

Village of Point Venture, Texas

ORDINANCE NO. 2025-06-18B

AN ORDINANCE OF THE VILLAGE OF POINT VENTURE, TEXAS, AMENDING THE ZONING ORDINANCE OF THE VILLAGE OF POINT VENTURE, TEXAS; PROVIDING REGULATIONS FOR SINGLE FAMILY YARD REQUIREMENTS, FOR IMPERVIOUS COVERAGE, AND FOR VARIANCES TO IMPERVIOUS COVERAGE LIMITATIONS; PROVIDING FINDINGS OF FACT; PROVIDING FOR REPEAL, SEVERABILITY, SAVINGS, PUBLICATION AND CODIFICATION; DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS CONDUCTED IN ACCORDANCE WITH THE OPEN MEETINGS ACT; PROVIDING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Village Council of the Village of Point Venture (“Village Council”) seeks to provide for the public health, safety and welfare of its citizens; and

WHEREAS, pursuant to Section 51.001 of the Texas Local Government Code, the Village Council may adopt and amend ordinances for the good government, peace, or order of the Village, and as necessary or proper for carrying out a power granted by law to the Village; and

WHEREAS, pursuant to Section 211.003 of the Texas Local Government Code, the Village Council has general authority to regulate the location and use of buildings, other structures and land for business, industrial, residential, or other purposes; and

WHEREAS, pursuant to Section 211.003 of the Texas Local Government Code, the Village Council also has general authority to regulate the percentage of a lot that may be occupied and the size of yards, courts, and other open spaces; and

WHEREAS, the Village Council finds that residential lots contribute and enhance the Village’s unique residential character; and

WHEREAS, the Village Council finds that regulating impervious coverage is necessary to reduce surface runoff, manage stormwater, and preserve the natural character of the Village; and

WHEREAS, the Village Council finds that existing residential single-family yard setback requirements make compliance impracticable for certain lots; and

WHEREAS, the Village Council finds that existing homes built in conformance with the regulations provided herein meet the purpose of yard setbacks; and

WHEREAS, the Village Council finds that setbacks avoid encroachment on neighboring properties and ensure adequate ventilation, light, and privacy for residents; and

WHEREAS, the Village Council finds that the amendments made by the adoption of this Ordinance are made in accordance with the Village's Comprehensive Plan; and

WHEREAS, the Village Council finds all notices were provided as required by law and a public hearing was held as required by law on the proposed amendments to the Zoning Ordinance of the Village of Point Venture; and

WHEREAS, the Village Council finds all persons appearing at such public hearing who desired to speak on such proposed amendments were afforded that opportunity and their comments were duly noted and considered; and

WHEREAS, after due deliberation and consideration of comments and information received at the public hearing, the Village Council concludes that the amendments made by the adoption of this Ordinance are in the best interest of the Village of Point Venture; and

WHEREAS, the Village Council finds that adoption of this ordinance will promote the orderly and safe use of property within the Village.

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF POINT VENTURE, TRAVIS COUNTY, TEXAS:

SECTION 1. Findings of Fact. All of the above recitals and premises are hereby found to be true and correct legislative and factual findings of the Village Council of the Village of Point Venture, are made a part hereof for all purposes and are hereby approved and incorporated into the body of this Ordinance as if restated in their entirety.

SECTION 2. Ordinance Amendment. The Zoning Ordinance of the Village of Point Venture, Texas is hereby amended by deleting the lowercase letter Subsection designations in Chapter 3 of the Zoning Ordinance.

SECTION 3. Ordinance Amendment. The Zoning Ordinance of the Village of Point Venture, Texas is hereby amended by adding a new definition for "Impervious Coverage" in Chapter 3 of the Zoning Ordinance, to provide as follows:

"ZONING ORDINANCE

. . .

CHAPTER 3 DEFINITIONS

. . .

Impervious Coverage: Any type of human-made surface that prevents the infiltration of water into the natural ground, including but not limited to rooftops, patios, driveways, sidewalks, roadways, parking lots, paved parking areas, and decks, but excluding approved drainage structures,

permeable pavers, pervious concrete and water surface areas of any human-made swimming pool, spa, pond, or water reservoir.”

SECTION 4. Ordinance Amendment. The Zoning Ordinance of the Village of Point Venture, Texas is hereby amended by deleting the definition of “Yard, Front”, in Chapter 3 of the Zoning Ordinance and substituting therefor a new definition of “Yard, Front” in Chapter 3 of the Zoning Ordinance to provide as follows:

“ZONING ORDINANCE

. . .

CHAPTER 3 DEFINITIONS

. . .

Yard, Front: A yard extending across the front of a lot between the side lot lines and being the minimum horizontal distance between the street line and the main building including any projections of the usual uncovered steps, uncovered balconies, or uncovered porches. On corner lots, the lot may front on either street.”

SECTION 5. Ordinance Amendment. The Zoning Ordinance of the Village of Point Venture, Texas is hereby amended by deleting Subsection 1.1.5.2(b)(4) in Chapter 5 of the Zoning Ordinance and substituting therefor a new Subsection 1.1.5.2(b)(4) in Chapter 5 of the Zoning Ordinance to provide as follows:

“ZONING ORDINANCE

. . .

CHAPTER 5 REGULATIONS APPLICABLE TO RESIDENTIAL DISTRICTS

. . .

1.1.5.2 SINGLE-FAMILY - 1 (SF-1)

. . .

(b) Area Requirements.

. . .

(4) Yard Requirements.

(A) Minimum Front Yard (feet): 25

(B) Minimum Side Yard and Rear Yard: The equivalent of any existing deed restrictions or easements but in no circumstances less than 7.5 feet

(C) Maximum Impervious Coverage per Lot: 50%”

SECTION 6. Ordinance Amendment. The Zoning Ordinance of the Village of Point Venture, Texas is hereby amended by deleting Subsection 1.1.5.2.1(b)(4) in Chapter 5 of the Zoning Ordinance and substituting therefor a new Subsection 1.1.5.2.1(b)(4) in Chapter 5 of the Zoning Ordinance to provide as follows:

“ZONING ORDINANCE

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CHAPTER 5 REGULATIONS APPLICABLE TO RESIDENTIAL DISTRICTS

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1.1.5.2.1 SINGLE-FAMILY - 2 (SF-2)

. . .

(b) Area Requirements.

. . .

(4) Yard Requirements.

(A) Minimum Front Yard (feet): 25

(B) Minimum Side Yard and Rear Yard: The equivalent of any existing deed restrictions or easements but in no circumstances less than 7.5 feet

(C) Maximum Impervious Coverage per Lot: 50%”

SECTION 7. Ordinance Amendment. The Zoning Ordinance of the Village of Point Venture, Texas is hereby amended by adding a new Subsection 1.1.12.1(d)(5) in Chapter 12 of the Zoning Ordinance to provide as follows:

“ZONING ORDINANCE

. . .

CHAPTER 12 BOARD OF ADJUSTMENT

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1.1.12.1 BOARD OF ADJUSTMENT

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(d) Variances. The Village Council acting as the zoning board adjustment shall have the power to authorize upon appeal in specific cases such variance from the terms of this chapter as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this chapter will result in unnecessary hardship and so that the spirit of this chapter shall be observed and substantial justice done, including the following:

. . .

- (5) In addition to the requirements provided in subsection 1.1.12.1(d)(4), an application for a variance to subsection 1.1.5.2(b)(4)(C) or subsection 1.1.5.2.1(b)(4)(C) shall require the submission of (1) a drainage study, in conformance with the Village's drainage study criteria, prepared under the supervision of a registered professional engineer licensed to practice in the State of Texas, showing that the proposed variance will have no adverse impact attributable to drainage or soil erosion on other lots, and (2) a no adverse drainage impact letter with all required attachments, signed by all property owners. The form for such letter shall be available from the office of the village secretary."

SECTION 8. No Vested Interest. No developer or property owner shall acquire any vested interest in this Ordinance or in any other specific regulations contained herein, which are separate and apart from any vested right granted by Chapter 245 of the Local Government Code. Any portion of this Ordinance may be repealed or amended by the Village Council in the manner provided for by law.

SECTION 9. Repeal. This Ordinance shall be cumulative of all other ordinances and shall not repeal any of the provisions of such ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance. All resolutions or ordinances of the Village, or parts thereof, conflicting or inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such conflict, and the terms and provisions of this Ordinance shall govern.

SECTION 10. Severability. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The Village Council hereby declares that it would have passed all remaining portions of this Ordinance without the inclusion of the portion or portions declared unconstitutional or invalid.

SECTION 11. Savings. All rights and remedies of the Village of Point Venture are expressly saved as to any and all violations of the provisions of any ordinances which have accrued at the time of the effective date of this Ordinance; and such accrued violations and litigation, both civil and criminal, whether pending in court or not, under such ordinances, shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

SECTION 12. Publication and Codification. The Village Secretary of the Village of Point Venture is hereby directed to publish the Caption, Penalty and Effective Date of this Ordinance as required by Section 52.011 of the Texas Local Government Code. The Village Secretary is further directed to have this Ordinance codified at the next available codification update.

SECTION 13. Open Meeting. The Village Council of the Village of Point Venture finds that the meeting at which this Ordinance passed was conducted in compliance with the Texas Open Meetings Act.

SECTION 14. Penalty. It shall be unlawful for any person to violate any provision of this Ordinance, and any person violating or failing to comply with any provision hereof shall be fined, upon conviction, in an amount not less than One Dollar (\$1.00) nor more than Two Thousand

Dollars (\$2,000.00), in accordance with the enforcement and penalty provisions, and a separate offense shall be deemed committed each day or part of a day during or on which a violation occurs or continues. Further, if the Village Council of the Village of Point Venture determines that a violation of this Ordinance creates a threat to the public safety, the Village may bring suit in the District Court to enjoin such violation and may exercise all available remedies as allowed by law.


SECTION 15. Effective Date. That this Ordinance shall be in full force and effect from and after its date of publication, in accordance with law, and it is so ordained.

GIVEN FIRST READING AND CONSIDERATION OF THE AMENDMENTS by the Village Council of the Village of Point Venture, Texas on the 16th day of April, 2025.

PASSED, APPROVED AND DULY ADOPTED ON SECOND AND FINAL READING by the Village Council of the Village of Point Venture, Texas on the 18th day of June, 2025.


Justin Hamilton, Mayor

ATTEST:


Vickie Knight, Village Secretary
Caroline Kelley, Village Attorney