



SPRING CREEK ASSOCIATION COMMITTEE OF ARCHITECTURE REGULAR MEETING MINUTES

**SPRING CREEK ASSOCIATION
COMMITTEE OF ARCHITECTURE
Regular Meeting
5:30 P.M., P.S.T., Monday, August 9, 2021
At 401 Fairway Blvd, Spring Creek, NV 89815**

CALL TO ORDER: Meeting was called to order on Monday, August 02, 2021 at 5:30pm

PRESENT AT ROLL CALL: COMMITTEE MEMBERS:

Jill Holland – Chairperson - Present
Cassandra Banuelos- Vice Chairperson - Present -
Stefanie Sisk – Member – Present via Telephone
Kevin Martindale – Member – Absent at Role
Elex Vavrick – Member - Present

STAFF PRESENT: SCA Vice President Kerr, COA Secretary, Cromwell, SCA Treasurer Austin-Preston.

CORPORATE ATTORNEY: Katie McConnell via telephone.

PLEDGE OF ALLEGIANCE

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.

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.

No public comment was offered

1. NEW BUSINESS

1.1 Review, discussion, and possible action to approve a Livestock permit for 4 steers at 790 Eastlake Dr (Tract 403, Block 007, Lot 001) – 5.6 acres

FOR POSSIBLE ACTION

Property Owner Present: Suzanne Hoffman

Member discussion was called for by Chair Holland. Member Sisk asked:” How many acres did the property owner have? COA Sec. answered 5.6 acres.

No public comment received.

Member Vavrick moved to approve a Livestock permit for four (4) steers at 790 Eastlake Dr (Tract 403, Block 007, Lot 001), Seconded by Chair Holland. Motion carried: (4-0)

1.2 Review, discussion, and possible action to approve a Home Occupation for giving dance instruction at 539 Spring Creek Pkwy Dr (Tract 101, Block 002, Lot 021)

FOR POSSIBLE ACTION

There is no Spring Creek Pkwy Drive. Chair Holland proceeded with discussion.

Property Owner Present: Brenda Weston

Chair Holland asked: “What kind of Dance are you doing?” PO answered mostly group fitness, and belly dance, instruction for seniors. Chair Holland inquired about size of the classes. PO answered four (no more than four), Will hold classes in the home. Parking will be out behind her house. Discussion regarding parking took place answered.

No public comment received.

Member Banuelos moved to approve a Home Occupation for giving dance instruction as 539 Spring Creek Pkwy, (Tract 101, Bloc 002, Lot 021). Seconded by: Member Vavrick. Motion carried: (4-0)

1.3 Review, discussion, and possible action to approve a Home Occupation Sign at 539 Spring Creek Pkwy Dr (Tract 101, Block 002, Lot 021)

FOR POSSIBLE ACTION

Chair Holland asked the property owner if they know about the requirements of the sign. PO indicated she knows the dimensions. Discussion continued concerning the sign. The location was provided the day of the meeting.

No public comment received.

Member Banuelos moved to approve a Home Occupation Sign at 539 Spring Creek Pkwy, (Tract 101, Block 002, Lot 021). Seconded by: Chair Holland. Motion carried: (4-0)

1.4 Review, discussion, and possible action to approve a Boundary Line Adjustment at **146 Baytree Dr (Tract 102, Block 008, Lot 018) Request also involves 150 Baytree Dr (Tract 102, Block 008, Lot 017).**

FOR POSSIBLE ACTION

Property Owner Present: Gregory Borby

Mr. Borby discussed the reason for the boundary line adjustment. Fixes the property line between the neighbor and to address the improvements each property owner has made. Lot lines were not in the right place. Spoke with surveyors. He is using Summit Engineering for the surveying. Both property owners are agreeable. Property Owner of 150 Baytree was not present. No legal issues, or letters from the required mail out.

Katie McConnell, SCA Attorney discussed possible concerns regarding notification to mortgage companies. Chair Holland asked if the PO had heard Attorney McConnell, he indicated he could not understand Mrs. McConnell. Chair Holland restated Mrs. McConnell comment regarding, notifying mortgage companies about the boundary line adjustments. Mr. Borby owns his house his neighbor does not. They are aware of the requirement. Member Vavrick, his question, there is nothing in the documentation that both parties agree about the change. Member Vavrick: "Do you have an agreement?" COA Secretary Cromwell indicated this is taken care of at the County level. Member Banuelos indicated that was what Summit Engineering does.

No public comment received.

Chair Holland moved to a Boundary Line Adjustment at 146 Baytree Dr (Tract 102, Block 008, Lot 018) Request also involves 150 Baytree Dr (Tract 102, Block 008, Lot 017). Seconded by Member Banuelos. Motion Carried: (4-0)

2. OLD BUSINESS

2.1 Review, and possible action to approve the first reading of modification to the COA Rules and Regulations #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.

Proposed languages as follows:

PART A: No accessory/auxiliary structures are allowed in front of the house and accessory/auxiliary placement must adhere to property line requirements. 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: 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, documents, or other limiting factors.

Discussion took place regarding the elimination of the 15' setback. Chair Holland indicated this was redundant as they have to sign off on the set-back elsewhere. Chair Holland called for further discussion; Attorney McConnell reminded everyone this is a first reading and would come back for a second reading.

Public Comment: Property Owner, Tammy Bawcom, comment on the accessory building reading from the DORs, regarding the setbacks. Question: limiting the whole front yard, this will affect a lot of people due to houses are setback. She discussed the issues that could come out. Chair Holland discussed horse section. DORs will not change. Discussion took place regarding the definition of "Front Yard" and the topographics of the properties and the variance requirements and verbiage about a "required variance" vs "may need a variance". Member Banuelos discussed her interpretation of the verbiage. Chair Holland reviewed the DORs vs the COA rules, DORs will not change, it is the duty of the COA to make the rules the DORs do not cover. Mrs. Bawcom indicated she did not have a problem with the current rule as it was stated. She does not like the new way it reads, as she feels it is confusing. Discussion continued regarding setbacks and horses. Mrs. Bawcom will wait until the next reading. VP Kerr attempted to clarify the confusion with the new writing. "The proposed language is not making sense to Mrs. Bacom." VP Kerr explained they took out the "property line setback portion." Chair Holland acknowledged the concerns, VP Kerr recommend bring the changes back via red-lined version. Discussion continued between Mrs. Bawcom and Chair Holland regarding horses and other structures. COA Secretary Cromwell attempted to explain the difference of the 15' setback and the 35' setbacks from buildings. Chair Holland explained the 15' stated in section B has to do structure vs structure setbacks not necessarily horses.

VP Kerr asked for clarification from Chair Holland to have the COA Rules and Regulations #5 Accessory/Auxiliary placement/setbacks be brought back as a first reading. Chair Holland acknowledge she would like it brought back as a first reading and have the word "setback" re-instated into the first paragraph. Member Vavrick asked if part B would be brought back at the first reading, Chair Holland explained part B is still removed and Part C now becomes part B.

COA Secretary Cromwell asked for clarification regarding: "any deviation from this rule may be presented before the COA for consideration" does that mean at the time of signing documents on Thursdays or back before the COA at a regular meeting? Attorney McConnell indicated deviations from the rule would have to come before the COA at a meeting for a variance.

VP Kerr indicated the COA can bring it back for a first reading, with the changes suggested or the COA can take no action. VP Kerr indicated COA can direct staff to confirm the issue of a variance and bring it back.

Chair Holland in reference COA Rules and Regulations #5 Accessory/Auxiliary placement/setbacks moved to direct staff to confirm guidance on the variance to include the word "may" versus "will" and include the word setback in the line for the property line requirements. The First reading no action was taken. Second member Banuelos: Motion carried: (4-0)

- 2.2 Review, discussion, and possible action regarding property violations of DORs #15 Storage of Tools and Trash **353 Trescartes Ave, (Tract 201- Block 009, Lot 052).**

FOR POSSIBLE ACTION

Discussion took place regarding the length of time regarding no contact with property owner. Members continued discussion regarding giving the PO more time. VP Kerr clarified the length of time to work with PO since 2016 and the amount of work both the COA and BOD. VP Kerr clarified the BOD sent PO back to the COA.

Member Banuelos, in reference to property violations of DORs #15 Storage of Tools and Trash 353 Trescartes Ave, (Tract 201- Block 009, Lot 052) moved to uphold the fine and submit to the Board of Directors for legal action. Motion seconded by Member Sisk. Motion carried: (4-0)

No public comment received.

3. VIOLATIONS

- 3.1 Review, discussion, and possible action regarding property violation COA Rules and Regulations Materials & Practices NOT ALLOWED and Nuisance at **637 Palace Pkwy (Tract 402, Block 009, Tract 005)**

FOR POSSIBLE ACTION

VP Kerr indicated that staff is requesting the COA take no action on 3.1 as the address is the wrong address. The correct address should read 637 Parkridge Parkway. This was not agenzied correctly.

Public Comment: A property owner: Ms. Glen Finley did ask to speak regarding this incident. She shared there had been two (2) additional incidents. Identified motorcycles riding in the greenbelts. She gave a description has to the how the incidents affected her. Mrs. Finley was informed the item will be on the September agenda for consideration.

No Action Taken

- 3.2 Review, discussion, and possible action regarding property violations of COA Rules DOR #15 Storage of Tools and Trash and COA Rules and Regulations EXCESSIVE BRUSH/WEEDS OR DEAD TREES/SHRUBS, NOXIOUS WEEDS **484 Knot Dr, (Tract 202, Block 028, Lot 009)**

VP Kerr indicated that staff is requesting the COA take no action on 3.2 as the address is missing the word "Pine" thus this is the wrong address. This was not agenzied correctly.

FOR POSSIBLE ACTION

No Action Taken

- 3.3 Review, discussion, and possible action regarding property violation of COA Rules and Regulations #12 Inoperative/Unregistered/Unlicensed at **406 Brent Dr (Tract 202, Block 029, Lot 032)**

FOR POSSIBLE ACTION

Discussion amongst the COA members consisted of length of time, no contact, number of vehicles related to the property.

Chair Holland moved on item 3.3 COA Rules and Regulations #12 Inoperative/Unregistered/Unlicensed at 406 Brent Dr (Tract 202, Block 029, Lot 032) to uphold the fine and forward to the Board of Directors of legal action. Seconded by Member Banuelos: Motion carried: (4-0)

- 3.4 Review, discussion, and possible action regarding property violation of COA Rules and Regulations Inoperative/Unregistered/Unlicensed vehicle at **491 Brent Dr (Tract 202, Block 018, Lot 059)**

FOR POSSIBLE ACTION

Member Banuelos moved to uphold the fine and forward to the Board of Directors item 3.4 COA Rules and Regulations #12 Inoperative/Unregistered/Unlicensed vehicle at **491 Brent Dr (Tract 202, Block 018, Lot 059)** Second by Chair Holland: Motion carried: (4-0)

- 3.5 Review, discussion, and possible action regarding property violation of COA Rules and Regulations Inoperative/Unregistered/Unlicensed vehicle at **522 Castlecrest Dr (Tract 201, Block 006, Lot 007)**

FOR POSSIBLE ACTION

Member Sisk moved to take action on 3.5 COA Rules and Regulations Inoperative/Unregistered/Unlicensed vehicles at 522 Castlecrest Drive (Tract 201, Block 006, Lot 007) to uphold the fine and forward to the Board of Directors for legal action. Second by Member Banuelos: Motion carried: (4-0)

4. LEGAL REPORT

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

NON-ACTION ITEM

5. APPROVAL OF MINUTES

Approval of minutes from the June 14, 2021, COA regular meeting.

Member Banuelos moved to approve the June 14, 2021, COA regular Meeting minutes with changes identified. Second by Chair Holland. Motion carried: (4-0)

Approval of minutes from the July 12, 2021, COA regular meeting.

FOR POSSIBLE ACTION

Chair Holland moved to approve the July 12, 2021, COA regular Meeting minutes with changes identified. Second by Member Vavrick. Motion carried: (3-0, 1 abstention Member Banuelos)

6. REPORTS

- 6.1 Approval of the Committee of Architecture Revenue Report for July 2021.

FOR POSSIBLE ACTION

Chair Holland moved to approve the Revenue Report of July 2021. Second by Member Vavrick. Motion carried: (4-0)

6.2 Approval of the Committee of Architecture Occupancy Report for July 2021
FOR POSSIBLE ACTION

Staff recommend take no action; report would not print out. Committee took no action

6.3 Approve Committee of Architecture Violation Report for July 2021.
FOR POSSIBLE ACTION

VP Kerr informed the Committee, the 200 tract, 300 tract is completed, and the 400 tract will be finished by the end of the month. Informed the COA about the increased amount of violations coming forward.

Member Banuelos moved to approve the violation report of July 2021. Second by Member Vavrick. Motion carried: (4-0)

7. 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

Public Comment: VP Kerr informed the COA about the appeals for the COA decision on the cemetery. Requested to know if any COA members would be in attendance of the Board of Directors meeting.

Chair Holland asked for clarification about 3.1. We informed her she would be on the September agenda.

Member Banuelos discussed the amount motorcycles on Blakeland. VP Kerr explained we are short handed as and will try to sweep as soon as the chip seal has cured.

8. NEXT REGULAR MEETING

The next regular meeting of the Committee of Architecture is scheduled for Monday, September 13, 2021.

FOR POSSIBLE ACTION

9. ADJOURN MEETING

Meeting adjourned at 7:10pm

FOR POSSIBLE ACTION