VILLAGE OF VOLENTE

ORDINANCE NO. 2007-O-79

AN ORDINANCE OF THE VILLAGE OF VOLENTE, TEXAS, CHANGING THE ZONING OF CERTAIN EASEMENTS; PRIVATE WAYS FOR GENERAL USE; PRIVATE PARKS; AND, PUBLICALLY DEDICATED PARKS NOT ACCEPTED AS PARKLAND NOT TO BE MAINTAINED BY THE VILLAGE OF VOLENTE TO OPENS SPACE AS SET FORTH IN SEC. 30.116 OF THE VILLAGE OF VOLENTE CODE; PROVIDING FOR LEGISLATIVE FINDINGS; CHANGING THE VILLAGE'S ZONING MAP; EFFECTIVE DATE; SEVERABILITY; AND COMPLIANCE WITH THE PUBLIC NOTICE AND MEETING REQUIREMENTS.

WHEREAS, the Village of Volente has adopted zoning regulations within the corporate limits of the Village of Volente; and,

WHEREAS, the Village of Volente desires to change the zoning district for certain easements, private ways for general use, private parks and publicly dedicated parks not accepted as parkland not to be maintained by the Village of Volente; and,

WHEREAS, the Planning and Zoning Commission of the Village of Volente after notice and a public hearing, has recommended to the Village Council that the zoning district on these properties be changed; and,

WHEREAS, the Village Council has concluded that the recommendation of the Planning and Zoning Commission should be accepted and the zoning district on these properties be changed to the Open Space Zoning District;

NOW THEREFORE, BE IT ORDAINED BY THE VILLAGE OF VOLENTE, TEXAS, THAT THE ZONING DISTRICT FOR THE PROPERTIES IDENTIFIED IN THIS ORDINANCE BE CHANGED TO THE OPEN SPACE ZONING DISTRICT AS SET FORTH IN SECTION 30.116 OF THE VILLAGE OF VOLENTE CODE.

Section 1. Legislative Findings

The recitals above made in the Preamble are hereby deemed to be the Factual and Legislative Findings of the Village Council, and are hereby incorporated within this Ordinance.

Section 2.

The following properties within the corporate limits of the Village of Volente are zoned Open Space pursuant to the provisions of Section 30.116 of the Village Code:

LAKE TRAVIS SUBDIVISION # 4 & NICHOLSON SUBDIVISION # 1, REED DRIVE

LOT 19	PRIVATE WAY FOR GENERAL USE
LOT 9	PRIVATE WAY FOR GENERAL USE
LOT 3	PRIVATE WAY FOR GENERAL USE

LAKE TRAVIS SUBDIVISION # 3, BOOTH CIRCLE

LOT 68	TRACT 68 DEDICATED TO THE USE OF AND BENEFIT OF ANY OWNER OF ANY OTHER TRACT IN LAKE TRAVIS SUBDIVISION # 3. NOT FOR CAMPING OR FOR RESIDENTIAL USE.
LOT BETWEEN LOT 28 & LOT 85	PRIVATE WAY FOR GENERAL USE
LOT BETWEEN LOT 77 & LOT 78	PRIVATE WAY FOR GENERAL USE
LOT BETWEEN LOT 62 & LOT 63 LOT BETWEEN LOT 59 & LOT 60	EASEMENT (NOT DEDICATED TO THE PUBLIC FOR BENEFIT OF TRACTS 56-67 ONLY
PRIVATE ROAD	EASEMENT (NOT DEDICATED TO THE PUBLIC) FOR THE BENEFIT OF TRACTS 56-67
LOT BETWEEN LOT 51 & LOT 52	PRIVATE WAY FOR GENERAL USE

LAKE TRAVIS SUBDIVISION # 3

LOT BETWEEN LOT 54 & LOT 55	PARK AREA – 7603 DEBBIE & 7613 DEBBIE

LOT BETWEEN
LOT 59 & LOT 14 LOT GOES BEHIND LOTS 55 – 59

LAKE TRAVIS SUBDIVISION # 6, WEST DR.

LOT BETWEEN PRIVATE WAY FOR USE OF OWNERS OF LOT IN LAKE
LOT 13 & LOT 14 TRAVIS SUBDIVISION # 6

LAKE TRAVIS SUBDIVISION # 2, JACKSON STREET

TRACT BETWEEN PRIVATE WAY FOR USE OF OWNERS OF TRACTS
LOT 10 & LOT 11 IN LAKE TRAVIS SUBDIVISION # 2

TRACT BETWEEN PRIVATE WAY FOR USE OF OWNERS OF TRACTS
LOT 6 & LOT 7 IN LAKE TRAVIS SUBDIVISION # 2

SUBDIVISION SANDY SHORES, JOY RD

PART LOT # 9 HOMEOWNERS PARK

LAKE TRAVIS SUBDIVISION # 1, Dodd Street & Lakeview

Tract between Lot 19 and Lot 20

Section 3. The Mayor and Village staff shall change the Village's zoning map to conform the map to the zoning changes made by this ordinance.

Section 4. Severability.

If any provision of this Ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

Section 5. Effective Date

This Ordinance shall take effect upon adoption or if required by state law, after any required posting and publication of this Ordinance.

Section 6. Public Notice and Meeting

It is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED on this the 22 day of May 2007, by a vote of 5 ayes, 0 nays, and 0 abstentions of the Volente Village Council.

VILLAGE OF VOLENTE

Jan Yenawine, Mayor

ATTEST:

Jennifer Zufelt, Village Secretary