

Request for Appeal

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

☒ Architectural Standards

☐ Covenants

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

Committee Decision Information

Date of Meeting

11/20/2024

Result of Decision

The committee agreed to approve the project as a whole, including an exception to the siding rule to allow more than 50% sheet siding on the sides and back given that it is a Hardie Board product, but to deny the proposed siding on the street side (aside from the east elevation side with the garage) and require a resubmittal to staff for one member review, along with an approved site inspection, before permit issuance.

Subject Property

Tahoe Donner Property Address

14281 Herringbone Way

Unit

5

Lot

181

Appellant Information

Property Owner Name Requesting Appeal

Jeff

First

Lasker

Last

Mailing Address

131 Molton Ave., San Carlos, CA 94070

Address Line 1

Example: 12345 Street Name, Truckee, CA 96161

Primary Phone

(415) 412-4076

Email

jlasker@gmail.com

Appeal Hearing

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

Owner or designee 1

Name

Jeff

First

Lasker

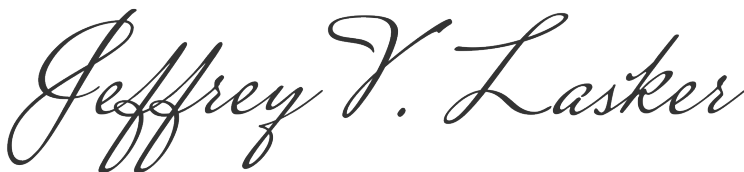
Last

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

12/11/2024

Signature



I understand this is a legal representation of my signature.

Reason for Appeal/Additional Comments

See attached letter and exhibits.

Letter to the Board - Basis of Appeal

2024 12 11 - ASC Appeal Letter to Board.pdf

Jeff Lasker & Brian Howell
131 Molton Ave.
San Carlos, CA 94070
(415) 412-4076

December 11, 2024

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

Re: 14281 Herringbone Way
Appeal of Architectural Standards Committee Decision, Filing #570244

Dear Board of Directors:

We're building a 2,961SF house on a vacant lot on Herringbone Way. We previously had another home on Herringbone Way, and love the street. We're excited about returning to the street and the Tahoe Donner community.

A rendering of the proposed house is attached as Exhibit 1. The Architectural Standards Committee approved the project as a whole, but denied the proposed 4'x8' Hardie Panel siding on the front of the house citing ASC Rule III.H(5).¹ We appeal ASC's denial of the proposed Hardie Panel siding on the front of the house.

As shown in the rendering, we propose to use Hardie Panel Select vertical siding and battons with Cedarmill wood grain texture, primed to paint with Benjamin Moore Vintage Vogue. We selected Hardie siding to help harden the house against fire. It's noncombustible and will not burn. It's listed as CalFire compliant for exterior wall siding for wildland urban interface, as shown in the CalFire certification attached as Exhibit 2. It's also extremely weather resistant and holds no appeal for pests like woodpeckers or termites. Overall, it's a high quality and

¹ The ASC permitted an exception to the siding rule to allow more than 50% sheet siding on the sides and back given that it is a Hardie Panel product, citing the following allowance in the rule: "EXCEPTIONS: Plywood or sheet siding exceeding the above 50% maximum may be allowed as an exception, on a case-by-case basis, on those sides not facing a street or the golf course only if: a) the design is in harmony with the street/golf course view side(s); and b) the plywood or sheet siding is properly coated or treated to minimize discoloration and deterioration."

robust product for extreme weather areas like Truckee, as explained in the product brochure attached as Exhibit 3.

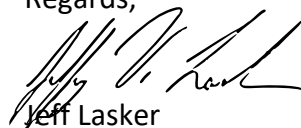
ASC Rule III.H(5) states: "No type of plywood or sheet siding is allowed on any street side(s) or on any golf course side(s) where visible from the golf course. This includes the use of such siding with battens." The rule was enacted to prevent overuse of low-quality wood sheet siding, such as T1-11 and plywood, which is combustible, prone to discoloration, deterioration, and rot, and does not have a high-quality aesthetic appeal.

Hardie Panel is far different from what's intended to be prohibited by the rule. As shown in the photos attached as Exhibit 4, Hardie Panel and battens are high quality and have an aesthetic appeal that are fitting for the high standards of Tahoe Donner. Unlike plywood or T1-11, Hardie Panel will not burn, rot, or discolor. Additionally, as shown in the photos of sample products attached as Exhibit 5, the Hardie Panel product has the same texture as the Hardie Plank product which is a board product that's certainly not prohibited by Rule III.H(5). We can deliver these samples to Community Standards Office so that the Board can review them in person.

For the reasons stated above, we respectfully submit that the proposed siding is not prohibited by ASC Rule III.H(5). Permitting use of Hardie Panel helps further the goals of Tahoe Donner to harden structures against fire, while also maintaining a visually appealing look. We therefore respectfully request the Board to reverse the ASC's denial of the proposed 4'x8' Hardie Panel siding on the front of the house.

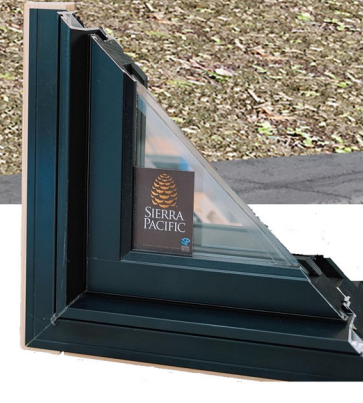
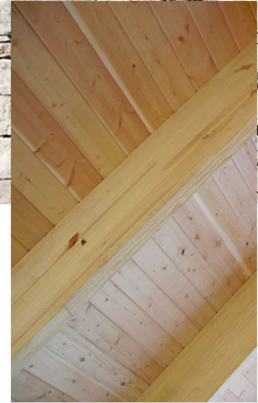
If you have any questions, we're happy to answer them.

Regards,

A handwritten signature in black ink, appearing to read "Jeff Lasker", written over a printed name.

Jeff Lasker

EXHIBIT 1



ROOFING:
METAL SALES 12" SS
24 GA PNL, 1 3/4" SEAM
MATTE BLACK

STRUCTURE + SOFFIT:
DF GLB, 3x6 T+G VG
SQ EDGE, NO GAP,
CLR STAIN

VERTICAL SIDING:
HARDIE PANEL SELECT
CEDARMILL, PRIMED TO PT
w/ HARDIE BATTENS
BENJAMIN MOORE VINTAGE VOGUE

BOARD FORMED CONCRETE
ROUGH SAWN 8X w/ 1/8" GAP
STAIN: LIVING EARTH TAWNY
+ ARCTIC GRAY

TERRACE FLATWORK:
QUARTZITE FLAGSTONE

ROCKERY RETAINING WALL:
GRAYS [NO PEACH/ORANGE
SUBTERRANEAN BOULDERS]

WINDOWS + DOORS
SIERRA PACIFIC
ASPEN SERIES, BLACK

EXHIBIT 2



**CALIFORNIA DEPARTMENT OF FORESTRY & FIRE PROTECTION
OFFICE OF THE STATE FIRE MARSHAL
FIRE ENGINEERING & INVESTIGATIONS DIVISION
BUILDING MATERIALS LISTING PROGRAM**

LISTING SERVICE

LISTING No.:	8140-2026:0005
CATEGORY:	8140 - EXTERIOR WALL SIDING AND SHEATHING FOR WILDLAND URBAN INTERFACE (W.U.I)
LISTEE:	JAMES HARDIE BUILDING PRODUCTS, INC. 10901 Elm Avenue, Fontana, CA, 92337 Contact: Haldeman, Alex (951) 545-8359 Email: alex.haldeman@jameshardie.com
DESIGN:	"HardiePlank™" lap siding, fiber-cement, 5/16" thick. "HardiePanel™" vertical siding, fiber-cement, 5/16" thick. Refer to the manufacturer's installation instructions and product data sheets.
RATING:	Compliance in accordance with Chapter 7A of the California Building Code.
INSTALLATION:	In accordance with listee's printed installation instructions, applicable codes and ordinances and in a manner acceptable to the authority having jurisdiction.
MARKING:	Listee name, Model number, rating and SFM label.
APPROVAL:	Listed as exterior siding for use in the Wildland Urban Interface areas.
NOTES:	

05-19-11JD



This listing is based upon technical data submitted by the applicant. OSFM Fire Engineering staff has reviewed the test results and/or other data but does not make an independent verification of any claims. This listing is not an endorsement or recommendation of the item listed. This listing should not be used to verify correct operational requirements or installation criteria. Refer to listee's data sheet, installation instructions and/or other suitable information sources.

Date Issued: 05/06/2024

Listing Expires: 06/30/2025

Authorized By: **David Castillo**, Program Coordinator
Fire Engineering & Investigations Division

EXHIBIT 3

Long-lasting beauty by design.

Pacific Northwest Product Catalog



Hardie® Plank Mountain Sage
Hardie® Trim Arctic White

Tougher than the elements.



Fire

Help prepare your home for the unpredictable with noncombustible siding that won't burn or ignite when exposed to a direct flame. Noncombustible siding, combined with other safety measures, can help harden your home against damage from external fire.

Recognized by fire departments.* Listed for use in wildfire-prone Wilderness Urban Interface (WUI) zones in the western US.

NONCOMBUSTIBLE SIDING IS ONE FACTOR IN HELPING TO HARDEN YOUR HOME AGAINST FIRE.

- Verified noncombustible per ASTM E136
- Will not contribute fuel to a fire
- Class A fire rated per ASTM E84, with a flame spread index / smoke developed index of less than 0/5
- Verified in wall assemblies with 1-hour and 2-hour fire-ratings per ASTM E119



Cal-Fire Compliant

*Hardie® siding complies with ASTM E136 as a noncombustible cladding and is recognized by fire departments within the U.S. including Chicago IL, St. Paul MN, Flagstaff AZ and Wayne County, OH. Fiber cement fire resistance does not extend to applied paints or coatings, which may be damaged or char when exposed to flames.



Fire Demonstration:
Hardie® Fiber Cement Siding vs. Vinyl, Engineered Wood and Cedar



Pests

Creatures can wreak havoc on wood-based siding. It can be pecked by birds or damaged by termites and other pests. Hardie® fiber cement holds no appeal for these critters, saving you the maintenance hassle.



Pest Testimonials:
Hardie® Fiber Cement Standing Up to Pests



Water Resistant

From rain to ice to snow, precipitation patterns can lead to warping, swelling and cracking in wood-based siding. Take shelter from the storm knowing that your siding is built to resist water damage.

- FEMA Class 5 flood damage resistance (highest rating)
- Rated for use in High Velocity Hurricane zones by Miami-Dade County, Florida



Water Demonstration:
Hardie® Fiber Cement Standing Up to Water



Time

ColorPlus® Technology finishes provide a durable finish that helps resist fading and discoloration hat outperforms field applied paint, so your exterior can keep its good looks longer.

Made for what matters.

Hardie® fiber cement products offer better overall performance so you can have added peace of mind. Know your options when choosing your exterior products, considering a variety of factors.

Hardie® Siding	Vinyl Siding	Wood-Based Siding
Non-Combustible		
✓	✗	✗
Hail and Impact Resistant		
✓	✗	✓
Pest Resistant		
✓	✓	✗
Resistant to Warping, Shrinking, and Swelling		
✓	✗	✗
Will Not Melt		
✓	✗	✓



“We’re so grateful we chose Hardie® Plank. Our community was devastated by Hurricane Sandy...our home was not.”

BILL JUSTUS
Vice-President of Supply Chain Services for David Weekley Homes



“Everything outside the house was destroyed. But the house was standing. We were lucky... Hardie® siding really helped keep our house safe through the fire.”

DREW AND JESSICA
Homeowners from Tubbs Fire in Santa Rosa, CA



Exterior solutions inspired by nature. And designed to protect your home from it.

Hardie™ Zone System

Only Hardie® fiber cement exterior products are Engineered for Climate®, designed specifically with your climate zone in mind for optimal performance. In the northern USA and Canada, HZ5® products resist shrinking, swelling and cracking even after years of wet or freezing conditions. HZ10® products help protect homes from hot, humid conditions, blistering sun and more.

With Hardie® siding, trim and soffit, your home's exterior will be as tough as it is beautiful.



EXHIBIT 4

Hardie Panel & Battens w/ Cedarmill texture installed on another home in Truckee
(paint color different from proposed)



EXHIBIT 5

