



## **DECISION PAPER**

**DATE November 30, 2020**

### **TITLE:**

Unit 01, Lot 218 Appeal of Architectural Standards Committee Decision

### **RECOMMENDATION:**

#### **By Motion:**

The Board of Directors deny the appeal made by the Owner of Unit 01, Lot 218 and uphold the decision of the Architectural Standards Committee.

### **BACKGROUND**

This decision paper is prepared to present the appeal of property owner located at Unit 01, Lot 218. Per Tahoe Donner Association Policy Resolution 1997-5, Section C, ...” Each hearing will be scheduled for 30 minutes.”

The hearing proceeding will be as follows,

- Staff provides Decision Paper/Staff Report – 10 min
- Applicant states his/her case – 10 min
- Board asks questions of staff and applicant – 10 minutes

The board will then deliberate and act on the appeal. Following the board action, the board will communicate its decision in open session at the end of the hearing followed by written confirmation within ten days hearing date’ or render a decision following further deliberations followed by written confirmation within days of the hearing; or render a decision not more than 30 days after the hearing by providing written notification of such delay within the ten-day period following the appeal hearing. All decisions of the Appeal Board shall be final.

Property owner of Unit 01/Lot 218 submitted a one-story new house construction application for review and consideration of approval the October 14, 2020 Architectural Standards Committee Meeting. The owner requested a siding exception for plywood and battens measured at 100% on the left elevation (left side of the house) and partially on the street view elevation (front of the house). The proposed siding material and percentage of application to both the left elevation and street view elevation of the house was outside the requirements and subject to consideration for exception. The committee and owner discussed the siding options and exceptions they would consider allowable, whereby the owner indicated that he would apply his alternate proposal of real milled wood (aka real wood siding as a veneer) solution in those two locations to meet the siding requirement rather than proposed sheet siding using plywood and battens.

The property owner of Unit 01, Lot 218 is appealing the Architectural Standards Committee decision to approve real milled wood rather than plywood and battens, and exception to siding side rules for left and street view elevations of the building. The property owner requests the board approve the exception to use plywood and battens measuring at 100% on the left elevation of the house and partially on the street view elevation of the house.





## ANALYSIS:

The proposed one-story new house construction included siding material submission of plywood and battens material for:

- On the street view elevation
- At 100% (of total siding area) on the left elevation

According to the Architectural Standards rules, plywood and battens are not allowed on the street view elevation and could be considered for approval to exceed 50% of the left elevation through an exception review/approval at the time of project submittal.

Tahoe Donner Architectural Standard Rules, Procedures and Restrictions for Land Use: Section III Exterior Specifications, (5) Exterior Siding, or Sheathing and Trim explicitly states,

“No type of plywood or sheet siding is allowed on any street side(s), or on any golf course side(s) where visible from the golf course. This includes use of such siding with battens. On all other individual sides of the building, a maximum of 50% of the siding area may be plywood or sheet siding...

EXCEPTIONS: Plywood or sheet siding exceeding the above 50% maximum may be allowed as an exception, on a case-by case basis...only if: A) the design is in harmony with the street/golf course view; and b) the plywood or sheet siding is properly coated or treated to minimize discoloration and deterioration.”

Historically, the Committee has approved exceptions to the side or rear elevations for the siding requirements under the following conditions:

- Proposed plywood and battens siding is broken up by either a natural break architecture, i.e. corner or belly band on a two story building.
- Proposed plywood and battens on addition or garage to match existing structure’s plywood and battens. See Exhibit A for further details on allowance.

These approvals fall within the proposed design is harmonious to the street and/or existing structure. See Exhibit B for examples.

Any street view facing plywood and battens material use on properties in the association is a result of matching existing structure or a deviation from approved plans. Properties which deviate during construction, without approval, are fined and/or required to remove and replace siding to meet the siding rule. Similarly, any structures in the community with side siding more than 50% without approval for exception were deviations where upon the owner was fined for installation without approval. Therefore, the approval on the Unit 01, Lot 218 project is consistent with prior approvals by the committee.

At the October 14, 2020 Architectural Standards Committee meeting, the committee discussed the exemption request and per the meeting minutes, and October 26, 2020 Decision Letter, “the committee explained the siding rules to the owners where no more than 50% per elevation can be sheet siding to minimize the use of T1-11 and Breckenridge,” and further recorded, “the committee discussed the samples given with one being milled redwood with batts and the other plywood with batts. The committee agreed laminating real wood





onto plywood is approvable. The owner explained he then will apply real milled wood and not sheet siding on the left and street view elevations.”

Given the property owner proposed plywood and battens material for the street view elevation and in excess of 50% of the left elevation, outside what is approvable and inconsistent with past approved exceptions, the committee focused on assisting the owner in his proposed alternate material of “real milled wood” or the use of metal. The committee viewed the discussion and outcome as a mutual agreement to apply an alternate material of real milled wood. Had the owner not had an alternate proposal of material in the submission and agreed to presented option in his letter, the committee would have denied the request for the plywood and battens as proposed as discussed in the meeting and required to come back with new proposed material.

**OUTREACH:**

N/A

**FISCAL IMPACT**

N/A

**ALTERNATIVE:**

The board has a number of alternatives:

1. The board may deny the appeal with modifications
2. The board may choose approval the appeal
3. The board may choose to approve the appeal with modifications

**ATTACHMENTS:**

Exhibit A: AS Rules, Procedures and Restrictions for Land Use, Section III Exterior Specifications, (5) Siding, or Sheathing and Trim

Exhibit B: Examples of Siding

Exhibit C: Unit 01, Lot 218 Maps, Project Plans

Exhibit D: ASC Meeting Minutes October 14, 2020 Excerpt for: Unit 01, Lot 218

Exhibit E: Unit 01, Lot 218 Hearing Decision Letter

Exhibit F: Unit 01, Lot 218 Appeal Request and Supplemental Reading

Prepared By: Annie Rosenfeld, Director of Risk Management and Real Property

Board Meeting Date: December 3, 2020

General Manager Approval to Place on the Agenda: \_\_\_\_\_

