



**REGULAR MEETING OF THE VILLAGE COUNCIL
VILLAGE OF POINT VENTURE
PUBLIC HEARING AND MEETING
Monday, December 19, 2022, 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

A. Items Opening Meeting

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

B. Public Hearing/Item for Consideration – Village Council sitting as Zoning Board of Adjustment

1. Variance request to Sections 1.1.4.3(f)(3) and 1.1.5.2(b)(4) of the Village Zoning Ordinance at 405 Cascade Circle for construction of an accessory building (personal telescope observatory) within the front yard setback, within the side yard setback and within an easement.
 - a. Mayor Eric Love provided background for this specific variance request at 405 Cascade Circle. This item has come before Council (Board of Adjustment) as property owner wishes to construct a 25 sq ft telescope observatory with a roll off roof over the existing nonconforming 25 sq ft cement pad. Constructing this telescope observatory will allow property owner to have telescopes set up in this construction and not set up and disassemble as property owner must do now and has done the past 10 years. The nonconforming concrete pad is within the side set back and the front building line of this property. Property owner wishes variance to construct person telescope observatory which will encroach approximately 2' within the side set back and 8' within the front build line.
 - b. Public Hearing
Mayor Love called on speakers to address Council on this variance item.
Gary Robertson spoke to the Council regarding his request to construct personal telescope observatory within the stated 7.5' side set back and 25' front build line. He has utilized the 25 sq ft nonconforming concrete pad for his viewing for approximately 10 years. There are no other locations on this property to place observatory to allow relatively unobstructed view of the sky. Gary Robertson request this variance to construct personal telescope observatory within side set back and front build line as assembly and disassemble has become difficult due to his age, community benefit to host star gaze party, community benefit by providing pictures for Point Venture homeschool students to study.
 - c. Discussion
Mayor Eric Love opened discussion to Council. Councilmember Justin Hamilton verified that this variance request was for approval to construct observatory over existing concrete pad located within the side and front set backs, there is no Council review required for look of the observatory. Councilmember Tex Tubbs inquired if there were drainage issues or concerns with this concrete pad at present. Gary Robertson responded that he had installed 4' retaining wall in 2015 to direct water flow to his driveway and to the street culvert. Councilmember Mark Maund had no further questions as the variance request is to a nonconforming concrete pad, enables property owner to not be required to reset equipment with each use. No further comments received.

d. Action

Mayor Eric Love asked for Council final comments. **Councilmember Justin Hamilton made a motion to approve variance request for 405 Cascade Circle. Councilmember Mark Maund seconded the motion. Mayor Eric Love stated motion for approval of variance request.**

Approve a variance to the setback, building line and location within easement requirements of the Village of Point Venture Zoning Ordinance for 405 Cascade Circle as follows: the location of one structure, no larger than 25 square feet and no higher than 7 feet, may extend into the front setback to be located no further from the front building line than 8 feet, into the side setback to be located no closer than 5.5 feet from the side lot line and within the easement.

In agreement with motion to approve variance request Mayor ProTem Shelly Molina, Councilmember Tex Tubbs and Councilmember Cliff McInnis. Vote 5 in favor, motion to grant variance request approved.

2. Variance request to Sections 1.1.4.3(f)(2) and 1.1.5.2(b)(4) of the Village Zoning Ordinance at 507 Deckhouse Drive for construction of an accessory building (garage) exceeding maximum lot coverage.

a. Mayor Eric Love provided background for this specific variance request at 507

Deckhouse Drive for construction of an accessory building (attached garage) behind residential structure creating noncompliance to accessory structures maximum lot coverage. Village zoning requirements indicate 45% maximum lot coverage, plans for construction of accessory building indicate 51% maximum lot coverage.

b. Public Hearing

Mayor Eric Love called on first speaker to address Council on this variance item.

Dorothy House spoke to Council about necessity for additional garage as her daughter and son in law have moved into her home to care for her. This additional garage will provide protected space for their vehicles.

Cristin Cecala spoke to the Council to voice two property objections to this variance request as she owns lots 403 and 411 which could be affected by variance approval of this building project. There is an existing two car garage behind this property presently, the correct maximum lot coverage is actually 83% and not 51% as provided by property owner at 507 Deckhouse Dr. Cristin Cecala reminded Council that variance to yard requirements considered only in circumstances where an unnecessary hardship would be observed and the request would not affect any adjoining property or the general welfare of the community. The Council was provided detailed formal objection to this variance request. Six concerns stated were 1) lot coverage/drainage issues, 2) damage to adjoining properties, 3) impact to property values, 4) excessive use of shared driveway located on one of her affected lots, 5) building type and purpose and 6) incomplete building application packet submitted.

c. Discussion

Mayor Eric Love opened discussion to Council. Councilmember Tex Tubbs inquired about the parking surface that would be added to access this additional garage.

Councilmember Cliff McInnis added that the existing asphalt could be replaced with pervious cover. Councilmember Justin Hamilton asked Dorothy House how submitted maximum lot coverage calculations were calculated. Dorothy House believed the figure was provided by the contractor. Mayor ProTem Shelly Molina asked if a drainage plan had been submitted with building application packet. No drainage survey was provided. Councilmember Justin Hamilton asked what was negative impact to vacant lot 403 owned by Cristin Cecala. Cristin Cecala responded about drainage concerns, construction of this project could effect huge older oak tree at back of lot 403, increased traffic on shared driveway on her lot 411 to access this additional garage create damage to existing driveway. Councilmember Cliff McInnis did not feel tree damage was a valid concern as to impact to property value and questioned damage concern due to increase traffic to this existing driveway. Councilmember Justin Hamilton wished to have additional information regarding implied hardship caused to property owner at 507 Deckhouse Dr.

d. Action

Councilmember Justin Hamilton made a motion to waive decision to this variance request for receipt of further information from property owner at 507 Deckhouse

Dr. Additional information required for reconsideration of this project: sealed engineered drainage plan noting maximum lot coverage calculations and further information regarding the possible hardship to property owner at 507 Deckhouse Dr. Councilmember Cliff McInnis seconded the motion. In agreement with motion to require additional information as stated above for any further consideration of this variance request Mayor ProTem Shelly Molina, Councilmember Tex Tubbs and Councilmember Mark Maund. Variance request can be resubmitted for Council (Board of Adjustment) review.

Mayor Love closed public hearing portion of this meeting.

C. Convene into Regular Village Council Meeting at 7:34 PM

D. Consent Agenda

1. Approval of Minutes for November 16, 2022, Regular Council Meeting.
2. Approval of Minutes for November 22, 2022, Special Meeting and Canvass of Election
Councilmember Justin Hamilton made a motion to approve consent agenda as presented. Councilmember Cliff McInnis seconded the motion. All present approved. Motion carried.

E. Public Comments

Resident addressed Council that she was encouraged by process and order followed for variance request to Village building and zoning code. She requested the Village Council place a three-month moratorium on all building projects within the Village until a full audit can be accomplished to review and assure proper procedures of Village building and zoning code is being followed.

F. Mayor Report

MwM (Mondays with the Mayor) will be on the 2nd and 4th Monday each month via Zoom. Scott Staeb was presented with a plaque in appreciation of this service to the Village of Point Venture. The full Council will be attending Newly Elected Workshop in San Antonio on January 20.

G. Travis County Sheriff's Report

Month of November there were 27 contract hours provided and 2 traffic citations issued.

Emergency Services Report

No current report.

H. Items to Consider

1. Nominations and appointment of council member to serve as mayor pro tem through November 2023.
Councilmember Cliff McInnis made a motion to nominate Councilmember Justin Hamilton to serve as mayor protem through November 2023. Mayor ProTem Shelly Molina seconded the motion. All present approved. Motion carried.
2. Review and approve update to Security State Bank operating and money market account bank signatories.
Mayor Eric Love requested item 2 and 3 be combined and approved together as signatories will be same for both items. Mayor Eric Love recommends Councilmember Tex Tubbs and newly nominated Mayor ProTem Justin Hamilton are added as signatories for both Security State Bank and TexPool accounts.
3. Review and approve amending TexPool Money Market, Road Fund and Time Warner investment account authorized representatives.
Councilmember Shelly Molina made a motion that Tex Tubbs and Justin Hamilton be approved as signatories and authorized representatives for Security State Bank and TexPool investment accounts. Councilmember Mark Maund seconded the motion. All present approved. Motion carried.

4. Review and approve Village Council 2023 regular called meeting dates calendar, for the third Wednesday each month.
Council discussion regarding January and February Council meeting dates. There was no Council motion on this item but general agreement the 3rd Wednesday of each month scheduled will be followed.
5. Review and approve 2023 Village observed holiday schedule.
Mayor ProTem Justin Hamilton made a motion to approve 2023 Village of Point Venture observed holiday schedule of federally, USPS and banking observed holidays and this holiday schedule be made available and posted on all building project sites. Councilmember Tex Tubbs seconded the motion. All present approved. Motion carried.
6. Accept resignation of Village employee Tommy Low and discuss options moving forward.
Council discussion of options and alternatives for positions of animal control, assistant building official and code enforcement officer. Mayor Eric Love will meet with Travis County ESD representative regarding possible agreement with Travis County ESD to perform Village code enforcement. Council direct staff to prepare notice of positions available and post to receive applicants with interest in positions.
7. Review and discuss terms of proposed agreement for loaned use of POA owned backhoe.
Council discussion of use of backhoe and options to compress solid waste/brush and limb. FY2023 budget does not include this expenditure, POA has requested doubling the amount first discussed and require an indemnity clause which the Village is prohibited from providing. Mayor Eric Love informed Council he would not ask for motion on this item at this time.

I. Council Reports

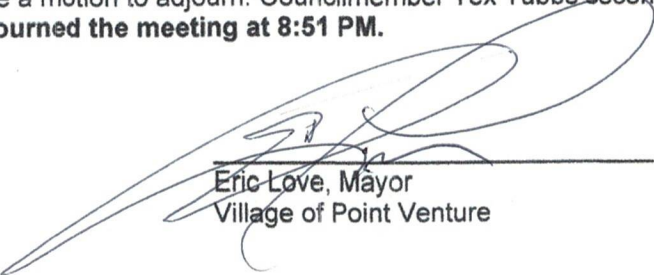
1. Financial Report
November YTD financials are provided on Village website.
Mayor Eric Love appointed Councilmember Tex Tubbs as Finance liaison.
2. Building Department
There were no permits for new homes and no certificates of occupancy issued in November.
Tim Haynie, Village engineer, performed a site visit and walk-thru at the commercial retail construction site on December 6, 2022.
Mayor Eric Love appointed Councilmember Shelly Molina as Building department liaison.
3. Code Enforcement
Mayor Eric Love appointed Councilmember Mark Maund as Code Enforcement liaison.
4. Animal Control
Mayor Eric Love appointed Councilmember Cliff McInnis as Animal Control, Travis County Sheriff and Emergency Services liaison
5. Village Services
Granicus has identified 125 properties within Point Venture as active short term rental properties, 121 properties have short term rental registration on file, 2 complaints received on compliance hotline in November for noise and parking. Five additional properties have been identified as potential short term rental properties.
Mayor Eric Love appointed Mayor ProTem Justin Hamilton as Village Services liaison to include Community Collection Center and short term rentals concerns and issues.
6. Public Works
Crack Seal Road Improvement Project bid opening December 15 had only one bidder and bid received was \$198,000.
Mayor Eric Love appointed Councilmember Tex Tubbs as Public Works liaison.

J. Announcements

Mayor Eric Love thanked all attending and requested Council attendance at WCID and POA meetings. He also invited WCID and POA board members to attend Village Council meetings.

K. Adjourn

Councilmember Mark Maund made a motion to adjourn. Councilmember Tex Tubbs seconded the motion. **Mayor Eric Love adjourned the meeting at 8:51 PM.**



Eric Love, Mayor
Village of Point Venture



Vickie Knight, Village Secretary

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