

# APPEALS ON ARCHITECTURAL STANDARDS COMMITTEE DECISION, JUNE 15, 2022

APPEAL HEARING – August 24, 2022

# APPEAL HEARING PROCEDURES

- Staff provides appeal overview presentation– 10 min
- Appellant No 1 Unit 08, Lot 297 states his/her case – 10 min
- Board asks questions of staff, applicant, and respondent – 10 min
- Appellant No 2 Unit 08, Lot 295 states his/her case – 10 min
- Board asks questions of staff, applicant, and respondent – 10 min
- Board asks questions of project owner, Unit 08, Lot 296 – 10 min
- The board will then deliberate and act on the appeal in open session
- Appellants will receive written decision of the board within 10 days of the hearing

# RECOMMENDED ACTION

## **By Motion:**

The Board of Directors denies the appeal made by the Neighbor of Unit 08, Lot 297 and upholds the decision of the Architectural Standards Committee.

The Board of Directors denies the appeal made by the Neighbor of Unit 08, Lot 295 and upholds the decision of the Architectural Standards Committee.

# ASC COMMITTEE DECISION- JUNE 15, 2022

**Submittal:** Major w/ Neighbor Notification: House/Garage 3,768SF

- Action 3:0 (Whitten, Hipkins, Phelps) The committee agreed to conditionally approve the project based on payment of the deposit and the above-noted revisions which can be submitted after the permit has been issued and before the final inspection.

# ARCHITECTURAL STANDARDS RULES, PROCEDURES AND RESTRICTIONS FOR LAND USE

## I. Introduction

### B. Design Policies and Review (pg. 5):

#### 1) GENERAL:

The AS Rules and the design guidelines are based on primary policies of appropriate design as it relates to communities such as Tahoe Donner. It is not possible to make a rule for every situation. The ASC uses the design policies in the evaluation of each plan submitted for approval. The following policies were developed to benefit the applicant, the ASC and our community by reducing the possible subjective nature of the review of architectural design elements and providing a means for evaluating these plans to ensure continuity.

#### 2) POLICIES:

##### a) ENVIRONMENTAL PROTECTION:

Approval for clearing or alteration of lots shall be granted only for approved structures, site improvements, fire protection or landscaping and may not be performed in a manner that will result in erosion of soils, excessive water runoff, discharge of wastes into soils or waters, stagnation or standing water, or excessive removal of indigenous vegetation.

##### b) SITING FOR COMMUNITY AND PRIVACY:

All structures shall be sited to create an appropriate setting within each lot, consistent with the density and setback rules as defined in the AS Rules. The ASC may require the structure be placed so as to reduce its impact upon other Owners' rights to reasonable scenic access, as described in the C&Rs. The maximum allowable coverage on a single-family parcel shall be 35% of the gross area of the parcel. The maximum allowable coverage on a multiple-family parcel shall be 50% of the gross area of the parcel.

##### c) FORM AND CONTENT:

All structures shall be of a size and use that is consistent with the C&Rs and AS Rules and the standards of the community. All structures and site improvements shall be designed to fit the topography of the lot. The styles, shapes, sizes, massing and colors are to be of good proportions, well balanced and appropriate to Tahoe Donner. Elevations and designs which the ASC finds aesthetically incompatible with the physical site, adjoining properties or the environment of the development will not be approved.

# ARCHITECTURAL STANDARDS RULES, PROCEDURES AND RESTRICTIONS FOR LAND USE

## II Plan Submittal Requirements

### B. Setbacks (pg. 9):

No structure or improvement shall be constructed, erected, placed or maintained within setback areas. The following are setback requirements which must be observed when positioning structures on the lot.

#### 1) FRONT SETBACK:

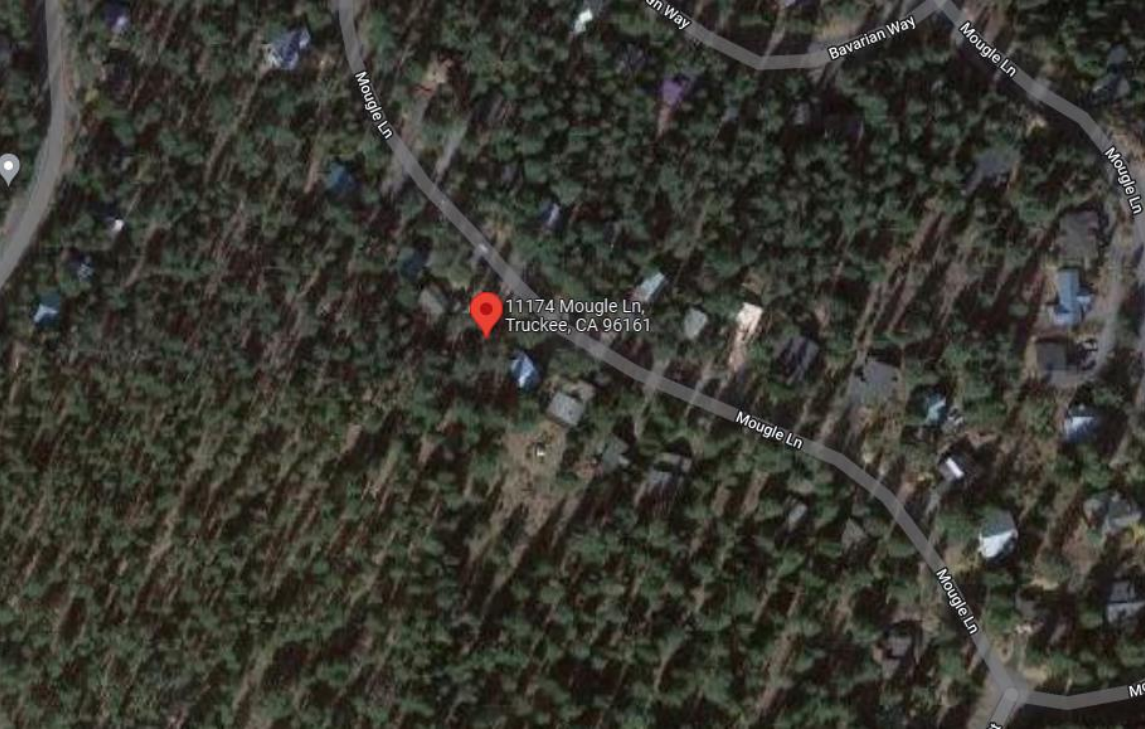
A minimum 20' setback from the property lines on all street side(s) of the property. On some parcels, the ASC may require the setback to be greater than 20' to be compatible with houses on adjacent lots.

#### 2) SIDE SETBACK:

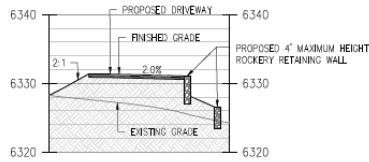
A minimum 10' setback from the side property lines to the nearest eave line of the roof. The ASC will consider exceptions on a case-by-case basis.

3) REAR YARD SETBACK: Running parallel to the rear lot line, a minimum setback equal to 20% of the gross area of the lot is required, but in no event shall the minimum setback depth be less than 25'. An exception is made for a corner lot when the setback may be in alignment with adjacent lot(s) or a triangular lot that may also have the rear setback in alignment to the adjacent lots. The rear yard setback is intended to be preserved as a greenbelt area. This will be considered in reviewing applications for permits to remove trees in this area. The owner is exclusively responsible for identification of property boundaries, easements, and setbacks. Neither the Association nor the ASC has any responsibility to certify that any improvement, structure or activity does not encroach upon any easement, setback, or adjacent property line.

# PROJECT AERIAL + PLAT MAP

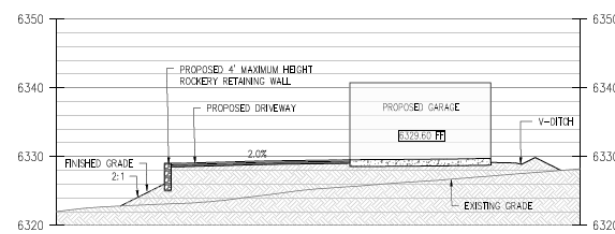






**SECTION A-A**

SCALE: 1" = 10' HORIZ.  
1" = 10' VERT.



**SECTION B-B**

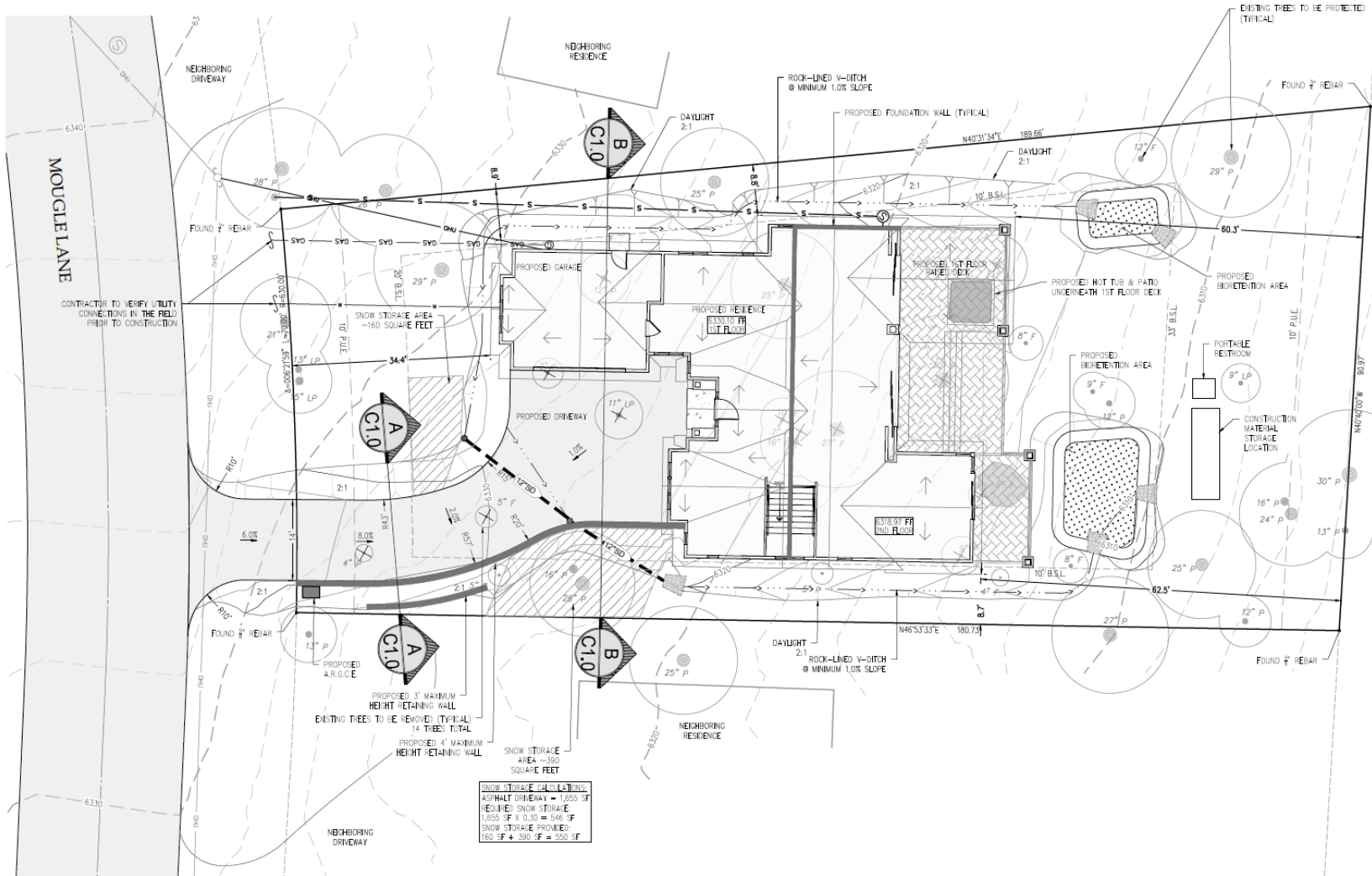
SCALE: 1" = 10' HORIZ.  
1" = 10' VERT.

**SITE STATISTICS**

AREA	SQUARE FOOTAGE	TOTAL COVERAGE
ASPHALT	1,350 SF	8.8%
BUILDING FOOTPRINT	2,950 SF	19.4%
CONCRETE/PATIOS	920 SF	6.0%
PERVIOUS AREA	10,025 SF	65.8%
<b>TOTAL AREA</b>	<b>15,245 SF</b>	<b>100.0%</b>

Total coverage: 34.2%

# REVISED APPROVED PLAN



**SNOW STORAGE CALCULATIONS:**  
 ASPHALT DRIVEWAY = 1,650 SF  
 REQUIRED SNOW STORAGE  
 1,650 SF X 0.30 = 546 SF  
 SNOW STORAGE PROVIDED:  
 160 SF + 390 SF = 550 SF



# APPELLANT NO.1 LOT 297 APPEAL BASIS

Lot 297/Fellows reason for appealing the ASC decision:

- The new house design for 11174 has the eaves extending too close to the neighboring houses.
- The new house design for 11174 plots the house too close to the greenbelt and TD trail. This trail is heavily traveled by hikers and mountain bikers of all ages. Further, there is a heavily used animal path running through this part of the greenbelt due to its location between Trout Creek and Alder Hill.

# APPELLANT NO.2 LOT 295 APPEAL BASIS

Lot 295/Lacey reason for appealing the ASC decision:

- Eave lines are too close to the side setback
- Incomplete site plan demonstrating <35% surfacing
- Proximity to trail

# RECOMMENDED ACTION

## **By Motion:**

The Board of Directors denies the appeal made by the Owner of Unit 08, Lot 297 and uphold the decision of the Architectural Standards Committee.

The Board of Directors denies the appeal made by the Owner of Unit 08, Lot 295 and uphold the decision of the Architectural Standards Committee.