

EXHIBIT A
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.

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.

EXHIBIT C
Street View of Lot 296



Site Plan – Revision Proposed 34.2% w/ Driveway Reduction

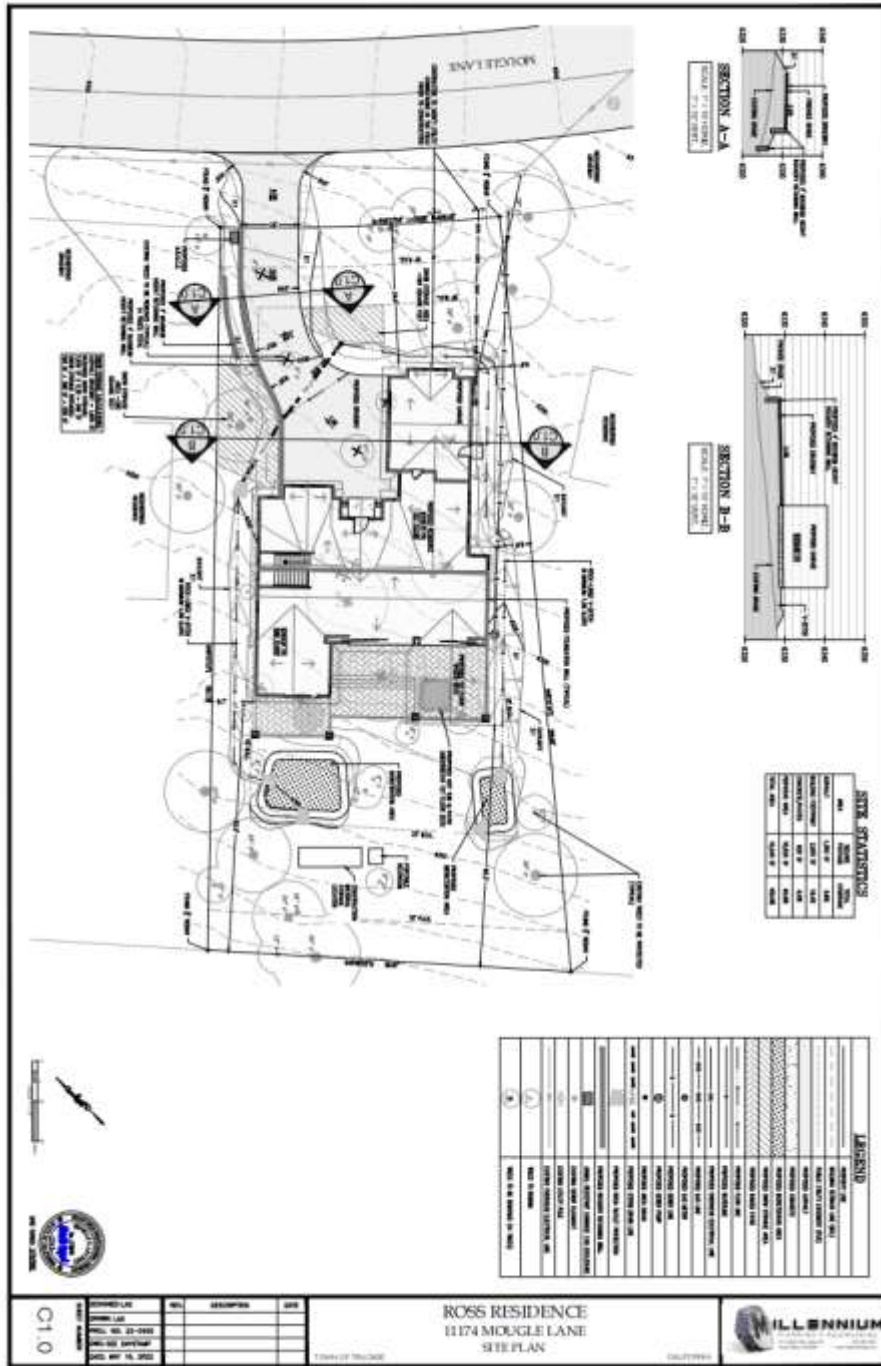


EXHIBIT E
ASC Hearing Decision Letter



DECISION LETTER
ARCHITECTURAL STANDARDS COMMITTEE

DATE: June 24, 2022

FILING: 423029

Duncan Ross
190 Saddle Wood Dr
Novato, CA 94945

Re: 11174 Mougle Lane

Dear Property Owner(s);

On June 15, 2022 the Tahoe DonnerSM Architectural Standards Committee(ASC) reviewed the submitted project for the above-referenced property.

Following are the advisories and comments Architectural Standards Committee:

Decision: SUBMITTAL: House/Garage 3768SF

The owners and designer were present. The staff provided historical project information.

- The committee reviewed the site plan and discussed the coverage percentage at 35.8%.
- The committee reviewed the survey of the lot.
- The committee reviewed the site plan and noted overhead power. The committee reviewed the tree removal and agreed approvable. The committee explained the site plan is required to be updated to accurately calculate coverage for the driveway.
- The committee reviewed the elevations and explained they have concerns of ice dams with the roof lines proposed.
- The committee explained Hardie Board is an approvable material; however, there are warranty concerns with snow conditions/elevation and increased maintenance required with this product.
- There were no neighbor comments received. There were two neighbors from Lot 295 and Lot 297 present with project concerns.
- The committee explained with the driveway recalculation, the coverage will be reduced under 35%. The committee explained the eaves to protrude to 8'8" on the left and 8'7" on the right yet the foundation is proposed within the building envelope. The committee discussed if the building were to be pushed back, then privacy could pose an impact instead.
- The designer explained the surveyor may have marked all trees with tree proposed tree removal may be marked with a different color. The designer will confirm.
- The committee explained the exemption is not approved for ARGCE. The designer explained the exemption was for solar. The committee explained this is a Town of



Truckee decision. The committee explained capping the exposed rafter tails with matching metal would be advisable to prevent deterioration.

- The committee reviewed the exterior lighting fixture and agreed approvable. The committee require a motion detector on the rear lights (and any side exterior lighting, if applicable) and recommended a switch function along with a 3000k or below bulb for color temperature.
- The committee require the following revisions:
 - Update site plan for accurate coverage under 35%, natural grade, rear setback dimension
 - Update elevation plans for roof material illustration and vents
- A site inspection has not been completed.
- The deposit has not been paid.
- The committee explained if there is more than 2 ft of snow on the ground, special permission must be requested for use of heavy equipment.
- The committee discussed the new Town of Truckee noise ordinance that started on January 1, 2021, restricts construction noise beyond that of the Tahoe Donner construction hours.
- The committee explained the CAL Fire tree removal requirement as a courtesy.
- The committee explained that once the Certificate of Occupancy has been obtained through the Town of Truckee, a request for a final inspection must be submitted within 60 days.
- Rod Whitten moved conditionally approve the project based on payment of deposit and the above-noted revisions which can be submitted after the permit has been issued and before the final inspection. David Hipkins seconded the motion (Passed 3:0)
- The committee stated the owners may appeal any decision to the Board of Directors.

- 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.

Please email to submit the required items no later than 120 days from the date of this letter.

PLEASE NOTE: You are required to pay your deposit prior to picking up your permit. *Your deadline for paying the deposit is within 120 days of plan approval or the application will be invalidated without further notice. Your deadline to pay the \$3,000 deposit is October 13, 2022.*

PLEASE NOTE: You are required to ready the lot for a second inspection with string lines from property corner pins and request your site inspection at your earliest opportunity.

PLEASE NOTE: No excavation, tree removal or construction of any type may proceed prior to the issuance of an Architectural Standards permit. Any violations of this rule will result in the



assessment of a fine as well as legal proceedings to compel compliance with the Covenants and Restrictions and Rules.

PLEASE NOTE: When plans are invalidated, the site must be inspected to ensure there has been no alteration of the lot. If the lot has been altered in any way, the site must be returned to its natural condition prior to the refund of any deposit money and unused inspection fees. *The administration fee which accompanied the permit application is non-refundable.*

PLEASE NOTE:

- Any attachments to trees are not allowed.
- Owners are reminded that ARGCEs placed beyond 28' from the pavement edge of the roadway may incur a weekly surcharge to be determined by the disposal company.
- Any exposed metal and plastic shall be painted to harmonize with the structure's principal color.
- Any exposed concrete more than 6" above grade must be painted or stained to blend with the principal exterior color.
- The driveway maximum is 20' in width at the front property line.
- All boundary markers and property line strings must be in place and plainly visible at time of final inspection.
- All construction site driveways must be treated so as to minimize mud and/or dirt being tracked onto the roadway. 3' of gravel would be considered an acceptable treatment.

PLEASE NOTE: During winter months, clearing of snow from a building site with heavy equipment will not be allowed except under special circumstances with the discretion of the ASC. The parcel must be reasonably clear of snow (less than 2') to avoid any damage to native vegetation, and any such damage, other than where approved, may result in a fine. Caution is urged at all times.

CONSTRUCTION HOURS:

The Town of Truckee has a new noise ordinance that started January 1, 2021 restricting construction noise beyond that of the Tahoe Donner construction hours.

Construction. Noise sources associated with construction, repair, remodeling, or grading of any real property; provided a permit has been obtained from the Town as required; and provided said activities do not take place between the hours of 7:00 p.m. and 7:00 a.m. on weekdays, between the hours of 5:00 p.m. and 8:00 a.m. on Saturdays, or at any time on Sunday or a federal holiday.

Please see the Town of Truckee website for more information:

<https://www.townoftruckee.com/home/showdocument?id=20356>

Tahoe Donner Construction Hours were effective to 12/31/2020: 7am to 7pm Monday through Friday and 8am to 7pm Saturdays, Sundays, and Holidays. For this provision, recognized holidays



are January 1st, Presidents Day, Memorial Day, 4th of July, Labor Day, Thanksgiving Day, and Christmas Day.

If you choose to appeal the ASC decision, you do retain the option to schedule a hearing with the Appeal Board (Board of Directors) to further discuss this matter. At your hearing, the Appeal Board will review your appeal. **You may obtain an Appeal package from the Architectural Standards Office (ASO). The request for the Appeal package must include a written statement and be requested and returned to the ASO within 15 days following receipt of this letter.**

If you elect to schedule an appeal or if you have any questions, please contact the Architectural Standards Office at (530) 587-9407 or aso@tahoedonner.com

Sincerely,

A handwritten signature in black ink that reads "Sheryl Walker". The signature is written in a cursive, flowing style.

Sheryl Walker
Architectural Standards Manager
Architectural Standards Office

cc: Jeff Farrell - via email
Vincent & Nikki Lacey – Lot 295 – meeting minutes only

EXHIBIT F
Appeal Request Form and Basis of Appeal Lot 297

Request for Appeal

[Click here to read procedures/rules.](#)

This is a Request for Appeal from a Decision of the Following Committee

Architectural Standards

Covenants

Committee Decision Information

Date of Meeting

6/15/2022

Result of Decision

11174 Mougle Lane plans passed

Subject Property

Tahoe Donner Property Address

11174 Mougle Lane

Unit

8

Lot

299? (we are neighboring lot 297)

Appellant Information

Property Owner Name Requesting Appeal

Jenny and Chris

First

Fellows

Last

Mailing Address

PO Box 9119 Truckee CA 96162

Address Line 1

Example: 12345 Street Name, Truckee, CA 96161

Primary Phone

(530) 386-2102

Email

jennynastc@gmail.com

Appeal Hearing

Name of owner(s) or designee(s) to appear at the hearing

Owner or designee 1

Name

Chris and Jenny

First

Fellows

Last

I request that the hearing be closed (check box if applicable)

Attached is a written statement why I believe I have a basis for appeal. I understand that all decisions of the Appeal Board shall be final and binding.

Date

7/7/2022

Signature



I understand this is a legal representation of my signature.

Reason for Appeal/Additional Comments

- 1- The new house design has the eaves extending too close to the neighboring houses.
- 2- The new house design plots the house too close to the greenbelt and TD trail.

Letter to the Board - Basis of Appeal

TahoeDonnerASOAppealRequest07092022.docx



North American Ski Training Center
Chris & Jenny Fellows, Directors
PO Box 9119 Truckee, CA 96162-7119 USA
Phone 530-386-2102

Email ski@skinastc.com Visit NASTC at: www.skiNASTC.com

July 9, 2022

Dear ASO Office at Tahoe Donner –

We have lived full-time at 11190 Mougle Lane, Truckee, CA 96161 since 1993. We built it ourselves in 1992. This letter is in regards to the design for the house proposed on the empty lot next to us at 11174 Mougle Lane. We are sending it with our Request for Appeal, along with our neighbors to the south (on the other side of the lot), for the following reasons:

- 1- The new house design for 11174 has the eaves extending too close to the neighboring houses.
- 2- 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.

Please consider our appeal. It comes thoughtfully after 30 years living full-time at 11190. The new house will be beautiful we're certain, but the current design is too large and positioned too far down (southwest) the lot's hill.

Kindly,

Jenny and Chris Fellows

530-386-2102 J

530-386-2103 C

PO Box 919 Truckee CA 96162 (mail)

11190 Mougle Lane Truckee CA 96161 (physical)

EXHIBIT F
Appeal Request Form and Basis of Appeal Lot 295

Request for Appeal

[Click here to read procedures/rules.](#)

This is a Request for Appeal from a Decision of the Following Committee

- Architectural Standards
- Covenants

Committee Decision Information

Date of Meeting

6/15/2022

Result of Decision

The committee agreed to conditionally approve the project

Subject Property

Tahoe Donner Property Address

11174 Mougle Lane

Unit

8

Lot

296

Appellant Information

Property Owner Name Requesting Appeal

Vincent

First

Lacey

Last

Mailing Address

427 Medoc Ct Mountain View CA 94043

Address Line 1

Example: 12345 Street Name, Truckee, CA 96161

Primary Phone

(408) 868-8623

Email

vince.lacey@gmail.com

Appeal Hearing

Name of owner(s) or designee(s) to appear at the hearing

Owner or designee 1

Name

Vincent

First

Lacey

Last

Owner or designee 2

Name

Nikki

First

Lacey

Last

I request that the hearing be closed (check box if applicable)

Attached is a written statement why I believe I have a basis for appeal. I understand that all decisions of the Appeal Board shall be final and binding.

Date

7/13/2022

Signature



I understand this is a legal representation of my signature.

Reason for Appeal/Additional Comments

- 1) incorrect judgement on side set backs
- 2) site plan does not demonstrate <35% footprint
- 3) proximity to trail and gross misproportion within neighborhood & TD norms

Letter to the Board - Basis of Appeal

11174_Mougle_ASC_Appeal.pdf

13 July 2022

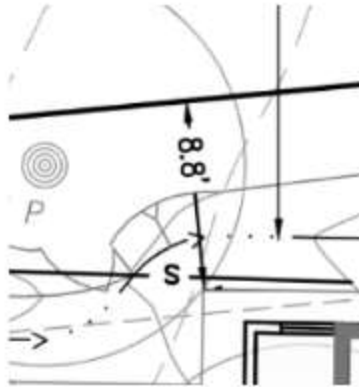
Tahoe Donner Board of Directors
11509 Northwoods Blvd.
Truckee, CA 96161

Dear Board Members,

We request an appeal and re-review of the architectural plan approved regarding 11174 Moughe Lane. We attended and reviewed the notes from the meeting, and find there are still areas that do not adhere to the [Architectural Standards](#). Namely:

1) Eavelines too close to side setback

- Per guidelines: "A minimum 10' setback from the side property lines to the nearest eaveline of the roof."
- Published plans show <10' setback. Example:



- Note: Common [zoning laws](#) define eave lines to be "The lower edge of a sloping roof that projects past the face of the wall." Architecture drafting programs can automatically display these lines as shown in the diagram above.

2) Incomplete site plan demonstrating <35% surfacing

- Per guidelines: "The area to be surfaced will not exceed the existing rule limiting the building and paved areas to 35% of the total lot area."
- Per review notes: "Committee require...update site plan for accurate coverage under 35%" given "the driveway recalculation"
- **This updated site plan has not been shared back for review, and should not be approved until it is**

- Based on hand calculations of the area, the new calculation is likely to be 5,287 sqft surfaced / 14819 sqft within property line = 35.7%. Seeing how close the area is, it deserves a careful review by committee.

3) Proximity to trail

- Per guidelines: "On some parcels ASC may require the setback... to be compatible with houses on adjacent lots"
- The proposed structure extends over 50' beyond the setback normally established by resident structures on Moogle Ln
- The structure is within 100' of a major hiking + nature trail with a propensity to impose unnatural views to hikers, affecting this public resource

We thank you for your consideration and are happy to take any questions

Kindly,

Vincent & Nikki Lacey

650-417-3328

11158 Moogle Ln (physical)

427 Medoc Ct, Mountain View, CA 94043 (mailing)