

**SPRING CREEK ASSOCIATION  
COMMITTEE OF ARCHITECTURE REGULAR MEETING  
TUESDAY, MARCH 14, 2017, 5:30 P.M.**

**MEETING LOCATION:** 451 Spring Creek Parkway, Spring Creek, NV

**CALL TO ORDER:** Chair Parker called the meeting to order at 5:30 p.m.

**PLEDGE OF ALLEGIANCE:**

**COA MEMBERS PRESENT:** Chair Diane Parker, Vice Chair Jill Holland, Member: Brien Park

**COA MEMBERS ABSENT:** Member Ivan Shigaio, One (1) Vacant Seat

**SCA STAFF MEMBERS PRESENT:** SCA Treasurer Preston, COA Secretary Dunlap

**COMMENTS BY THE GENERAL PUBLIC:** Ursula Stanton (Tract 400) addressed the topic of the proposed COA rule on the numbers of chickens that can be raised/maintained in a flock on an SCA property. She cited some of the parameters for poultry flock management and chicken coop construction by the Nevada Poultry Improvement Plan. Chair Parker commented that livestock and poultry permit issues are handled on a case by case basis particularly in dealing with the number of cows, sheep, birds or other barnyard animals. She reviewed how complaints with respect to livestock are handled by the COA and how each request for a permit is reviewed prior to approving the permit request. The issue of bird manure disposal was addressed as it relates to the size of birds and the amount of manure produced by the flock. It was suggested by Member Park that clarification on the number of birds in the COA livestock rule might be helpful. How 4H and FFA livestock and poultry projects are viewed and managed was also discussed. It was suggested that having parameters on the numbers of birds or other animals in the rules can be problematic. Chair Parker reinforced the need to have some guidelines; that not having some guidelines on the numbers of animals and birds is also problematic for the SCA and the COA in being able to enforce some reasonable requirements of property owners who do have livestock, poultry or other barnyard animals particularly where abuse of the privilege of having animals is concerned. The issue of breeding flocks and roosters was also mentioned. Other comments by FFA members in attendance were also offered on the number of animals/birds allowed. Chair Parker reiterated the COA position of every situation being handled on a case by case basis.

**UNFINISHED BUSINESS:**

**I. REVIEW, DISCUSSION AND POSSIBLE ACTION TO ADOPT A HOME OCCUPATION AND COMMERCIAL BUSINESS PERMIT RULE INTO THE COA RULES AND REGULATIONS AND MATTERS RELATED THERETO:** Secretary Dunlap reviewed the agenda item and indicated changes that had been requested at the prior COA meeting in February, 2017 had been made. Vice Chair Holland stated she felt uncomfortable adopting the Home Occupation and Commercial Business Permit Rule due to her lack of understanding and the money aspect of the proposed rule. She commented that she had concern about the costs of doing business in Spring Creek being less costly than Elko or other areas and that is partly the reason people moved to this area. She feels that in the end it will be the people of Spring Creek that will be the

ones that absorb those business permit fees. Member Park stated he would like to hear feedback from people who currently have home operated businesses to get their perspectives. He sees the need to have a fee structure but isn't certain this should be approved without further input on the fee structure or whether it makes sense to have a business organization in place for Spring Creek first and that the group could then guide the approach to licensing and permitting. Treasurer Preston also offered comment on both topics: the commercial business occupation versus the home occupation. Discussion ensued about various concerns and benefits about business licenses. SCA BOD Chair Legarza also commented on how she maintains business licenses in several counties for her business. Secretary Dunlap commented on the calls she receives from property owners asking specific questions about what type of jobs or services can be performed from their home. These inquiries prompted the concern of SCA Staff in the possibility of drafting new rules about home occupation or commercial business. She also explained that the SCA DOR's cannot be changed therefore anything incorporated in the COA rules must comply with what is explicit in the DOR's. Further discussion and commentary ensued. Chair Parker moved to table the agenda item with possible separation of the rules for home business versus commercial business until the next meeting. Motion seconded by Member Park. The vote was called and the motion carried 3-0.

- II. REVIEW, DISCUSSION AND POSSIBLE ACTION TO ADOPT AN APPLICATION AND FEE SCHEDULE FOR A HOME OCCUPATION OR COMMERCIAL BUSINESS PERMIT AND MATTERS RELATED THERETO:** Chair Parker moved to table the agenda item until the COA can consider the matter further as it relates to the previous agenda item. Vice Chair Holland seconded the motion. The vote was called and the motion carried 3-0.

**NEW BUSINESS:**

- III. REVIEW, DISCUSSION AND POSSIBLE ACTION TO APPROVE A VARIANCE REQUEST, SUBMITTED BY ARNOLD BECK CONSTRUCTION, TO REDUCE THE FRONT BUILDING SETBACK AT 429 FOXRIDGE DR. (401-006-006) FROM 50 FEET TO 40 FEET TO ACCOMMODATE A 1,669 SQUARE FOOT HOME AND SEPTIC TANK IN FRONT OF THE STEEP SLOPE AT THE BACK OF THE LOT AND MATTERS RELATED THERETO.** Nathan Beck was present to explain the purpose and scope of the request for the variance. Vice Chair Holland asked questions regarding another type of house design for the property. Chair Parker reviewed the lot and ability to develop the property. Additional comment was offered on slope conditions on various properties and the need for creativity to be able to develop properties. Member Park moved to approve the variance request for Arnold Beck Construction at the property at 429 Foxridge Dr. Chair Parker seconded the motion. A vote was called; the motion carried 3-0.
- IV. REVIEW, DISCUSSION AND POSSIBLE ACTION TO APPROVE A CONDITIONAL USE, SUBMITTED BY SAM & KENDRA MOORE, TO CONSTRUCT AND OPERATE A PHYSICAL THERAPY CLINIC AND THREE (3) ADDITIONAL ASSOCIATED BUILDINGS IN THE FUTURE ON THEIR PROPERTY LOCATED AT 250 COUNTRY CLUB PKWY (106D-002-004) AND MATTERS RELATED THERETO.** The property owner, Sam Moore, was present and stated their request to obtain a conditional use permit from the COA. Member Park asked for clarification on when construction will commence. Mr. Moore stated in the next couple of months pending Elko County approvals. Plans have already been submitted to the SCA. Member Park moved to approve the conditional use permit. The motion was seconded by Chair Parker. The vote was called and the motion carried 3-0.

- V. REVIEW, DISCUSSION AND POSSIBLE ACTION TO UPHOLD, WAIVE OR ANY OTHER ACTION AS DETERMINED BY THE COA, THE ASSESSED FINE FOR A VIOLATION OF THE BUILDING APPLICATION PERMIT BY A-1 BUILDER INVESTMENTS FOR FAILURE TO CONTAIN CONSTRUCTION GARBAGE AND OTHER TRASH ON THE PROPERTY LOCATED AT 565 PARKRIDGE PKWY. (403-001-003) AND MATTERS RELATED THERETO.** No representative for A-1 Builders was present for the meeting to address the agenda item. Secretary Dunlap reviewed the agenda item background stating she had received several calls from A-1 who indicated they would clean up the debris on site but to date have not addressed the cleanup. Other projects A-1 has been working on have also been noted as a problem in the past with this contractor. No public comment was offered. Member Park moved to uphold the fine of \$200 to A-1 Builder Investments for failure to comply with SCA Building Permit Application requirements. In addition, A-1 Builder Investments must pay the fine within 30 days of the current date otherwise late fees of \$25 per month for each month the site remains unfavorably assessed. A-I Builder Investments must be mindful of the requirements of SCA Building Permit requirements on garbage and trash disposal on all future building projects otherwise further action including the denial of future building permit applications can be taken. Chair Parker seconded the motion. The vote was called and the motion carried 3-0.
- VI. REVIEW, DISCUSSION AND POSSIBLE ACTION TO UPHOLD, WAIVE OR ANY OTHER ACTION AS DETERMINED BY THE COA, THE ASSESSED FINE FOR A NUISANCE VIOLATION REGARDING A DOG BARKING EXCESSIVELY AT 931 BUCKSKIN PL. (403-018-029) AND MATTERS RELATED THERETO.** The property owner was present and stated his position on the dog(s) in question and what he has done to alleviate the barking complaint including putting a bark collar on the animal. Chair Parker indicated that the issue does appear to be occasional as there have been no complaints in at least four (4) months. Vice Chair Holland also commented there appeared to be no issue when she drove by the property. Discussion ensued on other aspects of how a barking dog nuisance is handled. No public comment was offered. Member Park moved to waive the assessed \$200 fine based on the measures taken by the property owner to resolve the barking complaint and the information the property owner provided to the COA members during the meeting. Vice Chair Holland seconded the motion. The vote was called and the motion carried 3-0.
- VII. REVIEW, DISCUSSION AND POSSIBLE ACTION TO APPROVE A LIVESTOCK PERMIT FOR ONE (1) PREGNANT COW AND ONE (1) BREEDING EWE ON 6.16 AC AT 781 GROUSE DR. (403-005-002) AND MATTERS RELATED THERETO.** The property owners were not present. Member Park moved to approve the livestock permit request for one (1) pregnant cow and one (1) breeding ewe at 781 Grouse Dr. The motion was seconded by Chair Parker. The vote was called; the motion carried 3-0.
- VIII. REVIEW, DISCUSSION AND POSSIBLE ACTION TO AMEND THE TRASH CONTAINERS AND ENCLOSURES RULE IN THE COA RULES AND REGULATIONS TO INCLUDE THE VERBIAGE “TRASH MUST BE CONTAINED AT ALL TIMES WITHIN THE CAN”, AND MATTERS RELATED THERETO:** Member Park questioned the size of the containers offered by Elko Sanitation. Secretary Dunlap explained the rule in how trash containers are positioned in relation to the SCA roadways. Member Park questioned whether Elko

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Sanitation could be regulated in terms of trash container size they could place in Spring Creek. The matter was clarified by Chair Parker who stated that SCA can't regulate their business and their free enterprise potential. No public comment was offered. BOD Chair Legarza also commented on the current large trash container placement. Secretary Dunlap clarified some of the concerns on the larger trash container placement. Chair Parker cautioned that the topics being discussing are off topic to the current topic and moved to adopt the new verbiage "that the trash must be contained within the trash can at all times" to the already established rule for trash containers and trash enclosures. Vice Chair Holland seconded the motion. The vote was called; the motion carried 2-1 (Member Park).

- IX. REVIEW AND DISCUSSION REGARDING MONTHLY UPDATE ON PROPERTIES AT COPENHAVER & MCCONNELL, P.C. AND MATTERS RELATED THERETO:** Secretary Dunlap reviewed the specifics of those properties currently of concern. Chair Parker commented on the condition of the Mawson property. Secretary Dunlap commented on a property on Spring Valley Parkway. No further questions or other public comment was offered. This was a non-action item.
- X. APPROVE MINUTES FROM THE FEBRUARY 14, 2017 COMMITTEE OF ARCHITECUTURE REGULAR MEETING.** Chair Parker moved to approve the February 14, 2017 COA Regular Meeting Minutes as presented. Vice Chair Holland seconded the motion. The vote was called; motion carried 3-0.
- XI. APPROVE COMMITTEE OF ARCHITECTURE REVENUE AND VIOLATION REPORTS FOR FEBRUARY 2017.** Secretary Dunlap offered comment on some violations noted. Chair Parker moved to approve the Committee of Architecture Revenue and Violation Reports for February 2017 as presented. Member Park seconded the motion. The vote was called; the motion carried 3-0.
- XII. COMMITTEE MEMBER AND STAFF COMMENTS.** Secretary Dunlap offered comment on the home occupation and commercial business permit issue and proposed rules and on several other topics of concern including parking along the roadways. The issue of a contractor's trash and damage to roads was discussed. Chair Parker clarified that COA members cannot go on a property for inspections additionally that COA members are not building inspectors or engineers; therefore, Elko County has a responsibility to carry through with their regulations in an official capacity. Further discussion and comment was offered. This was a non-action item.
- XIII. THE NEXT REGULAR MEETING OF THE COMMITTEE OF ARCHITECTURE IS SCHEDULED FOR TUESDAY, APRIL 11, 2017 AT 5:30 P.M.**
- XIV. MEETING ADJOURNED:** 7:45 p.m.