



SPRING CREEK ASSOCIATION COMMITTEE OF ARCHITECTURE REGULAR MEETING MINUTES

Spring Creek Association ("SCA") Committee of Architecture
Monday, August 12, 2024, 5:30 PM, PST
Fairway Community Center Meeting Room
401 Fairway Blvd, Spring Creek, Nevada

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

ABSENT: Nick Czegledi

STAFF PRESENT: Secretary/Treasurer Kristine Austin-Preston, COA Secretary Cheri Duncan

CORPORATE ATTORNEY: Katie McConnell

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

- E.1 Review, discussion, and possible action to approve a variance for a shed to sit in front of and to the left of the house and be 9' instead of 15' from other structures at **662 Westcott Drive, (Tract 401 Block 011 Lot 033) 1.969 acres.**

FOR POSSIBLE ACTION

Secretary Duncan stated that the property owner is requesting a variance for a shed to sit in front of and to the left of the house and be 9' instead of 15' from other structures.

Property Owner James King said the utilities run behind and down the side of the house so he can't place it there. He would have to cut down trees to place it on the other side of the house, then it would be too close to the property lines and fences.

Discussion- The elevation comes down from the back of the property and the utilities run through there. This would fall within the rules for a variance.

Attorney McConnell asked if this is for the benefit of the property owner for convenience or is it the best place for placement?

No Public Comment

Member Vavrick moved/Member Kimbrell seconded to approve a variance at 662 Westcott Drive, (Tract 401 Block 011 Lot 033). Motion carried 4-0.

- E.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 **157 Spring Creek Parkway, (Tract 102 Block 013 Lot 025) 2.270 acres.**

FOR POSSIBLE ACTION

Secretary Duncan stated that this property has been in violation since May 2023, and has had recent contact with the property owner. The shed violation has been completed, but they need more time to paint the house trim. The property owner was not present.

Discussion- Table until October COA meeting and bring back if not in compliance.

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 **228 Lawndale Drive, (Tract 104 Block 003 Lot 020) 2.050 acres.**

FOR POSSIBLE ACTION

Secretary Duncan stated that this property has been in violation since September 2023 and has had recent contact with the property owner. The violations have been completed. The property owner was not present.

No Public Comment

Member Vavrick moved/Member Kimbrell seconded to dismiss all violations at 228 Lawndale Drive, (Tract 104 Block 003 Lot 020). Motion carried 4-0.

- E.4 Review, discussion, and possible action regarding **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 **438 Spring Valley Parkway, (Tract 202 Block 031 Lot 005) 1.070 acres.** ***FOR POSSIBLE ACTION***

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

No Public Comment

Member Kimbrell moved/Member Vavrick seconded to refer to the SCA Board of Directors to take legal action at 438 Spring Valley Parkway, (Tract 202 Block 031 Lot 005). Motion carried 4-0.

- E.5 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 and has had recent contact with the property owner. The violations have been completed. The property owner was not present.

No Public Comment

Member Vavrick moved/Chair Martindale seconded to dismiss all violations at 567 Brent Drive, (Tract 202 Block 018 Lot 090). Motion carried 4-0.

- E.6 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 last contact with the property owner was June 2024. The property owner was not present.

No Public Comment

Member Liebelt moved/Member Vavrick seconded to refer to the SCA Board of Directors to take legal action at 598 Buffside Drive, (Tract 201 Block 004 Lot 040). Motion carried 4-0.

- E.7 Review, discussion, and possible action to approve the second reading of the revised Committee of Architecture Rules and Regulation #39: Short Term Rentals. **FOR POSSIBLE ACTION**

Secretary Duncan stated that we are asking to approve the second reading of the new rule #39: Short Term Rentals

Discussion- We need a rule to help protect the neighborhood.

Attorney McConnell stated that the City of Elko is now requiring a change of zoning for Airbnb's. There is no allowance for Motel/Hotel's on AR Properties so to continue to operate you would need a zone change or a Conditional Use Permit. It is common for HOA's to have Airbnb rules. Some HOA's don't allow less than six-month rentals SCA should consider limiting it to no less than 30 days to keep up property values.

Property Owner Leo Hart said he has an Airbnb in his home that he has been operating for two years. It is not a separate residence but has its own entrance and they are always there to keep an eye on it.

Member Vavrick moved/Member Kimbrell seconded to approve the second reading of the revised Committee of Architecture Rules and Regulation #39: Short Term Rentals. Motion carried 4-0.

F. NEW BUSINESS

- F.1 Review, discussion, and possible action to approve a Livestock Permit for one (1) miniature pig and (1) miniature goat at **896 Pemberton Drive, (Tract 403 Block 014 Lot 004) 1.890 acres.** **FOR POSSIBLE ACTION**

Secretary Duncan stated the property owner is requesting approval for a Livestock Permit. The property owner was not present.

No Public Comment

Member Kimbrell moved/Member Vavrick seconded to approve a Livestock Permit at 896 Pemberton Drive, (Tract 403 Block 014 Lot 004). Motion carried 4-0.

- F.2 Review, discussion, and possible action to approve a Home Occupation Permit for **Royal Archery LLC** type of business: **Archery Repair & Supplies**: at **586 Wolf Creek Drive, (Tract 402 Block 012 Lot 006) 1.260 acres.** **FOR POSSIBLE ACTION**

Secretary Duncan stated the property owner is requesting approval for a Home Occupation Permit.

Property Owner Daniel King said he wants to operate the repair shop out of his garage. It will be by appointment and drop offs only.

Attorney McConnell stated that the approval needs to be by appointment only as a retail store is not allowed under the zoning.

No Public Comment

Member Kimbrell moved/Member Vavrick seconded to approve a Home Occupation Permit at 586 Wolf Creek Drive, (Tract 402 Block 012 Lot 006). Motion carried 4-0.

- F.3 Review, discussion, and possible action to approve a temporary structure to remain where it is on the property for an extended amount of time: at **819 Oak Creek Lane, (Tract 402 Block 010 Lot 048) 1.480 acres.** **FOR POSSIBLE ACTION**

Secretary Duncan stated the property owner is requesting a for a temporary structure to remain where it is on the property for an extended period of time.

The Property Owner, Denise Garcia, said her husband is restoring a car and using the temporary structure for storage. She said they called the office and were told that they didn't need a permit for a temporary structure and are requesting to keep it there for one year.

Discussion- We only allow 180 days for temporary structures when building new homes.

Attorney McConnell stated that she would not suggest allowing more than 180 days.

No Public Comment

Chair Martindale moved/Member Liebelt seconded to approve the temporary structure to remain there for 180 days at 819 Oak Creek Lane, (Tract 402 Block 010 Lot 048). Motion carried 4-0.

- F.4 Review, discussion, and possible action to approve a variance for the shop's setback be at 10ft instead of 20ft from the property line at **353 Spring Creek Place, (Tract 101 Block 005 Lot 052) 4.040 acres.** **FOR POSSIBLE ACTION**

Secretary Duncan stated the property owner is requesting approval for a variance for the shop's setback to be at 10ft instead of 20ft from the property line.

The Property Owner, Rex Featherston, said the property is four acres but mostly hill. The house is parallel to the road, but the corner comes in. All the utilities are close to the house and septic and trees are behind the house.

No Public Comment

Member Kimbrell moved/Member Vavrick seconded to approve a variance at 353 Spring Creek Place, (Tract 101 Block 005 Lot 052). 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 #16: Fences and Walls. **FOR POSSIBLE ACTION**

Secretary Duncan stated that we are proposing to approve the first reading of the revised Committee of Architecture Rules & Regulation #16: Fences and Walls.

Discussion- It will be the same as the Elko County Fence Rule and property owners can apply for a variance if needed.

No Public Comment

Member Kimbell moved/Member Vavruck seconded to approve the first reading of the revised Committee of Architecture Rules & Regulation #16: Fences and Walls. Motion carried 4-0.

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** and refer to the SCA Board of Directors requesting to take legal action and uphold all fines regarding **124 Agate Drive, (Tract 103 Block 002 Lot 002) 1.466 acres.**

FOR POSSIBLE ACTION

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

No Public Comment

Member Vavruck moved/Member Kimbrell seconded to refer to the SCA Board of Directors to take legal action at 124 Agate Drive, (Tract 103 Block 002 Lot 002). Motion carried 4-0.

- 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 **151 Arroyo Vista Drive, (Tract 301 Block 007 Lot 009) 4.100 acres.**

FOR POSSIBLE ACTION

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

No Public Comment:

Member Kimbrell moved/Member Liebelt seconded to refer to the SCA Board of Directors to take legal action at 151 Arroyo Vista Drive, (Tract 301 Block 007 Lot 009). 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 **241 Brooklawn Drive, (Tract 106C Block 001 Lot 028) 1.020 acres.**

FOR POSSIBLE ACTION

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

No Public Comment

Member Vavruck moved/Member Kimbrell seconded to refer to the SCA Board of Directors to take legal action at 241 Brooklawn Drive, (Tract 106C Block 001 Lot 028). Motion carried 4-0.

- 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 **254 Glenvista Drive, (Tract 102 Block 014 Lot 038) 2.040 acres.** **FOR POSSIBLE ACTION**

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

No Public Comment

Chair Martindale moved/Member Vavruck seconded to refer to the SCA Board of Directors to take legal action at 254 Glenvista Drive, (Tract 102 Block 014 Lot 038). 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 **262 Glenvista Drive, (Tract 102 Block 014 Lot 037) 2.010 acres.** **FOR POSSIBLE ACTION**

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

No Public Comment

Member Vavruck moved/Member Liebelt seconded to refer to the SCA Board of Directors to take legal action at 262 Glenvista Drive, (Tract 102 Block 014 Lot 037). 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 **364 Dove Creek Drive, (Tract 201 Block 009 Lot 016) 1.020 acres.** **FOR POSSIBLE ACTION**

Secretary Duncan stated that this property has been in violation since May 2024. The staff has had recent contact with the property owner and the violations have been completed. The property owner was not present.

No Public Comment

Member Kimbrell moved/Member Liebelt seconded to dismiss all violations at 364 Dove Creek Drive, (Tract 201 Block 009 Lot 016). Motion carried 4-0.

- G.7 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 **467 Westcliff Drive, (Tract 201 Block 007 Lot 025) 1.050 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 April 2024. 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 467 Westcliff Drive, (Tract 201 Block 007 Lot 025). Motion carried 4-0.

- G.8 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 **525 Spring Valley Parkway, (Tract 202 Block 037 Lot 012) 1.840 acres.** **FOR POSSIBLE ACTION**

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

Discussion- Bring back to the September COA Meeting if not in compliance.

No Public Comment

No Action Taken

- 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 **549 Ashcroft Drive, (Tract 103 Block 006 Lot 014) 2.150 acres.** **FOR POSSIBLE ACTION**

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

No Public Comment

Member Liebelt moved/Member Kimbrell seconded to refer to the SCA Board of Directors to take legal action at 549 Ashcroft Drive, (Tract 103 Block 006 Lot 014). 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 Inoperative, Unregistered, Unlicensed Vehicles** and refer to the SCA Board of Directors requesting to take legal action and uphold all fines regarding **622 Spring Valley Parkway, (Tract 202 Block 009 Lot 055) 1.700 acres.** **FOR POSSIBLE ACTION**

Secretary Duncan stated that this property has been in violation since April 2024 and 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 622 Spring Valley Parkway, (Tract 202 Block 009 Lot 055). Motion carried 4-0.

- G.11 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 **628 Spring Valley Parkway, (Tract 202 Block 009 Lot 056) 1.520 acres.** **FOR POSSIBLE ACTION**

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

No Public Comment

Member Kimbrell moved/Member Vavrick seconded to refer to the SCA Board of Directors to take legal action at 628 Spring Valley Parkway, (Tract 202 Block 009 Lot 056). Motion carried 4-0.

- G.12 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 **664 Spring Valley Parkway, (Tract 202 Block 009 Lot 062) 1.670 acres.** **FOR POSSIBLE ACTION**

Secretary Duncan stated that this property has been in violation since April 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 664 Spring Valley Parkway, (Tract 202 Block 009 Lot 062). Motion carried 4-0.

- G.13 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 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 **774 Spring Valley Parkway, (Tract 202 Block 009 Lot 087) 1.030 acres.** **FOR POSSIBLE ACTION**

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

No Public Comment

Chair Martindale moved/Member Liebelt seconded to refer to the SCA Board of Directors to take legal action at 774 Spring Valley Parkway, (Tract 202 Block 009 Lot 087). Motion carried 4-0.

- 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 **790 Cessna Court, (Tract 202 Block 003 Lot 045) 1.250 acres.** **FOR POSSIBLE ACTION**

Secretary Duncan stated that this property has been in violation since March 2024. The Staff has had recent contact with the property owner and violations have been completed. The property owner was not present.

No Public Comment

Chair Martindale moved/Member Vavruck seconded to dismiss all violations at 790 Cessna Court, (Tract 202 Block 003 Lot 045). 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 July 8, 2024 Regular meeting.

FOR POSSIBLE ACTION

No public comment was received.

Member Kimbrell moved/Chair Martindale seconded to approve the minutes from the July 8, 2024, Regular Meeting. Motion carried 3-0-1 (Member Liebelt abstained).

J. REPORTS

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

FOR POSSIBLE ACTION

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

FOR POSSIBLE ACTION

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

FOR POSSIBLE ACTION

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

No public comment was received.

Member Vavruck moved/Member Kimbrell seconded to accept the reports in the binder for July 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, September 9, 2024.

FOR POSSIBLE ACTION

M. ADJOURN MEETING

FOR POSSIBLE ACTION

Chair Martindale adjourned the meeting at 7:26 p.m.