



COMMITTEE OF ARCHITECTURE

RULES AND REGULATIONS

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**COA ENFORCEMENT OF DOR'S AND
COA RULES AND REGULATIONS**

1. **GENERAL PURPOSE:** The COA shall actively promote compliance with the DOR's/COA Rules and Regulations by educating property owners, public officials, and local real estate brokers of the requirements. However, the burden is upon the property owners to know and understand the applicable rules and regulations governing the COA.

2. **PROCEDURE FOR ENFORCEMENT:** The COA shall consider of the DOR's/COA Rules and Regulations that are reported to the COA in the following ways:
 - A phone or written complaint by a Spring Creek Association property owner.
 - A report of non-compliance by a member of the COA.
 - A report of non-compliance by an SCA employee.
 - Verbal complaints may be made by property owners during the "Comments by General Public" portion of the BOD and/or COA meetings.

3. **NOTICE OF NON-COMPLIANCE:** In the event that any COA Member or the COA Secretary determines that there is a property not in compliance with the DOR's, COA Rules and Regulations and/or any other policies, permits, applications or additional regulations of the Association, the COA Secretary shall then commence with a three (3) letter process to the property owner as recorded in the SCA documents/system as follows:
 - The **1st letter** will list the observed violation(s) and set a limit of thirty (30) calendar days within which to correct the violation(s) or contact the SCA COA Secretary to make arrangements to correct the violation(s) or a \$200.00 fine may be imposed by the Committee of Architecture and a \$25 per month fee will also be applied for each month the property remains in violation for up to one year.
 - If the property continues to be in violation after the thirty (30) calendar days expires, then a **2nd letter** will be sent with a set limit of fifteen (15) calendar days within which to correct the violation(s) or contact the SCA COA Secretary to make arrangements to correct the violations or a \$200.00 fine may be imposed by the Committee of Architecture and a \$25 per month fee will also be applied for each month the property remains in violation for up to one year.
 - If the property continues to be in violation when the fifteen (15) calendar days expires then a **3rd letter** will be sent with a set limit of ten (10) calendar days within which to correct the violation(s) or contact the SCA COA Secretary to make arrangements to correct the violations or a \$200.00 fine may be imposed by the Committee of Architecture and a \$25 per month fee will also be applied for each month the property remains in violation for up to one year.
 - If the property remains in violation at the conclusion of the ten (10) days, it will be placed on the COA's next regular meeting agenda for further consideration or referral to the BOD. At this time the \$200.00 fine will be imposed and a \$25 per month fee will also be applied for each month the property remains in violation for up to one year. **5.12.2020**

COA RULES AND REGULATIONS

1. SCOPE OF RULES AND REGULATIONS

These COA Rules and Regulations have been adopted by the COA as authorized in the DOR's (Page 3). These Rules and Regulations are supplemental to the DOR's. Therefore, please refer to the Master DOR's as well as the tract specific DOR's and the following Rules and Regulations.

Changes to the COA Rules and Regulations manual shall become effective only after public reading at two (2) regular COA meetings, there after approved by the Committee at the second (2nd) meeting.

2. MATERIALS AND PRACTICES NOT ALLOWED: The following list contains materials, practices or uses, not allowed within the Spring Creek Association which are in addition to those specifically set forth in the DOR's or are otherwise prohibited or restricted by federal, state or local laws, rules or regulations:

- The use of any motorized vehicles is prohibited on all Spring Creek Association owned property including greenbelts.
- Major maintenance/repair of vehicles in the yard/driveway. Automobile repair shops are not allowed except in specifically zoned areas per County Zoning requirements.
- Mobile homes located on property for storage
- Tires with or without wheels for fencing or roof weights
- Overhead fuel storage containers
- Galvanized (silver color) roofing and siding

3. SPECIAL APPLICATIONS: Applications for the following items must be placed on a COA meeting agenda for approval:

- Livestock/4H/FFA Projects;
- Signs;
- Property Boundary Line, Conditional Use, Zoning changes, and Variances.

4. ACCESSORY STRUCTURES: Accessory structures, including membrane structures, must be aesthetically pleasing to the property and require a permit from the SCA. Any structure over 200 SQ feet requires a permit from Elko County as well. Greenhouses over 32 SQ feet and of solid or membrane construction require a permit through the SCA. Extensive garden structures not taller than 4 feet at the highest point do not require a permit. Storage sheds/buildings are required to have a finished appearance, including appropriate trim elements. Sheds that have exterior surface treatments are acceptable as long as they are maintained and permitted through the SCA. **5.14.19**

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. **6.12.18**

6. METAL STORAGE CONTAINERS: Storage use of semi-trailers, with axles removed, delivery boxes, and pre-fabricated steel container boxes, such as Con-ex vans and sea vans to be considered for approval by the COA shall meet the same requirements as accessory structures. They will be painted to match that of the existing color of the primary dwelling on the property or an aesthetically pleasing color of which coincides with the surrounding landscaping. They can only be used for storage, cannot be stacked on top of each other, converted into shops, or be used as a residence or dwelling. They will be considered a single structure and must meet all setbacks and other requirements per the DOR's and COA Rules and Regulations. **6.9.20**

7. GUESTHOUSES: No guesthouse can exceed 500 square feet and cannot contain any type of cooking facilities. (I.e. a stove or oven). This constitutes two (2) separate residences on a single residential lot which is not allowed in any Zoning description under County Zoning requirements. Guesthouses shall meet the same requirements as accessory structures. Guest houses or "Mother-In-Law" quarters are not to be rented.

8. OFF-STREET PARKING, GARAGES AND CARPORTS: The following minimum requirements must be met for off-street parking and any garages or carports.

- Parking space requirements must be completed prior to occupancy.
- Two (2) covered off-street parking spaces for any residence. All new home plans require a minimum 2 car garage.
- Other structures (barns, shops, etc.) of equivalent size may be substituted if converting an existing garage to living space.
- This regulation does not apply to lots zoned for manufactured (mobile) homes, Tract 201 and 202.

9. CULVERTS, ROADS, DRIVEWAYS AND ROW'S: Minimum twelve (12) inch culvert is required for each vehicular access point to a SCA road. You must obtain a permit through the SCA COA. All items within the Right of Way permit must be met or the permit will be revoked. Please contact the COA Secretary at the SCA office for information about requirements. **4.9.19**

10. RIGHT-OF-WAY STORAGE AND PARKING: On-the-street parking, storage of property on the right-of-way or similar action is not allowed and will be reported to Elko County as an abandoned vehicle or abandoned property.

11. TRAVEL TRAILERS/MOTORHOMES: Personal use of or renting a travel trailer or motorhome as a residence on any lot **is prohibited**. A visitor of a property owner who has a house on the property may temporarily stay in a travel trailer/ motorhome on the lot for a maximum of two (2) consecutive weeks without prior approval. If at any time an extended stay is expected, the property owner must obtain prior approval from the COA before a visitor can stay in a travel trailer/motorhome on a lot for longer than two (2) consecutive weeks. A travel trailer or motorhome may be used as a temporary living quarters on a newly developed lot **ONLY** during the construction timeframe and **ONLY** by the property owner and/or contractor.

12. INOPERATIVE / UNREGISTERED / UNLICENSED VEHICLES: Any vehicle which does not possess a current valid license plate and registration sticker or which is in a wrecked, discarded, dismantled, inoperative or abandoned condition, unsightly and is not in a condition where it may be used on a public highway is not allowed and is a violation. Lack of a current valid license plate, or an expired registration sticker upon viewing, shall be presumptive evidence that the vehicle is not in a condition capable of being used on a public highway. If a vehicle in question possesses valid current registration not witnessed at the time of viewing, the property owner shall provide a copy of the registration certificate as evidence to the COA Secretary before the violation will be dismissed or violation will proceed to the BOD for further action. The COA has the discretion to determine what is acceptable in all instances. Vehicles meeting the above conditions are allowed if they are stored as below:

- Preferably stored in a permanent structure with a foundation such as a garage, carport, lean to or shop.
- If these structures are not feasible the vehicle may be placed behind the residence out of view of public right of ways behind a fence.
- If storage of the vehicle is not entirely enclosed the vehicle needs to be covered with a vehicle specific manufactured cover which must be continuously secured to the vehicle. Blue tarps are not acceptable as vehicle covers. **6.12.18 & 6.9.20**

13. EXTERIOR CONDITION OF STRUCTURES: All structures on any lot shall be maintained in a condition of reasonable repair as determined by the SCA COA. **6.9.20**

14. TRASH CONTAINERS/TRASH ENCLOSURES: Trashcans or trash containers cannot remain at the street longer than 12 hours before and after pick-up. Trash must ALWAYS be contained within the trashcan or container. The storage of trash and their containers, boxes, bags, open trailers; homemade or manufactured, empty or filled; or other items that shall in appearance detract from the aesthetic values of the property, shall be so placed and stored concealing it from view from all public right of ways. **2.8.21**

15. AUXILLIARY OUTDOOR LIGTHING: Outdoor lighting comes under the jurisdiction of auxiliary structures with a twenty (20) foot height limitation and cannot be directed towards neighboring residents.

16. FENCES AND WALLS: Spring Creek Association is bordered by active ranching boundaries; therefore the barbed wire fence surrounding the Association is the property of the Association and cannot be cut or removed for any reason. Property owners who have a Spring Creek boundary fence bordering their property are responsible for its care and maintenance. Any Property owner who has an SCA boundary fence and the fence is cut or has been taken down could be subject to a fine if it is not repaired regardless of when it occurred.

Fences are identified separately as boundary fences and yard fences

Boundary Fences:

- Fences that follow the property line between neighboring properties or public land.
- Barbed wire fencing is not allowed except on properties bordering active ranching boundaries.
- Must not exceed: Six (6) feet in height.
- Shall not be raised by increasing the natural landscape unless the area adjusted runs the entire length of that side of the property line and the land that is being raised is a consistent width of 35' deep.
- Shall maintain a repeatable pattern preferably for the entire length of the property.

Yard Fences:

- Fences that are set back more than 20 ft. from the property line.
- May follow boundary fence regulations but may deviate in fence material and exceed boundary fence height restrictions.
- Must maintain a repeatable pattern and aesthetic value from all property lines.

Fences for gardens, dog runs and small farm animals that do not exceed a length of 50 ft. on one side do NOT need to be approved by the COA as long as they are not boundary or yard fences.

All fences will be approved by the COA prior to construction and a post inspection will be done once the fence is complete. The following are needed for fence permits:

- Application
- Detailed drawing of how the fence will look
- Plot plan showing where on the property fence will be placed.
- List of materials that will be used for the fence. **6.12.18**

17. WINDMILLS: The construction of windmills falls under Electric Power in the DOR's. Windmills cannot exceed twenty (20) feet in height nor can the windmill diameter exceed five (5) feet.

18. AUXILIARY STRUCTURES: All utility poles and other auxiliary structures are to be limited to twenty (20) feet in height with the exception of FCC licensed antennas that are placed or constructed on the property with the approval of the Committee of Architecture. All Commercial Utilities such as (i.e.) Power, Water, Telephone, Internet or Television Cable will remain underground as of June 12, 2018. Ground mounted Solar Arrays are considered an auxiliary structure and require a permit prior to construction. **6.12.18**

19. EXCESSIVE BRUSH/WEEDS OR DEAD TREES/SHRUBS, NOXIOUS WEEDS: All structures must have a minimum clearance of fifty (50) feet void of excessive weeds, brush materials. Weeds over 12" in height and all noxious weeds on any part of the property regardless of percentage covered are considered excessive. All noxious weeds shall be removed. Dead trees and/or shrubs are considered unsightly and shall be removed from the property. Noxious weeds shall be promptly removed from any lot, developed or undeveloped. The most common noxious weeds in this area are: Hoary Cress, several varieties of Thistle and Spotted Knapweed. A complete list can be found at: http://agri.nv.gov/Plant/Noxious_Weeds/Noxious_Weeds_List/. **NRS 555.150 Control of noxious weeds by owner or occupant of land.** Every railroad, canal, ditch or water company, and every person owning, controlling or occupying lands in this State, and every county, incorporated city or district having the supervision and control over streets, alleys, lanes, rights-of-way, or other lands, shall control all weeds declared and designated as noxious as provided in [NRS 555.130](#) in any manner specified by and whenever required by the State Quarantine Officer.

20. FAIRWAY EASEMENTS: Fencing and/or structures are not permitted in the fairway easements. There shall be no landscaping of any type on the Fairway Easements without prior approval from the Spring Creek Association Greens Superintendent or authorized designee.

21. RIGHT OF WAY EASEMENTS: The easement area between the street and front or side property line of any lot that borders the road/street is the responsibility of the property owner to maintain. This area is to be kept clear of weeds/brush. These areas are designated utility easements therefore; all lot owners must understand landscaping this area is at your own risk.

22. CHICKENS/DUCKS/GEESE/RABBITS: These are considered "barnyard animals". They are allowed in all tracts for personal use only. Roosters are allowed. They are not to be kept, bred, or maintained for commercial purposes and are not to be kept in quantities which create an annoyance or nuisance to the neighborhood. An example of these numbers are: Chickens – not in excess of 20 hens of layer age, there is no restriction on roosters, ducks/geese – not in excess of 5 females and 1 male, and rabbits not in excess of 4 does and 1 buck. Free ranging is allowed provided that all animals are contained to the limits of your own property so as not to become a nuisance to surrounding property owners. Chicken/Rabbit "hutches" or chicken "tractors" do not require a building permit; however, large shed style structures, 32 square feet or larger and taller than 4 feet in height, used as "coops" or "shelters" DO require an SCA building permit. Chicken coops are to be of typical construction. Inoperative vehicles, camper trailers, or similar items are not allowed to be used as "Chicken Coops".

23. LIVESTOCK/4-H/FFA PROJECTS: Split-Hoof Livestock and other livestock such as Llamas, Alpacas and Buffalo are permitted on most SCA lots with prior approval of a Livestock Permit Application from the COA. Livestock is NOT permitted in Tracts 106A, B, C or D surrounding the vicinity of the Golf Course. Permanent livestock placement must have a structure to house the animals and be properly fenced and must not be in front part of yard. The following are the setbacks that are considered for placement.

- 60 ft. from front property line, 20 ft. from side property line, 30 ft. from rear property line, 35 ft. from any permanent dwelling and 15 ft. from any other structures not intended for housing animals.
- Temporary grazing is allowed for up to two weeks in most tracts if used for weed control. Proper fencing is required at all times to enclose livestock.
- Animals are available on a temporary basis on all portions of the property, including setbacks, for day use if properly fenced and must return to their main area at night.

The COA has the discretion to vary from these rules as circumstances arise.

- 24. DOMESTIC ANIMALS/DOGS/CATS:** Dogs and cats shall be kept within the limits of the property by means of an enclosure, suitable carrier/kennel or fenced/enclosed yard so as to not become a nuisance. Dogs, cats, or other household pets may not be kept, bred, or maintained for commercial purposes and are not to be kept in quantities which create an annoyance or nuisance to the neighborhood, or which would interfere with the enjoyment, comfort, privacy, health or safety of other property owners. Reports of any of the above will be considered a “Nuisance” and will be handled as stated under the “Nuisance” rule. It is against Elko County Code 7-2-6 to allow dogs to run at large, any loose dogs or cats are to be reported to Animal Control (775)777-7300, and then to SCA (775)753-6295.
- 25. NUISANCE:** Anything which is injurious to health, or indecent and offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property; or anything obnoxious to the health and welfare of the inhabitants of SCA; or any act or thing repugnant to or creating a hazard to or having a detrimental effect on the property of another person or to SCA shall be considered a nuisance especially between the hours of 10:00 pm and 7:00 am. Examples of nuisances include but are not limited to: loud and repeated noise, activities generating large amounts of dust such as excessive ATV activity, and excessive barking or howling of dogs. All Nuisance Complaints will be evaluated on a case by case basis. A complaint regarding such a nuisance may be made to the SCA COA by any person whose property is injuriously affected or whose personal enjoyment is lessened by the nuisance. When an alleged nuisance has been reported the COA shall then place the item on an agenda to determine whether the alleged nuisance constitutes an actual nuisance which should be abated. The Association DOES NOT get involved with any civil disputes or neighbor vs. neighbor issues, these issues are to be reported to the Elko County Sheriff via Dispatch at 777-7300.
- 26. REPETITIVE NUISANCE VIOLATIONS:** Repetitive violations of the same or similar conduct within a twelve (12) month period will be considered “Repetitive Nuisance Violations” and will be processed as a continuation of the original complaint. Should a matter appear three (3) times on a COA agenda within a twelve (12) month period for the same or similar conduct, the matter will automatically be referred to the BOD and requested to be referred to legal for injunctive relief.
- 27. USING A LOT/PARCEL FOR STORAGE:** Storage of personal property, equipment, trailers, vehicles, etc. is not allowed on any undeveloped lot, unless a shop, pole barn or similar storage building that has been approved by the Committee of Architecture is constructed for storing such items so they are not visible from any public right of ways, or neighboring or adjacent property.
- 28. DOOR TO DOOR COMMERCIAL SOLICITATIONS:** Spring Creek Association prohibits door-to-door commercial solicitations of any kind, including sales, promotions, and general solicitations. This rule is not applicable to political, religious and local fundraising organizations.
- 29. HOME OCCUPATION PERMIT:** Effective April 11, 2017 all home based occupations within Spring Creek Association may apply for a permit with the Spring Creek Association office. Please refer to <http://www.springcreeknv.org/applications---permits.html> for a description of what is considered a Home Occupation, application and a list of benefits for applying with SCA.
- 30. COMMERCIAL BUSINESS PERMIT:** Effective April 11, 2017 all commercial businesses within Spring Creek Association will be required to obtain a commercial business permit with the Spring Creek Association office. Please refer to <http://www.springcreeknv.org/applications---permits.html> for an application and fee schedule. Any commercial business established prior to April 11, 2017 will have until August 30, 2017 to complete an application. All initial applications will be approved at a Committee of Architecture meeting, thereafter renewed annually by January 31st at the SCA Office. SCA will send out a reminder notice in December, however; it is the business owner’s responsibility to renew the permit prior to January 31st each year. Failure to renew may result in penalties as indicated on the application form. Non-profit groups with proof of 501(c) status (ex: Girls Scouts, Boy Scouts, etc.) and garage sale not exceeding one (1) occurrence per quarter are excluded from these requirements.
- 31. WORK PERFORMED IN RIGHT OF WAYS:** Whether work in the right of ways is performed by a Licensed Contractor or an individual property owner, it is their responsibility to make sure the right of way or easement is left in good condition. Mud or debris will not be left to remain on the road ways, nor is parking on the road edge allowed. If reported to or reviewed by the COA that this has been done the following procedures will apply.
1. Courtesy Notice
 - a. Email with read receipt & send letter in mail giving 10 days to bring into compliance.
 - b. Document email and letter in file.
 - c. Date to fix and review with pictures.
 - d. If violation isn’t rectified within 10 working days the next step will be taken.
 2. Certified Letter
 - a. Pictures
 - b. Prior Communications
 - c. Fine Imposed
 - d. No more work until COA meeting.

f. Must define steps to mitigate in the future.

* **Each individual property would be fined separately***

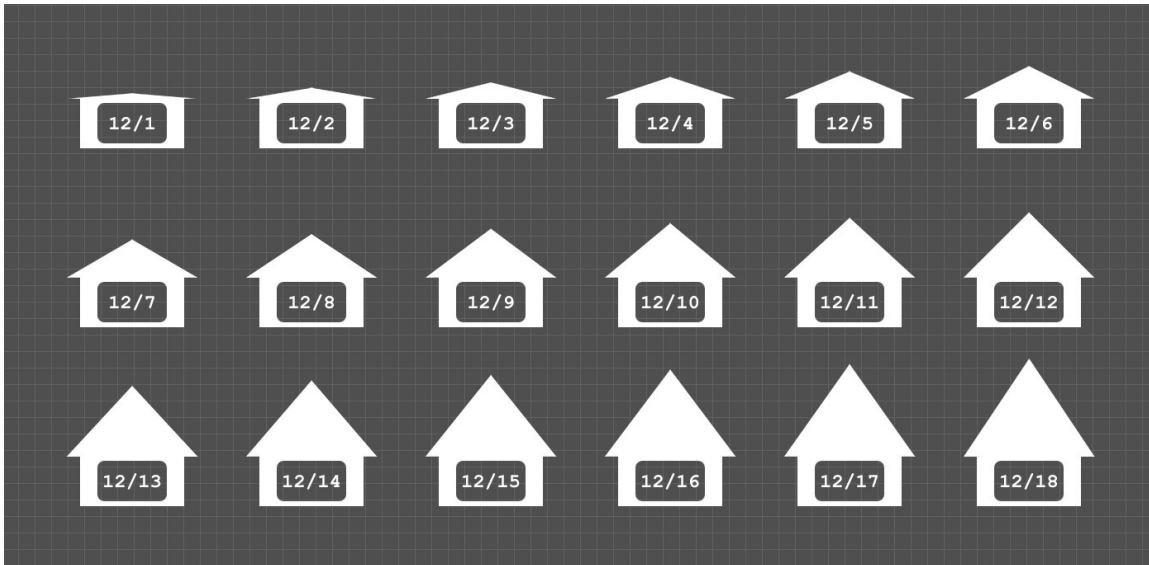
6.12.18

- 32. EXPLICIT USE OF OHVs, ATVs, AND/OR MOTORCYCLES FOR RECREATIONAL PURPOSES WITHIN THE SPRING CREEK ASSOCIATIONSPECEFIC TO HOMEOWNERS:** OHVs, ATVs and/or Motorcycles may be used for recreational purposes on a homeowner’s property. The developing, building or construction of dirt mounds, hills, jumps or ramps or creating a track for the explicit use of riding OHVs, ATVs, and/or Motorcycles, are restricted to the rear of the house. Developed riding areas are **NOT** allowed in front or on the sides of houses. Placement must adhere to all property line setback requirements designated for their tract, lot, and block. Riding areas must have a setback of 15 feet from other structures on the property. Property owners will be held liable for any fire or other damages and/or costs, as a result, of developed riding areas. Property owners are required to mitigate dust and noise which create an annoyance or nuisance. Property owners are subject to nuisance complaints, **2.8.21**

MODULAR HOME REQUIREMENTS

EFFECTIVE ON SEPTEMBER 13, 2016 – Spring Creek Association will NO LONGER issue permits for Modular/Manufactured homes to be placed in any tract other than Tract 200. Modular/Manufactured homes must follow these requirements.

1. **ROOF PITCH:** A modular home must have no less than a 5:12 roof pitch so as to have the appearance of an aesthetically acceptable stick-built home.



2. **DIMINISH MARRIAGE SEAM:** A modular home must be of such a design as to diminish the visible aspect of a parting (marriage) seam, so as to have the appearance of an aesthetically acceptable stick-built home.
3. **NEVADA STATE STAMP:** The **original** Nevada State Stamp (UBC/IRC “wet” stamp) is required on all modular house plans prior to the COA approval.
4. **PERMENANT FOUNDATION REQUIRED:** A modular home must be placed on a permanent foundation, meeting Elko County Building Code, for such structures. Further, axles, wheels, or other impediments used in the delivery of the modular home, must be removed from the property at the time the units are installed.
5. **EXTERIOR OF HOME:** The finished exterior of the modular home must have the appearance of an aesthetically acceptable stick-built home.
6. **TIMELINE TO PLACE HOME ON FOUNDATION:** The arrival of a modular home will not be permitted until the foundation is ready to accept the home. Thirty (30) working days will be allowed to place the home on the foundation.

MANUFACTURED HOME REQUIREMENTS

1. **REMOVAL OF EXISTING HOME:** The existing home must be removed from the property within thirty (30) days of set up of the replacement home.
2. **SKIRTING:** Manufactured homes must be skirted within thirty (30) days of set up. Skirting materials of a manufactured mobile home must be durable or in an appearance compatible with the manufactured home.
3. **AGE OF MANUFACTURED HOME:** The maximum age of a manufactured home to be placed on a Spring Creek Association lot is 10 years. In order for the COA to consider a variance to the ten (10) year rule, the applicant must provide a statement from a licensed professional (i.e. realtor or a contractor) stating that the “effective age” due to exterior improvements is less than ten (10) years, and at least four (4) current dated photos of the exterior of the home from all sides. The manufactured home must have been built to H.U.D. Code Specifications which were implemented in June of 1976. A manufactured home must also meet all other appearance guidelines of the COA.

GUIDE FOR PLAN APPROVAL

- _____ Dimensions of house, manufactured or modular home, accessory buildings, fences, etc.
- _____ Front, side and rear setbacks of all structures from property lines.
- _____ Septic tank and leach field location.
- _____ Water meter location.
- _____ Underground power and telephone location.
- _____ Name, mailing address, phone number, and signature of property owner.
- _____ Name, mailing address and phone number of contractor.
- _____ Legal descriptions (tract, block, and lot numbers) and street address of lot. This information can be obtained from the SCA office.
- _____ Manufactured homes – four (4) current dated photographs of front, sides and rear of home to be placed on lot.
- _____ Manufactured homes - Verification that home is NOT OVER ten (10) years old.
- _____ Elevations, showing height, width, and length of all sides of the structure.
- _____ Type of construction (wood frame, log, steel, etc.). Also include finish appearance (stained, painted, color for approval of accessory structures to match home, etc.)
- _____ No landscaping of any type on the Fairway Easements without prior approval from the SCA Greens Superintendent.
- _____ Fees: As per posted fee schedule.

**COA PROCEDURE FOR APPLYING FOR VARIANCES, ZONE CHANGES,
CONDITIONAL USE PERMITS OR BOUNDARY LINE ADJUSTMENTS**

- 1. APPLICATION PROCESS:** A completed application must be submitted to the COA at least thirty (30) days prior to the meeting at which the request will be heard. The property owner and/or his/her agent, with a notarized “Affidavit of Representation”, will be required to attend the meeting to answer questions. The application shall include detailed plans and specifications of the proposed construction and the reason behind the need for the change. The COA shall require a fee based on the posted fee schedule.
- 2. NOTICE REQUIRED:** In the event the COA determines that any other property owners will be affected by the requested exception or variance the COA shall:
 - Notify all surrounding property owners stating the applicant’s request for exception or variance, giving those ten (10) days within which to report their opinion of the proposed exception or variance.
 - At the COA’s meeting at which the request is to be acted upon the COA shall hear all interested -property owners and/or their agents, with a notarized “Affidavit of Representation”, prior to making a determination on the request for exception or variance.
- 3. DISCRETION OF COA:** The COA, in each instance, will determine whether or not the request is necessary or would in any way detract from the appearance of the vicinity.
- 4. ZONING CONSIDERATION:** In making any decision to grant or deny a change of zoning the COA shall be guided by the following factors:
 - Whether the zoning sought is consistent without the comprehensive zoning plan or is inconsistent with uses to which the rest of the district is zoned;
 - Whether the change appears to be for the public good or for the sole benefit of the private interest of the property owner without regard to the community welfare.
- 5. APPEALS OF COA DECISIONS:**

Pursuant to COA decisions regarding Boundary Line Adjustments, Zoning Changes, Variances or Conditional Use Applications, Nuisance Violations or Home Occupations:

 - Any member of Spring Creek Association aggrieved by a decision made regarding any of the above stated decisions by the Spring Creek Association Committee of Architecture may appeal the decision within thirty (30) days of the date the Committee of Architecture made its final decision, to the Board of Directors of the Spring Creek Association, unless the subject of the appeal is a direct violation of the SCA DOR’s or the COA Rules and Regulations.
 - The Notice of Appeal shall be filed with the Corporate Secretary of Spring Creek Association.
 - The Notice of Appeal shall be in writing and shall specify the grounds for the appeal.
 - A **non-refundable fee of \$50.00 will be due and payable** at the time the appeal is filed.
 - A form for the Notice of Appeal is attached herewith and forms shall be available at the Spring Creek Association office.

COA SPRING CREEK LOT ZONING BY TRACT

TRACT	# OF LOTS	ZONING
101	276	Parcels A thru C are zoned "OS". All other lots are zoned "AR".
101A	70	Parcels A and B are zoned "OS". All other lots are zoned "AR".
102	309	Lots 28 thru 30 inclusive and Lot 80 of Block 10; Lots 28 thru 30 inclusive of Block 12 are zoned "C2". Lots 31 thru 40 inclusive of Block 10, Lots 14 thru 27 of Block 12, Lots 17 thru 24 inclusive of Block 13 are zoned "R2". Parcels A thru D are zoned "OS". Remaining lots are zoned "AR".
103	319	Parcels A thru D are zoned "OS". Lot 33 of Block 3 zoned "C-1" (<i>app. 10/2011</i>) all other Lots are zoned "AR".
104	60	Parcel A is zoned "OS". All other lots are zoned "AR".
105	78	Parcel A is zoned "OS". All other lots are zoned "AR".
106A	240	Lots 5 thru 10 inclusive of Block 2 are zoned "C2". Lots 2 thru 13 inclusive of Block 1; Lots 1 thru 4 inclusive, Lots 11 thru 15 inclusive, and Lots 35 thru 51 inclusive in Block 2; and Lot 1 thru 5 inclusive of Block 5 are zoned "R2". Lots 52 thru 67 inclusive of Block 2; Lots 5 thru 16 of Block 4 and Lots 20 thru 49 inclusive of Block 5 are zoned "R1-2". Remaining lots are zoned "AR". Parcels A thru D inclusive are zoned "OS". <u>No horses or stock animals are allowed in this tract.</u>
106B	282	Parcel A thru I are zoned "OS". All other lots are zoned "AR". <u>No horses or stock animals are allowed in this tract.</u>
106C	109	Lots 1 thru 6 inclusive of Block 1 are zoned "R2". All other lots are zoned "AR". <u>No horses or stock animals are allowed in this tract.</u>
106D	42	Lots 1 thru 31 inclusive of Block 1 are zoned "C1". Lot 2 of Block 2 is zoned "C2" (<i>app. 02/2010</i>). Lot 3 inclusive of Block 2 and Lot 2 of Block 4 are zoned "C3". Lots 1 of Block 5 is zoned "R2". All other lots are zoned "C2". Parcels A, C, and D are zoned "OS". Parcel B is zoned "Common Commercial Area". <u>No horses or stock animals are allowed in this tract.</u>
107	99	All lots are zoned "AR".
107A	11	All lots are zoned "AR".
109	139	Parcels A thru T are zoned "OS". All other lots are zoned "AR".
201	312	Lots 1 thru 5 inclusive of Block 6, Lots 1, 2 and 5 inclusive of Block 8 and Lots 1 thru 12, inclusive of Block 4 are zoned "C2" (<i>app. 03/1980-2006</i>). Lots 3 and 4 of Block 8 are "C1" (<i>app. 06/1988</i>). Remaining lots are zoned "AR". Parcels A thru F are zoned "OS".
202	1157	Parcels A thru BB are zoned "OS". All other lots are zoned "AR".
301	120	Parcels A and B and Lot 1 Block 1 are zoned "OS". All other lots are zoned "AR".

303	34	Parcels A thru C are zoned "OS". All other lots are zoned "AR".
304	215	Parcels A thru F are zoned "OS", except for Parcel D which is zoned "A". All other lots are zoned "AR".
305	28	All lots are zoned "AR".
401	522	Parcels A thru N are zoned "OS". All other lots are zoned "AR".
402	568	Parcels A thru T are zoned "OS". All other lots are zoned "AR".
403	430	Parcels A thru R and Parcels T thru Z, and Parcels AA thru EE are zoned "OS". Lots 1 thru 5 inclusive of Block 18 and Lots 7 thru 11 inclusive of Block 25 are zoned "C2". All other lots are zoned "AR". Parcel S is zoned "AA".
		A = Agricultural Recreational
		AR = Agricultural Residential
		R1-2 = One Family/Two Family Residence District
		R2 = Multiple Residential District
		C1 = General Commercial and Retail, Group 1
		C2 = Highway Services & Commercial, Group 2
		C3 = Administrative-Professional Offices, Group 3
		OS = Open Space