

**PUBLIC HEARING AND
REGULAR MEETING OF THE VILLAGE COUNCIL
VILLAGE OF POINT VENTURE**

**Wednesday, October 18, 2023 at 6:30 PM
555 Venture Blvd S
Point Venture, TX 78645**

*"Partnership with the community. Foster community pride.
Preserve and enhance the natural beauty of our environment"*

**Minutes
(amended 12/20/23)**

A. Items Opening Meeting

1. Call to Order - Mayor ProTem Justin Hamilton called the meeting to order at 6:30 PM.
2. Pledge - Mayor ProTem Justin Hamilton led the Pledge of Allegiance.
3. Roll Call - Village Secretary called roll: Present were: Mayor ProTem Justin Hamilton, Councilmember Mark Maund, Councilmember Shelly Molina, Councilmember Tex Tubbs, and Councilmember Cliff McInnis. A quorum was present.

B. Public Hearing/Items for Consideration

1. Consider testimony and act upon request by owner of the property located at 613 Deckhouse Drive (Lot 383) for a variance to the Village of Point Venture Zoning Ordinance Chapter 5 Section 1.1.5.2(b)(4)(E) pertaining to minimum rear yard requirement.
 - a. Mayor ProTem Justin Hamilton introduced item request for variance to 25' rear yard requirement at 613 Deckhouse Drive for construction of new single-family home. Proposed building plans indicate approximately 9' to 14' rear yard setback.
 - b. Property owners of lot 384 addressed the Council. 25' rear yard requirement appears a typical rear yard requirement, Point Venture is a 'nature' community not developed as a garden home community with small yard requirements, this new construction is two story and approximately 8' from the rear yard property line shared with their lot thus looking directly down on their property, concerned about a decrease in their property's valuation. The builder requesting this variance trespassed upon lot 384 to perform lot clearing at 613 Deckhouse Dr, property owner's wish it is expressed to builder to stay off their property, lot 384. Counsel for property owner 611 Deckhouse Dr, lot 432, addressed the Council with information that there was a current dispute regarding property lines 611 Deckhouse Dr and 613 Deckhouse Dr, expect restraining order to halt any building activity at 613 Deckhouse Dr.
 - c. Mayor ProTem Hamilton discussed this 25' rear yard requirement was adopted in 2020 with the zoning ordinance, possibility that 60-70% of built homes in this inner circle violate the 25' rear yard requirement. Councilmember Maund expressed his discomfort by cutting the 25' rear yard more than half for this building project.
 - d. **Councilmember Tex Tubbs made a motion to deny variance request to 25' rear yard requirement for 613 Deckhouse Dr. Councilmember Mark Maund seconded the motion to variance request to 25' rear yard requirement for 613 Deckhouse Dr. Councilmember Shelly Molina did not support motion and second to deny variance request. Councilmember Cliff McInnis felt he needed additional information. Mayor ProTem Hamilton did not support motion and second to deny variance request. Councilmember Cliff McInnis corrected his response to not support motion and second to deny variance request. Councilmember Shelly Molina made a motion to request additional information and have dialog regarding possible accommodations to the home's placement upon lot with Haven Homebuilders and information regarding lot address shift from Whispering Hollow to Deckhouse Dr. Mayor ProTem Hamilton seconded this motion for dialog with Haven Homebuilders. Councilmember Tex Tubbs did not support motion and second. Councilmember Cliff McInnis and Councilmember Mark Maund agree with motion to enter dialog with Haven Homebuilders regarding home placement.**

Mayor ProTem Hamilton asked representative with Haven Homebuilders to speak to Council. Haven Homebuilders shared with Council this is a custom designed home for this lot, the home cannot be pivoted on this lot. Placement cannot be altered. Resident recognized to speak to Council and expressed that the neighbors have come to express they are opposed to this variance request to Village existing code and this is just too large a home on too small a lot.

Councilmember Tex Tubbs made a motion to deny the variance request to the 25' rear yard requirement for 613 Deckhouse as submitted. Councilmember Mark Maund seconded the motion to deny variance request to the 25' rear yard requirement for 613 Deckhouse Dr. Councilmember Shelly Molina in agreement with motion and second to deny request for variance. Councilmember Cliff McInnis in agreement with motion and second to deny request for variance. Mayor ProTem Hamilton in agreement with motion and second to deny request for variance. Request for variance to 25' rear yard requirement at 613 Deckhouse Dr is denied.

2. Consider testimony and act upon request by owner of the property located at 18606 Champions Circle (Lot 211) for a variance to the Village of Point Venture Zoning Ordinance Chapter 5 Section 1.1.5.2(b)(4)(E) pertaining to minimum rear yard requirement and Chapter 5 Section 1.1.5.2(b)(4)(F) pertaining to maximum lot coverage requirement.
 - a. Mayor ProTem Hamilton introduced item request for variance to 25' rear yard requirement and % of maximum lot coverage variance for 18606 Champions Circle. This is a cottage lot that backs up to a green belt and then the golf course.
 - b. There were no comments for public hearing.
 - c. Builder and representative for property owners of 18606 Champions Circle discussed this is a one story home, will encroach approximately 11' into the 25' rear yard. This is a 1976 sq ft home on a cottage lot with high point of lot at front and a gradual slope to the backyard to allow natural rainwater flow to back and open green space. Adjacent property owner to 18606 Champions Circle was interested that the rainwater flow from front back green space would not flow to his rear yard. Builder offered assurance the flow would slope to back yard of 18606 Champions Circle. Council had no further discussion.
 - d. **Mayor ProTem Hamilton made a motion to approve variance request to the 25' rear yard requirement and % maximum lot coverage of 51% for new single family home project at 18606 Champions Circle. Councilmember Cliff McInnis seconded the motion to approve variance request as stated at 18606 Champions Circle. Councilmember Shelly Molina in agreement with motion and second to approve variance request. Councilmember Mark Maund in agreement with motion and second to approve variance request. Councilmember Tex Tubbs did not support motion and second to approve this variance request. Variance request to 25' rear yard requirement and % maximum lot coverage is approved.**

C. Mayor ProTem Hamilton conclude Public Hearing and convene into Regular Council meeting at 7:12 PM.

D. Public Comments

Steve Tabaska, resident and chair for the Planning & Zoning Commission thanked the Point Venture community for pulling together and having a wonderful, well attended National Night Out event on Saturday, October 14. Steve Tabaska also addressed Council stating the P&Z members are agreeable to a joint workshop with Village Council to address zoning ordinance updates or changes. The Planning & Zoning Commission needs additional two members appointed as there are only three members at this time. Steve Tabaska request Village Council initiate notice to solicit interest in residents serving on the Planning & Zoning Commission.

E. Mayor ProTem Report

National Night Out was full of fun and was a great event recognizing our First Responders. On October 13, Village Council members, Travis County Deputy and Travis County Fire/ESD No 1 representative met with an elementary school class and talked about what a city council does! The elementary students wrote letters about this discussion with wonderful ideas to have ice cream everyday, everyone be safe and kind, parents need to play with their kids 30 minutes every day.

F. Travis County Sheriff's Report

Deputy Ron Smith attended meeting, expressed appreciation for the enjoyable National Night Out event on October 14. No community concerns to report at this time.

Emergency Services Report

Greg Johnston, Deputy Emergency Management Coordinator, with Travis County EMS District 1, thanked the community for the National Night Out event and recognition to first responders. Firewise lot compliance will have follow-up the week of October 23. Group of twelve volunteers have completed basic training for CERT (Community Emergency Response Team).

G. Items to Consider

1. Approval of Minutes September 28, 2023, Public Hearing and Regular Council Meeting.

Mayor ProTem Hamilton made a motion to approve minutes for September 28, 2023, meeting as presented. Councilmember Shelly Molina seconded the motion. Councilmember Tex Tubbs, Councilmember Mark Maund, and Councilmember Cliff McInnis in agreement. Motion carried.

2. Discuss and possible approval to designate Village of Point Venture official newspaper for posting of public and election notices.

This resolution 2023-10-18 is a mandated annual designation. The Village of Point Venture has had a long running relationship with Hill County News for publishing all required legal public notices.

Mayor ProTem Hamilton made a motion to approve and pass resolution 2024-10-18 to designate Hill Country News as official newspaper for the Village of Point Venture as required by Texas Local Government Code Sec 52.004. Councilmember Shelly Molina seconded the motion. Councilmember Tex Tubbs, Councilmember Mark Maund, and Councilmember Cliff McInnis in agreement. Motion carried.

3. Discuss possible format, agenda and dates for combined workshop with the P&Z Commission regarding zoning code amends/updates.

Mayor ProTem Hamilton opened the item for Council discussion. The Planning & Zoning Commission needs direction from the Village Council on the scope and concerns regarding updates and revisions to the Village zoning ordinance. The P&Z Commission currently have only three members and need two additional members for five-member commission. Mayor ProTem Hamilton request this workshop be planned after the seating of new councilmembers so these new members will have opportunity to participate. Councilmember Tex Tubbs wishes to schedule prior to seating of new councilmembers to allow current Councilmember Shelly Molina to participate. Steve Tabaska, P&Z chair, offered the dates discussed by the P&Z at their October 3 meeting of Tuesday, November 7 and open dates the week of October 23 – 27. Tuesday, October 24, will be considered to establish date for this joint workshop with the Village Council and Planning & Zoning Commission.

4. Review and discussion of Village of Point Venture animal control ordinance, animal control officer duties and responsibilities.

Mayor ProTem Hamilton opened the item for Council discussion. The position of animal control officer has not been filled at this time. Should the Council consider redefining of the role of animal control officer, redefine role to include assist with public works, Village building maintenance, additional manpower for outdoor/field work. Consider if animal control officer position is needed, what options would Village have for dogs at large, sick diseased wildlife pickup.

Councilmember Tex Tubbs made a motion to request staff gather information for discussion at the November 17 Village Council meeting of options without a designated animal control officer. Mayor ProTem Hamilton seconded the motion. Councilmember Shelly Molina, Councilmember Cliff McInnis, and Councilmember Mark Maund in agreement. Motion carried.

H. Council Reports

1. Financial Report

Councilmember Tex Tubbs reported Sept YTD monies in bank:

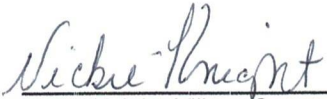
Security State Bank & Trust – Money Market \$ 94,846.83

Security State Bank & Trust – Operating Account	\$763,692.47
TexPool- Money Market	\$305,708.87
TexPool – Road Fund	\$700,181.38
TexPool – Time Warner	\$ 36,028.77
Total cash in banks	\$1,900,458.32

2. Building Department
Councilmember Shelly Molina presented the September Building Report: There no permits issued for single family dwelling. There was one certificate of occupancy issued. There were permits issued for a pool with remodel and a deck staircase addition.
3. Code Enforcement
No further report received.
4. Animal Control
There were two downed deer to be removed in September.
5. Village Services
No report received for September.
6. Public Works
October 26, 2023, drive about Point Venture to note possible areas for culvert clearing and/or ditch grading. This information will be submitted for Village Council review and discussion.

I. Adjourn

Councilmember Shelly Molina made a motion to adjourn. Councilmember Cliff McInnis seconded the motion. **Mayor ProTem Justin Hamilton adjourned the meeting at 7:48 PM.**



 Vickie Knight, Village Secretary
 Village of Point Venture



 Justin Hamilton, Mayor ProTem
 Village of Point Venture

**This facility is wheelchair accessible and accessible parking spaces are available. Reasonable modifications and equal access to communications will be provided upon request.*