

**MINUTES**  
**TAHOE DONNER ASSOCIATION**  
**SPECIAL BOARD OF DIRECTORS MEETING**  
**MEMBER APPEAL HEARING**

**November 14, 2023**  
**The Northwoods Clubhouse, Mezzanine and Zoom Webinar**  
**12:00 p.m.**

A special scheduled meeting of the Board of Directors of Tahoe Donner Association was held at The Northwoods Clubhouse, Mezzanine and via Zoom webinar on Tuesday, November 14, 2023. President Koenes called the meeting to order at 12:00 p.m. The following Directors were in attendance, thus constituting a quorum of the authorized number of Directors of the Association:

**Directors Present:** Don Koenes, President  
Benjamin Levine, Vice President  
Courtney Murrell, Secretary  
Steve Mahoney, Treasurer (via Zoom)  
Jim Roth, Director (via Zoom)

**Directors Absent:** None

**Staff Present:** Annie Rosenfeld, Interim General Manager  
Patricia West, Recording Secretary  
Kevin Finnen, Community Standards Manager  
Lisa Purchard, Community Standards Supervisor

**Additional Present:** Eric Fayet-Faber (Member Appellant)  
Don Fulda (Ward Young Architects)  
Crystal Virrey (Ward Young Architects)  
Rod Whitten, ASC Chair

**1. Call to Order / Call for Quorum**

**2. Appeal Hearing**

The Board of Directors considered an appeal request by the owners of Unit 3, Lot 233 to reverse the September 13, 2023 Architectural Standards Committee decision to deny the variance request for a driveway encroachment into the side setback and an exception request for eaves encroachment in the side setback.

Annie Rosenfeld presented a staff report and presentation. Don Fulda, the architect presented for the appellant.

The Board asked if there are any hardships associated with the setback encroachments. Don Fulda answered that there were no hardships.

*At 12:42 p.m., Director Mahoney made a motion to adjourn to Executive Session, seconded by Director Murrell. Motion passed 5 – 0.*

### **3. Executive Session (Closed to Members)**

### **4. Appeal Hearing, Continued**

The meeting continued at 1:25 p.m. and started with the eaves encroachment exception request. After discussion:

*Director Roth made a motion to deny the appeal to the side setback exception decision, seconded by Director Murrell. Roll call – Roth Yes, Mahoney No, Murrell Yes, Koenes Yes, Levine Yes. Motion passed 4-1 (Mahoney No).*

The meeting continued with the driveway encroachment variance request. After discussion:

*Director Murrell moved to uphold the denial of a variance request for a driveway encroachment into the side setback, seconded by Director Roth. Roll call – Roth Yes, Mahoney No, Murrell Yes, Koenes Yes, Levine Yes. Motion passed 4-1 (Mahoney No).*

### **5. Member Comments**

Board President Koenes invited brief member comments on items that are not on the agenda.

Don Fulda commented that, as the architect, he felt that the ASC did not consider the details in the project and that there is confusion in the process between ASC and the Board.

Director Murrell responded that she believed the ASC had a good discussion about the project.

Director Levine responded that Tahoe Donner could do a better job of communicating the C&Rs to designers.

Eric Fayet-Faber commented that the architectural review and appeal process needs to be reviewed.

**6. Executive Session (Closed to Members)**

*At 1:55 p.m., Director Mahoney made a motion to adjourn to Executive Session, seconded by Director Murrell. Motion passed 5 – 0.*

**7. Adjournment**

There being no further business, there was consensus to continue the meeting at 3:07 p.m.

Submitted by:

**SECRETARY’S CERTIFICATE**

I, Courtney Murrell, Secretary of Tahoe Donner Association, do hereby certify that the foregoing is a true and correct copy of the minutes of the Tahoe Donner Association Board of Directors special meeting held on November 14, 2023 as approved by the Board members in attendance and constituting a quorum at a duty convened subsequent meeting of the Board.

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Courtney Murrell, Board of Directors Secretary