



SPRING CREEK ASSOCIATION COMMITTEE OF ARCHITECTURE REGULAR MEETING MINUTES

Spring Creek Association ("SCA") Committee of Architecture
Monday, October 15, 2024, 5:30 PM, PST
Fairway Community Center Meeting Room
401 Fairway Blvd, Spring Creek, Nevada

PRESENT: Kevin Martindale – Chair, Nick Czegledi, Elex Vavrick, Alan Kimbrell, Elisa Liebelt

ABSENT:

STAFF PRESENT: President Jessie Bahr- on the phone, Secretary/Treasurer Kristine Austin-Preston, COA Secretary Cheri Duncan

CORPORATE ATTORNEY: Katie McConnell – on the phone

CALL TO ORDER: Chair Martindale called the meeting to order in person and telephonically at 5:31 PM.

PLEDGE OF ALLEGIANCE

NOTICE:

1. **Items may be taken out of order**
2. **Two or more items may be combined**
3. **Items may be removed from agenda or delayed at any time**
4. **Restrictions regarding Public Comment:** Pursuant to N.R.S. 241.020(c) (3), this time is devoted to comments by the general public, if any, and discussion of those comments. No action may be taken upon a matter raised under this item on the agenda until the matter itself has been specifically included on a successive agenda and identified to be an action item. Comments during this public comment period are limited to items NOT listed on the agenda and shall be limited to not more than three (3) minutes per person unless the Board of Directors elects to extend the comments for purposes of further discussion. Persons making comment will be asked to begin by stating their name for the record and to spell their last name. The Chair may prohibit comment, if the content of that comment is a topic that is not relevant to, or within the authority of, the Spring Creek Association or if the content is willfully disruptive of the meeting by being irrelevant, repetitious, slanderous, offensive, inflammatory, irrational, or amounting to personal attacks or interfering with the rights of other speakers.

D. COMMENTS BY THE GENERAL PUBLIC

Pursuant to NRS 241 this time is devoted to comments by the public, if any, and discussion of those comments. No action may be taken on a matter raised under this item of the agenda until

the matter itself has been included specifically on an agenda as an item upon which action will be taken.

NON-ACTION ITEM

No Public Comment

E. UNFINISHED BUSINESS- Consent Agenda

Items may be taken individually for consideration or may be taken as a group by the Board of Directors. **FOR POSSIBLE ACTION**

- E.1 Review, discussion, and possible action regarding **COA R&R's: Exterior Condition of Structures** and refer to the SCA Board of Directors requesting to take legal action and uphold all fines regarding **288 Dove Creek Court, (Tract 201 Block 003 Lot 042) 2.180 acres.** **FOR POSSIBLE ACTION**

- E.2 Review, discussion, and possible action regarding, **COA R&R's: Exterior Condition of Structures, SCA DOR's: Unsightly: Storage of Tools and Trash** and refer to the SCA Board of Directors requesting to take legal action and uphold all fines regarding **398 Smokey Drive, (Tract 202 Block 011 Lot 062) 1.440 acres.** **FOR POSSIBLE ACTION**

Secretary Duncan stated that this property has been in violation since June 2021. The property owner was not present.

Attorney Katie McConnell stated that this property was sold on contract with the homeowner and sale had not yet been recorded. New property owner will Demo and make needed repairs.

No Public Comment

No Action Taken

- E.3 Review, discussion, and possible action regarding **COA R&R's: Exterior Condition of Structures** and refer to the SCA Board of Directors requesting to take legal action and uphold all fines regarding **513 Cessna Drive, (Tract 202 Block 002 Lot 002) 1.760 acres.** **FOR POSSIBLE ACTION**

Secretary Duncan stated that this property has been in violation since March 2024, and last contact with the property owner was September 2024.

Property Owner, Justin Mowry, said that this is a rental property that he purchased in October 2023. The property was in disrepair and out of compliance. He is almost done tearing down the fence and will repair the shed. Requesting to have until Spring 2025 to make needed repairs.

Discussion- concerns about going out too long as the winter would cause the need for more repairs.

No Public Comment

Member Kimbrell moved/Member Czegledi seconded to table violations at 513 Cessna Drive, (Tract 202 Block 002 Lot 002), and bring back to the December COA meeting if not in compliance. Motion carried 5-0.

- E.4 Review, discussion, and possible action regarding **COA R&R's: Exterior Condition of Structures** and refer to the SCA Board of Directors requesting to take legal action and uphold all fines regarding **558 Tiffany Drive, (Tract 202 Block 025 Lot 038) 1.010 acres.**
FOR POSSIBLE ACTION

Chair Martindale moved/Member Czegledi seconded to move the consent agenda forward and refer the COA Violation numbers E1 and E4 to the SCA Board of Directors to take legal action. Motion Carried (5-0).

F. NEW BUSINESS

- F.1 Review, discussion, and possible action to approve a conditional use permit for an Airbnb at **278 Country Club Parkway, (Tract 106C Block 001 Lot 003) 0.570 acres.**
FOR POSSIBLE ACTION

Secretary Duncan stated the property owner is requesting approval for a conditional use permit for an Airbnb.

The Property Manager, Dea Mitton, said Dawn Mitton owns the property and she has been managing the property for two years. She rents the units to family visiting, travel nurses and Ruby Mtn visitors. There are more events in Spring Creek now with no options for accommodations. She would like to Airbnb two units and have long term renters in the other two units of the fourplex. As the manager she is constantly at the property and personally maintains the property. She would like to ask for reconsideration of the short-term rental rule.

The Property Owner, Dawn Mitton said having a property manager keeps turnover down and as a landlord Airbnb is a good way to go. Multiple friends in the area ask to have their families stay there.

George Pierce said when his granddaughter got married Airbnb made it nice to have a close place for family members to stay.

Comments read into minutes by Chair Martindale will become a permanent part of the record.

Attorney McConnell provided clarification of the short-term rental rule. The R-2 zoning of the property allows for the use of Airbnb's with a conditional use permit and fits within the rule.

No Public Comment

Member Czegledi moved/Chair Martindale seconded to approve a conditional use permit at 278 Country Club Parkway, (Tract 106C Block 001 Lot 003). Motion carried 5-0.

- F.2 Review, discussion, and possible action to approve variance for the shops peak to be at 24'4" instead of 20' at **706 Eastlake Drive, (Tract 401 Block 017 Lot 039) 2.330 acres.**
FOR POSSIBLE ACTION

Secretary Duncan stated the property owner is requesting approval for a variance for the shops peak to be at 24'4" instead of 20'.

The Property Owner, Dave Mackley, said he wants to build a shop with 14' doors with a 4:12 pitch to match the house peak as required in the SCA rules. The Builder said there was no other way to do it with the 14' doors so that they can open correctly. There are multiple shops built in the area with this height and pitch. He also feels the snow load will not shed with a lower pitch.

Discussion- We need to cover all bases when approving new buildings. Have the property owner discuss changing the plans with the builder and bring back to November COA if not at the 20'.

Attorney McConnell stated that 4' taller is substantially taller than what is allowed and according to rules the pitch does not have to match. Have you asked your builder to accommodate the 20' peak? Variances have strict guidelines, and we have to look at whether this is a necessity or a want.

No Public Comment

No Action Taken

- F.3 Review, discussion, and possible action to consider increasing the COA fine structure.
FOR POSSIBLE ACTION

Secretary Duncan stated that we are requesting to consider increasing the COA fine structure to cover all costs.

Discussion- All association members pay dues and it's not fair that members that are complying must take on the extra costs for the members that are not in compliance.

Attorney McConnell stated that property owners who communicate don't get fines, and the fines were enacted to motivate people to comply.

Chair Martindale moved/Member Kimbrell seconded to approve increasing the COA fine structure to \$300.00 for each violation and \$50.00 month not to exceed \$1000.00 total for all violations. Motion carried 5-0.

G. Violations- Consent Agenda

Items may be taken individually for consideration or may be taken as a group by the Board of Directors.
FOR POSSIBLE ACTION

- G.1 Review, discussion, and possible action regarding **COA R&R's: Exterior Condition of Structures** and refer to the SCA Board of Directors requesting to take legal action and

uphold all fines regarding **53 Arroyo Vista Drive, (Tract 301 Block 007 Lot 016)**
7.650 acres. ***FOR POSSIBLE ACTION***

- G.2 Review, discussion, and possible action regarding **COA R&R's: Exterior Condition of Structures** and refer to the SCA Board of Directors requesting to take legal action and uphold all fines regarding **228 Ashford Drive, (Tract 109 Block 004 Lot 003) 4.332 acres.** ***FOR POSSIBLE ACTION***

Secretary Duncan stated that the property has been in violation since November 2023, last contact with the property owner was October 2024.

The Property Owner, Scott Graham, said he has been cleaning and remodeling the property. His insurance company is requiring him to replace the roof. He has the material, and is replacing the fascia, roof and painting the house.

No Public Comment:

Member Czegledi moved/Member Kimbrell seconded to table violations at 228 Ashford Drive, (Tract 109 Block 004 Lot 003), and bring back to the December COA meeting if not in compliance. Motion carried 5-0.

- G.3 Review, discussion, and possible action regarding **COA R&R's: Accessory/Auxiliary Placement/Setbacks** and refer to the SCA Board of Directors requesting to take legal action and uphold all fines regarding **250 Northglen Drive, (Tract 106B Block 004 Lot 007) 1.000 acres.** ***FOR POSSIBLE ACTION***

Secretary Duncan stated that this property has been in violation since June 2023, and staff has had recent contact with the property owner.

The Property Owner, Leroy Gowin, said that he talked to his neighbors before putting the shed where it is currently placed, and they had no issues. He lives on the golf course; he doesn't want it in the back yard getting hit by golf balls.

Discussion-The shed was not permitted as required in the rules. Suggests finding another place to put the shed and get with the county to permit as well.

Attorney McConnell stated that it was not permitted, and it does not fit within the rules.

No Public Comment

Chair Martindale moved/Member Czegledi seconded to table violations at 250 Northglen Drive, (Tract 106B Block 004 Lot 007), and bring back to the November COA if not in compliance. Motion carried 5-0.

- G.4 Review, discussion, and possible action regarding **COA R&R's: Exterior Condition of Structures** and refer to the SCA Board of Directors requesting to take legal action and uphold all fines regarding **268 Ashford Lane, (Tract 109 Block 008 Lot 032) 2.100 acres.** ***FOR POSSIBLE ACTION***

- G.5 Review, discussion, and possible action regarding **COA R&R's Excessive Brush/Weeds or Dead Trees/Shrubs** and refer to the SCA Board of Directors requesting to take legal action and uphold all fines regarding **306 Trescartes Avenue, (Tract 201 Block 011 Lot 001) 1.610 acres.** ***FOR POSSIBLE ACTION***

G.6 Review, discussion, and possible action regarding **COA R&R's: Exterior Condition of Structures** and refer to the SCA Board of Directors requesting to take legal action and uphold all fines regarding **308 Kimble Drive, (Tract 202 Block 015 Lot 006) 1.030 acres.**
FOR POSSIBLE ACTION

G.7 Review, discussion, and possible action regarding **COA R&R's Excessive Brush/Weeds or Dead Trees/Shrubs** and refer to the SCA Board of Directors requesting to take legal action and uphold all fines regarding **319 Logan Drive, (Tract 202 Block 007 Lot 012) 2.090 acres.**
FOR POSSIBLE ACTION

G.8 Review, discussion, and possible action regarding **COA R&R's: Exterior Condition of Structures** and refer to the SCA Board of Directors requesting to take legal action and uphold all fines regarding **361 Blakeland Drive, (Tract 103 Block 003 Lot 028) 1.454 acres.**
FOR POSSIBLE ACTION

Secretary Duncan stated that this property has been in violation since March 2024 and last contact with the property owner was October 2024. The property owner was not present.

No Public Comment

No Action Taken

G.9 Review, discussion, and possible action regarding **COA R&R's: Exterior Condition of Structures, SCA DOR's: Unsightly: Storage of Tools and Trash** and refer to the SCA Board of Directors requesting to take legal action and uphold all fines regarding **392 Berry Creek Drive, (Tract 201 Block 010 Lot 009) 1.010 acres.**
FOR POSSIBLE ACTION

Secretary Duncan stated that this property has been in violation since May 2023, and staff has had recent contact with the property owner.

The Property Owner, Charles Bridges, said he is working on replacing windows and siding on the house. He hired a handyman to help clean up the property but, did not finish the job. He has a new contractor coming out and wants to get them fixed up and sold.

Discussion- Do you have a timeline for the contractor? Suggests coming back to the November COA to show progress made and having a plan moving forward.

Attorney McConnell suggested due to the weather changing we need a timeline as this property has been out of compliance since May 2023.

No Public Comment

No Action Taken

G.10 Review, discussion, and possible action regarding **COA R&R's: Exterior Condition of Structures** and refer to the SCA Board of Directors requesting to take legal action and uphold all fines regarding **393 Berry Creek Drive, (Tract 201 Block 009 Lot 024) 1.040 acres.**
FOR POSSIBLE ACTION

Secretary Duncan stated that this property has been in violation since June 2023, and staff has had recent contact with the property owner.

The Property Owner, Charles Bridges, said he is working on replacing windows and siding on the house. He hired a handyman to help clean up the property but, did not finish the job. He has a new contractor coming out and wants to get them fixed up and sold.

Discussion- Do you have a timeline for the contractor? Suggests coming back to the November COA to show progress made and having a plan moving forward.

Attorney McConnell suggested due to the weather changing we need a timeline as this property has been out of compliance since June 2023.

No Public Comment

No Action Taken

- G.11 Review, discussion, and possible action regarding **COA R&R's Excessive Brush/Weeds or Dead Trees/Shrubs** and refer to the SCA Board of Directors requesting to take legal action and uphold all fines regarding **393 Parkchester Drive, (Tract 106A Block 004 Lot 011) 0.450 acres.** **FOR POSSIBLE ACTION**

Secretary Duncan stated that this property has been in violation since June 2024, and last contact with the property owner was June 2024.

The Property Owner, Nicholas Lewis, said he did not realize the fairway easement on the golf course was his responsibility.

Discussion- The fairway easement is still up to the property owner to maintain you just can't landscape it.

No Public Comment

No Action Taken

- G.12 Review, discussion, and possible action regarding **COA R&R's Excessive Brush/Weeds or Dead Trees/Shrubs** and refer to the SCA Board of Directors requesting to take legal action and uphold all fines regarding **489 Cessna Drive, (Tract 202 Block 002 Lot 004) 1.310 acres.** **FOR POSSIBLE ACTION**

Secretary Duncan stated that this property has been in violation since June 2024, staff has had recent contact with the property owner and is requesting more time. The property owner was not present.

No Public Comment

No Action Taken

- G.13 Review, discussion, and possible action regarding **COA R&R's: Inoperative, Unregistered, Unlicensed Vehicles, Materials and Practices Not Allowed: COA R&R: Vehicle Repair/Major Maintenance** and refer to the SCA Board of Directors

requesting to take legal action and uphold all fines regarding **495 Shadybrook Drive, (Tract 304 Block 006 Lot 017) 1.030 acres.** **FOR POSSIBLE ACTION**

Secretary Duncan stated that this property has been in violation since June 2024, staff has had recent contact with the property owner and is requesting more time. The property owner was not present.

No Public Comment

No Action Taken

- G.14 Review, discussion, and possible action regarding **COA R&R's: Exterior Condition of Structures** and refer to the SCA Board of Directors requesting to take legal action and uphold all fines regarding **507 Shadybrook Drive, (Tract 304 Block 006 Lot 020) 1.340 acres.** **FOR POSSIBLE ACTION**

- G.15 Review, discussion, and possible action regarding **COA R&R's Excessive Brush/Weeds or Dead Trees/Shrubs** and refer to the SCA Board of Directors requesting to take legal action and uphold all fines regarding **532 Lynx Drive, (Tract 202 Block 019 Lot 014) 1.020 acres.** **FOR POSSIBLE ACTION**

- G.16 Review, discussion, and possible action regarding **COA R&R's Excessive Brush/Weeds or Dead Trees/Shrubs** and refer to the SCA Board of Directors requesting to take legal action and uphold all fines regarding **624 Holiday Drive, (Tract 202 Block 003 Lot 009) 1.110 acres.** **FOR POSSIBLE ACTION**

Secretary Duncan stated that this property has been in violation since July 2024, staff has had recent contact with the property owner and is requesting more time. The property owner was not present.

No Public Comment

NO Action Taken

- G.17 Review, discussion, and possible action regarding **COA R&R's Excessive Brush/Weeds or Dead Trees/Shrubs** and refer to the SCA Board of Directors requesting to take legal action and uphold all fines regarding **627 Spring Valley Parkway, (Tract 202 Block 003 Lot 074) 1.050 acres.** **FOR POSSIBLE ACTION**

- G.18 Review, discussion, and possible action regarding **COA R&R's Excessive Brush/Weeds or Dead Trees/Shrubs** and refer to the SCA Board of Directors requesting to take legal action and uphold all fines regarding **635 Aesop Drive, (Tract 401 Block 017 Lot 002) 2.530 acres.** **FOR POSSIBLE ACTION**

- G.19 Review, discussion, and possible action regarding **COA R&R's Excessive Brush/Weeds or Dead Trees/Shrubs** and refer to the SCA Board of Directors requesting to take legal action and uphold all fines regarding **647 Hayland Drive, (Tract 202 Block 009 Lot 032) 1.200 acres.** **FOR POSSIBLE ACTION**

Secretary Duncan stated that this property has been in violation since June 2024, staff has had recent contact with the property owner, and they are requesting more time. The property owner was not present.

No Public Comment

No Action Taken

- G.20 Review, discussion, and possible action regarding **COA R&R's: Exterior Condition of Structures, COA R&R's Excessive Brush/Weeds or Dead Trees/Shrubs** and refer to the SCA Board of Directors requesting to take legal action and uphold all fines regarding **680 Hayland Drive, (Tract 202 Block 010 Lot 053) 1.030 acres.**

FOR POSSIBLE ACTION

- G.21 Review, discussion, and possible action regarding **COA R&R's: Exterior Condition of Structures** and refer to the SCA Board of Directors requesting to take legal action and uphold all fines regarding **688 Spring Valley Parkway, (Tract 202 Block 009 Lot 066) 1.030 acres.**

FOR POSSIBLE ACTION

Secretary Duncan stated that this property has been in violation since April 2024, staff has had recent contact with the property owner and is requesting more time. The property owner was not present.

No Public Comment

Member Liebelt moved/Member Vavricks seconded to table violations at 688 Spring Valley Parkway, (Tract 202 Block 009 Lot 066), and bring back to the April COA Meeting if not in compliance. Motion carried 5-0.

- G.22 Review, discussion, and possible action regarding **COA R&R's Excessive Brush/Weeds or Dead Trees/Shrubs** and refer to the SCA Board of Directors requesting to take legal action and uphold all fines regarding **719 Holiday Drive, (Tract 202 Block 001 Lot 019) 1.250 acres.**

FOR POSSIBLE ACTION

Secretary Duncan stated that this property has been in violation since June 2024, staff has had recent contact with the property owner and requesting more time. The property owner was not present.

No Public Comment

No Action Taken

- G.23 Review, discussion, and possible action regarding **COA R&R's Excessive Brush/Weeds or Dead Trees/Shrubs** and refer to the SCA Board of Directors requesting to take legal action and uphold all fines regarding **732 Holiday Drive, (Tract 202 Block 003 Lot 026) 1.070 acres.**

FOR POSSIBLE ACTION

- G.24 Review, discussion, and possible action regarding **COA R&R's: Excessive Brush/Weeds or Dead Trees/Shrubs** and refer to the SCA Board of Directors requesting to take legal action and uphold all fines regarding **755 Holiday Drive, (Tract 202 Block 001 Lot 025) 1.300 acres.**

FOR POSSIBLE ACTION

- G.25 Review, discussion, and possible action regarding **COA R&R's: Exterior Condition of Structures** and refer to the SCA Board of Directors requesting to take legal action and uphold all fines regarding **773 Spring Valley Parkway, (Tract 202 Block 004 Lot 013) 2.020 acres.**

FOR POSSIBLE ACTION

- G.26 Review, discussion, and possible action regarding **COA R&R's: Excessive Brush/Weeds or Dead Trees/Shrubs** and refer to the SCA Board of Directors requesting to take legal action and uphold all fines regarding **786 Holiday Drive, (Tract 202 Block 003 Lot 035) 1.030 acres.** **FOR POSSIBLE ACTION**

Chair Martindale moved/Member Czegledi seconded to move the consent agenda forward and refer the COA Violation numbers G1, G4 through G7, G14 through G15, G17 through G18, G20 and G23 through G26 to the SCA Board of Directors to take legal action. Motion Carried (5-0).

H. LEGAL REPORT

Review and discussion regarding the monthly update on property violations turned over to McConnell Law per SCA Board approval. **NON-ACTION ITEM**

Attorney McConnell provided a verbal update on the properties currently in legal status.

I. REVIEW AND APPROVAL OF MINUTES

Approval of minutes from the September 9, 2024 Regular meeting.

FOR POSSIBLE ACTION

No public comment was received.

Member Czegledi moved/Member Liebelt seconded to approve the minutes from the August 12, 2024, Regular Meeting. Motion carried 5-0.

J. REPORTS

J.1 Approval of the Committee of Architecture Revenue Report for September 2024.

FOR POSSIBLE ACTION

J.2 Approval of the Committee of Architecture Occupancy Report for September 2024.

FOR POSSIBLE ACTION

J.3 Approval of the Committee of Architecture Violation Report for September 2024.

FOR POSSIBLE ACTION

Secretary Duncan provided a general update on permits and violation reviews.

No public comment was received.

Member Czegledi moved/Member Kimbrell seconded to accept the reports in the binder for September 2024. Motion carried 5-0.

K. PUBLIC COMMENT

Pursuant to NRS 241 this time is devoted to comments by the public, if any, and discussion of those comments. No action may be taken on a matter raised under this item of the agenda until the matter itself has been included specifically on an agenda as an item upon which action will be taken. **NON-ACTION ITEM**

No public comment was received.

L. NEXT REGULAR MEETING

The next regular meeting of the Committee of Architecture Scheduled for Monday, November 11, 2024, was moved to Monday, November 18, 2024, due to the Veteran's Day Holiday.

FOR POSSIBLE ACTION

Chair Martindale moved/Member Czegledi seconded to approve moving the Monday, November 11, 2024, meeting to Monday, November 18, 2024. Motion carried 5-0.

M. ADJOURN MEETING

FOR POSSIBLE ACTION

Chair Martindale adjourned the meeting at 7:51 p.m.