



SPRING CREEK ASSOCIATION COMMITTEE OF ARCHITECTURE REGULAR MEETING MINUTES

Spring Creek Association ("SCA") Committee of Architecture
Monday, June 10, 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

ABSENT: Donna Stokes

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

Property owner Jim Carragher said he moved here in 2005. There are trailers parked in front of houses, lots of vehicles parked in driveways and lots of noxious weeds. He would like to see the rules being enforced.

F. NEW BUSINESS

- F.1 Review, discussion, and possible action to approve a variance for the peak of the shop to be at 22' 10 3/8" instead of 20' at **496 Brent Drive, (Tract 202 Block 020 Lot 004)**
1.100 acres. ***FOR POSSIBLE ACTION***

Secretary Duncan stated the property owner is requesting approval for a variance for the shop's peak to be at 22' 10 3/8" to the peak instead of 20'

Property Owner Ricky Steward said that the contractor drew up the plans with the 23' peak and he didn't know about the 20' rule until after he had approved the plans, and it will cost \$5000.00 to change the plans.

President Jessie Bahr stated that we sent certified letters to all the builders, and it is also on the permit. If this continues, we will no longer allow these contractors to build within SCA or we will contact the Contractors Board.

Attorney Katie McConnell stated that about a year ago she sent certified letters to Roper and other builders regarding the SCA rules. They are aware of these rules so it should not be approved due to it not meeting the variance rules. We can refund the variance fee and further discuss the rules with Roper.

No Public Comment

Member Czegledi moved/Member Vavrck seconded to disapprove a variance and refund the fee at 496 Brent Drive, (Tract 202 Block 020 Lot 004). Motion carried 4-0.

- F.2 Review, discussion, and possible action to approve a variance for the peak of the shop to be at 23' 7/8" instead of 20' at **480 Heather Drive, (Tract 107 Block 002 Lot 002)**
2.080 acres. ***FOR POSSIBLE ACTION***

Secretary Duncan stated the property owner is requesting approval for a variance for the shops peak to be at 23' 7/8" instead of 20'.

The Property Owner, Joseph Weber said there are shops taller than 20' everywhere in Spring Creek.

Attorney McConnell stated that it's not that you can't have a shop within the SCA it just needs to meet all the rules and setback requirements. We can't control where people build structures on their properties if they meet setbacks.

No Public Comment

Member Czegledi moved/Member Kimbrell seconded to disapprove a variance and refund fee at 480 Heather Drive, (Tract 107 Block 002 Lot 002). Motion carried 4-0.

- F.3 Review, discussion, and possible action to approve a variance for the shop to be 35' from the front property line instead of 50' at **911 Oakmont Drive, (Tract 402 Block 017 Lot 011) 1.150 acres.**
FOR POSSIBLE ACTION

Secretary Duncan stated the property owner is requesting a variance for the shop to be 35' from the front property line instead of 50'.

The Property Owner, Clayton Weaver said where the property is located it curves and the corner has a 35' setback to be even with the house. The side slopes down and septic is also back there so he can't place it back farther. Asking for the corner setback to keep curb appeal due to the lot design and to have the shop square with the house.

Attorney Katie McConnell stated that this fits in line with what a variance truly is due to it being the only way to put the shop on the property.

No Public Comment

Member Kimbrell moved/Member Vavrick seconded to approve a variance at 911 Oakmont Drive, (Tract 402 Block 017 Lot 011). Motion carried 4-0.

- F.4 Review, discussion, and possible action to approve a variance for the fence to be 8' instead of 6' at **301 Lawndale Drive, (Tract 104 Block 001 Lot 008) 4.000 acres.**
FOR POSSIBLE ACTION

Secretary Duncan stated the property owner is requesting approval for a variance for a fence to be 8' instead of 6'.

The Property Owner said that they grow a lot of our own food, fruit trees and garden a lot. They are trying to keep the deer out and want safety for our kids as we live by the highway.

Attorney McConnell stated that we have granted variances for public utilities which is a state statute for water companies and the Ryan Ranch. If you approve one variance it will not justify when others ask for a variance. You need consistency, the rule states 6' and we need to see what is unique with this property. When you apply for a variance, it's not guaranteed, and the fee should not be refunded.

Discussion regarding this rule reveals that the 8' fence height is allowed if it meets the setbacks of a yard fence, so this fence does not require a variance.

No Public Comment

Member Czegledi moved/Member Kimbrell seconded to disapprove a variance at 301 Lawndale Drive, (Tract 104 Block 001 Lot 008). Motion carried 4-0.

- F.5 Review, discussion, and possible action to approve the first reading of the revised Committee of Architecture Rules and Regulation #6: Metal Storage Containers.
FOR POSSIBLE ACTION

Secretary Duncan stated we are presenting the 1st reading of the Proposed Revised Rule #6 Metal Storage Containers.

Chair Martindale read current and proposed rules into minutes.

Member Czegledi said they are not esthetically pleasing; he would not want one next door to him, and he believes they are bringing property values down.

Attorney McConnell stated that there is no way to enforce removing them when a property is sold. All current metal containers would be grandfathered in as it would be against the property owner's rights to require them to be removed. We need to have an effective date and no new applications would be allowed under the new rule. If a contractor brings in a metal container during construction, it would not be in violation as it will leave when construction is done.

Public Comment-

Property Owner Kelly Dilulu said she supports the removal of the current Metal Container rule. She wants us to take care of our common areas and keep our property values up. She believes they are a huge eyesore, and you can't make them look nice. She would like to see them removed from properties when they sale.

Property Owner Jim Carragher said when I look out my window towards the marina it's all I can see, it doesn't look natural and would like to see it removed

Chair Martindale moved/Member Czegledi seconded to approve the 1st Reading of Proposed Revised Rule #6 Metal Storage Containers. Motion carried 4-0.

F.6 Review and discussion to consider creating a rule in regards to: Short Term Rentals.
NON-ACTION ITEM

Secretary Duncan stated that we are asking to consider creating a rule in regards to short term rentals within the SCA.

Attorney Katie McConnell stated that we need something with a length of time, short-term rentals can be between 14 to 30 days. With short-term rentals we have more liability here with more people coming and going. If you're not invested in the community, you're not going to respect it. Short-term rentals fall more under commercial standards. She suggests drawing up a new rule regarding short-term rentals for a 1st reading at the July meeting.

Staff discussion- Short-term rentals could cause issues, we need to have a rule to protect SCA and the rule could mirror the RV Rule. Suggesting we create a rule not allowing any rentals less than 30 days.

No Public Comment

No Action Taken

G. Violations

G.1 Review, discussion, and possible action regarding **COA R&R's: Exterior Condition of Structures, SCA DOR's: Unsightly: Storage of Tools and Trash, COA R&R's**

Inoperative, Unregistered, Unlicensed Vehicles and refer to the SCA Board of Directors requesting to take legal action and uphold all fines regarding **276 Lawndale Drive, (Tract 104 Block 003 Lot 012) 2.000 acres.** **FOR POSSIBLE ACTION**

Secretary Duncan stated that this property has been in violation since November 2023, and staff has had no contact with the property owner. The property owner was not present.

No Public Comment

Member Vavrick moved/Member Kimbrell seconded to refer to the SCA Board of Directors to take legal action at 276 Lawndale Drive, (Tract 104 Block 003 Lot 012). Motion carried 4-0.

- G.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 **297 Oxford Drive, (Tract 202 Block 024 Lot 008) 1.320 acres.** **FOR POSSIBLE ACTION**

Secretary Duncan stated that the property has been in violation since March 2024, and staff has had no contact with the property owner. The property owner was not present.

No Public Comment:

Member Kimbrell moved/Member Czegledi seconded to refer to the SCA Board of Directors to take legal action at 297 Oxford Drive, (Tract 202 Block 024 Lot 008). Motion carried 4-0.

- G.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 **418 Tiffany Drive, (Tract 202 Block 025 Lot 056) 1.600 acres.** **FOR POSSIBLE ACTION**

Secretary Duncan stated that this property has been in violation since March 2024, and staff has had no contact with the property owner. The property owner was not present.

No Public Comment

Member Czegledi moved/Member Kimbrell seconded to refer to the SCA Board of Directors to take legal action at 418 Tiffany Drive, (Tract 202 Block 025 Lot 056). Motion carried 4-0.

- G.4 Review, discussion, and possible action regarding **COA R&R's Inoperative, Unregistered, Unlicensed Vehicles, 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 **432 Tiffany Drive, (Tract 202 Block 025 Lot 059) 1.160 acres.** **FOR POSSIBLE ACTION**

Secretary Duncan stated that this property has been in violation since March 2024, and staff has had no contact with the property owner. The property owner was not present.

No Public Comment

Chair Martindale moved/Member Vavrick seconded to refer to the SCA Board of Directors to take legal action at 432 Tiffany Drive, (Tract 202 Block 025 Lot 059). Motion carried 4-0.

- G.5 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 **465 Gypsum Drive, (Tract 202 Block 021 Lot 011) 1.050 acres.** **FOR POSSIBLE ACTION**

Secretary Duncan stated that this property has been in violation since March 2024, and staff has had no contact with the property owner. The property owner was not present.

No Public Comment

Member Kimbrell moved/Member Czegledi seconded to refer to the SCA Board of Directors to take legal action at 465 Gypsum Drive, (Tract 202 Block 021 Lot 011). Motion carried 4-0.

- 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 **499 Shadybrook Drive, (Tract 304 Block 006 Lot 018) 1.030 acres.** **FOR POSSIBLE ACTION**

Secretary Duncan stated that this property has been in violation since July 2023, and staff has had no contact with the property owner. The property owner was not present.

No Public Comment

Member Czegledi moved/Member Vavrick seconded to refer to the SCA Board of Directors to take legal action at 499 Shadybrook Drive, (Tract 304 Block 006 Lot 018). Motion carried 4-0.

- G.7 Review, discussion, and possible action regarding **SCA DOR's: Unsightly: Storage of Tools and Trash, 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 **567 Brent Drive, (Tract 202 Block 018 Lot 090) 1.000 acres.** **FOR POSSIBLE ACTION**

Secretary Duncan stated that this property has been in violation since March 2024. Staff has had recent contact with the property owner, they said the cleanup is done but needs more time to paint the shed and repair the deck.

Property owner Gerald Ahlin said he did the cleanup but needs more time to paint the shed and replace the front deck. They are waiting for funds for the deck and the shed will be painted tomorrow.

No Public Comment

Member Czegledi moved/Member Kimbrell seconded to table the violations at 567 Brent Drive, (Tract 202 Block 018 Lot 090) and bring back to August COA if not in compliance. Motion carried 4-0.

- G.8 Review, discussion, and possible action regarding **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 **576 Brent Drive, (Tract 202 Block 020 Lot 024) 1.000 acres.**
FOR POSSIBLE ACTION

Secretary Duncan stated that this property has been in violation since March 2024, and staff has had no contact with the property owner. The property owner was not present.

No Public Comment

Member Kimbrell moved/Member Czegledi seconded to refer to the SCA Board of Directors to take legal action at 576 Brent Drive, (Tract 202 Block 020 Lot 024). Motion carried 4-0.

- G.9 Review, discussion, and possible action regarding **SCA DOR's: Unsightly: Storage of Tools and Trash, 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 **598 Buffside Drive, (Tract 201 Block 004 Lot 040) 1.420 acres.**
FOR POSSIBLE ACTION

Secretary Duncan stated that this property has been in violation since March 2024, and has had recent contact with the property owner, unsightly has been cleaned up so asking to dismiss and requesting more time for the paint. The property owner was not present.

No Public Comment

Member Czegledi moved/Member Kimbrell seconded to dismiss the unsightly violation and table the paint violation at 598 Buffside Drive, (Tract 201 Block 004 Lot 040), and bring back to the August Meeting if still not in compliance. Motion carried 4-0.

- G.10 Review, discussion, and possible action regarding **SCA DOR's: Unsightly: Storage of Tools and Trash, 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 **764 Lamont Drive (Tract 202 Block 004 Lot 006) 1.230 acres.**
FOR POSSIBLE ACTION

Secretary Duncan stated that this property has been in violation since March 2024, and has had no contact with the property owner. The property owner was not present.

No Public Comment

Member Vavrick moved/Member Kimbrell seconded to refer to the SCA Board of Directors to take legal action at 764 Lamont Drive (Tract 202 Block 004 Lot 006). Motion carried 4-0.

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 May 13, 2024 Regular meeting.

FOR POSSIBLE ACTION

No public comment was received.

Chair Martindale moved/Member Czegledi seconded to approve the minutes from the May 13, 2024, Regular Meeting. Motion carried 4-0.

J. REPORTS

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

FOR POSSIBLE ACTION

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

FOR POSSIBLE ACTION

J.3 Approval of the Committee of Architecture Violation Report for May 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 May 2024. Motion carried 4-0.

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 is Scheduled for Monday, July 8, 2024.

FOR POSSIBLE ACTION

M. ADJOURN MEETING

FOR POSSIBLE ACTION

Chair Martindale adjourned the meeting at 7:35 p.m.