



# **SPRING CREEK ASSOCIATION COMMITTEE OF ARCHITECTURE REGULAR MEETING MINUTES**

**5:30 P.M., P.S.T., Monday, December 13, 2021  
401 Fairway Blvd, Spring Creek, NV 89815**

## **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, December 13, 2021, at 5:30pm. Zoom information was provided for individuals to call into the meeting.

## **B. ROLL CALL**

**Jill Holland** – Chairperson - Present  
**Cassandra Banuelos**- Vice Chairperson - Present  
**Stefanie Sisk** – Member - Absent  
**Kevin Martindale** – Member - Present  
**Elex Vavrick** – Member – Present

**STAFF PRESENT:** SCA Vice President Kerr, SCA Treasurer Austin-Preston via telephone, Staff member Meza.

**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

Chair Holland called for comments by the general public. VP Kerr thanked and acknowledged the services of Chair Holland, Vice Chair Banuelos, and Member Sisk for the years of service on the COA. Plaques were presented to Chair Holland and VP Banuelos; member Sisk was not present.

No other public comment.

## E. OLD BUSINESS

- E.1 Review, discussion, and possible action to approve a **Livestock Permit** for two (2) goats at **640 Westby Drive, (Tract 202, Block 012, Lot 028) – 1.480 acres.**

*FOR POSSIBLE ACTION*

VP Kerr noted item was on the November 2021 agenda. VP pointed out item had been tabled due to lack of plot map. Chair Holland asked if property owner was available. Property owner was not available.

No Public Comment.

Motion by Member Martindale to approve a livestock permit for two (2) goats at 640 Westby Drive, (Tract 202, Block 012, Lot 028). Seconded by Member Banuelos. Motion carried 4-0.

- E.2 Review, discussion, and possible action to approve a **Home Occupation Permit** for a **HOME SALON at 503 Lawndale Place (Tract 103, Block 006, Lot 092) – 1.410 acres.**

*FOR POSSIBLE ACTION*

VP Kerr noted item was on the November 2020 agenda. PV pointed out item had been tabled due to applicant was not able to attend, staff directed to contact applicant. Applicant was notified of December agenda item. Applicant confirmed would be at the December meeting.

Application was at meeting. Niki Taylor. Discussion took place regarding location and parking. Applicant explained parking. Ms. Tayler asked about the sign. Chair Holland explained about picking up the application for a permit.

No Public Comment

Motion by Member Banuelos to approve the home occupation permit for a home salon at 503 Lawndale Place (Tract 103, Block 006, Lot 092). Seconded by Member Vavrick. Motion carried 4-0.

- E.3 Discussion, consideration and possible action to approve the first 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 fifteen (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 fifteen (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 fifteen (15) feet from other structures on the property.~~

**PART C B:** 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 explained the changes requested from past meeting discussions. VP Kerr read the Proposed Rule changes noted above into the record. VP Kerr explained this is a first reading. Chair Holland asked if there were any questions or comments. Member Banuelos had a question regarding the definitions. VP Kerr explained the definitions are consistent with Elko County's definitions for "Auxiliary" and "Accessory."

Member Varick discussed having consistency throughout documents.

No Public Comment

Motion made by Chair Holland approve the first reading of the proposed rule as presented above "Proposed Rule." Seconded by Member Martindale. Motion carried by 4-0.

## F. NEW BUSINESS

- F.1 Review, discussion, and possible action to approve a **Livestock Permit** for five (5) goats, and two (2) pigs at **359 Royal Oak Cir, (Tract 402, Block 003, Lot 022) – 1.40 acres.**

### *FOR POSSIBLE ACTION*

VP Kerr explained application and the provided plot map and photos. Applicant was present. Member Vavrlick questioned the setbacks for the building. The applicant indicated they do meet the setback requirements.

No Public Comment

Motion made by Member Banuelos to approve a livestock permit for five (5) goats and two (2) pigs at Tract 402, Block 003, Lot 022). Seconded by Chair Holland. Motion carried 4-0.

- F.2 Review, discussion, and possible action to approve a **Home Occupation Sign Permit** for Karen Wallek Message Therapy at **222 Lyndhurst Lane, (Tract 101, Block 008, Lot 009) - 1.780 acres.**

### *FOR POSSIBLE ACTION*

VP Kerr explained the application. Applicant was present. Member Vavrlick comment the on the sign size. The photos show the sign size. Comments from COA members liking the sign.

No Public Comment

Motion made by Member Martindale to approve the Home Occupation Sign Permit for Karen Wallek Message Therapy at 222 Lyndhurst Lane, (Tract 101, Block 008, Lot 009. Seconded by Member Vavrlick. Motion carried 4-0.

- F.3 Review, discussion, and possible action to approve a **Home Occupation Permit Application** for a **Pet Cremation Services** by **River Clare's Pet Cremation Service** located at **556 Palace Parkway, (Tract 401, Block 005, Lot 007) – 2.850 acres.**

### *FOR POSSIBLE ACTION*

VP explained applicant had provided documentation on the services and equipment used for a cremation services operation. Property is owned by Carla Wilson. VP Kerr read into the record NRS 452.675 Restriction on operation of crematory; provided by legal counsel. Recommended action to deny the application, as it does not meet the home occupation definitions and requirements.

Applicant was present Amanda Nolen. Ms. Nolen described the business including discussing it with Elko County and the County did not have a problem with it including changing the zoning. Chair Holland requested clarification of the zoning of her lot as AR. Lot is zoned AR. VP Kerr explained in discussion with Elko County, Corey Rice, the County does not have any regulations regarding this situation but is up to the COA to verify how it would be resolved based on current zoning and our definitions. Legal counsel was consulted regarding commercial vs current zoning. ( Member ... inaudible) Counsel McConnell: discussed the statutes. This NRS is specific to pets. She explained what the DOR's allow based on AR zoning. Crematory/crematorium is not listed in the conditional uses. Member Vavrlick discussed a Home Occupation being confined to the home. Discussion took place regarding,

the occupation being inside the house. Additionally, discussion took place around other property owners home occupations not being in the house.

VP Kerr discussed a commercial business cannot be placed on an AR zoned lot. Kerr discussed the process for zone changes and included “Home Occupation” vs “Commercial Business.” Counsel McConnell addressed “Spot Zoning” and permitted and/or conditional uses.

Public Comment: Sean (Last Name not provide) (Did not sign in) commented 90% is in the home 10% outside of the home, would the COA consider that. Chair Holland explained SCA does not have this particular use identified in with the AR zone.

Motion made by Member Martindale to deny the Home Occupation Permit Application for a Pet Cremation Services by River Clare’s Pet Cremation Service located at 556 Palace Parkway, (Tract 401, Block 005, Lot 007). Seconded by Member Vavrick. Motion carried 4-0

- F.4 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 application. Chair Holland discussed regarding selling guns. VP Kerr pointed out the application only indicated build and assemble. Member Vavrick discussed the storage of items.

Public Comment: Ms. Kelly Dilulo requested information on a property line and/or shed. Clarification was provided.

Motion made by Member Vavrick to table this item to allow for the individual to appear before the COA. Seconded by Member Banuelos. Motion carried 4-0.

## **G. LEGAL REPORT**

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

***NON-ACTION ITEM***

The November legal reports were not available. No Action Taken

## **H. APPROVAL OF MINUTES**

Approval of minutes from the November 08, 2021, regular meeting.

***FOR POSSIBLE ACTION***

Motion made by Member Martindale to approve the minutes of November 08, 2021, with the correction of Member Sisk first name “f” vs “ph”. Seconded by Chair Holland.

## **I. REPORTS**

- J.1** Approval of the Committee of Architecture Revenue Report for November 2021.

***FOR POSSIBLE ACTION***

- J.2** Approval of the Committee of Architecture Occupancy Report for November 2021.

***FOR POSSIBLE ACTION***

- J.3** Approval of the Committee of Architecture Violation Report for November 2021.

***FOR POSSIBLE ACTION***

Motion made by Chair Holland to approve the reports, J.1. through J.3 for November 2021.  
Seconded by Member Banuelos. Motion carried 4-0.

## **J. 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***

(Inaudible), VP Kerr referred to Counsel McConnell regarding details for running for the SCA Board of Directors. Sec/Treas. Austin-Preston gave the details on SCA/BOD elections. Counsel McConnell explained “positions at large” which are on the BOD.

Chair Holland handed out documents, to audience members, i.e. The Committee of Architecture, Member Policies and Procedures Manual, Revised 2016 version. Chair Holland commented on the DORs and COA Rules and Regulations and the some of the policies, i.e., meeting date and why they changed it. She discussed inspections, COA staffing levels, make sure to reflect what the new COA wants; volunteers signing plans, make sure they are trained, last two pages about re-applying, it is understandable, the renewal date, etc., discussed “Rule #5”. Advocated for the second reading for Rule #5.

## **K. NEXT REGULAR MEETING**

The next regular meeting of the Committee of Architecture is scheduled for Monday, January 10, 2021.

**FOR POSSIBLE ACTION**

## **L. ADJOURN MEETING**

**FOR POSSIBLE ACTION**

Meeting adjourned at 6:34pm.