



**CITY OF ROLLINGWOOD  
PLANNING AND ZONING COMMISSION MEETING  
AGENDA**

**Wednesday, March 05, 2025**

Notice is hereby given that the Planning and Zoning Commission of the City of Rollingwood, Texas will hold a meeting, open to the public, in the Municipal Building at 403 Nixon Drive in Rollingwood, Texas on March 05, 2025 at 6:00 PM. Members of the public and the Planning and Zoning Commission may participate in the meeting virtually, as long as a quorum of the Planning and Zoning Commission and the presiding officer are physically present at the Municipal Building, in accordance with the Texas Open Meetings Act. The public may watch this meeting live and have the opportunity to comment via audio devices at the link below. The public may also participate in this meeting by dialing one of the toll-free numbers below and entering the meeting ID and Passcode.

**Link:** <https://us02web.zoom.us/j/5307372193?pwd=QmNUbmZBQ1lwUINjNmK5RnJreIRFUT09>

**Toll-Free Numbers:** (833) 548-0276 or (833) 548-0282

**Meeting ID:** 530 737 2193

**Password:** 9fryms

The public will be permitted to offer public comments via their audio devices when logged in to the meeting or telephonically by calling in as provided by the agenda and as permitted by the presiding officer during the meeting. If a member of the public is having difficulties accessing the public meeting, they can contact the city at [mrodriguez@rollingwoodtx.gov](mailto:mrodriguez@rollingwoodtx.gov). Written questions or comments may be submitted up to two hours before the meeting. A video recording of the meeting will be made and will be posted to the City’s website and available to the public in accordance with the Texas Public Information Act upon written request.

**CALL ROLLINGWOOD PLANNING AND ZONING COMMISSION MEETING TO ORDER**

1. Roll Call

**PUBLIC COMMENTS**

Citizens wishing to address the Planning and Zoning Commission for items not on the agenda will be received at this time. Please limit comments to 3 minutes. In accordance with the Open Meetings Act, the Planning and Zoning Commission is restricted from discussing or taking action on items not listed on the agenda.

Citizens who wish to address the Planning and Zoning Commission with regard to matters on the agenda will be received at the time the item is considered.

**PRESENTATIONS**

- 2. Presentation by AlterStudio regarding the assessment of residential building height and proposed height measurement using properties located at 2403 Bettis Boulevard, 5 Rock Way, 4715 Timberline Drive, and 4902 Timberline Drive

**CONSENT AGENDA**

All Consent Agenda items listed are considered to be routine by the Planning and Zoning Commission and may be enacted by one (1) motion. There will be no separate discussion of Consent Agenda items unless a Board Member has requested that the item be discussed, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the Regular Agenda.

- 3. Discussion and possible action on the minutes from the February 5, 2025 Planning and Zoning Commission meeting

**REGULAR AGENDA**

- 4. Discussion of next steps for the joint public hearing on March 26, 2025 regarding AlterStudio's assessment of residential building height and proposed height measurement using properties located at 2403 Bettis Boulevard, 5 Rock Way, 4715 Timberline Drive, and 4902 Timberline Drive
- 5. Discussion and possible action on defining yard equipment and accessory structures
- 6. Discussion and possible action on a recommendation for fence construction materials
- 7. Discussion and possible action regarding Planning and Zoning members availability for the March 26, 2025, public hearing regarding an ordinance amending Chapter 107 of the City of Rollingwood code of Ordinances related to residential building heights and height measurement, and possible alternative dates for a Planning and Zoning public hearing

**ADJOURNMENT OF MEETING**

**CERTIFICATION OF POSTING**

I hereby certify that the above Notice of Meeting was posted on the bulletin board at the Rollingwood Municipal Building, in Rollingwood, Texas and to the City website at [www.rollingwoodtx.gov](http://www.rollingwoodtx.gov) on Friday, February 28, 2025, at 5:00 p.m.

*Makayla Rodriguez*

Makayla Rodriguez, City Secretary

NOTICE -

The City of Rollingwood is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. Please contact the City Secretary, at (512) 327-1838 for information. Hearing-impaired or speech-disabled persons equipped with telecommunication devices for the deaf may call (512) 272-9116 or may utilize the stateside Relay Texas Program at 1-800-735-2988.

The Planning and Zoning Commission will announce that it will go into executive session, if necessary, to deliberate any matter listed on this agenda for which an exception to open meetings requirements permits such closed deliberation, including but not limited to consultation with the city's attorney(s) pursuant to Texas Government Code section 551.071, as announced at the time of the closed session.

Consultation with legal counsel pursuant to section 551.071 of the Texas Government Code;  
discussion of personnel matters pursuant to section 551.074 of the Texas Government Code;  
real estate acquisition pursuant to section 551.072 of the Texas Government Code;  
prospective gifts pursuant to section 551.073 of the Texas Government Code;  
security personnel and device pursuant to section 551.076 of the Texas Government Code;  
and/or economic development pursuant to section 551.087 of the Texas Government Code.  
Action, if any, will be taken in open session.



**CITY OF ROLLINGWOOD  
PLANNING AND ZONING COMMISSION MEETING  
MINUTES**

**Wednesday, February 05, 2025**

The Planning and Zoning Commission of the City of Rollingwood, Texas held a meeting, open to the public, in the Municipal Building at 403 Nixon Drive in Rollingwood, Texas on February 5, 2025. Members of the public and the Planning and Zoning Commission were able to participate in the meeting virtually, as long as a quorum of the Planning and Zoning Commission and the presiding officer were physically present at the Municipal Building, in accordance with the Texas Open Meetings Act. A video recording of the meeting was made and will be posted to the City’s website and available to the public in accordance with the Texas Public Information Act upon written request.

**CALL ROLLINGWOOD PLANNING AND ZONING COMMISSION MEETING TO ORDER**

1. Roll Call

**Chair Dave Bench called the meeting to order at 6:00 p.m.**

**Present Members:** Chair Dave Bench, Jerry Fleming, Genie Nyer, and Michael Hall

**Also Present:** Interim City Secretary Makayla Rodriguez, Development Services Manager Nikki Stautzenberger, and City Planner Amanda Padilla

*Tony Stein joined the meeting at 6:07 p.m.*

**PUBLIC COMMENTS**

There were no public comments.

**CONSENT AGENDA**

All Consent Agenda items listed are considered to be routine by the Planning and Zoning Commission

2. Discussion and possible action on the minutes from the January 8, 2025 Planning and Zoning Commission meeting

**Jerry Fleming moved to accept the meeting minutes. Genie Nyer seconded the motion. The motion carried with 4 in favor and 0 against.**

**PUBLIC HEARING**

3. Public hearing, discussion and possible action on amending Chapter 107 Sec. 107-76 (Minimum required depth and width of yards) related to Residential side yard projections

*Chair Dave Bench opened the public hearing at 6:01 p.m.*

Aparna Goyal, 408 Wallis Drive, asked questions regarding the impact of the proposed amendments. Development Services Manager Nikki Stautzenberger provided clarity regarding the changes.

*Chair Dave Bench opened the public hearing at 6:07 p.m.*

*Tony Stein joined the meeting at 6:07 p.m.*

**Jerry Fleming moved to accept the draft ordinance amending chapter 107 Section 107-76 minimum required depth and width of yards shown in the meeting packet. Genie Nyer seconded the motion.**

Tony Stein asked for clarification regarding the draft ordinance.

**The motion carried with 5 in favor and 0 against.**

#### **REGULAR AGENDA**

#### 4. Discussion and possible action on structures in required yards

Development Services Manager Nikki Stautzenberger shared previous discussions with the Planning and Zoning Commission regarding the interpretation of definitions.

Jerry Fleming suggested adding a definition for equipment.

**Chair Dave Bench moved that the Planning and Zoning Commission add a definition in the code for equipment and that the definition will include HVAC units, pool equipment, and generators. Jerry Fleming seconded the motion. The motion carried with 5 in favor and 0 against.**

The Planning and Zoning Commission discussed HVAC units and placement.

**Jerry Fleming moved to accept the HVAC as shown with the condition that we have a minimum of 10ft. Genie Nyer seconded the motion.**

The Planning and Zoning Commission shared concerns regarding the motion and discussed the placement of HVAC units as well as how surrounding cities address HVAC units.

**The motion carried with 3 in favor and 2 against (Stein and Hall).**

The Planning and Zoning Commission discussed generators, impacts of generators, and yard placement for generators.

**Jerry Fleming moved that generators be screened from public view in all locations and the locations be limited to the following: they're allowed in required side yards provided the 10ft minimum from the property line and except existing building are exempt, they're not**

**allowed in required front yard, and they are allowed in required backyard. Genie Nyer seconded the motion.**

Members of the Planning and Zoning Commission discussed the impact of the motion and screening.

**The motion carried with 4 in favor and 1 against (Stein).**

The Planning and Zoning Commission discussed pool equipment, storage, and screening.

**Genie Nyer moved that pool equipment storage requirements for new construction after the adoption of the ordinance require that the pool equipment be allowed in a required side yard if it is 10ft from property line, it will not be allowed in front yard, and it will be allowed in the required backyard. Jerry Fleming seconded the motion. The motion carried with 3 in favor and 2 against (Hall and Stein).**

- 5. Update, discussion and possible action on a report from the Accessory Building and Structures subcommittee and a recommendation for accessory buildings

The Planning and Zoning Commission discussed the reports from the Accessory Building and Structures subcommittee as well as definitions for playscapes, accessory buildings, and structures. They discussed next steps for the subcommittee and the code of ordinances.

Development Services Manager Nikki Stautzenberger, City Planner Amanda Padilla of DNRBSZ, and the Planning and Zoning Commission discussed next steps.

The Planning and Zoning Commission reviewed and discussed an Accessory Building and Structures subcommittee report from Brian Nash. They continued discussion on definitions and placement of playhouses and playscapes.

Development Services Manager Nikki Stautzenberger stated that defining terms brings more clarity in the code of ordinances.

The Planning and Zoning Commission continued discussion of playhouses and playscapes as well as definitions and placement. City Planner Amanda Padilla shared the definition of playhouse from American Planning Association dictionary. The Commission continued discussion on placement of playhouses and playscapes.

**Genie Nyer moved to use the definition from the American Planning Association dictionary and that we define playscape and playhouse together as a free standing structure with a maximum height of 12ft and a 120sqft footprint and recommend that it either be placed in the backyard 5ft from the property line or placed in the side yard 10ft from the property line. Tony Stein seconded the motion. The motion carried with 3 in favor and 2 against (Fleming and Hall).**

The Planning and Zoning Commission discussed next steps.

**Chair Dave Bench moved to go to City Council and request additional guidance if there is more that needs to be done. Genie Nyer seconded the motion. The motion carried with 5 in favor and 0 against.**

- 6. Discussion and possible action on clarification regarding CRCRC side yard projection recommendation

Chair Dave Bench stated that there is no action needed for this item.

- 7. Discussion and next steps regarding consultant review and assessment of proposed segmenting and parallel plane height measurement approaches

Chair Dave Bench shared that he reached out to AlterStudio to get a cost estimate to review and assess properties using the segmenting and parallel plane height measurement approaches. He stated that he will request the funds from City Council at their next meeting.

Council Member Brook Brown and the Planning and Zoning Commission discussed building height measurement, building height, and the draft ordinance.

- 8. Discussion and possible action on a recommendation for fence construction materials

*The Planning and Zoning Commission did not discuss this item.*

- 9. Discussion and possible action on an updated recommendation regarding Code Enforcement from Planning and Zoning Commission and CRCRC

Chair Dave Bench shared the joint recommendation from the CRCRC and the Planning and Zoning Commission.

**Chair Dave Bench moved to send to City Council. Jerry Fleming seconded the motion. The motion carried with 5 in favor and 0 against.**

- 10. Discussion and update regarding a recommendation for comprehensive drainage

Chair Dave Bench shared the CRCRC recommendation with the feedback from the Planning and Zoning Commission as well as Mayor Gavin Massingill for comprehensive drainage.

Chair Dave Bench discussed the possibility of addressing drainage at the Planning and Zoning level. The Planning and Zoning Commission discussed the Drainage Criteria Manual and Council Member Brook Brown discussed the Water CIP project as well as drainage in the City.

**ADJOURNMENT OF MEETING**

**The meeting was adjourned at 9:46 p.m.**

**Minutes adopted on the \_\_\_\_\_ day of \_\_\_\_\_, 2024.**

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**Dave Bench, Chair**

**ATTEST:**

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**Makayla Rodriguez, City Secretary**



Updates as of 2/5/2025 P&Z Meeting  
Recommended in Sept 10 CRCRC Meeting

**Equipment Structures in Required Yards**

**HVAC**

Allowed in required side yards, provided a 10' minimum from the property line with  
Vegetative or structured screening from public view

Not allowed in front required yard

Allowed in required back yard

PASSED 3-2 (Hall & Stein)

**Generator**

~~Not~~ Allowed in required side yard, provided a 10' minimum from the property line  
Vegetative or structured screening from public view

Not allowed in required front yard

Allowed in required back yard

PASSED 4-1 (Stein)

**Pool Equipment Storage**

~~Not~~ Allowed in required side yard, provided a 10' minimum from the property line  
Vegetative or structured screening from public view

Not allowed in front yard

Allowed in required back yard

PASSED 3-2 (Hall & Stein)

As drafted by P&Z Commissioner- Jerry Fleming

**Sec. 107-3. Definitions**

*Equipment* means the machinery that is commonly a part of a residential building or associated facilities like a pool and includes, but is not limited to, a/c compressors, heat pumps, pool equipment, house generators and rain water collection system pumps.

As drafted by legal counsel Principal Planner- Amanda Padilla

**Sec. 107-3. Definitions**

*Mechanical Equipment* means equipment or devices installed for a use appurtenant to a residential use. This includes, but is not limited to, heating and air conditioning units, pool equipment, heat pumps, household generators, rainwater collection system pumps, and similar equipment.

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**Sec. 107-3. Definitions**

*Playhouse* means a freestanding structure, exclusively for the use of children, with a maximum height of 12 feet and an area not to exceed 120 square feet.

Accessory Building/Structure Subcommittee Meeting Date: 11.19.2024 at 9:00 am

**Items in Red- from P&Z meeting 2.5.2025**

Attendees: Jerry Fleming, Michael Hall, Brian Nash, Nikki Stautzenberger, Ashley Wayman, Amanda Padilla (Principal Planner)

REPORT

We convened at approximately 9:00am. As a starting point, we reviewed the existing regulations referencing both “accessory structures” and “accessory buildings.”

Ms. Stautzenberger and Ms. Wayman provided background on why the issue was raised to the Planning & Zoning Commission, including that:

- “Structures” can be understood via building code to broadly to include items that are not typically viewed as a structure for minimum yard (i.e., setback) purposes, such as HVAC pads, sidewalks, retaining walls, and playsets/playhouses;
- Prior P&Z focus had been on “accessory building,” as distinct from “accessory structure”;
- Recent playsets/playhouses have raised questions on what restrictions (if any) might exist related to “accessory structures” and whether any are warranted;
- Typical height for playsets/playhouses that are purchased from, for example, Walmart, Sams, Costco, or Home Depot, range from 10 to 14 ft tall;
- No restrictions exist on treehouses, which often exceed 14 ft in height.

We discussed the competing concerns about allowing homeowners to use their yard as they want versus the potential for unreasonable imposition on neighboring properties. We discussed that building a child’s playset/playhouse is typical of our residential setting and to be encouraged, so long as it is a typical playset and not a separate, habitable “accessory building.” We also discussed that a reasonable tool shed is similarly typical of our residential setting and to be encouraged. We also discussed retaining walls and HVAC pads as not imposing on neighbors and traditionally not being treated as “structures” for minimum yard purposes.

We arrived at the following high-level conceptual recommendations:

- “accessory structures” includes structures that may not constitute an “accessory building” but are permanently affixed to the ground in some manner (e.g., with concrete footings), such as playhouses, playsets, tool sheds, green houses, and other similar structures not intended to be habitable.
- “accessory structures” should be permitted within the minimum side yards or back yards, but such structures should be less than 15 feet in height for portions

- that are within the minimum yard portions. We debated various heights and arrived at the number to allow a family to assemble a typical playhouse “kit” from Costco/Walmart, which appeared to be between 12ft and 14ft in height. Per city employees, such restrictions would not affect treehouses
- We did not believe restrictions were needed on placing concrete pads (e.g., for HVAC), sidewalks, retaining walls, or other similar structures

The meeting concluded at approximately 10:00am.

### 2/5/2025

Motion made by Genie Neyer, seconded by Tony Stein. Motion carried 3 for and 2 against (Hall & Fleming) to use the APA definition of playhouse and playscape to be:

- Playhouse & playscape means a freestanding structure, exclusively for the use of children, with a maximum height of 12 feet and an area not to exceed 120 square feet.
- Recommend that it be placed
  - o 5' from the back property line
  - o 10' from the side property line

Chair Dave Bench then made a motion, seconded by Genie Neyer, to send the above motion forward to Council and request additional guidance from Council if there is more that needs to be done in this area. The motion carried 5-0.

### **Playscape**

Mostly open, grass could grow below it. Stormwater drainage mostly unaffected. Does not violate benefits of required yards significantly.



### **Playhouse**

Mostly enclosed, blocks air and sunlight, solid ground cover  
Violates purposes of required yards. Yard is an unoccupied area uno.



As drafted by P&Z Commission Jerry Fleming P.E.

**107-3. Definitions**

*Mechanical Equipment* means the machinery or devices installed for a use appurtenant to a residential use. This includes, but is not limited to, heating and air conditioning units, pool equipment, household generators, rain water collection system pumps and similar appurtenances.

*Playhouse* means a freestanding building that is mostly enclosed and is exclusively used by children.

(Restricting height to 12 ft and area size are limitations, are not definitions and best adopted under a proper ordinance section. However, if they are not allowed in a required yard but anywhere in the buildable area of lot (inside building lines) no restrictions are needed.)

*Playscape* means a freestanding structure that is mostly unenclosed and is exclusively used by children.

**107-81. Playhouses and Playscapes**

- (a) Playscapes may be in any required yard.
- (b) Playhouses shall not be in any required yards unless a special exemption is granted.

Conditions for a special exemption are the following:

- (1) Maximum height to topmost part of playhouse does not exceed 12 ft above grade.
- (2) Maximum area does not exceed 50 sq ft. [ 5 ft x 10 ft = 50 sq ft which is a good size children playhouse in my opinion. Note that playhouses are also considered accessory buildings.]
- (3) Playhouse’s clearance from a property line shall be at least 6 ft,  
[ Reasoning: At 45 degree angle 6 ft horizontal distance yields a 6 ft height.  
With 6 ft fence the “line of sight” total height is 12 ft above a flat grade. ]

except the playhouse may be closer to property owner with approval from abutting property owners.



No. 3 As drafted by P&Z Commission Jerry Fleming P.E.

**107-3. Definitions**

*Mechanical Equipment* means the machinery or devices installed for a use appurtenant to a residential use. This includes, but is not limited to, heating and air conditioning units, pool equipment, household generators, rain water collection system pumps and similar appurtenances.

*Playhouse* means a freestanding building that is mostly enclosed and is exclusively used by children.

(Restricting height to 12 ft and area size are limitations, are not definitions and best adopted under a proper ordinance section. However, if they are not allowed in a required yard but anywhere in the buildable area of lot (inside building lines) no restrictions are needed.)

*Playscape* means a freestanding structure that is mostly unenclosed and is exclusively used by children.

**107-81. Playhouses and Playscapes**

- (a) Playscapes may be in any required yard.
- (b) Playhouses may be in a required yard if all the following conditions are met.
  - (1) Maximum height to topmost part of playhouse does not exceed 12 ft above natural grade.
  - (2) Maximum encroachment area does not exceed 50 sq ft. [ 5 ft x 10 ft = 50 sq ft which is a good size children playhouse in my opinion. Note that playhouses are also considered accessory buildings.]
  - (3) Playhouse’s clearance from a property line shall be at least 6 ft, [ Reasoning: At 45-degree angle 6 ft horizontal distance yields a 6 ft height. With 6 ft fence the “line of sight” total height is 12 ft above a flat grade. ]

except the playhouse may be closer to property line with approval from abutting property owners.



