly taller foundations, this is impacting too many adjacent homes because of the narrowness of the current setbacks. Impervious coverage limits will not really address this, but changing the depth of the setback to 15ft both sides of non-corner lots might.

Please distribute to members of P&Z.

Kindly,
Alex Robinette
2500 Hatley Dr.

On Feb 2, 2023, at 4:52 PM, Alexandra Robinette [REDACTED] > wrote:

Dear Mayor, Council, and P&Z Members,

I support the timely need to address current building height and setback rules, although I appreciate how challenging a quick fix is in Rollingwood. At the very least, putting a cap on building heights and how we measure it is imperative. Some people argue their property values are affected by not being able to build as high as currently allowed, myself and others worry what happens to our own property values if people continue to build increasingly tall and massive homes around us while exploiting the current rules. Set the height limit to match Westlake Hills and City of Austin at 30', and adopt the suggested revisions on how to calculate the height.

Encroaching into the setback should be limited to 2'-3' for roofs and not at all for bay windows or other habitable projections. This is how most of us interpreted the rule as limiting anything over the setback except an eave. Why else would you have a setback?

There are many homes in Rollingwood, old and new, built in harmony with the slope of the land - and not an egregious attempt to capture views - which may exceed the current 35' height limit while still maintaining an appropriate sense of scale. There should be a clause that takes into account the variable character of Rollingwood's steeply sloping lots, or even corner lots that do not directly impact neighbors, which the Board of Adjustment can argue as needed. This is also the sort of argument that cannot be easily written into a code.

Thank you kindly,
Alex Robinette
2500 Hatley Dr.

Please share with P&Z Members as I do not have their emails.



TO: Rollingwood City Council and Planning and Zoning Commission
FROM: Taylor G. Smith, Deputy Director of Government Affairs *Taylor G. Smith*
DATE: April 5, 2023
SUBJECT: Proposed Code Amendments Related to Residential Properties

The Austin Board of REALTORS® (ABoR) understands the Planning and Zoning Commission and Rollingwood City Council's desire to address concerns from some community members and develop new regulations to help ensure that residential buildings are visually consistent with the scale and mass of neighborhoods in Rollingwood.

On behalf of more than 15,000 Central Texas REALTORS®, we are encouraged by the creation of the Comprehensive Residential Code Review Committee to review future residential code changes. We continue to have concerns about code amendments that significantly reduce a property owner's existing entitlements and how new regulations would force homes out of compliance. Regulations that would significantly reduce a property owner's existing entitlements should be further discussed and considered by the entire community.

ABoR has long supported healthy, sustainable, and responsible development that plans appropriately for growth while protecting private property rights and homeowners' entitlements. ABoR supports regulatory changes that remove unnecessary regulations that increase the cost of housing and provide property owners with greater flexibility as it relates to their property. ABoR is a strong supporter of private property rights which includes the freedom of a property owner to fully utilize their property as protected by the 5th amendment.

Thank you for your leadership in taking this important step to provide additional framework that can be used to help change the trajectory of housing in Rollingwood. We are here to be a partner with you as you work to reform Rollingwood's residential zoning code.

Cc: Ashley Wayan, Rollingwood City Administrator

Desiree Adair

From: ERIC DOPKINS [REDACTED]
Sent: Sunday, April 16, 2023 7:07 PM
To: Desiree Adair
Subject: Height of Buildings and Setback Codes

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Ms. Adair,

It's been brought to my attention there will be a meeting, once again, regarding height restrictions and setbacks for new homes being built throughout our Rollingwood neighborhood.

I've already expressed through letters, phone calls and in person the great concerns we've had regarding the spec home being built directly behind us. These concerns include:

1. Large, mature trees removed that were providing a natural "green" privacy fence (along the actual fence) between our properties, resulting in zero privacy.
2. Setback feels too close to shared fence/property line.
3. Foundation purposefully raised significantly higher than what was originally there, so to sell home as if it's a "view home". (Was listed this way on website for company looking to have another investment partner)
4. First level of home windows are entirely visible above our shared fence. This is due to the increased height of foundation and how close the home is to the fence (property line).

Overall, our fence height now does not seem to be adequate, our view that once was of mature trees and greenery is now windows and white stucco walls of a home, therefore, resulting in a much less appealing experience and appreciation than what we once had.

Very disappointing to learn how many other neighbors have had this similar situation happening to them. Surely, home values are negatively impacted as a result of the few specifics I mentioned.

Please forward this email/letter to our mayor and council.

Thank you,

Tricia and Eric Dopkins
3207 Gentry Drive

Sent from my iPhone

Desiree Adair

From: Rhoda Silverberg [REDACTED]
Sent: Tuesday, April 18, 2023 5:40 AM
To: Ashley Wayman; Desiree Adair
Subject: Building Code

Follow Up Flag: Follow up
Flag Status: Completed

Dear Ashley and Desiree,
Please distribute the following to the City Council.
Thank you,
Rhoda Silverberg
3102 Gentry Drive

To the City Council:

In light of our many already existing drainage problems in the city, I hope the that City Council will take action to close the loopholes and inconsistencies in the current building and zoning code.

Thank you for all you do for the city.

Rhoda Silverberg
3102 Gentry Dr.