



SPRING CREEK ASSOCIATION COMMITTEE OF ARCHITECTURE REGULAR MEETING MINUTES

5:30 P.M., P.S.T., Monday, January 10, 2022
401 Fairway Blvd, Spring Creek, NV 89815
Zoom Access Available

NOTICE:

- **Items may be taken out of order.**
- **Two or more items may be combined.**
- **Items may be removed from agenda or delayed at any time.**
- **Restrictions regarding Public Comment:** Pursuant to N.R.S 241.020(c) (3), this time is devoted to comments by the 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 Committee of Architecture 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.

A. CALL TO ORDER: Meeting was called to order Monday, January 10, 2022, at 5:30pm. Zoom information was provided for individuals to call into the meeting. Kevin Martindale, acting Chairperson discussed some “housekeeping items” to the attention of those present.

B. ROLL CALL

Bonnie Bawcom – Member - Present
Nick Czegledi – Member - Present
Kelly DiLulo – Member - Present
Kevin Martindale – Acting Chairperson – Present
Elex Vavrick – Member – Present

STAFF PRESENT: SCA Vice President Kerr, SCA Treasurer Austin-Preston

CORPORATE ATTORNEY: Katie McConnell present via telephone.

C. PLEDGE OF ALLEGIANCE

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 Comments by the general public at this time.

E. OLD BUSINESS

E.1 Review, discussion, and possible action to approve a **Home Occupation Permit Application to build and assemble custom guns and ammo at 347 Thoroughbred Drive, (Tract 103, Block 008, Lot 010) – 1.20 acres.**

FOR POSSIBLE ACTION

VP Kerr explained this item was tabled at the last meeting, Dec. 13, 2021, due to the property owner was not present at the last meeting. She explained the request for the Home Occupation Permit. Mr. Mock was on the phone. Statement was made by Mr. Mock, to request his permit for business at home. Would like approval in order to get his FFL Chair Martindale requested clarification on the location of the business within the home. Mr. Mock confirmed the location was inside the home.

Chair Martindale opened up discussion with COA members. Member Vavrick requested information on parking. Mr. Mock confirmed business would be by appointment only.

No Public Comment

Member Czegledi moved to approve the Home Occupation Permit Application to build and assemble custom guns and ammo at 347 Thoroughbred Drive, (Tract 103, Block 008, Lot 010). Seconded by Vice Chair Vavrick. Motion carried 5-0.

E.2 Discussion, consideration, and possible action to approve the **SECOND reading of COA Rule and Regulation #5: Accessory/Auxiliary Placement/Setbacks/Number of;** which changes
Part A by allowing requests by property owners for a deviation from this rule and the COA will decide if a variance is required,
Part B by eliminating the verbiage for setback of 15 feet from other structures on the property, and
Part C will become Part B.

Current Rule:

COA Rule and Regulation #5: Accessory/Auxiliary Placement/Setbacks/Number of:
PART A: No accessory/auxiliary structures are allowed in front of the house and accessory/auxiliary placement must adhere to property line setback requirements unless a variance is requested and approved by the COA.

PART B: Accessory/Auxiliary structures must have a setback of 15 feet from other structures on the property.

PART C: The number of accessory/auxiliary buildings can be limited by COA based on factors such as: plot/topographic map detail, acreage available, number of existing structures on property, livestock, pictures, or other limiting factors. 6.12.18

Proposed Rule:

COA Rule and Regulation #5: Accessory/Auxiliary Placement/Setbacks/Number of:

PART A: No accessory/auxiliary structures are allowed in front of the house and accessory/auxiliary placement must adhere to property line setback requirements. ~~Unless a variance is requested and approved by the COA. Any deviation from this rule may be presented before the COA for consideration. Upon review the COA may require the property owner to apply for a Variance.~~

~~**PART B:** Accessory/Auxiliary structures must have a setback of 15 feet from other structures on the property.~~

~~**PART C:**~~ The number of accessory/auxiliary buildings can be limited by COA based on factors such as: plot/topographic map detail, acreage available, number of existing structures on property, livestock, pictures, or other limiting factors. 6.12.18

FOR POSSIBLE ACTION

VP Kerr outlined this is a second a reading, identified the changes and presented the option the COA could take regarding the rule.

Chair Martindale opened up the discussion. He explained past situations regarding placement. Sec/Treasure Austin-Preston explained property owners can come to the COA with a variance. Member Czegledi discussed treating everyone the same. Requested information from Legal Counsel. Ms. McConnell discussed variances and the way they are applied. Her recommendations were to have the committee provide any changes they might like to see, and we can bring it back to next month as a first reading if that is the desire of this COA. The COA can also not accept the second reading, and when they so choose to bring it back at a later date for a first reading.

It was clarified that the new reading would promote more variances to come before the COA. Member Czegledi expressed the current rule allows for neighbors have a voice, which is a good thing. The new rule eliminates this opportunity.

Member Czegledi moved to reject the second reading as presented. Seconded by Member Bawcom. Motion carried 5-0.

F. NEW BUSINESS

F.1 ORGANIZATION OF COMMITTEE

- a. Discussion and consideration of the organization of the Committee of Architecture, Nominations, and consideration of appointment for 2022 COA Chair and COA Vice-Chair.

FOR POSSIBLE ACTION

VP Kerr introduced the new members for the COA Committee: Bonnie Bawcom, Nick Czegledi, Kelly DiLulo. Ms. Kerr explained the past Chair and Vice Chair were not re-appointed, thus staff requested that Member Kevin Martindale preside as acting Chairperson until nominations and voting of new Chairperson and Vice Chairperson were completed. Staff requested the new business for the organization of the committee be addressed first.

Acting Chairperson Martindale, opened the floor for nominations. Member Czegledi nominated Member Kevin Martindale as chair, Member Bacom seconded. No further nominations were made. Nominations were closed. A vote was called for Member Kevin Martindale to be Chairperson. Vote to approve Member Kevin Martindale passed: 5-0

Chairperson Martindale opened the floor for nominations for Vice Chairperson. Chair Martindale nominated Elex Vavrick as Vice Chairperson, seconded by Member DiLulo. Chair Martindale called for any other nominations; none were presented. Nominations were closed. Vote to approve Elex Vavrick as Vice Chairperson carried 5-0.

- b. Receipt and discussion regarding the Committee of Architecture Member Policies and Procedures Manual.

NON-ACTION ITEM

VP Kerr asked the COA members take receipt of the manual to review. The document shows legal and staff's suggested changes. Staff asked the members to submit their suggestions and changes by January 21, 2022. This item will be brought back at the February 14, 2022, meeting.

- F.2 Review, discussion, and consideration to increase the rate charged for initial Livestock Permit Application and Annual-Renewal Livestock Permit and matters related thereto.

FOR POSSIBLE ACTION

VP Kerr explained the application and the current rates. Due to increases in costs, staff requested to increase the initial fee from \$30 to \$40 and the renewal rate from \$10 to \$20. This is per application.

Chairmen Martindale opened for discussion. Discussion took place regarding the process of initial and renewal application.

No Public Comment.

Motion made by Vice Chair Vavrick to approve the increase the rate charged for initial Livestock Permit from \$30 to \$40 and the renewal of the Livestock Permit from \$10 to \$20. Seconded by Chairperson Martindale. Motion carried 5-0.

- F.3 Review, discussion, and consideration to increase the rate charged for a fence permit application and matters related thereto.

FOR POSSIBLE ACTION

VP Kerr explained the application and the current rates. Due to increases in costs, staff requested to increase the initial fee from \$35 to \$40.

Chairmen Martindale opened for discussion. Member DiLulo discussed raising the rate to \$45.

No Public Comment

Chairman Martindale moved to increase the rate charged for a Fence Permit from \$35 to \$45. Seconded by Member DiLulo. Motion carried 5-0.

F.4 Review, discussion, and consideration to increase the rates charged for an Accessory/Auxiliary Building Permit Application and matters related there to.

FOR POSSIBLE ACTION

VP Kerr explained the application and the current rates based on square footage. Staff recommend keeping the scale structure but raising the rate by \$25. Current rates are:

- Up to 200 sq. ft. = \$50 raise to \$75.**
- 200 sq ft. to 400 sq. ft. = \$100 raise to \$125**
- 400 sq. ft. = \$200 raise to \$225.**

Member DiLulo made the motion to increase the rates charged for an Accessory/Auxiliary Building Permit application by \$25 for each of the scales presented. Seconded by Member Czegledi. Motion carried 5-0.

G. VIOLATIONS

G.1. Review, discussion, and possible action regarding COA Rules and Regulations, Item #25: Nuisance and COA Rules & Regulations, Item #32: Explicit use of OHVs, ATVs, and/or Motorcycles for Recreational Purposes within the Spring Creek Association specific to Homeowners and refer to the SCA Board of Directors requesting to take legal action and uphold all fines regarding **762 Buckskin Lane, (Tract 403, Block 018, Lot 027).**

FOR POSSIBLE ACTION

VP Kerr discussed the violation(s) and the various nuisance complaints. Mr. Ryan Gillum was present and explained he has fixed the tracks in the yard. He provided pictures of the tracks are cleared up. Mr. Gillum explained they ride in the BLM and do not ride in the yard or the Horse Palace property. Discussed his neighbor are a nuisance as well.

Chairperson Martindale called for Committee Discussion. Member Czegledi explained he had viewed the property, did not see the any further tracks. Member Vavrck asked who was riding at the home. Mr. Gillum explained the kids were riding at first. They have since quit. Member Vavrck explained the new rule #32 as to why this rule as created. Member Vavrck explained the process of filing nuisances.

Legal Counsel McConnell explained various options for the COA could take due to lack of evidence; dismissal or take no action. VP Kerr explained the nuisance was regarding the dust. Mr. Gillum had mitigated the track issues.

Member DiLulo moved to dismiss the nuisance and COA Rules and Regulations , Item #25: Nuisance and COA Rules & Regulations, Item #32: Explicit use of OHVs, ATVs, and/or Motorcycles for Recreational Purposes within the Spring Creek Association specific to Homeowners and refer to the SCA Board of Directors requesting to take legal action and

uphold all fines regarding 762 Buckskin Lane, (Tract 403, Block 018, Lot 027). Second by Member Czegledi. Motion carried 5-0.

- G.2. Review, discussion, and possible action regarding COA Rules and Regulations, Item #12: Inoperative/Unregistered/Unlicensed Vehicles, and refer to the SCA Board of Directors requesting to take legal action and uphold all fines regarding **530 Brent Drive, (Tract 202, Block 020, Lot 009).**

FOR POSSIBLE ACTION

VP Kerr explained the background information, including receipt of the vehicle registration dated January 10, 2022. Staff recommend that property is now in compliance.

No Public Comment

Member Czegledi moved to dismiss the following COA Rules and Regulations, Item #12: Inoperative/Unregistered/Unlicensed Vehicles, and refer to the SCA Board of Directors requesting to take legal action and uphold all fines regarding 530 Brent Drive, (Tract 202, Block 020, Lot 009). Seconded by Member DiLulo. Motion carried 5-0.

- G.3 Review, discussion, and possible action regarding COA Rules and Regulations, Item #12: Inoperative/Unregistered/Unlicensed Vehicles and SCA/DOR Item #15: Storage of Tools and Trash and refer to the SCA Board of Directors requesting to take legal action and uphold all fines regarding **459 Lawndale Drive, (Tract 103, Block 006, Lot 100).**

FOR POSSIBLE ACTION

VP Kerr explained the background information including the narratives. Have not heard from the property owner since November 12, 2022. Property owner was not present. Opened up for Committee discussion. Property owner was notified they would be on the January 10, 2022, agenda.

No Public Comment

Member DiLulo made a motion to take action regarding COA Rules and Regulations, Item #12: Inoperative/Unregistered/Unlicensed Vehicles and SCA/DOR Item #15: Storage of Tools and Trash and refer to the SCA Board of Directors requesting to take legal action and uphold all fines regarding 459 Lawndale Drive, (Tract 103, Block 006, Lot 100). Seconded by Member Bawcom. Motion carried 5-0.

- G.4 Review, discussion, and possible action regarding COA Rules and Regulations, Item #12: Inoperative/Unregistered/Unlicensed Vehicles, and COA Rules and Regulations, Item #13: Exterior Condition of Structures, and SCA/DOR Item #15: Storage of Tools and Trash and refer to the SCA Board of Directors requesting to take legal action and uphold all fines regarding **520 Gypsum Drive, (Tract 202, Block 025, Lot 003).**

FOR POSSIBLE ACTION

VP Kerr explained the background information regarding this property. VP Kerr explained the letter process including the number days to correct the violation. Individual did contact on COA October 12, 2021. Extension provided to November 12, 2021. No contact from property owner by the November 12, 2021, deadline. Property owner not present.

Chairperson Martindale opened discussion for the Committee. Member Czegledi discussed viewing the property; it looked like he was starting to work. Member DiLulo pointed out there has been no communication. Vice Chair Vavrck discussed time frames and no responses.

No Public Comment

Chairman Martindale moved to take action regarding COA Rules and Regulations, Item #12: Inoperative/Unregistered/Unlicensed Vehicles, and COA Rules and Regulations, Item #13: Exterior Condition of Structures, and SCA/DOR Item #15: Storage of Tools and Trash and refer to the SCA Board of Directors requesting to take legal action and uphold all fines regarding 520 Gypsum Drive, (Tract 202, Block 025, Lot 003). Seconded by Vice Chairperson Vavrck. Motion carried 5-0.

G.5 Review, discussion, and possible action regarding COA Rules and Regulations, Item #16: Fences and Walls, SCA/DOR Item #15: Storage of Tools and Trash, COA Rules and Regulations, Item #19: Excessive Brush/Weeds or Dead Trees/shrubs, Noxious Weeds, SCA DORs Item #4: Building Exterior, and refer to the SCA Board of Directors requesting to take legal action and uphold all fines regarding **411 Brent Lane, (Tract 202, Block 029, Lot 039).**

FOR POSSIBLE ACTION

VP Kerr explained the background information. Property Owner was not present.

No Public Comment.

Member Czegledi moved to take action regarding COA Rules and Regulations, Item #16: Fences and Walls, SCA/DOR Item #15: Storage of Tools and Trash, COA Rules and Regulations, Item #19: Excessive Brush/Weeds or Dead Trees/shrubs, Noxious Weeds, SCA DORs Item #4: Building Exterior, and refer to the SCA Board of Directors requesting to take legal action and uphold all fines regarding 411 Brent Lane, (Tract 202, Block 029, Lot 039). Seconded Member DiLulo. Motion carried 5-0.

G.6 Review, discussion, and possible action regarding COA Rules and Regulations, Item #10: Right-of-Way Storage and Parking, SCA/DOR Item #15: Storage of Tools and Trash, COA Rules and Regulations Item #12: Inoperative/Unregistered/Unlicensed Vehicles and refer to the SCA Board of Directors requesting to take legal action and uphold all fines regarding **857 Black Oak Drive, (Tract 402, Block 004, Lot 007).**

FOR POSSIBLE ACTION

VP Kerr explained the background information associated with this property including parking an RV in the easement and an additional car. Karen & Jeremy Nicholson, property was present. Mr. Nicholson indicated most issues are taken care of. They do have one vehicle which is unregistered. Chair Martindale requested to have the property owners send in the registration. RV has been parked there since 2019. This location is a driveway. VP Kerr explained the there is a utility easement which runs 40' from the center of the road to their property line. Mr. Nicholson wanted to know if SCA was going to take care of the easement. VP Kerr explained that property owners are responsible for taking care of the easement in front of their property per the DORs. Mr. Nicholson explained they are building a shop and

there is no place to park the RV. Chair Martindale asked how long it would be to finish the building. Mr. Nicholson indicated this Spring. Member Vavrck asked about the other unlicensed vehicle. Mrs. Nicholson indicated they would take care of the tools once the shop was built. Member Vavrck discussed a period for completion. Member DiLulo asked for a specific period.

Motion made by Member DiLulo to give an extension to the property owners to come into compliance, clean things up. by April 01 2022 relating to COA Rules and Regulations, Item #10: Right-of-Way Storage and Parking, SCA/DOR Item #15: Storage of Tools and Trash, COA Rules and Regulations Item #12: Inoperative/Unregistered/Unlicensed Vehicles at 857 Black Oak Drive, (Tract 402, Block 004, Lot 007) including, sending in the registration for silver care, mitigate the tools and trash, stop parking in the Spring Creek right-of-way, and take care of the unlicensed vehicles. Second by Member Bawcom.
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

VP Kerr pointed out Legal Counsel prepares this report. Explained the color coding for the new COA members.

I. APPROVAL OF MINUTES

Approval of minutes from the December 13, 2021, regular meeting.

FOR POSSIBLE ACTION

Chairperson Martindale moved to approve the minutes from the December 13, 2021, minutes. Second by Member DiLulo. Motion carried 5-0.

J. REPORTS

J.1 Approval of the Committee of Architecture Revenue Report for December 2021.

FOR POSSIBLE ACTION

J.2 Approval of the Committee of Architecture Occupancy Report for December 2021.

FOR POSSIBLE ACTION

J.3 Approval of the Committee of Architecture Violation Report for December 2021.

FOR POSSIBLE ACTION

VP Kerr explained each of the reports, how they are tracked, and what is contained in each report.

Member Czegledi moved to accept all of the reports as presented. Seconded by Member Bawcom. 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

L. NEXT REGULAR MEETING

The next regular meeting of the Committee of Architecture is scheduled for Monday, February 14, 2022.

FOR POSSIBLE ACTION

M. ADJOURN MEETING: Meeting adjourned at 7:10 p.m.

FOR POSSIBLE ACTION