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## STAFF REPORT

Date: April 18, 2024

To: TRPA Hearings Officer

From: TRPA Staff

Subject: Caillier Single-Family Dwelling Tear Down/Rebuild Project; 425 Pahute Road, Washoe County, NV; Accessor's Parcel Number: 123-143-21, TRPA File No: ERSP2023-1610

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### Proposed Action:

Hearings Officer action on the proposed project and related findings based upon this staff summary and the attached draft permit.

### Staff Recommendation:

Staff recommends the Hearings Officer make the required findings and approve the project subject to the conditions in the draft permit.

### Project Description/Background:

Kurt Caillier (the applicant) is proposing to tear down an existing single-family dwelling and build a new single-family dwelling at 425 Pahute Road, Washoe County, Nevada. The project is located within the Washoe County Tahoe Area Plan, Crystal Bay Regulatory Zone, which indicates that the project site may be subject to avalanches. For this reason, single-family dwellings are identified as a special use and the project is subject to Tahoe Regional Planning Agency (TRPA) Hearings Officer review and approval (ref. TRPA Code, Chapter 2).

### Avalanche:

The property was originally located in Plan Area Statement 034 – Crystal Bay, which called for the further study of avalanche danger to resolve the avalanche problem and to ensure that new and existing development is consistent with the findings of the study. In 1993, an Avalanche Hazard Study was prepared for the area. The Study is available at:

<https://parcels.laketahoeinfo.org/AccelaCAPRecord/Detail/ERSP2023-1610>. TRPA special use findings for areas identified as being located in an avalanche area have been made and as a condition of approval the applicant will be required to record a deed restriction holding TRPA harmless in the event of an avalanche. (Refer to Attachments A and B)

### Public Right-of-Way Abandonment and Public Comment:

A portion of the existing home was located in the Pahute Road public right-of-way (within a cul-de-sac at the end of the road). In 2022, Washoe County approved a right-of-way abandonment transferring 1,228 square feet of public right-of-way to the parcel. On October 3, 2023, TRPA also approved the right-of-way abandonment (ref. TRPA File # LLAD2023-0504). The abandonment documents are available at:

<https://parcels.laketahoeinfo.org/AccelaCAPRecord/Detail/LLAD2023-0504>



**Picture of the Site with the Existing House**

TRPA received a letter from a neighboring property owner (Victor Elgohary) expressing concerns with the proposed driveway configuration and requesting that the cul-de-sac at the end of Pahute Road be maintained as it currently is. Pahute Road is a narrow road that dead ends at the subject site. TRPA staff sent the public comment letter and draft plans to Washoe County staff to see if they have any concerns with the proposed project and driveway configuration. Washoe County staff sent TRPA a copy of the Planning Commission and Board of Commissioners staff report for the right-of-way abandonment. The reports are available at: <https://parcels.laketahoeinfo.org/AccelaCAPRecord/Detail/LLAD2023-0504>. The Planning Commission Staff Report states that the following agencies received a copy of the abandonment application for review and evaluation.

- Washoe County Community Services Department
  - Planning and Building Division
  - Engineering and Capital Projects
- North Lake Tahoe Fire District
- Washoe-Storey Conservation District
- Incline Village General Improvement District

All five of the above listed agencies/departments provided comments and/or recommended conditions of approval in response to their evaluation of the project application. The abandonment was approved by the Planning Commission. Mr. Elgohary appealed the Planning Commission's decision to the Washoe County Board of Commissioners, which upheld the Planning Commission's approval. Mr. Elgohary also appealed the County's decision to the Second Judicial District Court of Washoe County, which denied the decision for judicial review, and appealed the District Court's decision to the Nevada Supreme Court, which affirmed the lower Court's decision.

The County does not have any concerns with the proposed project or driveway configuration. TRPA received a stamped set of plans from the North Lake Tahoe Fire Protection District indicating the Fire District's approval of the project. TRPA staff asked the applicant's representative if they would be willing to revise the driveway configuration as requested in the public comment letter. The applicant's representative responded that they would like the driveway to remain in the proposed location.

According to Phil GilanFarr, the project's representative, during the process of the abandonment, all agencies, including North Lake Tahoe Fire District, reviewed and approved the abandonment. One of the conditions was if the existing home is removed and a new home is constructed then the new home must conform to a 20-foot setback from the new property line. The paved public roadway limits did not change as a result of the abandonment or will change with the proposed project. The area of land associated with the abandonment is a garage, a portion of the existing house, and the driveway area. The proposed plan is to remove these improvements and place the proposed structure 20 feet back from the new property frontage.

Victor Elgohary has also expressed concerns with the impacts of the proposed project on neighboring residents because the existing home will need to be demolished and removed from the site, along with fill (dirt) to accommodate the proposed single-family dwelling. To address this issue, the draft permit includes a condition requiring the permittee provide a construction management plan that outlines how access to neighboring properties will be maintained during construction. (Refer to Attachment E – Public Comment)

#### Scenic:

The subject parcel is visible from Lake Tahoe. As a result, the windows facing the lake will be required to have a reflectivity that does not exceed 11 percent (ref. TRPA Code, Section 66.1.6). Non-reflective earthtone colors and materials will be required to be used on the exterior of the proposed building.

#### Land Coverage:

In 2005, TRPA verified the site as being in Land Capability District (LCD) Class 1a with 1,740 square feet of existing land coverage (TRPA File # SA20050164). In 2020, the TRPA Hearings Officer approved a land capability challenge that reclassified the site as LCD Class 2 and Class 4 (ref. TRPA File # LCAP2019-0329). In 2020, TRPA verified 1,474 square feet of LCD Class 4 land coverage in the public-right of way (ref. TRPA File # LCAP2020-0391), but only 1,228 square feet of that area was abandoned and transferred to the subject parcel (ref. TRPA File # LLAD2023-0504). Thus, the existing verified coverage on-site is 2,928 square feet (1,474 square feet of existing coverage plus 1,228 square feet of coverage transferred to the site with the public right-of-way abandonment). There is 136 square feet of existing land coverage in LCD Class 2 and 2,832 square feet of existing land coverage in LCD Class 4. With the proposed project, 102 square feet of verified LCD Class 2 land coverage will be relocated to LCD Class 4. The proposed land coverage is 34 square feet in LCD Class 2 and 2,934 square feet LCD Class 4. The site's base allowable coverage is 1,731 square feet. The excess land coverage on the site 1,237 square feet (2,928 sq. ft. of verified land coverage – 1,731 sq. ft. of base allowable land coverage). The applicant is proposing to use land coverage exemptions and therefore must mitigate all excess land coverage (\$18.00 per square foot in the Agate Bay (NV) Hydrologic Area).

#### Height:

When a building has a cross slope of 10% or greater, it may be divided into three distinct segments for the purpose of calculating height (TRPA Code, Section 37.4.2). The average cross slope of the proposed building site is 28%. The proposed house has been divided into three distinct segments.

	Cross Slope	Roof Pitch	Max Height	Proposed Height
Segment 1			28'	20'9"
Segment 2	28%	0:12	30'	29'11 ½"
Segment 3	28%	3:12	33'7"	31'

Project Review:

TRPA staff reviewed the proposed project and found it meets all applicable standards in the TRPA Code, subject to the special conditions in the draft permit (Attachment B), and is consistent with Regional Plan Goals and Policies.

Environmental Review:

TRPA staff completed the "Project Review Conformance Checklist and Article V(g) Findings" in accordance with Chapters 4 of the TRPA Code of Ordinances. All responses contained on said checklist indicate compliance with the environmental threshold carrying capacities. A copy of the completed checklist is provided as Attachment D.

Public Comment:

Property owners within 300 feet of the subject site were provided notice of the Hearings Officer meeting.

Regional Plan Compliance:

Goal NH-1: Risks from natural hazards (e.g., flood, fire, avalanche, earthquake, seiche) will be minimized. Land uses within the Tahoe Region should be planned with recognition of natural hazards so as to help prevent damage to property and to protect public health. Natural hazard areas or situations can be identified and precautionary measures taken to minimize impacts.

Project Application:

The file materials associated with this project are available at:

<https://parcels.laketahoeinfo.org/AccelaCAPRecord/Detail/ERSP2023-1610>

The file materials associated with other applications referenced in this staff report are available at:

<https://parcels.laketahoeinfo.org/Parcel/Detail/123-143-21>

Required Actions:

Staff recommends the Hearings Officer take the following actions, based on this staff summary and evidence in the record:

1. Approve the findings (Attachment A) contained in this staff summary, and a finding of no significant environmental effect.
2. Approve the project, based on the staff summary, and record evidence, subject to the conditions contained in the attached Draft TRPA Permit (Attachment B).

Contact Information:

For questions regarding this agenda item, please contact Brandy McMahon, AICP, Principal Planner, at (775) 589-5274 or [bmcMahon@trpa.gov](mailto:bmcMahon@trpa.gov). To submit a written public comment, email [publiccomment@trpa.gov](mailto:publiccomment@trpa.gov) with the appropriate agenda item in the subject line. Written comments received by 4 p.m. the day before a scheduled public meeting will be distributed and posted to the TRPA

website before the meeting begins. TRPA does not guarantee written comments received after 4 p.m. the day before a meeting will be distributed and posted in time for the meeting.

Attachments:

- A. Required Findings
- B. Draft Permit
- C. Proposed Site Plan, Elevations, and Floor Plans
- D. Project Review Conformance Checklist and Article V(g) Findings
- E. Public Comment

Attachment A  
Required Findings

## Required Findings

Required Findings: The following is a list of the required findings as set forth in Chapters 4, 21, 30, and 37 of the TRPA Code of Ordinances. Following each finding, agency staff has briefly summarized the evidence on which the finding can be made.

### 1. Chapter 4 – Threshold Findings:

- a. The project is consistent with and will not adversely affect implementation of the Regional Plan, including all applicable Goals and Policies, Plan Area Statements and maps, the Code and other TRPA plans and programs.

All evidence in the file and public record demonstrates that the proposed project will not adversely impact the Regional Plan, is consistent with the Crystal Bay Regulatory Zone, complies with the TRPA Code of Ordinances, and will not adversely impact other TRPA plans and programs.

- b. The project will not cause the environmental threshold carrying capacities to be exceeded.

The basis for this finding is provided in the Project Review Conformance Checklist and Article V(g) Findings, in accordance with Chapter 4 of the TRPA Code of Ordinances. All responses contained on said checklist indicate compliance with the environmental threshold carrying capacities.

- c. Wherever federal, state or local air and water quality standards applicable for the Region, whichever are strictest, must be attained and maintained pursuant to Article V(g) of the TPRA Compact, the project meets or exceeds such standards.

All potential effects shall be mitigated through temporary and permanent Best Management Practices. The applicant will meet or exceed all federal, state, or local water quality standards. Upon completion of construction, the project will have no impact upon air or water quality standards.

### 2. Chapter 21 - Special Uses:

- a. The project to which the use pertains is of such a nature, scale, density, intensity, and type to be an appropriate use for the parcel on which and surrounding area in which it will be located.

The applicant is proposing to replace an existing single-family home with a new single-family home that complies with TRPA rules and regulations and is of such a nature, scale, density, intensity, and type that it is compatible with surrounding single-family residences.

- b. The project to which the use pertains will not be injurious or disturbing to the health, safety, enjoyment of property, or general welfare of persons or property in the neighborhood, or general welfare of the region, and the applicant has taken reasonable steps to protect against any such injury and to protect the land, water, and air resources of both the applicant's property and that of surrounding property owners.

TRPA has found that the proposed single-family dwelling will not be injurious or disturbing to the health, safety, enjoyment of property, or general welfare of persons or property in the neighborhood, or general welfare of the region, and the applicant has taken reasonable steps to protect against any such injury and to protect the land, water, and air resources of both the applicant's property and that of surrounding property owners by designing the project to comply with TRPA and Washoe County rules and regulations. Washoe County confirmed that the proposed driveway configuration is acceptable to the County. The project is located within an avalanche area and the applicant is required to record a deed restriction holding TRPA harmless in the event of an avalanche.

- c. The project to which the use pertains will not change the character of the neighborhood, or detrimentally affect or alter the purpose of the applicable local plan, and specific or master plan, as the case may be.

The proposed single-family dwelling will not change the character of the Crystal Bay neighborhood, or detrimentally affect or alter the purpose of the Crystal Bay Regulatory Zone of the Washoe County Tahoe Area Plan.

### 3. Chapter 30 – Relocation of TRPA-Verified Existing Land Coverage

- (a) The relocation is to an equal or superior portion of the parcel or project area, as determined by references to the following factors:
  1. Whether the area of relocation already has been disturbed
  2. The slope of and natural vegetation on the area of relocation
  3. The fragility of the soil on the area of relocation
  4. Whether the area of relocation appropriately fits the scheme of use of the property.
  5. The relocation does not further encroach into a stream environment zone, backshore, or the setbacks established in the Code for the protection of stream environment zones or backshore
  6. The project otherwise complies with the land coverage mitigation program set forth in section 30.6

There is 136 square feet of existing land coverage in LCD Class 2 and 2,832 square feet of existing land coverage in LCD Class 4. With the proposed project, 102 square feet of verified LCD Class 2 land coverage will be relocated to LCD Class 4. There is no SEZ on site. The coverage relocated in LCD Class 4 will be in the area of the existing single family home. All excess land coverage will be mitigated with the project.

- (a) The area from which the land coverage was removed for relocation is restored in accordance with Subsection 30.5.3.

The areas where coverage is removed will be restored and revegetated as required by the TRPA Code.



- (c) The relocation is not to Land Capability Districts 1a, 1b, 1c, 2, or 3 from any higher numbered land capability district.

There is 136 square feet of existing land coverage in LCD Class 2 and 2,832 square feet of existing land coverage in LCD Class 4. With the proposed project, 102 square feet of verified LCD Class 2 land coverage will be relocated to LCD Class 4. Thus, the relocation is not to Land Capability Districts 1a, 1b, 1c, 2, or 3 from any higher numbered land capability district.

4. Chapter 37 – Height

Finding 1 (TRPA Code, Section 37.3.1)

When viewed from major arterials, scenic turnouts, public recreation areas, or the waters of Lake Tahoe, from a distance of 300 feet, the additional height will not cause a building to extend above the forest canopy, when present, or a ridgeline. For height greater than that set forth in Table 37.4.1-1 for a 5:12 roof pitch, the additional height shall not increase the visual magnitude beyond that permitted for structures in the shoreland as set forth in subsection 66.3.7, Additional Visual Magnitude, or Appendix H, Visual Assessment Tool, of the Design Review Guidelines.

The proposed project is visible from Lake Tahoe, but is outside of the shoreland. The additional height will not cause the building to extend above the forest canopy or a ridgeline. The proposed earthtone colors and non-reflective materials comply with the Design Review Guidelines.

Attachment B  
Draft Permit

Draft Conditional Permit

PROJECT DESCRIPTION: Caillier Single-Family Dwelling Tear Down/Rebuild

PERMITTEE(S): Kurt Caillier

APN: 123-143-21

COUNTY/LOCATION: Washoe County/425 Pahute Rd.

FILE#: ERSP2023-1610

Having made the findings required by Agency ordinances and rules, the TRPA Hearings Officer approved the project on \_\_\_\_\_, 2024, subject to the standard conditions of approval attached hereto (Attachment R) and the special conditions found in this permit.

This permit shall expire on \_\_\_\_\_, 2027, without further notice unless the construction has commenced prior to this date and diligently pursued thereafter. Commencement of construction consists of pouring concrete for a foundation and does not include grading, installation of utilities or landscaping. Diligent pursuit is defined as completion of the project within the approved construction schedule. The expiration date shall not be extended unless the project is determined by TRPA to be the subject of legal action which delayed or rendered impossible the diligent pursuit of the permit.

NO TREE REMOVAL, CONSTRUCTION OR GRADING SHALL COMMENCE UNTIL:

- (1) TRPA RECEIVES A COPY OF THIS PERMIT UPON WHICH THE PERMITTEE(S) HAS ACKNOWLEDGED RECEIPT OF THE PERMIT AND ACCEPTANCE OF THE CONTENTS OF THE PERMIT;
- (2) ALL PRE-CONSTRUCTION CONDITIONS OF APPROVAL ARE SATISFIED AS EVIDENCED BY TRPA'S ACKNOWLEDGEMENT OF THIS PERMIT;
- (3) THE PERMITTEE OBTAINS A COUNTY BUILDING PERMIT. TRPA'S ACKNOWLEDGEMENT IS NECESSARY TO OBTAIN A COUNTY BUILDING PERMIT. THE COUNTY PERMIT AND THE TRPA PERMIT ARE INDEPENDENT OF EACH OTHER AND MAY HAVE DIFFERENT EXPIRATION DATES AND RULES REGARDING EXTENSIONS; AND
- (4) A TRPA PRE-GRADING INSPECTION HAS BEEN CONDUCTED WITH THE PROPERTY OWNER AND/OR THE CONTRACTOR.

\_\_\_\_\_  
TRPA Executive Director/Designee

\_\_\_\_\_  
Date

PERMITTEE'S ACCEPTANCE: I have read the permit and the conditions of approval and understand and accept them. I also understand that I am responsible for compliance with all the conditions of the permit and am responsible for my agents' and employees' compliance with the permit conditions. I also understand that if the property is sold, I remain liable for the permit conditions until or unless the new owner acknowledges the transfer of the permit and notifies TRPA in writing of such acceptance. I also understand that certain mitigation fees associated with this permit are non-refundable once paid to TRPA. I understand that it is my sole responsibility to obtain any and all required approvals from any other state, local or federal agencies that may have jurisdiction over this project whether or not they are listed in this permit.

\_\_\_\_\_  
Signature of Permittee(s)

(wet signature required)

\_\_\_\_\_  
Date

(PERMIT CONTINUED ON NEXT PAGE)

APN: 123-143-21

FILE NO. ERSP2023-1610

Project Security Posted (1): Amount \$3,300 Paid \_\_\_\_\_ Receipt No. \_\_\_\_\_

Excess Coverage Mitigation Fee (2): Amount \$22,266 Paid \_\_\_\_\_ Receipt No. \_\_\_\_\_

Project Security Administrative Fee (3): Amount \$ \_\_\_\_\_ Paid \_\_\_\_\_ Receipt No. \_\_\_\_\_

Notes:

- (1) See Special Condition 3.A below.
- (2) See Special Condition 3.B below.
- (3) Refer to the TRPA Fee Schedule for the security administration fee.

Required plans determined to be in conformance with approval: Date: \_\_\_\_\_

TRPA ACKNOWLEDGEMENT: The permittee has complied with all pre-construction conditions of approval as of this date and is eligible for a county building permit:

\_\_\_\_\_  
TRPA Executive Director/Designee

\_\_\_\_\_  
Date

***SPECIAL CONDITIONS***

1. This permit authorizes a single-family dwelling tear down/rebuild at 425 Pahute Road, Washoe County, Nevada. The project will result in 2,934 square feet of Land Capability District (LCD) Class 4 land coverage and 34 square feet of LCD Class 2 land coverage. Temporary and permanent Best Management Practices (BMPs) will be installed with this project.
2. The Standard Conditions of Approval listed in Attachment R shall apply to this permit.
3. Prior to permit acknowledgement, the following conditions of approval must be satisfied.
  - A. The security required under Standard Condition A.3 of Attachment R shall be \$3,300. Please see Attachment J, Security Procedures, for appropriate methods of posting the security and the TRPA Fee Schedule for the required security administration fee.
  - B. The affected property has 1,237 square feet of excess land coverage. To take advantage of coverage exemptions, the permittee shall mitigate all of the excess land coverage on this property by submitting an excess coverage mitigation fee of \$22,266 (\$18.00 per square foot in Agate Bay (NV) Hydrologic Area).
  - C. The project is located within the Crystal Bay Regulatory Zone, which indicates that the project site may be subject to avalanches. For this reason, the

permittee shall record a TRPA approved deed restriction to hold TRPA harmless from any and all liabilities.

- 1) The permittee shall provide TRPA with the latest recorded grant deed for the subject parcel. Upon submittal of the grant deed, TRPA will provide the deed restriction to be recorded against the parcel.
  - 2) The permittee shall record the provided deed restriction with the Washoe County Recorder's Office.
  - 3) A copy of the recorded deed restriction or the original recorded deed shall be provided to TRPA.
- D. The permittee shall provide an exterior lighting detail. Lights shall be shielded on the top and all sides.
- E. A note shall be added to the plans that the reflectivity shall not exceed 11 percent on all unscreened glass or glass-like windows, railings and other building features that directly reflect sunlight glare onto Lake Tahoe (ref. TRPA Code, Section 66.1.6).
- F. The construction staging area shall be shown on the plans.
- G. The permittee shall provide a construction management plan that outlines how access to neighboring properties will be maintained during construction.
- H. New gas heaters (fireplaces) must meet the requirements of the TRPA Code of Ordinances (Code Section 65.1.4). Floor plans must include the make and model to ensure new heaters meet TRPA requirements.
- I. The permittee shall e-mail one final set of plans to TRPA for electronic stamping.
4. Maximum excavation depths shall not exceed 22 feet, in accordance with the approved Soils/Hydrologic report (TRPA file LCAP2020-0091). If groundwater is encountered during excavation, immediately stop work and contact TRPA.
  5. Prior to project security release, photos shall be provided to TRPA demonstrating that all areas disturbed from the project have been restored.
  6. Temporary and permanent BMPs may be field fit by the Environmental Compliance Inspector where appropriate.
  7. TRPA reserves the right to amend any portion of this permit or construction operation while in progress if it is determined that the project construction is causing significant adverse effects.
  8. To the maximum extent allowable by law, the permittee agrees to indemnify, defend, and hold harmless TRPA, its Governing Board, its Planning Commission, its agents, and its employees (collectively, TRPA) from and against any and all suits, losses, damages, injuries, liabilities, and claims by any person (a) for any injury (including death) or damage to person or property or (b) to set aside, attack, void, modify, amend, or annul any actions of TRPA. The foregoing indemnity obligation applies, without limitation, to any and all suits, losses, damages, injuries, liabilities,

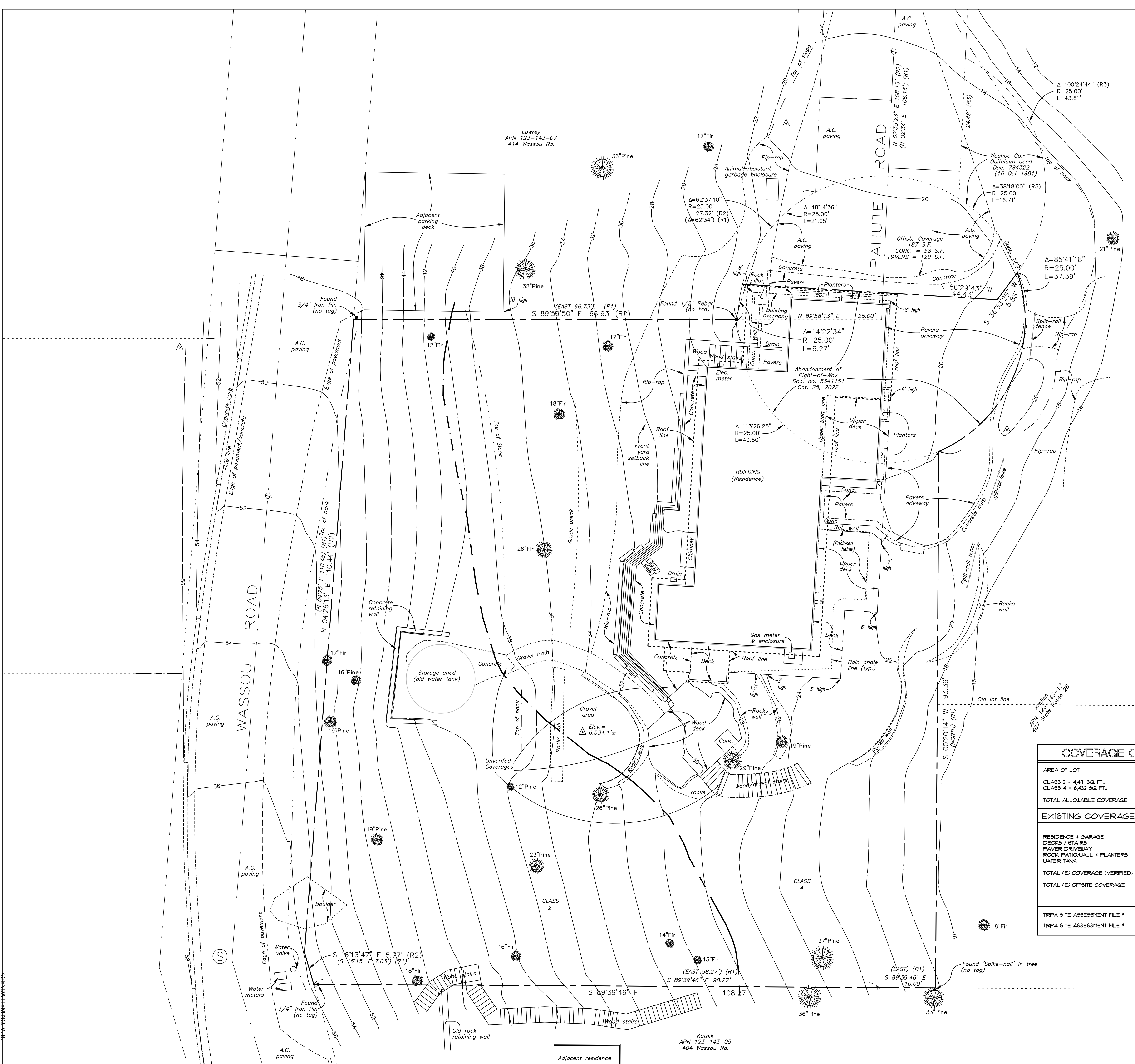
and claims by any person from any cause whatsoever arising out of or in connection with either directly or indirectly, and in whole or in part (1) the processing, conditioning, issuance, or implementation of this permit; (2) any failure to comply with all applicable laws and regulations; or (3) the design, installation, or operation of any improvements, regardless of whether the actions or omissions are alleged to be caused by TRPA or Permittee.

Included within the Permittee's indemnity obligation set forth herein, the Permittee agrees to pay all fees of TRPA's attorneys and all other costs and expenses of defenses as they are incurred, including reimbursement of TRPA as necessary for any and all costs and/or fees incurred by TRPA for actions arising directly or indirectly from issuance or implementation of this permit. TRPA will have the sole and exclusive control (including the right to be represented by attorneys of TRPA's choosing) over the defense of any claims against TRPA and over their settlement, compromise or other disposition. Permittee shall also pay all costs, including attorneys' fees, incurred by TRPA to enforce this indemnification agreement. If any judgment is rendered against TRPA in any action subject to this indemnification, the Permittee shall, at its expense, satisfy and discharge the same.

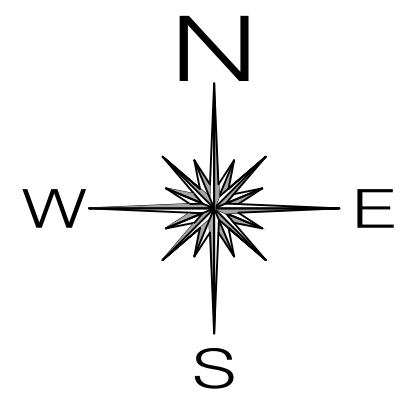
9. This approval is based on the permittee's representation that all plans and information contained in the subject application are true and correct. Should any information or representation submitted in connection with the project application be incorrect or untrue, TRPA may rescind this approval, or take other appropriate action.

END OF PERMIT

Attachment C  
Proposed Site Plan, Elevations, and Floor Plans



SYMBOL LEGEND	
	Survey Control Point
	Tree: Dia. (in inches) & Species (Pine/Fir/Cedar)
	Found Monument As Noted
	Drain Inlet
	Sewer Manhole
	Utility Lid/Vault, as noted
	Centerline



State of Nevada  
APN 123-143-20  
Pahute Rd.

- REFERENCES**
- (R1) CRYSTAL BAY PARK SUBDIVISION MAP (UNOFFICIAL), DATED AUG. 10, 1932.
  - (R2) RECORD OF SURVEY MAP No. 3373, RECORDED FEB. 3, 1998 AS DOCUMENT No. 2176446, ENTITLED "RECORD OF SURVEY FOR USDA-FOREST SERVICE".
  - (R3) QUITCLAIM DEED RECORDED OCT. 16, 1981 AS DOCUMENT No. 764322 (BERNARDS TO WASHOE COUNTY).
  - (R4) GRANT DEED RECORDED NOV. 11, 2019 AS DOCUMENT No. 4977122 (RADER TO CALLIER).

**BASIS OF BEARINGS**

RECORD OF SURVEY MAP No. 3373, RECORDED FEB. 3, 1998 AS DOCUMENT No. 2176446, ENTITLED "RECORD OF SURVEY FOR USDA-FOREST SERVICE".

RECORD OF SURVEY MAP No. 3373 WAS PREPARED FROM FIELD SURVEY WORK PERFORMED IN 1997 TO DOCUMENT EXISTING "FOUND" MONUMENTS THAT MORE ACCURATELY DEFINE CERTAIN LOT CORNER LOCATIONS THAN WHAT IS SHOWN ON THE UNOFFICIAL "CRYSTAL BAY PARK SUBDIVISION MAP". THIS RECORD OF SURVEY WAS USED AS THE BASIS OF BEARINGS FOR THIS SURVEY, AS THE POSITIONAL TOLERANCE OF THE CORNER MONUMENTS FOUND DURING THIS SURVEY AGREED SUBSTANTIALLY WITH THIS RECORD OF SURVEY MAP RELATIVE TO THE OVERALL RESOLUTION PER THIS SURVEY.

**LAND COVERAGE NOTE**

THE PURPOSE OF THIS SURVEY AND MAP IS TO DEPICT THE TOPOGRAPHY, IMPROVEMENTS, AND LAND COVERAGE OTHER THAN THE TYPICAL 3-TO-1 RAIN ANGLE REDUCTION FOR LAND COVERAGE. NO EXEMPTIONS, CREDITS, OR SPECIAL REDUCTIONS HAVE BEEN APPLIED TO THIS PROPERTY REGARDING LAND COVERAGE APPLYING TO NON-SENSITIVE LANDS WHICH HAVE COMPLETED THE B.M.P. PROCESS, AS CERTAIN DOCUMENTATION PERMITS AND VERIFICATIONS ARE REQUIRED BY T.R.P.A., WHICH IS BEYOND THE SCOPE OF THIS SURVEY MAP.

**AGENCY PERMITS DISCLAIMER**

THIS MAP DEPICTS THE EXISTING TOPOGRAPHY AND IMPROVEMENTS OF THE SITE ON THE DATE OF SURVEY SHOWN HEREON. DETERMINING AND TABULATING AGENCY PERMITS/CODES/REQUIREMENTS WERE NOT PART OF THIS SURVEY MAPPING AGREEMENT (NOT SHOWN ON THIS MAP).

**CONFORMANCE OF EXISTING SETBACKS**

WASHOE COUNTY DEVELOPMENT CODE, TAHOE AREA SECTION 110.220.75 CONFORMANCE OF SETBACKS ON EXISTING RESIDENCES. EXISTING SETBACKS FOR A HOME LEGALLY CONSTRUCTED PRIOR TO 2020 THAT DO NOT MEET THE STANDARDS ESTABLISHED IN SECTION 110.220.55, YARD AND LOT STANDARDS, SHALL BE DEEMED THE LEGAL AND CONFORMING SETBACKS FOR SAID PARCEL.

**REQUIRED YARD (BUILDING) SETBACKS & ZONING**

WASHOE CO. ASSESSOR LISTS ZONING CODE AS "TA\_OB", DEVELOPMENT CODE SEC. 110 ARTICLE 220 "TAHOE AREA" SPECIFIES A PARCEL SIZE OF 12,000 SQ.FT. TO 35,000 SQ.FT. (MIN. PARCEL WIDTH 60') HAS SETBACKS OF 20' FRONT & REAR, 8' SIDES WITH EXCEPTIONS FOR SLOPED LOTS.

BUILDING SETBACKS SHALL BE CONFIRMED BY COUNTY OR APPROPRIATE PLANNING AUTHORITY.

**ABANDONMENT OF RIGHT-OF-WAY**

THE SUBJECT PARCEL (12,800 SQ. FT.) INCLUDES:

- A) LOT 20 AND PORTIONS OF LOT 19 & 21, BLOCK 9, CRYSTAL BAY PARK (UNOFFICIAL SUBDIVISION) AND RECORD OF SURVEY MAP 3373, PER "GRANT DEED", DOCUMENT No. 4977122 RECORDED NOV. 11, 2019 (11,572 SQ. FT.).
- B) A PORTION OF THE RIGHT OF WAY OF PAHUTE ROAD PER "RESOLUTION AND ORDER OF ABANDONMENT", DOCUMENT No. 5341151 RECORDED OCT. 25, 2022 (1,228 SQ. FT.).

**LOT AREA**  
12,800 SQ. FT.  
0.2938 ACRES

IMPERVIOUS SURFACE AREA (Coverage)	
Building (Residence/chimney)	1,496 SQ. FT.
Decks & stairs	509
Concrete & pillars	396
Pavers driveway & entry	822
Storage shed (old water tank)	113
Wood & gravel stairs	75
<b>TOTAL</b>	<b>3,411 SQ. FT.</b>
(3.1 Rain angle reduction applied)	

COVERAGE CALCULATIONS			
AREA OF LOT	12,800 SF (0.2962 ACRE)		
CLASS 2 = 4,411 SQ. FT.	(1%) 45 SF		
CLASS 4 = 8,432 SQ. FT.	(20%) 1,686 SF		
<b>TOTAL ALLOWABLE COVERAGE</b>	<b>1,731 SF</b>		
EXISTING COVERAGE			
RESIDENCE & GARAGE	CLASS 2	CLASS 4	TOTAL
DECKS / STAIRS	0 SF	1,700 SF	1,700 SF
PAVER DRIVEWAY	0 SF	161 SF	161 SF
ROCK PATIOWALL & PLANTERS	0 SF	154 SF	154 SF
WATER TANK	0 SF	211 SF	211 SF
WATER TANK	136 SF	0 SF	136 SF
<b>TOTAL (E) COVERAGE (VERIFIED)</b>	<b>136 SF</b>	<b>2,852 SF</b>	<b>2,988 SF</b>
<b>TOTAL (E) OFFSITE COVERAGE</b>	<b>0 SF</b>	<b>181 SF</b>	<b>181 SF</b>
TRPA SITE ASSESSMENT FILE *	VB021010-106-1		
TRPA SITE ASSESSMENT FILE *	200901645A		

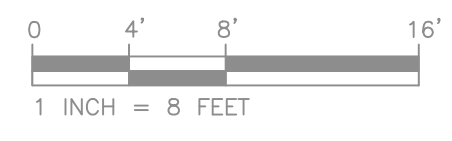
**EXISTING CONDITIONS NOTE**

THE PURPOSE OF THIS MAP IS TO DEPICT THE ADJUSTED BOUNDARY LINE OF THE PARCEL, AS A RESULT OF THE "RESOLUTION AND ORDER OF ABANDONMENT", DOCUMENT NUMBER 5341151 DATED OCTOBER 25, 2022 IN WASHOE COUNTY OFFICIAL RECORDS. THE FEATURES SHOWN ON THIS MAP (IMPROVEMENTS & TOPOGRAPHY) REPRESENT SURVEY FIELD WORK COMPLETED IN MARCH 2020, AND THE EXISTING CONDITIONS MAY BE DIFFERENT.

**Lancaster Land Surveys**  
Roger B. Lancaster, PLS  
930 Tahoe Blvd, Ste. 802-118  
Incline Village, NV 89451  
email: Lancaster.LS@gmail.com

**Topographic As-Built Survey**  
Lot 20 & por. Lots 19 & 21, Block 9, Crystal Bay Park  
(unofficial subdivision) & Record of Survey Map 3373, and  
"Resolution and Order of Abandonment" Doc. 5341151  
A.P.N. 123-143-11 / Washoe County  
425 Pahute Road, Crystal Bay, Nevada  
A Por. of Sec. 19, T. 15, N., R. 18, E., M.D.B. & M.  
Filename: 1910102.Dwg

Job No. 191021A  
Scale 1" = 8'  
Drawn 26 APR 2023  
Date  
Sheet 1 of 1



Katnik  
APN 123-143-05  
404 Wassou Rd.

ASGNALTA.HAND.V.1-B

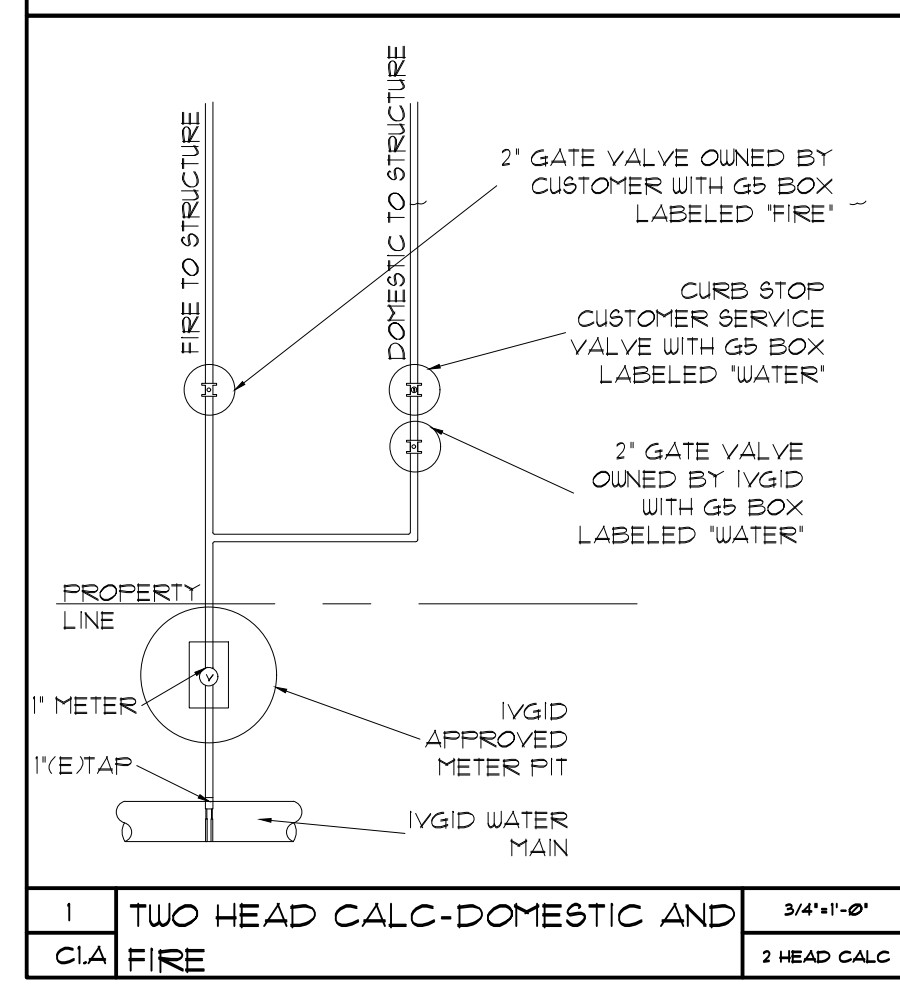


### DEFENSIBLE SPACE NOTES

- ALL DEAD VEGETATION, INCLUDING TREES, BRUSH AND OTHER VEGETATION MUST BE REMOVED.
  - ALL RESIDUAL TREES WILL BE LIMBED TO A HEIGHT OF TEN-FEET (10') ABOVE THE GROUND ON THE HIGH SIDE. REMOVAL OF LOWER BRANCHES SHOULD NOT EXCEED ONE-THIRD OF THE TOTAL TREE HEIGHT. IF MORE THAN ONE-THIRD OF THE LIVE CROWN MUST BE REMOVED TO ACCOMPLISH THIS CLIMBING, THEN USE THE HORIZONTAL SPACING GUIDELINES LISTED FOR BRUSH UNDER ITEM 6 BELOW.
  - ALL RESIDUAL TREES WILL BE LIMBED TO ACHIEVE A TEN-FOOT (10') CLEARANCE FROM ANY PART OF THE HOUSE TO THE BRANCHES OF THE TREE. IF LESS THAN 60% OF THE LIVE CROWN WOULD BE LEFT AFTER CLIMBING, THE TREE SHOULD BE REMOVED.
  - ALL BRUSH, TREES, AND FLAMMABLE MATERIALS MUST BE REMOVED FROM UNDER THE DRIP LINE OF RESIDUAL TREES OR TREE GROUPINGS.
  - WITHIN FIVE-FOOT (5') OF THE FOUNDATION OR SUPPORT POSTS OF ANY PART OF THE STRUCTURE OR AN OUTBUILDING, REMOVE ALL FLAMMABLE VEGETATION AND MATERIALS.
  - WITHIN THE FIVE-FOOT (5') TO THIRTY-FOOT (30') ZONE, TREE CANOPIES WILL BE SPACED AT LEAST 10-FEET (10') APART. IF TREES ARE GROUPED CLOSE ENOUGH TOGETHER AS TO ACT AS ONE UNIT, THEN ALL OTHER REQUIREMENTS MUST BE MET. WITHIN THE THIRTY (30') TO ONE-HUNDRED-FOOT (100') ZONE, STANDS OF LARGE TREES DO NOT HAVE TO BE REMOVED SO LONG AS THE VEGETATION UNDERNEATH THEM IS REMOVED. PLEASE SEE SPACING GUIDELINES BELOW FOR STEEPER SLOPES.
  - WITHIN THE FIVE-FOOT (5') TO THIRTY-FOOT (30') ZONE, BRUSH FIELDS MUST BE SPACED HORIZONTALLY A MINIMUM DISTANCE EQUAL TO OR GREATER THAN TWICE THE HEIGHT OF THE BRUSH. INDIVIDUAL BRUSH PLANTS CANNOT EXCEED 100-SQUARE FEET (100') IN AREA AND THREE (3') IN HEIGHT.
- FOR SLOPING PROPERTIES, USE THE FOLLOWING STANDARDS FOR THE ABOVE REQUIREMENTS:
- | TREES | SLOPE    | SPACING                          |
|-------|----------|----------------------------------|
|       | 0 - 20%  | 10- FEET BETWEEN EDGES OF CROWNS |
|       | 20 - 40% | 20- FEET BETWEEN EDGES OF CROWNS |
|       | ABV 40%  | 30- FEET BETWEEN EDGES OF CROWNS |
- | BRUSH | SLOPE    | SPACING                              |
|-------|----------|--------------------------------------|
|       | 0 - 20%  | 2 TIMES THE HEIGHT OF RESIDUAL BRUSH |
|       | 20 - 40% | 4 TIMES THE HEIGHT OF RESIDUAL BRUSH |
|       | ABV 40%  | 6 TIMES THE HEIGHT OF RESIDUAL BRUSH |

### FIRE NOTES

- PROVIDE 6' MIN TALL STREET ADDRESS NUMBERS CLEARLY VISIBLE CONTRASTING FROM THE TRAVELED WAY.
  - INSTALL NLTFFD APPROVED KNOX BOX ADJACENT TO ENTRY.
  - A HOT WORK OPERATIONS PERMIT IS REQUIRED WHEN OPERATIONS INCLUDE CUTTING, WELDING, THERMAL WELDING, BRAZING, SOLDERING, GRINDING, THERMAL SPRAYING, TRAINING FIRES, INSTALLATION OF TORCH-APPLIED ROOF SYSTEMS OR ANY OTHER SIMILAR ACTIVITY.
  - INSTALL AN NFPA FIRE SPRINKLER SYSTEM PER NLTFFD AND 2019 ILLUC 6021. FIRE RISER SHALL BE LOCATED IN THE GARAGE ON ENTRY LEVEL AT THE FRONT-RIGHT (NORTH) CORNER OF THE GARAGE. KNOX BOX LOCATED AT THE RIGHT OF GARAGE DOORS, BETWEEN THE GARAGE AND ENTRY AREAS.
- SEPARATE PERMIT REQUIRED FOR FIRE SPRINKLER SYSTEM. PERMIT WILL BE DEFERRED.



### COVERAGE CALCULATIONS

AREA OF LOT	12,903 SF (0.2962 ACRE)
CLASS 2 + 4.41 SQ. FT.	(1%) 45 SF
CLASS 4 + 8,432 SQ. FT.	(20%) 1,686 SF
<b>TOTAL ALLOWABLE COVERAGE</b>	<b>1,731 SF</b>
<b>REMAINING COVERAGE AVAILABLE</b>	<b>0 SF</b>

### EXISTING COVERAGE

	CLASS 2	CLASS 4	TOTAL
RESIDENCE + GARAGE	0 SF	1,100 SF	1,100 SF
DECKS + STAIRS	0 SF	161 SF	161 SF
PAVER DRIVEWAY	0 SF	754 SF	754 SF
ROCK PATIO/WALL + PLANTERS	0 SF	211 SF	211 SF
WATER TANK	136 SF	0 SF	136 SF
<b>TOTAL (E) COVERAGE (VERIFIED)</b>	<b>136 SF</b>	<b>2,832 SF</b>	<b>2,968 SF</b>
<b>TOTAL (E) OFFSITE COVERAGE</b>	<b>0 SF</b>	<b>181 SF</b>	<b>181 SF</b>

### PROPOSED COVERAGE

	CLASS 2	CLASS 4	EXEMPTIONS	TOTAL
RESIDENCE + GARAGE	79 SF	2,384 SF	0 SF	2,463 SF
DRIVEWAY	0 SF	553 SF	139 SF	692 SF
ROCK WALK	0 SF	8 SF	0 SF	8 SF
OVERHANGS (W/ 3/4")	0 SF	126 SF	0 SF	126 SF
WOOD LANDSC/DECK/STEPS	5 SF	146 SF	146 SF	197 SF
<b>TOTAL (P) COVERAGE</b>	<b>34 SF</b>	<b>3,219 SF</b>	<b>285 SF</b>	<b>3,268 SF</b>
<b>TOTAL (P) OFFSITE COVERAGE</b>	<b>0 SF</b>	<b>80 SF</b>	<b>0 SF</b>	<b>80 SF</b>

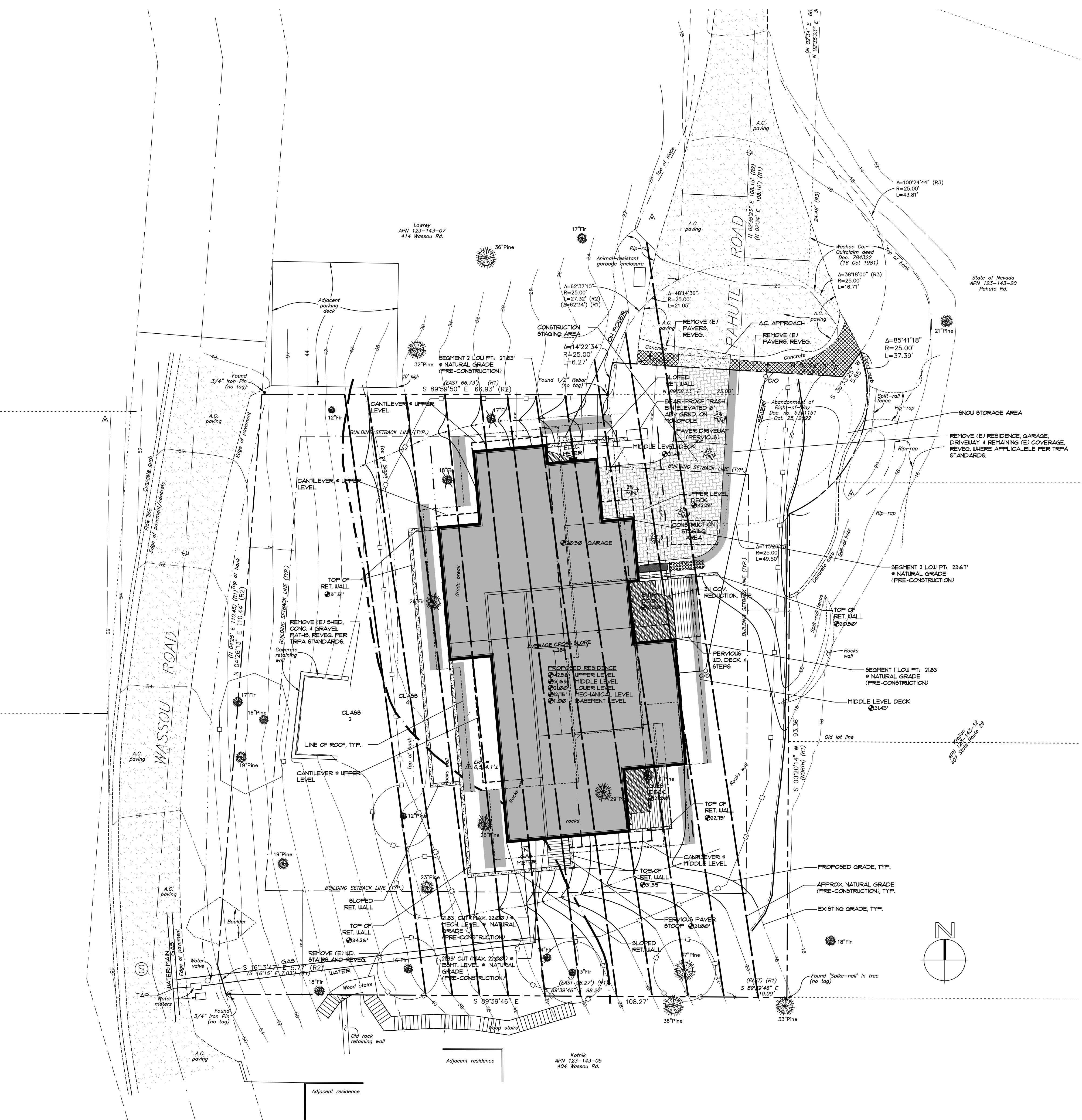
CUT	980 CY	NUMBER OF TREES FOR REMOVAL	(6)
FILL	3 CY		

### BASIS OF DESIGN

THIS PROJECT IS DESIGNED UNDER THE 2018 EDITION OF THE INTERNATIONAL BUILDING CODE (IBC) RESIDENTIAL AND THE 2018 IRC AND ILLUC (LAND OCEAN INTERFACE) CODES. ALL DETAILS OF DESIGN, WORKMANSHIP AND MATERIALS SHALL CONFORM TO THESE STANDARDS ALONG WITH THE STATE AND LOCAL CODES AND ORDINANCES ADOPTED BY WASHOE COUNTY.

### SITE NOTES

- CALL UNDERGROUND SERVICE ALERT OF NORTHERN CALIFORNIA AND NEVADA (800-271-2600) PRIOR TO ANY DIGGING.
- TOPOGRAPHIC AS-BUILT SURVEY PROVIDED BY LANDCASTER LAND SURVEYORS, LOS ANGELES, DATED 26 APR 2023.
- ALL BARREN AND DISTURBED AREAS TO BE REVEGETATED PER TRPA/BMP STANDARDS.
- ALL SLOPES GREATER THAN 3:1 ROAD SIDE DITCHES AND BANKS SHALL BE MECHANICALLY STABILIZED WITH EITHER ROCK PROTECTION OR VEGETATION.
- REMOVE TREES AS INDICATED. REMOVE DEAD TRUNKS & BRANCHES PER THE FOREST MANAGEMENT AND DEFENSIBLE SPACE RECOMMENDATIONS.
- CONTRACTOR SHALL INSURE PROPER PLACEMENT OF ADDITION WITHIN THE REQUIRED SETBACKS PER SITE PLAN.
- CONTRACTOR TO VERIFY LOCATIONS & CONNECTIONS OF WATER / SEWER / GAS / ELECTRIC / TELEVISION / TELEPHONE UTILITIES WITH APPROPRIATE SERVICE PROVIDERS PRIOR TO DIGGING. INSTALL ALL UTILITIES IN AN APPROVED TRENCH & IN ACCORDANCE WITH ALL APPLICABLE CODES & ORDINANCES.
- ALL IMPROVEMENTS WITHIN WASHOE CO. RIGHT OF WAY SHALL BE CONSTRUCTED WITH THE LATEST COUNTY CODES AND COUNTY STANDARD SPECIFICATIONS AND DETAILS.
- AN ENCROACHMENT, STREET CUT AND EXCAVATION PERMIT SHALL BE OBTAINED BY THE CONTRACTOR PRIOR TO STARTING WORK WITHIN COUNTY RIGHT-OF-WAY. A REVOCABLE ENCROACHMENT PERMIT IS REQUIRED FOR ANY IMPROVEMENTS (PAVERS, CONCRETE, LANDSCAPING, WALLS, ETC.) IN THE COUNTY RIGHT-OF-WAY.
- FINISH GRADE AROUND RESIDENCE SHALL SLOPE AWAY FROM STRUCTURE # 5% MIN FOR 10' TYPICAL.
- BMP CONTRIBUTING SURFACES AND TREATMENTS ARE LABELED IN THE ATTACHED DOCUMENT "BMP AREAS".
- ALL BEST MANAGEMENT PRACTICES (BMPs) SHALL BE MAINTAINED IN PERPETUITY TO ENSURE EFFECTIVENESS WHICH MAY REQUIRE BMPs TO BE PERIODICALLY REINSTALLED OR REPLACED.
- TEMPORARY AND PERMANENT BMPs MAY BE FIELD FIT BY THE ENVIRONMENTAL COMPLIANCE INSPECTOR WHERE APPROPRIATE.
- EXISTING NATURAL FEATURES OUTSIDE OF THE BUILDING SITE SHALL BE RETAINED AND INCORPORATED INTO THE SITE DESIGN TO THE GREATEST EXTENT FEASIBLE. THE SITE SHALL BE DESIGNED TO AVOID DISTURBANCE TO ROCK OUTCROPS AND TO MINIMIZE VEGETATION REMOVAL AND MAINTAIN THE NATURAL SLOPE OF THE PROJECT SITE.
- ALL EXTERIOR LIGHTING TO BE DARK SKY COMPLIANT AND APPROVED BY TRPA PRIOR TO USE ON PROJECT.
- CONTRACTOR SHALL UTILIZE AN APPROVED DISPOSAL LOCATION FOR ALL MATERIAL EXPORTED FROM SITE.



## PROPOSED SITE & GRADING PLAN

SCALE: 1" = 10' - 0"

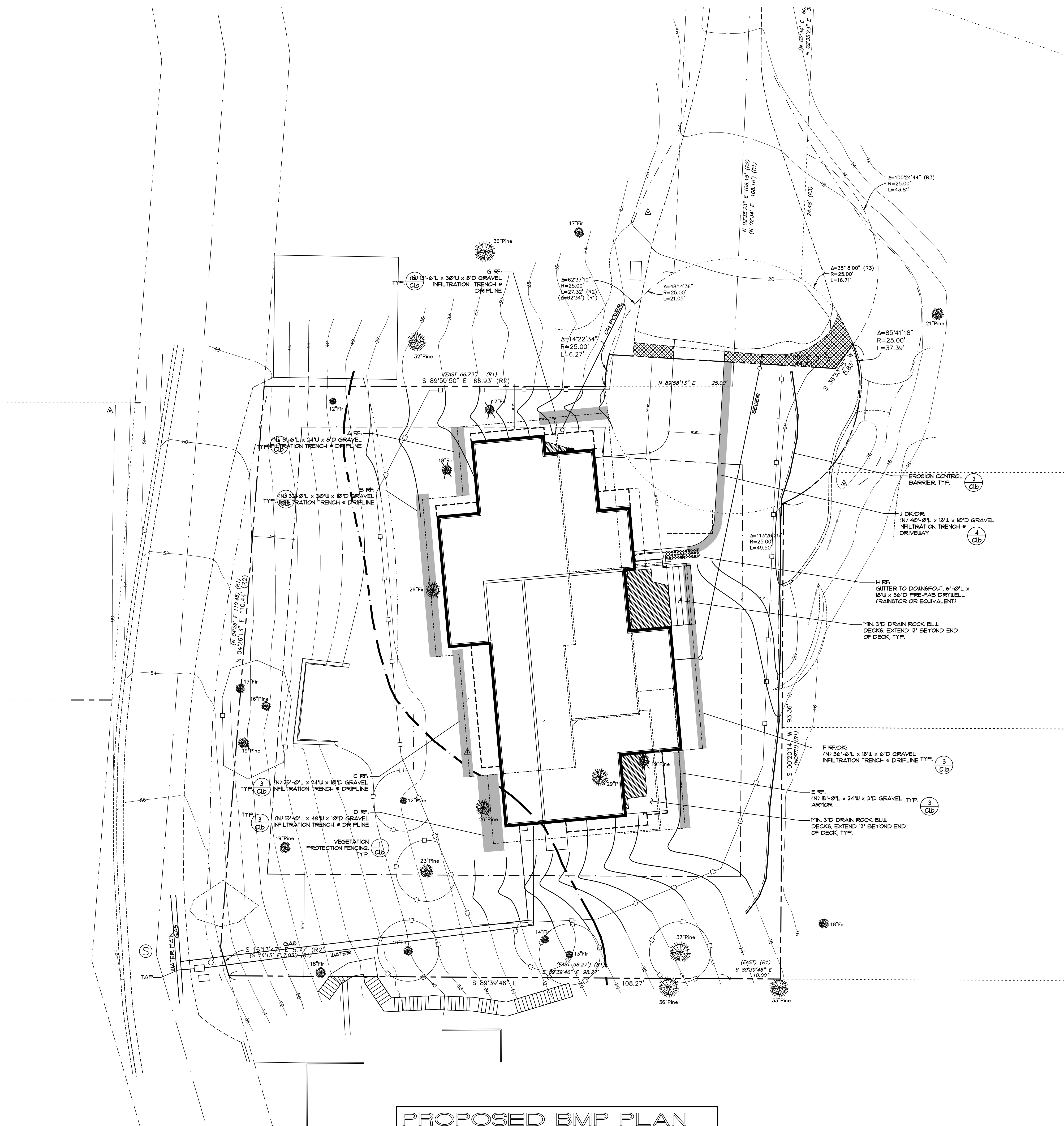
TITLE: PROPOSED SITE & GRADING PLAN

CUSTOM RESIDENCE FOR:  
**CALLIER LIVING TRUST**  
 425 PAHUTE RD, CRYSTAL BAY, NEVADA  
 LOT 20 + TRAC LOT 18 + 21, BLOCK 9, CRYSTAL BAY PARK I, WASHOE, NEVADA  
 APN: 123-143-20

REVISIONS	FILE:	DATE:	SCALE:	DRAWN:	SHEET:
	425 PAHUTE	01/15/24	AS NOTED	AGB	C1.a

OF 11 SHEETS

Mar 04, 2024 - 8:05am  
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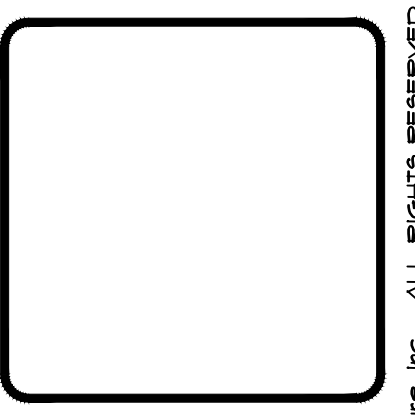
**PROPOSED BMP PLAN**  
 SCALE: 1" = 10' - 0"

**NOTES:**

- PROVIDE PROTECTION FENCING AROUND ENTIRE PROJECT AREA WITHIN 12' OF STRUCTURE & INTERIOR TREE STANDS.
- TREES IMMEDIATELY LOCATED ADJACENT TO CONSTRUCTION SHALL BE PROTECTED WITH A 2X4 WIRE WRAP FROM BASE OF TREE TO 80' ABOVE GRADE.
- REMOVE TREES AS INDICATED. REMOVE DEAD TREES AND BRANCHES PER THE FOREST MANAGEMENT.

1	TREE PROTECTION FENCING	NTS	2	EROSION CONTROL BARRIER	1 1/2" = 1'-0"
CLB		TREE FENCING	CLB		TRFA001
3	INFILTRATION TRENCH @ DRIPLINE	1 1/2" = 1'-0"	4	INFILTRATION TRENCH @ DRIVEWAY	1 1/2" = 1'-0"
CLB		TRFA002	CLB		TRFA IT - AC

**NOTE:** INSTALL LEVEL OR W/CATCH DAMS @ 10 FT. OC. AND PROVIDE 18" SQ x 36" DP GRAVEL DRYWELL AT DAMS



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 FAX: (775) 831-8068

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TITLE: PROPOSED SITE & GRADING PLAN

CUSTOM RESIDENCE FOR:  
**CALLIER LIVING TRUST**  
 425 PAHUTE RD, CRYSTAL BAY, NEVADA  
 LOT 20 & FRAC LOT 18 & 21, BLOCK 9, CRYSTAL BAY PARK I, WASHOE, NEVADA  
 APN: 025-143-71

REVISIONS


FILE: 425 PAHUTE

DATE: 01/15/24

SCALE: AS NOTED

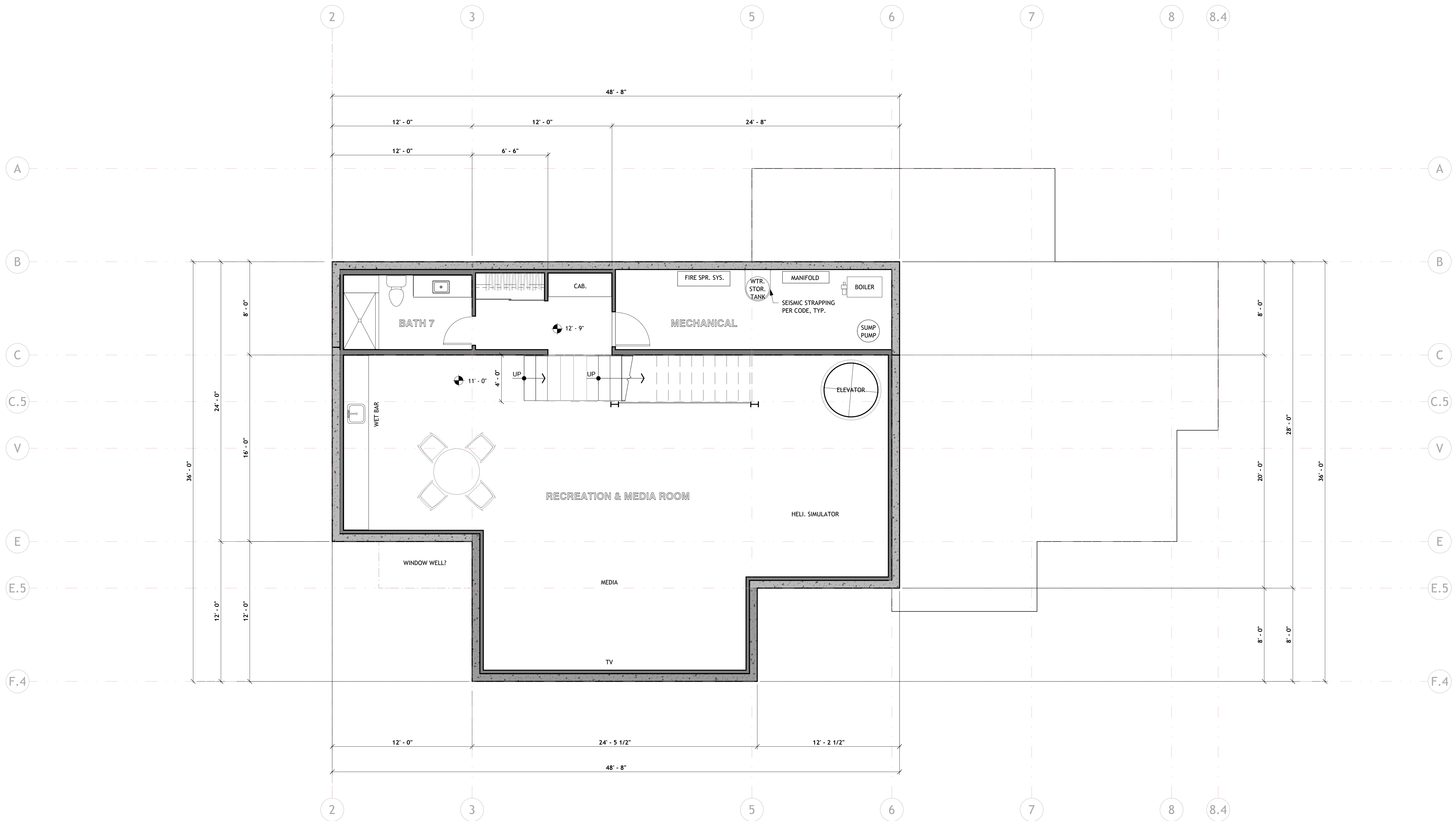
DRAWN: AGB

SHEET:  
**C1.b**

OF 11 SHEETS

AGENDA ITEM NO. V. B.

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**BASEMENT LEVEL FLOOR PLAN**  
 SCALE: 1/4" = 1'-0"

	CONDITIONED LIVING AREA:	MECHANICAL / STORAGE AREA:	GARAGE AREA:	COVERED DECK & STAIR AREA:	UNCOVERED DECK & STAIR AREA:	COVERED CONC. WALK & PATIO AREA:	UNCOVERED CONC. WALK & PATIO AREA:
BASEMENT LEVEL:	1,324 S.F.	186 S.F.	0 S.F.	0 S.F.	0 S.F.	0 S.F.	0 S.F.
LOWER LEVEL:	1,417 S.F.	96 S.F.	812 S.F.	238 S.F.	0 S.F.	0 S.F.	0 S.F.
MAIN LEVEL:	2,319 S.F.	0 S.F.	0 S.F.	127 S.F.	432 S.F.	0 S.F.	0 S.F.
UPPER LEVEL:	1,650 S.F.	0 S.F.	0 S.F.	142 S.F.	71 S.F.	0 S.F.	0 S.F.
TOTAL AREA:	6,710 S.F.	282 S.F.	812 S.F.	445 S.F.	503 S.F.	0 S.F.	0 S.F.

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 INCLINE VILLAGE, NEVADA 89451  
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TITLE: **BASEMENT LEVEL FLOOR PLAN**

A CUSTOM RESIDENCE  
**CALLIER LIVING TRUST**  
 435 DANVILLE RD  
 CRYSTAL BAY, WASHOE COUNTY, NEVADA

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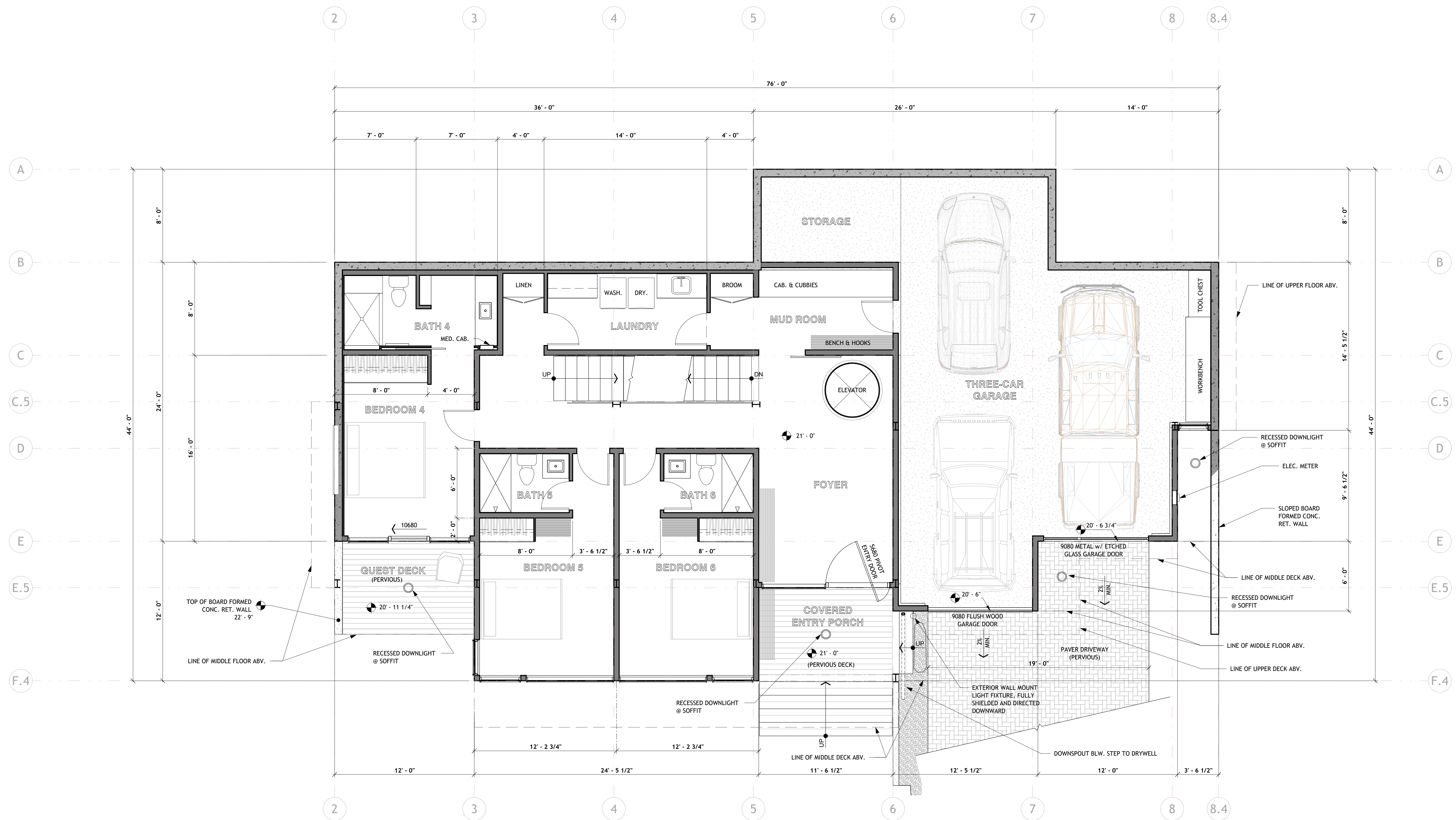

FILE: \_\_\_\_\_

DATE: 10/11/2023

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DRAWN: GFA

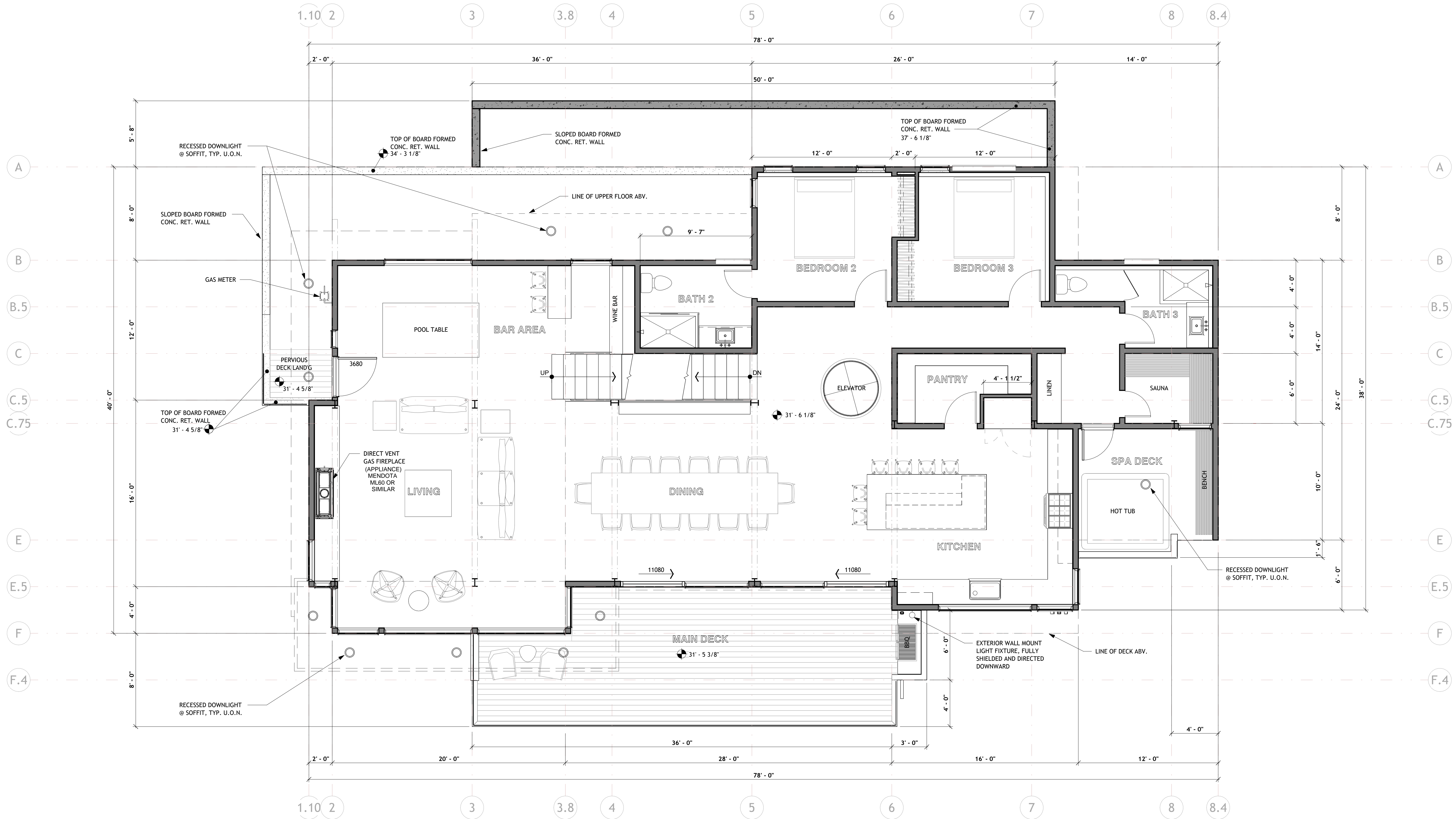
SHEET **A1.0**  
 OF # SHEETS



**LOWER / ENTRY LEVEL FLOOR PLAN**  
 SCALE: 1/4" = 1'-0"

**SQUARE FOOTAGE:**

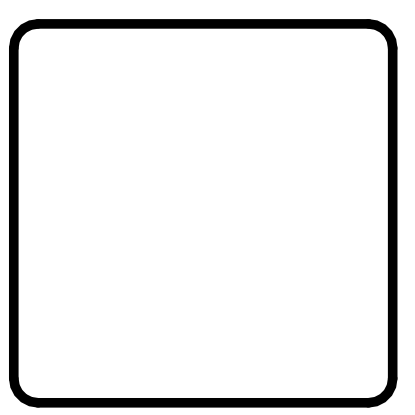
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BASEMENT LEVEL:	1,324 S.F.	186 S.F.	0 S.F.	0 S.F.	0 S.F.	0 S.F.	0 S.F.
LOWER LEVEL:	1,417 S.F.	96 S.F.	812 S.F.	238 S.F.	0 S.F.	0 S.F.	0 S.F.
MAIN LEVEL:	2,319 S.F.	0 S.F.	0 S.F.	127 S.F.	432 S.F.	0 S.F.	0 S.F.
UPPER LEVEL:	1,650 S.F.	0 S.F.	0 S.F.	142 S.F.	71 S.F.	0 S.F.	0 S.F.
TOTAL AREA:	6,710 S.F.	282 S.F.	812 S.F.	445 S.F.	503 S.F.	0 S.F.	0 S.F.



**MIDDLE / MAIN LEVEL FLOOR PLAN**  
 SCALE: 1/4" = 1'-0"

**SQUARE FOOTAGE:**

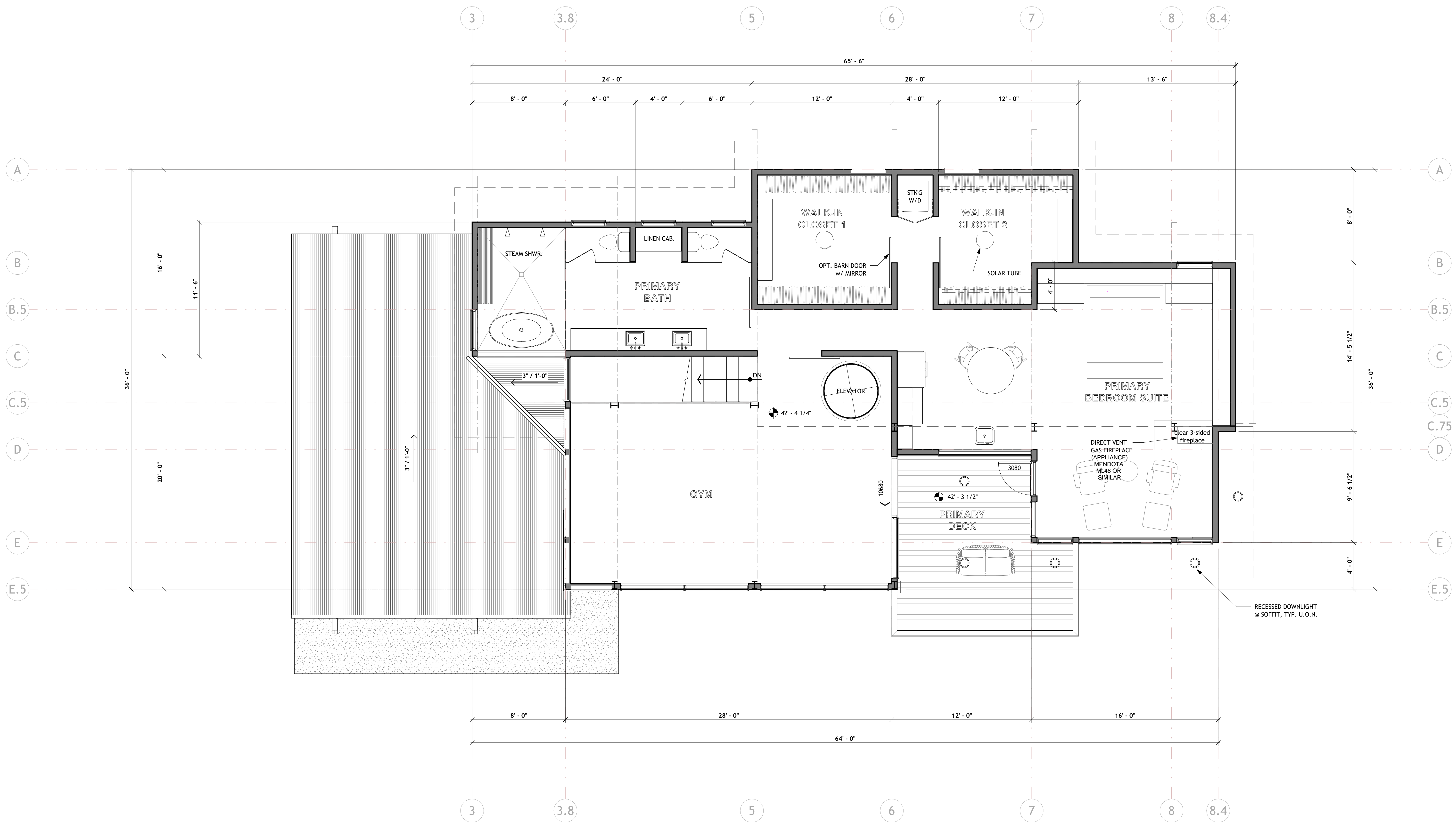
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BASEMENT LEVEL:	1,324 S.F.	186 S.F.	0 S.F.	0 S.F.	0 S.F.	0 S.F.	0 S.F.
LOWER LEVEL:	1,417 S.F.	96 S.F.	812 S.F.	238 S.F.	0 S.F.	0 S.F.	0 S.F.
MAIN LEVEL:	2,319 S.F.	0 S.F.	0 S.F.	127 S.F.	432 S.F.	0 S.F.	0 S.F.
UPPER LEVEL:	1,650 S.F.	0 S.F.	0 S.F.	142 S.F.	71 S.F.	0 S.F.	0 S.F.
TOTAL AREA:	6,710 S.F.	282 S.F.	812 S.F.	445 S.F.	503 S.F.	0 S.F.	0 S.F.



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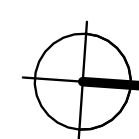
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 A CUSTOM RESIDENCE  
**CALLIER LIVING TRUST**  
 435 DANHUE RD  
 CRYSTAL BAY, WASHOE COUNTY, NEVADA

REVISIONS:  
 FILE:  
 DATE: 10/11/2023  
 SCALE: 1/4" = 1'-0"  
 DRAWN: GFA  
 SHEET: **A3.0**  
 OF # SHEETS



**UPPER LEVEL FLOOR PLAN**

SCALE: 1/4" = 1'-0"



**SQUARE FOOTAGE**

	CONDITIONED LIVING AREA:	MECHANICAL / STORAGE AREA:	GARAGE AREA:	COVERED DECK & STAIR AREA:	UNCOVERED DECK & STAIR AREA:	COVERED CONC. WALK & PATIO AREA:	UNCOVERED CONC. WALK & PATIO AREA:
BASEMENT LEVEL:	1,324 S.F.	186 S.F.	0 S.F.	0 S.F.	0 S.F.	0 S.F.	0 S.F.
LOWER LEVEL:	1,417 S.F.	96 S.F.	812 S.F.	238 S.F.	0 S.F.	0 S.F.	0 S.F.
MAIN LEVEL:	2,319 S.F.	0 S.F.	0 S.F.	127 S.F.	432 S.F.	0 S.F.	0 S.F.
UPPER LEVEL:	1,650 S.F.	0 S.F.	0 S.F.	142 S.F.	71 S.F.	0 S.F.	0 S.F.
TOTAL AREA:	6,710 S.F.	282 S.F.	812 S.F.	445 S.F.	503 S.F.	0 S.F.	0 S.F.

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TITLE: **UPPER LEVEL FLOOR PLAN**

A CUSTOM RESIDENCE  
**CALLIER LIVING TRUST**  
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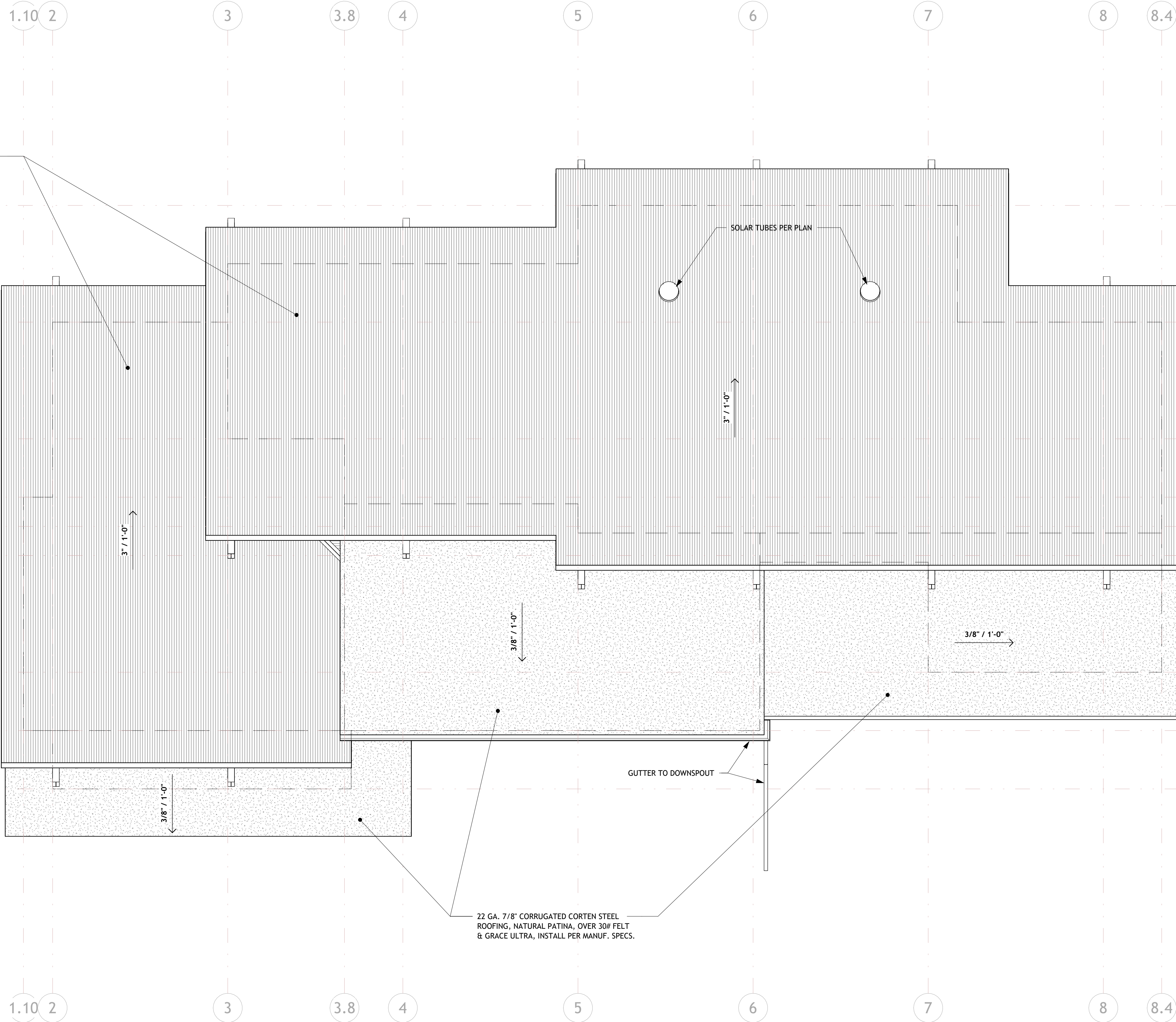

FILE:

DATE: 10/11/2023

SCALE: 1/4" = 1'-0"

DRAWN: GFA

SHEET **A4.0**  
OF # SHEETS



22 GA. 7/8" CORRUGATED CORTEN STEEL ROOFING, NATURAL PATINA, OVER 30# FELT & GRACE ULTRA, INSTALL PER MANUF. SPECS.

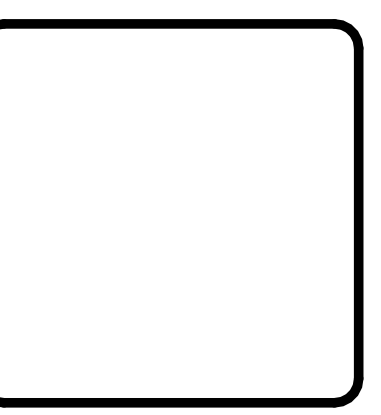
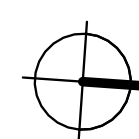
SOLAR TUBES PER PLAN

GUTTER TO DOWNSPOUT

22 GA. 7/8" CORRUGATED CORTEN STEEL ROOFING, NATURAL PATINA, OVER 30# FELT & GRACE ULTRA, INSTALL PER MANUF. SPECS.

**ROOF PLAN**

SCALE: 1/4" = 1'-0"



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**TITLE** ROOF PLAN

A CUSTOM RESIDENCE  
**CALLIER LIVING TRUST**  
435 DANVILLE RD  
CRYSTAL BAY, WASHOE COUNTY, NEVADA

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REVISIONS:


FILE

DATE: 10/11/2023

SCALE: 1/4" = 1'-0"

DRAWN: GFA

SHEET  
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OF # SHEETS

1.10 2

3

3.8

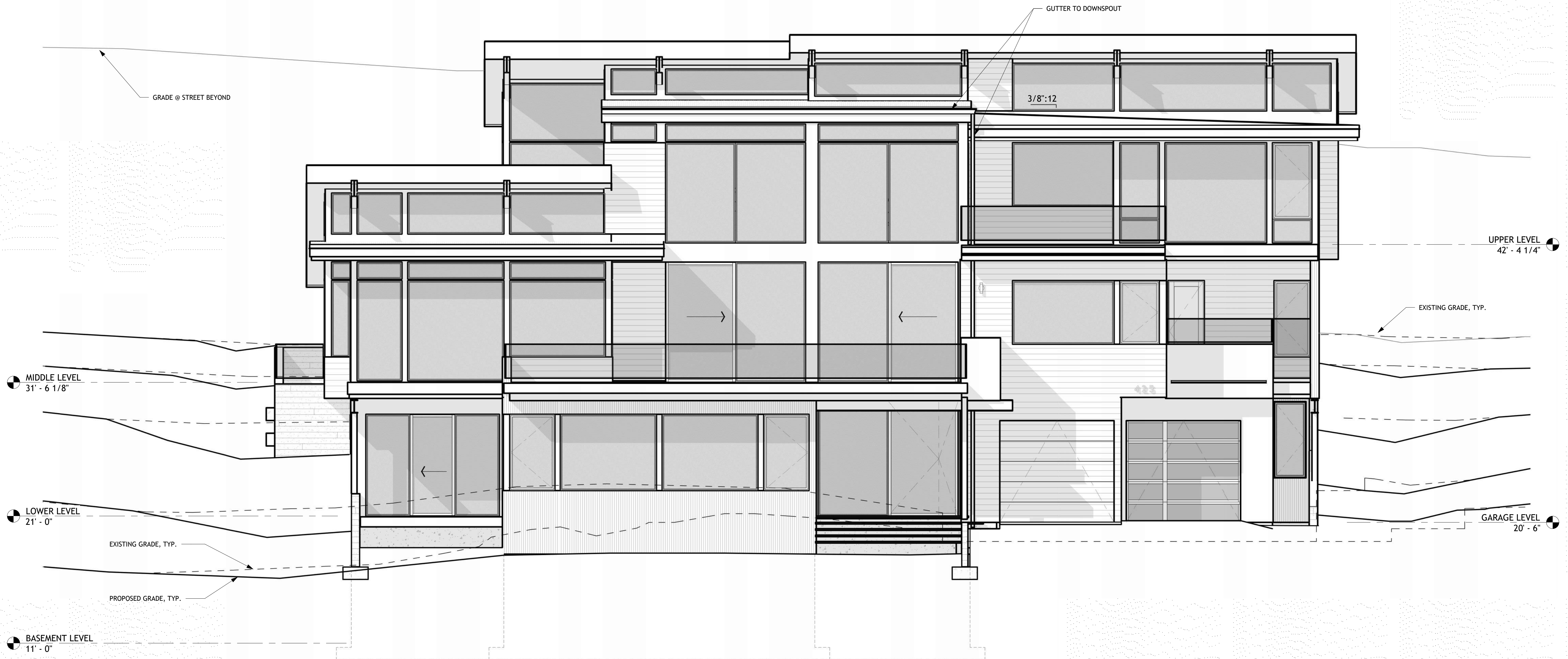
5

6

7

8

8.4



**FRONT / EAST ELEVATION**

SCALE: 1/4" = 1'-0"

**TRPA EXTERIOR NOTES:**

COLOR: THE COLOR OF THIS STRUCTURE INCLUDING ANY FENCES ON THE PROPERTY SHALL BE COMPATIBLE WITH THE SURROUNDINGS.

SUBDUED COLORS IN THE EARTHTONE AND WOODTONE RANGE SHALL BE USED FOR THE PRIMARY COLOR OF THE STRUCTURE. HUES SHALL BE WITHIN THE RANGE OF NATURAL COLORS THAT BLEND, RATHER THAN CONTRAST, WITH THE EXISTING VEGETATION AND EARTH HUES. EARTHTONE COLORS ARE CONSIDERED TO BE SHADES OF REDDISH BROWN, BROWN, TAN, OCHRE, AND UMBER.

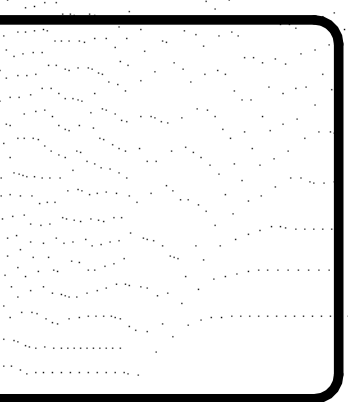
ROOFS: ROOFS SHALL BE COMPOSED OF NONE-GLARE EARTHTONE OR WOODTONE MATERIALS THAT MINIMIZE REFLECTIVITY.

FENCES: WOOD FENCES SHALL BE USED WHEREVER POSSIBLE. IF CYCLONE FENCE MUST BE USED, IT SHALL BE COATED WITH BROWN OR BLACK VINYL, INCLUDING FENCE POLES.

EXTERIOR LIGHTING: ALL EXTERIOR LIGHTING SHALL BE CONSISTENT WITH TRPA CODE OF ORDINANCES, SECTION 36.8: EXTERIOR LIGHTING STANDARDS. SPECIFICALLY, ALL EXTERIOR LIGHTING SHALL BE FULLY SHIELDED AND DIRECTED DOWNWARD SO AS TO NOT PRODUCE OBTRUSIVE GLARE ONTO ADJOINING PROPERTIES. ILLUMINATION FOR AESTHETIC OR DRAMATIC PURPOSES OF ANY BUILDING OR SURROUNDING LANDSCAPE UTILIZING EXTERIOR LIGHT FIXTURES PROJECTED ABOVE THE ABOVE THE HORIZONTAL IS PROHIBITED.

**EXTERIOR ELEVATION NOTES:**

1. SEE SHEET A6.0 FOR TRPA EXTERIOR NOTES.
2. SEE SHEET A7.0 FOR EXTERIOR FINISH MATERIALS.



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TITLE FRONT / EAST ELEVATION

A CUSTOM RESIDENCE  
**CALLIER LIVING TRUST**  
435 DANHUE RD  
CRYSTAL BAY, WASHOE COUNTY, NEVADA

REVISIONS:


FILE

DATE: 10/11/2023

SCALE: 1/4" = 1'-0"

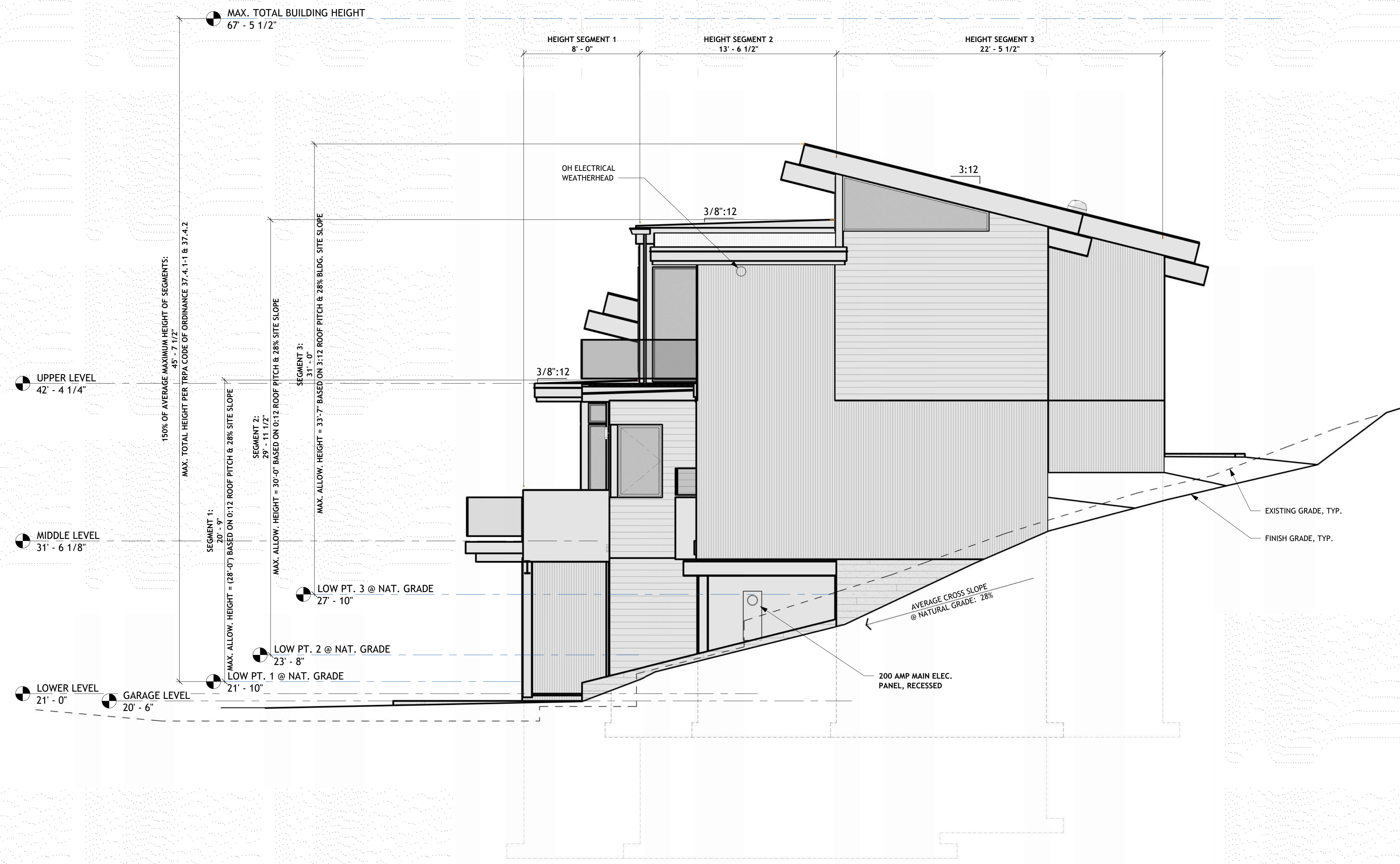
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SHEET

**A6.0**

OF # SHEETS





**RIGHT / NORTH ELEVATION**  
SCALE: 1/4" = 1'-0"

**EXTERIOR FINISH NOTES:**

ROOFING @ 3:12 SHED ROOF:  
22 GA. 7/8" CORRUGATED CORTEN STEEL ROOFING, NATURAL PATINA, GRACE ICE & WATERSHIELD OR APPROVED EQUAL. INSTALL SNOW SHED CLIPS.

FASCIA @ 3:12 SHED ROOF:  
22 GA. CORTEN FLAT STOCK STEEL W/ 3" LAP ON ROOF & 1 1/2" WRAP.

MEMBRANE ROOFING @ 3/8":12 ROOF:  
"POLYGLASS" ELASTOSHIELD TS4 4.5MM GRANULAR NON-WOVEN POLYESTER MAT, COLOR DARK GRAY

FASCIA @ 3/8":12 ROOF (OVER GYM):  
24 GA. SHEET METAL, "METAL SALES" COLOR: "MATTE BLACK" (106) (OR EQUAL) OVER 2X FASCIA & 2X6 SUB-FASCIA

FASCIA @ 3/8":12 MEMBRANE ROOF:  
2X12 RESAWN CEDAR FASCIA & 2X6 RESAWN CEDAR SUB-FASCIA, CABOT SEMI-TRANSPARENT STAIN, COLOR: "NEW CEDAR" (OR EQUAL)

FLASHING:  
24 GA. SHEET METAL FLASHING, "METAL SALES" COLOR: "MATTE BLACK" (106) (OR EQUAL)

SOFFIT @ 3:12 SHED ROOF:  
1X6 T&G CEDAR, CABOT SEMI-TRANSPARENT STAIN, COLOR: "NEW CEDAR" (OR EQUAL), OVER FIRE RESISTIVE BARRIER

SOFFIT @ 3/8":12 MEMBRANE ROOF: 3-COAT EXTERIOR LATH & PLASTER, "OMEGA" COLOR TEK PREMIUM EXTERIOR STUCCO, THREE-COAT STUCCO SYSTEM W/ "OMEGAFLEX" 100% ACRYLIC FINISH: FINE, COLOR: "1C130 CLOUD"

SIDING - WOOD, HORIZONTAL:  
1X6 RESAWN CEDAR LAP SIDING, HORIZONTAL. CABOT SEMI-TRANSPARENT STAIN, COLOR: "NEW CEDAR" (OR EQUAL). INSTALL OVER FIRE RESISTIVE BARRIER (LP FLAMEBLOCK OR EQUAL)

ALL EXTERIOR WOODWORK TO BE PRE-FINISHED. USE STAINLESS STEEL NAILS.

CLADDING - CORRUGATED CORTEN STEEL, VERTICAL:  
22 GA. 7/8" CORRUGATED CORTEN STEEL, NATURAL PATINA, OVER BUILDING WRAP

CLADDING - FLAT CORTEN STEEL PANELS:  
18 GA. CORTEN STEEL PANELS, NATURAL PATINA

SHEET METAL CLADDING @ WINDOWS AND DOORS:  
24 GA. FLAT STOCK SHEET METAL, "METAL SALES" COLOR: "MATTE BLACK" (106) (OR EQUAL)

BOARD FORMED CONCRETE SITE WALLS:  
POURED IN PLACE BOARD FORMED CONCRETE WALLS, CLEAR SEALER

EXPOSED STEEL BEAMS & COLUMNS:  
RAILINGS: 2X2 STEEL POSTS @ 6'-0" O.C. W/ 3/8" TEMPERED GLASS PANELS. ATTACH W/ CWL RETENTION CLIPS.

CUSTOM OVERHEAD GARAGE DOOR 01:  
FLUSH PANEL WOOD GARAGE DOOR, 5-PANEL ROLL-UP; APPLY WOOD SIDING TO MATCH & ALIGN WITH WOOD SIDING BESIDE AND ABOVE.

CUSTOM OVERHEAD GARAGE DOOR 02:  
GARAGE DOOR, 5-PANEL ROLL-UP; METAL FRAME, COLOR: "BLACK" W/ SATIN FINISH GLASS PANELS.

WINDOWS:  
PELLA RESERVE - CONTEMPORARY CLAD WOOD WINDOWS, COLOR: "BLACK" (U.N.O.)

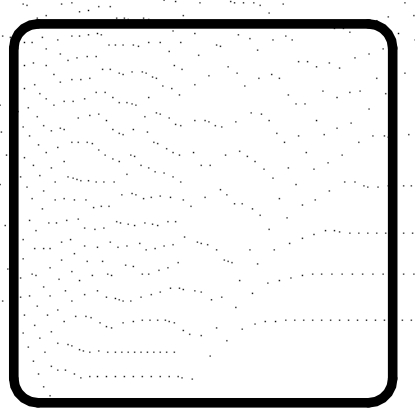
FINAL STAIN COLORS PER OWNER.

DECORATIVE SHROUDS SHALL BE INSTALLED AT THE TERMINATION OF GAS VENTS EXCEPT WHERE SUCH SHROUDS ARE LISTED FOR USE WITH THE SPECIFIC GAS VENTING SYSTEM AND ARE INSTALLED IN ACCORDANCE WITH MANUFACTURER'S INSTALLATION INSTRUCTIONS.

EXTERIOR LIGHTING:  
SOFFIT INSTALLED DOWNLIGHTING, U.O.N.

**EXTERIOR ELEVATION NOTES:**

- SEE SHEET A6.0 FOR TRPA EXTERIOR NOTES.
- SEE SHEET A7.0 FOR EXTERIOR FINISH MATERIALS.



TITLE: RIGHT / NORTH ELEVATION

A CUSTOM RESIDENCE  
**CALLIER LIVING TRUST**  
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CRYSTAL BAY, WASHOE COUNTY, NEVADA

REVISIONS:


FILE: \_\_\_\_\_

DATE: 10/11/2023

SCALE: 1/4" = 1'-0"

DRAWN: GFA

SHEET  
**A7.0**  
OF # SHEETS

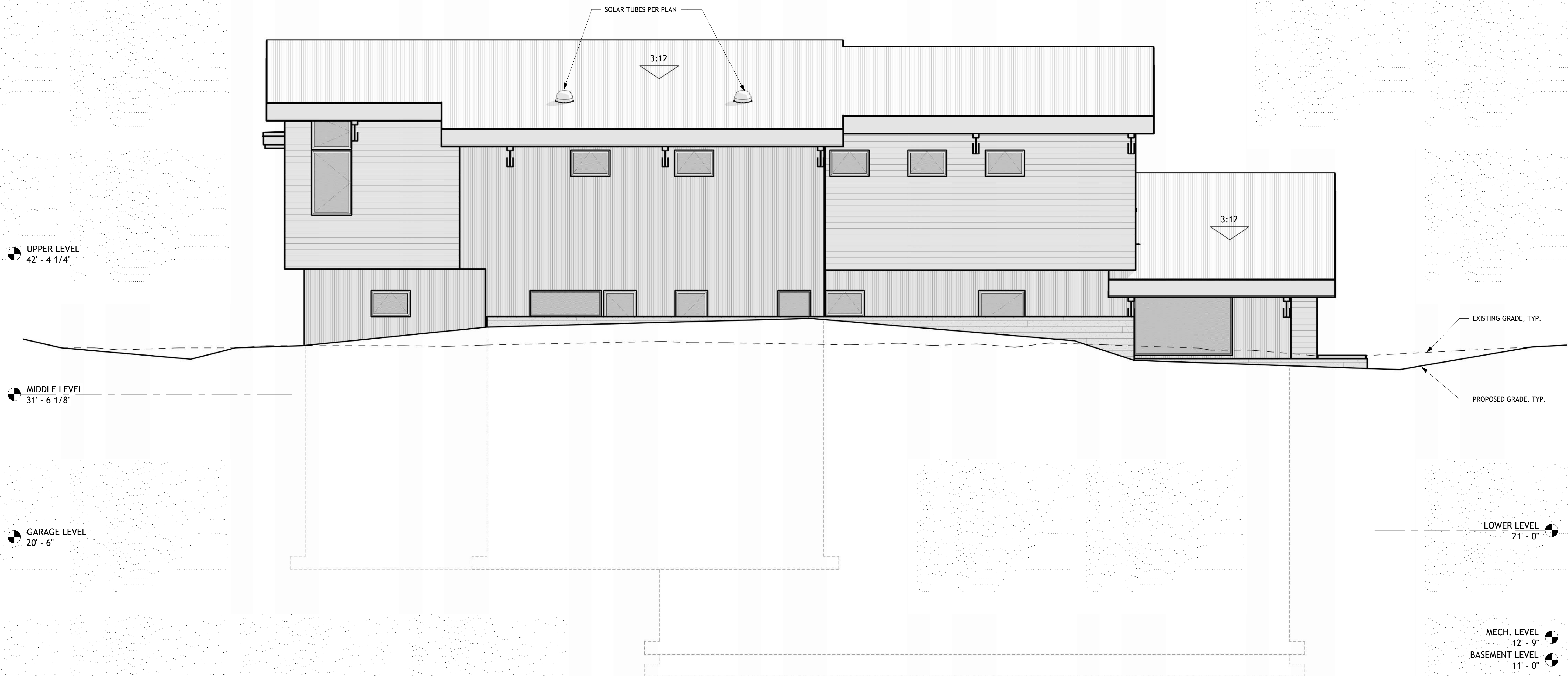
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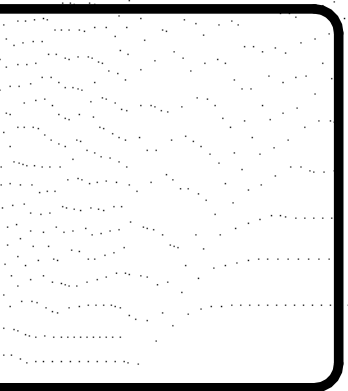


**REAR / WEST ELEVATION**

SCALE: 1/4" = 1'-0"

**EXTERIOR ELEVATION NOTES:**

1. SEE SHEET A6.0 FOR TRPA EXTERIOR NOTES.
2. SEE SHEET A7.0 FOR EXTERIOR FINISH MATERIALS.



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TITLE: REAR / WEST ELEVATION

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**CALLIER LIVING TRUST**  
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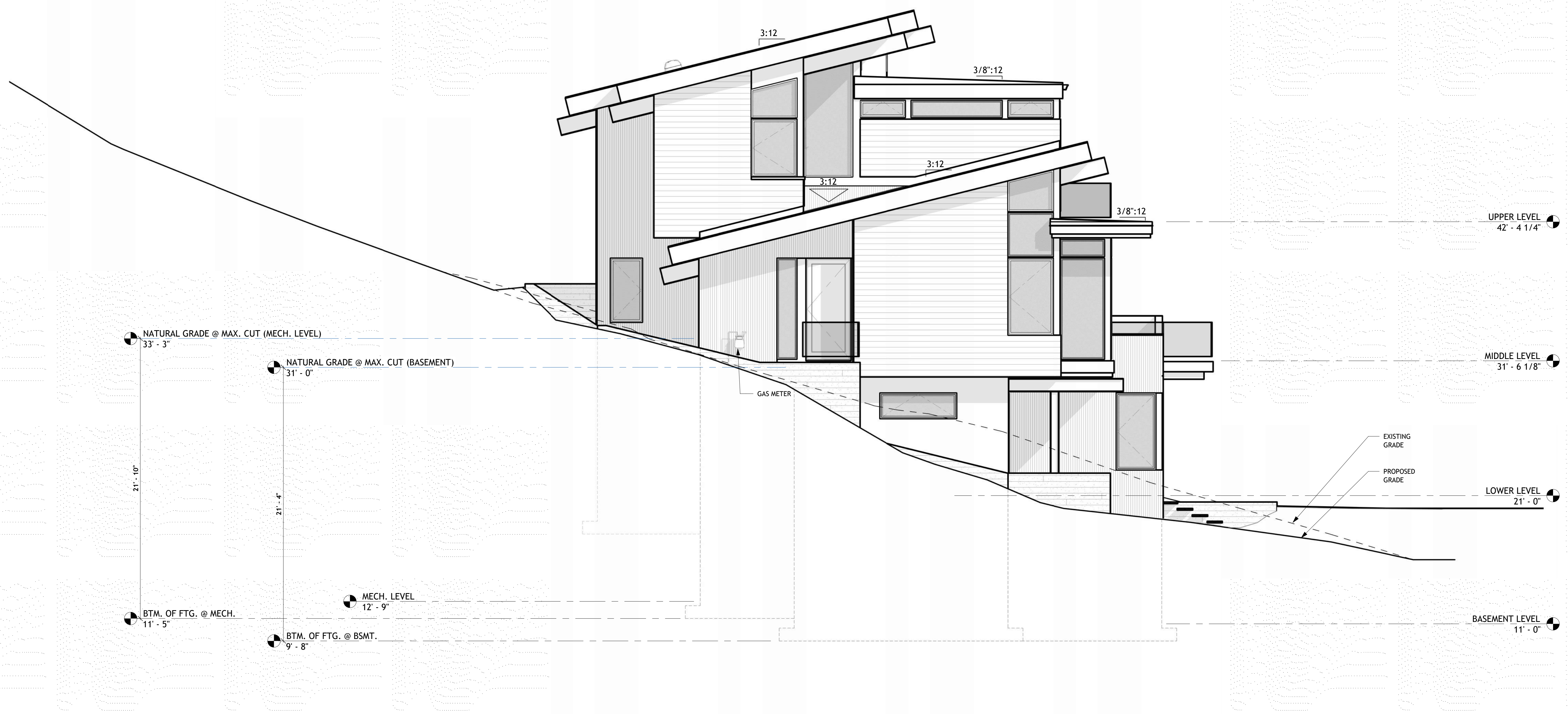
SCALE: 1/4" = 1'-0"

DRAWN: GFA

SHEET  
**A8.0**  
OF # SHEETS

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A B C C.5 E.5 F F.4



NATURAL GRADE @ MAX. CUT (MECH. LEVEL)  
33' - 3"

NATURAL GRADE @ MAX. CUT (BASEMENT)  
31' - 0"

MECH. LEVEL  
12' - 9"

BTM. OF FTG. @ MECH.  
11' - 5"

BTM. OF FTG. @ BSMT.  
9' - 8"

21' - 10"

21' - 4"

UPPER LEVEL  
42' - 4 1/4"

MIDDLE LEVEL  
31' - 6 1/8"

LOWER LEVEL  
21' - 0"

BASEMENT LEVEL  
11' - 0"

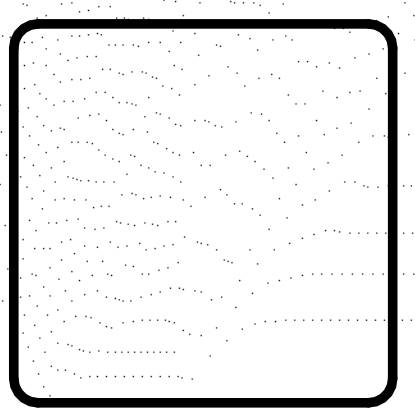
EXISTING GRADE

PROPOSED GRADE

**LEFT / SOUTH ELEVATION**  
SCALE: 1/4" = 1'-0"

**EXTERIOR ELEVATION NOTES:**

- SEE SHEET A6.0 FOR TRPA EXTERIOR NOTES.
- SEE SHEET A7.0 FOR EXTERIOR FINISH MATERIALS.



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TITLE: **LEFT / SOUTH ELEVATION**

**A CUSTOM RESIDENCE**  
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REVISIONS:


FILE: \_\_\_\_\_

DATE: 10/11/2023

SCALE: 1/4" = 1'-0"

DRAWN: GFA

SHEET **A9.0**  
OF # SHEETS

AGENDA ITEM NO. V. B.

Attachment D  
Project Review Conformance Checklist and Article V(g) Findings

**PROJECT REVIEW CONFORMANCE CHECKLIST & V (g) FINDINGS**

(RESIDENTIAL)

Project Name: Caillier SFD Tear Down/Rebuild

Project Type: Residential

APN / Project Number: APN: 123-143-21/ERSP2023-1610

Project Review Planner: Brandy McMahon Date of Review: 3/22/2024

NOTE: if the answer to question b. on any of the following questions is no, please provide a written justification on a separate sheet for making the findings required in subsections 4.4.1 and 4.4.2 of the code. If the answer to question b. is yes or if no answer is required, this checklist shall serve as justifications for making said findings. Any positive impacts of the project on the thresholds that have not been addressed in these questions should also be noted.

**CATEGORY: AIR QUALITY**

THRESHOLD: CARBON MONOXIDE (CO)

INDICATOR: (CO) 8-hr. avg. Stateline CA station

- 1. a. Does the project generate new vehicle trips? Y  N
- b. If yes, is the project consistent with Subsection 65.2.4.B.1? Y  N
- 2. a. Does the project create new points of vehicular access? Y  N
- b. If yes, is the project consistent with Subsection 34.3.2? Y  N
- 3. a. Does the project include combustion appliances? Y  N
- b. If yes, is the project consistent with Subsection 65.1.4? Y  N
- 4. a. Does the project include a new stationary source of CO? Y  N
- b. If yes, is the project consistent with Subsection 65.1.6? Y  N

THRESHOLD: OZONE

INDICATOR: Ozone, 1-hr. avg. Lk. Tahoe Blvd station

- 1. a. Does the project increase regional VMT? Y  N
- b. If yes, is the project consistent with Subsection 65.2.4? Y  N
- 2. a. Does the project include new gas/oil space/water heaters? Y  N
- b. If yes, is the project consistent with Subsection 65.1.4? Y  N
- 3. a. Does the project include a new stationary source of NO<sup>2</sup>? Y  N
- b. If yes, is the project consistent with Subsection 65.1.6? Y  N

THRESHOLD: PARTICULATE MATTER

INDICATOR: Part. Matter, 24-hr. avg. Lk. Tahoe Blvd station

- 1. a. Does the project increase airborne dust emissions? Y  N
- b. If yes, is the project consistent with Subsection 60.4.3? Y  N
- 2. a. Does the project include a new stationary source of particulate matter? Y  N
- b. If yes, is the project consistent with Subsection 65.1.6? Y  N

3. a. Refer to question 1, Ozone, above.

THRESHOLD: VISIBILITY

INDICATOR: miles of visibility, veg and subregional path

1. a. Refer to questions 1-3, Particulate Matter, above.

THRESHOLD: TRAFFIC VOLUME  
US 50 CORRIDOR, WINTER, 4pm-12am

INDICATOR: traffic volume, US 50 at Park Ave.  
Jan.-Mar. avg., 4pm-12am

1. a. Refer to question 1, CO, above.

THRESHOLD: NO<sup>2</sup> EMISSIONS

INDICATOR: VMT

1. a. Refer to questions 1-2, VMT, below.

THRESHOLD: WOOD SMOKE

INDICATOR: number of wood heaters

1. a. Does the project include any new wood heaters? Y  N   
b. If yes, is the project consistent with Subsection 65.1.4.B? Y  N

THRESHOLD: VMT

INDICATOR: changes in number of trips and avg. trip length

1. a. Does the project increase average trip length? Y  N   
b. If yes, is the project consistent with Subsection 65.2.4.B? Y  N   
2. a. refer to question 1, CO, above.

**CATEGORY: WATER QUALITY**

THRESHOLD: TURBIDITY

INDICATOR: turbidity of indicator stations

1. a. Does the project increase impervious coverage or create permanent soil disturbance? Y  N   
b. If yes, is the project consistent with Subsection 60.2.3? Y  N   
2. a. Does the project create temporary soil disturbance? Y  N   
b. If yes, is the project consistent with Subsection 60.4.3? Y  N   
3. a. Does the project require the use of fertilizer? Y  N   
b. If yes, is the project consistent with Subsection 60.1.8? Y  N   
4. a. Does the project include domestic wastewater discharge to the surface or groundwater? Y  N   
b. If yes, is the project consistent with Subsection 60.1.3.B? Y  N   
5. a. Does the project disturb or encroach on an existing SEZ? Y  N   
b. If yes, is the project consistent with Subsection 30.5? Y  N

THRESHOLD: CLARITY, WINTER (IN LAKE)

INDICATOR: secch depth, Dec.-Mar. avg. TRG index station

1. a. Refer to questions 1-5, turbidity, above.

THRESHOLD: PHYTOPLANKTON PRIMARY PRODUCTIVITY (IN LAKE)

INDICATOR: phyto, primary productivity, ann. Avg., TRG index station

1. a. Refer to questions 1-5, turbidity, above.

THRESHOLD: DIN LOAD, SURFACE RUNOFF

INDICATOR: DIN x discharge, tributary network annual total 1

1. a. Refer to questions 1, 2, 3 and 5, turbidity, above.

THRESHOLD: DIN LOAD, GROUNDWATER

INDICATOR: DIN x discharge, grndwtr. Network, annual total

1. a. Refer to questions 2 & 3, turbidity, above.

THRESHOLD: DIN LOAD, ATMOSPHERIC

INDICATOR: NO3 + HNO, annual avg. Lake Tahoe Blvd station

1. a. Refer to question 4, turbidity, above.

THRESHOLD: NUTRIENT LOADS, GENERAL

INDICATOR: sol. P x discharge sol. Fe x

1. a. Refer to questions 1-5, turbidity, above.

THRESHOLD: TOTAL N, P, Fe, (trib.) CA ONLY

INDICATOR: single reading, tributary network

1. a. Refer to questions 1, 2, 3, and 5, turbidity, above.

THRESHOLD: DIN; SOL, P, Fe, SS (trib.) NV ONLY

INDICATOR: single reading tributary network

1. a. Refer to questions 1, 2, 3 and 5, turbidity, above.

THRESHOLD: DIN, SOL, P, Fe, SS, GREASE/OIL DISCHARGED TO SURFACE WATER FROM RUNOFF

INDICATOR: single reading runoff sites

1. a. Does the project route impervious surface runoff directly into Lake Tahoe or a major tributary? Y  N
- b. If yes, is the discharge structure consistent with BMP handbook? Y  N
2. a. Does the project create large impervious areas (e.g. parking lots) which may serve as a source of airborne pollutants, grease or oil? Y  N
- b. If yes, is the project consistent with Subsections 60.4.3, 60.4.6 and 60.4.9? Y  N

THRESHOLD: TOTAL N, TOTAL P, TOTAL Fe TURBIDITY, GREASE/OIL DISCHARGE TO GRDWTR FROM RUNOFF

INDICATOR: single reading runoff site

1. a. Does the project include infiltration devices to infiltrate impervious surface runoff directly underground? Y  N
- b. If yes, is the project consistent with Subsection 60.4.6? Y  N

**CATEGORY: SOIL CONSERVATION**

**THRESHOLD: IMPERVIOUS COVERAGE**

INDICATOR: area or coverage

1. a. Does the project include new or relocated coverage? Y  N   
b. If yes, is the project consistent with Subsection 30.4, 30.5 and 30.6? Y  N

**THRESHOLD: NATURALLY-FUNCTIONING SEZ**

INDICATOR: area of SEZ

1. a. Does the project disturb or encroach on a naturally-functioning SEZ? Y  N   
b. If yes, is the project consistent with Subsection 30.5? Y  N

**CATEGORY: VEGETATION**

**THRESHOLD: PLANT & STRUCTURAL DIVERSITY**

INDICATOR: plant & structural diversity

1. a. Does the project create a change in diversity? Y  N   
b. If yes, does the project include vegetation management techniques to increase diversity (reveg., thinning)? Y  N

**THRESHOLD: MEADOW & RIPARIAN VEGETATION**

INDICATOR: area of meadow & riparian veg.

1. a. Refer to question 5, turbidity, above.

**THRESHOLD: DECIDUOUS RIPARIAN VEGETATION**

INDICATOR: area of riparian vegetation

1. a. Refer to question 5, turbidity, above.

**THRESHOLD: SHRUB ASSOCIATION**

INDICATOR: area of shrub association

1. a. Does the project create an increase in the areal extent of the shrub association? Y  N   
b. If yes, has the additional area been calculated, and a determination been made that the total area is less than or equal to 25%? Y  N

**THRESHOLD: YELLOW PINE ASSOCIATION (not mature)**

INDICATOR: area of yellow pine assoc.

1. a. Does the project create a change in the areal extent of the immature yellow pine association? Y  N   
b. If yes, has the additional area been calculated, and a determination made that the total area in the Region is between 15 and 25%? Y  N

**THRESHOLD: RED FIR ASSOCIATION**

INDICATOR: area of red fir assoc.

1. a. Does the project create a change in the areal extent of the immature red fir association? Y  N   
b. If yes, has the additional area been calculated, and a determination made that the total area in the Region is between 15 and 25%? Y  N

**THRESHOLD: FOREST OPENINGS**

INDICATOR: size and location of forest openings

1. a. Does the project create new forest openings? Y  N   
b. If yes, is the new opening less than 8 acres? Y  N



2. a. Does the project create new forest openings adjacent to other openings? Y  N
- b. If yes, are the resultant adjacent openings not of the same relative age class or successional stage? Y  N

THRESHOLD: UNCOMMON PLANT COMMUNITITES

INDICATOR: habitat sites

1. a. Will the project impact the habitats for the deepwater sphagnum bog, Osgood Swamp, or the Freel Peak Cushing Plant Community? Y  N
- b. If yes, have modifications been included in the project to protect these plant communities? Y  N

THRESHOLD: SENSITIVE VEGETATION

INDICATOR: number of habitat sites

1. a. Will the project impact the habitats of the Carex paucifructus, the Lewis pyomaea longipetala, the Draba asterophora v., or the Rorippa subumbellata? Y  N
- b. If yes, have modifications been included in the project to protect these plant communities? Y  N

CATEGORY: WILDLIFE

THRESHOLD: SPECIAL INTEREST SPECIES

INDICATOR: number of habitat sites

1. a. Will the project result in the loss, modification or increased disturbance of habitat site for goshawk, osprey, bald eagle, (winter and nesting), golden eagle, peregrine falcon, waterfowl, or deer, as mapped on official TRPA maps? Y  N
- b. If yes, have modifications been included in the project to protect these habitat sites? Y  N

CATEGORY: FISHERIES

THRESHOLD: EXCELLENT STREAM HABITAT

INDICATOR: sites of excellent stream habitat

1. a. Does the project include stream channelization, stream dredging, removal of rock or gravel from a stream , culverts, bridges, or water diversions affecting a stream identified as fish habitat? Y  N
- b. If yes, have modifications been included in the project to offset impacts on stream habitat and contribute to the upgrading of stream habitat? Y  N
2. a. Will the project result in siltation, urban runoff, snow disposal, or litter that may affect water quality in a stream identified as fish habitat? Y  N
- b. If yes, is the project consistent with Subsections 60.4.3 and 60.4.6? Y  N

THRESHOLD: GOOD STREAM HABITAT

INDICATOR: miles of good stream habitat

1. a. Refer to questions 1 and 2, above.

THRESHOLD: MARGIANL STREAM HABITAT

INDICATOR: miles of marginal stream habitat

1. a. Refer to questions 1 and 2, above.

THRESHOLD: INSTREAM FLOWS

INDICATOR: increase flows

- 1. a. Does the project include new water diversions? Y  N
- b. If yes, is there evidence in the record to indicate that flows will remain within adopted TRPA standards or, in the absence of adopted standards, that flows will not be diminished? Y  N
  
- 2. a. Does the project include new coverage or disturbance that could contribute to uncontrolled runoff reaching a stream identified as fish habitat? Y  N
- b. If yes, is the project consistent with Subsections 60.4.3 and 60.4.6? Y  N
  
- 3. a. Refer to question 5, turbidity, above.

THRESHOLD: LAKE HABITAT

INDICATOR: area of excellent habitat

- 1. a. Does the project include development in the shorezone, removal of rock or gravel from the lake, or removal of vegetation in the shorezone? Y  N
- b. If yes, is the project consistent with Chapters 80-86? Y  N
  
- 2. a. Does the project increase the potential for siltation, runoff, or erosion entering Lake Tahoe? Y  N
- b. If yes, is the project consistent with Subsections 60.4.3 and 60.4.6? Y  N

CATEGORY: NOISE

THRESHOLD: COMMUNITY NOISE EQUIVALENT LEVEL (CNEL)

INDICATOR: dBA, CNEL

- 1. a. Does the project involve the creation of a new or relocated land use? Y  N
- b. If yes, is the project consistent with the applicable plan area statement? Y  N
  
- 2. a. Is the project located within a transportation corridor as mapped on TRPA maps? Y  N
- b. If yes, does the project include components to reduce the transmission of noise from the corridor, in accordance with the TRPA Design Review Guidelines? Y  N

CATEGORY: SCENIC RESOURCES

THRESHOLD: ROADWAY AND SHORELINE RATINGS

INDICATOR: ratings

- 1. a. Is the project located within, or visible from, a roadway or shoreline unit targeted for scenic upgrading? Y  N
- b. If yes, is the project consistent with the TRPA Scenic Quality Implementation Program (SQUIP)? Y  N
  
- 2. a. Is the project located within, or visible from, a roadway or shoreline unit not targeted for scenic upgrading? Y  N
- b. If yes, is there evidence in the record that the project will not cause a significant decrease in scenic quality, and is the project consistent with the TRPA Design Review Guidelines? Y  N

**CATEGORY: RECREATION**

**THRESHOLD: PRESERVE AND ENHANCE THE HIGH QUALITY RECREATION EXPERIENCE**

INDICATOR: dispersed rec. capacity

- 1. a. Is the project located in a conservation or recreation plan area? Y  N
- b. If yes, is the project consistent with the applicable plan area statement? Y  N

**CATEGORY: CODE/RULES OF PROCEDURE REQUIREMENTS**

- 1. Does the project require Governing Board Review (Chapter 2)? Y  N
- 5. Does the project require notice to adjacent property owners (Art. XII Rules of Procedure)? Y  N

6. Is the project consistent with the following:

Chapter 2	(Project Review)	N/A	<input type="checkbox"/>	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Chapter 6	(Tracking-Data Sheets/Log Book)	N/A	<input type="checkbox"/>	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Chapter 21	(Permissible Uses)	N/A	<input type="checkbox"/>	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Chapter 22	(Temporary Uses)	N/A	<input checked="" type="checkbox"/>	Y <input type="checkbox"/>	N <input type="checkbox"/>
Chapter 30	(Coverage)	N/A	<input type="checkbox"/>	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Chapter 31	(Density)	N/A	<input type="checkbox"/>	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Chapter 32	(Basic Service)	N/A	<input type="checkbox"/>	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Chapter 33.3	(Grading)	N/A	<input checked="" type="checkbox"/>	Y <input type="checkbox"/>	N <input type="checkbox"/>
Chapter 33.4	(Special Reports)	N/A	<input type="checkbox"/>	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Chapter 33.5	(Construction Schedule)	N/A	<input type="checkbox"/>	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Chapter 33.6	(Vegetation Protection)	N/A	<input type="checkbox"/>	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Chapter 34	(Driveways)	N/A	<input type="checkbox"/>	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Chapter 34	(Parking)	N/A	<input type="checkbox"/>	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Chapter 35	(Natural Hazards-Floodplain)	N/A	<input checked="" type="checkbox"/>	Y <input type="checkbox"/>	N <input type="checkbox"/>
Chapter 36	(Design Standards)	N/A	<input type="checkbox"/>	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Chapter 37	(Height)	N/A	<input type="checkbox"/>	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Chapter 38	(Signs)	N/A	<input checked="" type="checkbox"/>	Y <input type="checkbox"/>	N <input type="checkbox"/>
Chapter 50	(Allocations)	N/A	<input checked="" type="checkbox"/>	Y <input type="checkbox"/>	N <input type="checkbox"/>
Chapter 51	(Transfers)	N/A	<input checked="" type="checkbox"/>	Y <input type="checkbox"/>	N <input type="checkbox"/>
Chapter 52	(Bonus Units-MFD only)	N/A	<input checked="" type="checkbox"/>	Y <input type="checkbox"/>	N <input type="checkbox"/>
Chapter 53	(IPES)	N/A	<input checked="" type="checkbox"/>	Y <input type="checkbox"/>	N <input type="checkbox"/>
Chapter 60	(BMP's)	N/A	<input type="checkbox"/>	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Chapter 60.1	(Water Quality)	N/A	<input type="checkbox"/>	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Chapter 60.2	(Water Quality Mitigation)	N/A	<input type="checkbox"/>	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Chapter 61.1	(Tree Removal)	N/A	<input type="checkbox"/>	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Chapter 61.3.6	(Sensitive Plants/Fire Hazard)	N/A	<input type="checkbox"/>	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Chapter 61.4	(Revegetation)	N/A	<input type="checkbox"/>	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Chapter 62	(Wildlife)	N/A	<input type="checkbox"/>	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Chapter 63	(Fish)	N/A	<input checked="" type="checkbox"/>	Y <input type="checkbox"/>	N <input type="checkbox"/>
Chapter 65.1	(Air Quality)	N/A	<input type="checkbox"/>	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Chapter 65.2	(Traffic/Air Quality Mitigation)	N/A	<input type="checkbox"/>	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Chapter 67	(Historic Resource)	N/A	<input type="checkbox"/>	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>

Attachment E  
Public Comment

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7 February 2024

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### **Re: Application for New Single Family Dwelling Addition/Modification Application for APN 123-143-21**

On 4 October 2023, GilanFarr Architecture (“GilanFarr”) submitted a single-family dwelling application to the TRPA on behalf of Kurt Caillier / Caillier Living Trust (“Caillier”) to tear down an existing residence located at 425 Pahute Road in Crystal Bay, NV (the “Property”) and construct a new residence in its place. Having reviewed the application and other materials on file for [APN 123-143-21](#), [LLAD2023-0504](#), and [LCAP2020-0391](#), Mr. Caillier’s neighbors have significant concerns with regards to the proposed plan he has placed before the Tahoe Regional Planning Authority for approval. The history of the Property and the concerns are outlined as follows.

## **I. Introduction**

Improvements at the Property of an unknown footprint were first erected in 1941.<sup>1</sup> In June 2006, Washoe County Engineering issued a revocable encroachment permit to Glenn Martin to “permit the installation of a portion of the existing residence” onto Pahute Road.<sup>2</sup> In October 2019 – just before the sale of the Property to Caillier – Michelle Rader obtained another revocable encroachment permit from Washoe County Engineering to “allow an existing two-story portion of a residence with a footprint of approximately 910 sq. ft. to remain partially within the right-of-way of Pahute Road in Crystal Bay.”<sup>3</sup> The Property was conveyed to Kurt D. Caillier, Trustee of the Kurt D. Caillier Living Trust on 26 November 2019 by Michelle Rader.<sup>4</sup>

Caillier wishes to construct a new home on this parcel, however, the grandfathered coverage did not include the portion of the residence and driveway that was actually on the Pahute Road right-of-way. Caillier then applied to the Washoe County Planning Commission to request that Washoe County abandon the end of Pahute Road solely to him (the “Pahute Abandonment”) even though there were four abutting parcels. The Washoe County Planning Commission held a hearing on 1 September 2020 regarding the application.<sup>5</sup> Caillier’s neighbors presented objections during the presentation.<sup>6</sup> The Pahute Abandonment passed with one dissenting vote.<sup>7</sup> The Planning Commission’s Pahute Abandonment Action Order was timely appealed to the Board of Commissioners and was heard on 9

<sup>1</sup> [https://youtu.be/u-NWdBIXQ\\_Y?t=860](https://youtu.be/u-NWdBIXQ_Y?t=860)

<sup>2</sup> Exhibit 1

<sup>3</sup> Exhibit 2

<sup>4</sup> Exhibit 3

<sup>5</sup> [https://youtu.be/u-NWdBIXQ\\_Y?t=320](https://youtu.be/u-NWdBIXQ_Y?t=320)

<sup>6</sup> [https://youtu.be/u-NWdBIXQ\\_Y?t=2318](https://youtu.be/u-NWdBIXQ_Y?t=2318)

<sup>7</sup> [https://youtu.be/u-NWdBIXQ\\_Y?t=3316](https://youtu.be/u-NWdBIXQ_Y?t=3316)

February 2021.<sup>8</sup> It ratified the Planning Commission’s Pahute Abandonment Action Order.<sup>9</sup> An appeal of the Washoe County Board of Commissioners ratification was appealed to the Second Judicial District of Washoe County. The district court denied the petition for judicial review. That decision was appealed to the Nevada Supreme Court. On 30 October 2023, the Nevada Supreme Court affirmed the lower court’s decision and declined to opine on the application of Nevada Revised Statute §278.480(7)’s application to this case. Before the case was decided, Caillier filed his applications with the TRPA to demolish and rebuild a new residence on 4 October 2023.

## **II. Caillier’s Application does not conform to applicable Master Plans, TRPA Ordinances, or Washoe County Ordinances**

Caillier’s proposed plan to demolish and rebuild a residence not only fails to address and adhere to the applicable Master Plans and the TRPA’s code of ordinances, it also fails to address safety issues for the neighbors around him.

### ***A. Caillier’s Empty Promises***

Throughout the past four years during the administrative process, Caillier and GilanFarr made numerous “promises” and representations to Washoe County officials in order to get the Pahute Abandonment approved. This short dead-end residential road is very narrow and can be difficult to traverse all year around and even more so in the winter months. A video of its features can be seen [here](#).<sup>10</sup>

During the Washoe County Planning Commission hearing, Ms. Quina Williams – an employee of GilanFarr – made numerous representations to the

<sup>8</sup> [https://youtu.be/iZABC6gIR\\_k?list=PLdx9\\_2ZV4M\\_wIoqR6PPWz-mvMqpxh44SU&t=12214](https://youtu.be/iZABC6gIR_k?list=PLdx9_2ZV4M_wIoqR6PPWz-mvMqpxh44SU&t=12214)

<sup>9</sup> [https://youtu.be/iZABC6gIR\\_k?list=PLdx9\\_2ZV4M\\_wIoqR6PPWz-mvMqpxh44SU&t=15086](https://youtu.be/iZABC6gIR_k?list=PLdx9_2ZV4M_wIoqR6PPWz-mvMqpxh44SU&t=15086)

<sup>10</sup> <https://youtu.be/3zuB3LgxqC0>

planning commission staff regarding the access conditions and the end of Pahute Road. She stated:

Thirdly, this orange outline is the actual drivable area so you're driving down Pahute, uh, whether you are a UPS delivery man or just a visitor to the neighborhood, this is really what you have to be able to turn around. Uh, it's very small. This white line shows the turnaround radius. It's kind of about just 20 or 21 feet. It's extremely small. It's not, it's not ideal at all. So, this is a problem, this is a huge problem. We have a house built into the right of way, there's minimal turn around capability. We want to fix this problem. We have a proposed solution that is the abandonment of this highlighted area that you see on the right of the Washoe County Right of Way.<sup>11</sup>

Ms. Williams went on to represent in her conclusion to the Washoe County Planning Commission:

To speak more about compliance, we're absolutely more than happy to comply with all conditions set forth by TRPA regarding the process of the abandonment. We have will obviously already submitted a Washoe County abandonment application. Uh, we are happy to comply with all the conditions set forth by the agencies and the staff report with the addition that we would like to contribute to the enhancement of the turnaround. Um, the homeowner is uh, a professional in the industry um um, concrete and whatnot and uh you know in the construction process we would be happy to improve the situation at the end of Pahute Road.<sup>12</sup>

<sup>11</sup> [https://youtu.be/u-NWdBIXQ\\_Y?t=1133](https://youtu.be/u-NWdBIXQ_Y?t=1133). But the proposed solution was simply abandonment and a promise to commit Washoe County to build a permanent roadway on a quitclaim deed obtained from the State of Nevada.

<sup>12</sup> [https://youtu.be/u-NWdBIXQ\\_Y?t=1464](https://youtu.be/u-NWdBIXQ_Y?t=1464)



On appeal, in her presentation to the Washoe County Board of Commissioners, she stated:

But, as you can see, this purple area is the drivable area that Victor just showed in his [video of the truck turning around](#).<sup>13</sup> Its its really not ideal and the um you know clearly the the house does get in the way of some of that turnaround capability. But more importantly, this red shows that there is even smaller amounts of that road that are paved.<sup>14</sup>

As part of her conclusion to the Washoe Board of Commissioners, Ms. Williams testified:

We can also look to um coordinate with Washoe County and the neighbors to actually improve the turn around on the end of the street. So, just to clarify, we absolutely have no intention of reducing or eliminating the turnaround capacity in any way.<sup>15</sup>

This is just a proposed option of what we could be looking at in the future where we can actually improve the turnaround. So again, I just want to be clear that you know uh we we don't have any intention of decreasing the ability for any of the um the neighbors or the snow removal equipment or emergency equipment or even delivery trucks to reduce their ability to use the road. Um, in fact, we would be definitely willing to participate with the county to improve that turnaround and to utilize that Washoe County quitclaim deed area to expand the turnaround uh for all of the neighbors to use.<sup>16</sup>

<sup>13</sup> <https://youtu.be/mWA06wx-gFQ>

<sup>14</sup> [https://youtu.be/iZABC6gIR\\_k?list=PLdx9\\_2ZV4M\\_wIoqR6PPWz-mvMqpxh44SU&t=13582](https://youtu.be/iZABC6gIR_k?list=PLdx9_2ZV4M_wIoqR6PPWz-mvMqpxh44SU&t=13582)

<sup>15</sup> [https://youtu.be/iZABC6gIR\\_k?list=PLdx9\\_2ZV4M\\_wIoqR6PPWz-mvMqpxh44SU&t=13707](https://youtu.be/iZABC6gIR_k?list=PLdx9_2ZV4M_wIoqR6PPWz-mvMqpxh44SU&t=13707)

<sup>16</sup> [https://youtu.be/iZABC6gIR\\_k?list=PLdx9\\_2ZV4M\\_wIoqR6PPWz-mvMqpxh44SU&t=13762](https://youtu.be/iZABC6gIR_k?list=PLdx9_2ZV4M_wIoqR6PPWz-mvMqpxh44SU&t=13762)

Um, so as you can see, the existing road conditions are really not ideal. It's a lot of wasted space and we hope to improve that situation um as a part of this abandonment process and the construction process.<sup>17</sup>

The problem here is that Caillier's filed plans with the TRPA to demolish and rebuild a residence make ***no attempt*** at fulfilling any of the empty promises that were made before the Washoe County Planning Commission and the Washoe County Board of Commissioners in the abandonment proceedings. As submitted, these plans should not be approved until those promises and problems are addressed.

***B. Caillier's proposed building plan does not meet the requirements of Chapter 32 of the TRPA Code of Ordinances***

Chapter 32 of the TRPA's Code of Ordinances states that:

All projects proposing a new structure or reconstruction or expansion of an existing structure designed or intended for human occupancy shall meet the standards set forth in this chapter.<sup>18</sup>

Moreover, section 32.3 requires:

All projects described in Section 32.2 and that require vehicular access shall be served by a paved roadway. To be considered "served," a right-of-way or easement shall abut the driveway serving the parcel and ***shall contain a paved roadway of adequate size and construction to accommodate the vehicular traffic resulting from the project.*** [emphasis added]<sup>19</sup>

Crystal Bay in general and Pahute Road specifically is part of a planned

<sup>17</sup> [https://youtu.be/iZABC6gIR\\_k?list=PLdx9\\_2ZV4M\\_wIoqR6PPWz-mvMqpxh44SU&t=13843](https://youtu.be/iZABC6gIR_k?list=PLdx9_2ZV4M_wIoqR6PPWz-mvMqpxh44SU&t=13843)

<sup>18</sup> <https://www.trpa.org/wp-content/uploads/TRPA-Code-of-Ordinances.pdf#page=233>

<sup>19</sup> *Id.*

residential neighborhood. As such, it is reasonable for owners of an abutting residential parcel and structure to expect not only adequate roads for emergency services, but also be able to maintain the ability to receive common household goods by delivery vehicles used by UPS and FedEx.

In Caillier’s Application dated 31 October 2023, he and GilanFarr suggest applicable findings for the TRPA on relevant ordinance sections.<sup>20</sup> For Section 32.2, Caillier and GilanFarr now disavow *everything* they testified to at the Washoe County Planning Commission and again before the Washoe County Board of Commissioners. Just as feared throughout the abandonment litigation, they propose a TRPA finding that “[t]he adjacent roadway serving the property is paved and maintained.” The TRPA should – and legally must – reject such an invitation.

***C. Caillier’s and GilanFarr’s application does not comply with the Master Plans or Washoe County’s Development Code***

The Washoe County Tahoe Area Plan<sup>21</sup> states:

[t]his plan was prepared to carry out Nevada Revised Statutes, Sections 278.150 to 278.230, inclusive, and other related sections. The plan was prepared to be consistent with the Lake Tahoe Regional Plan and TRPA’s standards for area plans as set forth in Chapter 13 Area Plans of the TRPA Code of Ordinances.<sup>22</sup>

It goes on to state its relationship to the TRPA Plans stating:

The Washoe County Tahoe Area Plan is a component of both the Washoe County Master Plan and the Lake Tahoe Regional Plan. The plan serves to further refine the general goals, policies, and standards from these two comprehensive plans for application to the Incline Village

<sup>20</sup> Exhibit 4

<sup>21</sup> [https://www.trpa.gov/wp-content/uploads/documents/WCTAP\\_Final\\_Full.pdf](https://www.trpa.gov/wp-content/uploads/documents/WCTAP_Final_Full.pdf)

<sup>22</sup> [https://www.trpa.gov/wp-content/uploads/documents/WCTAP\\_Final\\_Full.pdf#page=9](https://www.trpa.gov/wp-content/uploads/documents/WCTAP_Final_Full.pdf#page=9)

and Crystal Bay communities. It provides the regulatory framework for future development in the portion of Washoe County that is within the Tahoe Basin.<sup>23</sup>

Even Washoe County Code §110.220.00 states that:

The purpose of this article, Article 220, Tahoe Area, is to implement the Tahoe Area Plan contained in Volume Two of the Washoe County Master Plan and the other applicable plan elements contained in Volume One of the Washoe County Master Plan. This article is also intended to implement the Tahoe Regional Planning Agency's (TRPA) Regional Plan. This article sets forth special regulations to supplement the general regulations set forth elsewhere throughout the Washoe County Development Code, and to supplement and implement the TRPA's Code of Ordinances.<sup>24</sup>

Washoe County Code §110.220.05 goes on to state that:

[t]he development standards in this article apply to all development within the Tahoe Planning Area, as described in the Tahoe Area Plan. This article is intended to either match TRPA standards exactly; or, to supplement those standards in cases where TRPA has not adopted standards or when Washoe County desires to have a more restrictive approach than TRPA has adopted. In those cases when the TRPA Code of Ordinances and this section do not impose regulations, the provisions of the Washoe County Development Code will be applied.<sup>25</sup>

Given that basic framework, the Washoe County Development Code goes to *great* lengths in promulgating the design of streets. [Washoe County Development](#)

<sup>23</sup> *Id.*

<sup>24</sup> [https://www.washoecounty.gov/csd/planning\\_and\\_development/code\\_enforcement/files\\_forms\\_reports\\_manuals/dev\\_code/Cdc200\\_annotated.pdf#page=52](https://www.washoecounty.gov/csd/planning_and_development/code_enforcement/files_forms_reports_manuals/dev_code/Cdc200_annotated.pdf#page=52)

<sup>25</sup> *Id.*

Code §110.604.10 also states that “Streets within the subdivision shall be designed in conformance with Article 436, Street Design Standards.”<sup>26</sup> the purpose of Washoe Development Code §110.436 is stated clearly in §110.436.00. It says:

The purpose of this article, Article 436, Street Design Standards, is to provide *safe, properly designed*, attractive streets that minimize environmental disturbance, including impacts on water quality, and minimize maintenance costs for the street system within Washoe County.<sup>27</sup> [emphasis added]

This development code section also specifically codifies its applicability. It says:

The provisions of this article shall apply to public and private street improvements for projects including, but not limited to, the following:

...

(b) Projects that may be subject to this article are:

...

(1) Projects requiring a site plan review.<sup>28</sup>

Washoe County Development Code §110.436.120(e) and (f) requires that

. . . a minimum turnaround radius of the cul-de-sac bulb shall be forty-eight (48) feet measured from the radius point to the face of the curb. . . [and a] [m]inimum right-of-way for the cul-de-sac bulb shall be forty-eight (48) feet measured from the radius point to the right-of-way line.<sup>29</sup>

<sup>26</sup>[https://www.washoecounty.us/csd/planning\\_and\\_development/code\\_enforcement/files\\_forms\\_reports\\_manuals/dev\\_code/Cdc600\\_annotated.pdf#page=9](https://www.washoecounty.us/csd/planning_and_development/code_enforcement/files_forms_reports_manuals/dev_code/Cdc600_annotated.pdf#page=9)

<sup>27</sup> Washoe County Development Code Section [110.436.00](#)

<sup>28</sup> Washoe County Development Code Section [110.436.05](#)

<sup>29</sup>[https://www.washoecounty.us/csd/planning\\_and\\_development/code\\_enforcement/files\\_forms\\_reports\\_manuals/dev\\_code/Cdc400\\_annotated\\_rev.pdf#page=188](https://www.washoecounty.us/csd/planning_and_development/code_enforcement/files_forms_reports_manuals/dev_code/Cdc400_annotated_rev.pdf#page=188)

Even Washoe County Development Code §110.436.125(d) states that “[p]artial width streets . . . shall be improved at least to half width, but in no instance shall the paved travel way be less than twenty-four (24) feet in width (with no on-street parking).”<sup>30</sup>

Caillier’s and GilanFarr’s proposed plans that they have filed with the TRPA come nowhere near close to what the Master Plans, the Code of Ordinances, or the Washoe County Development Code require and must be modified to address the accessibility issues before they are approved.

***D. Caillier’s and GilanFarr’s plan for redevelopment is unsafe and does not comply with Washoe County Master Plan – Public Services and Facilities Element***

As has been repeatedly demonstrated, it is very challenging to back into or out of Pahute Road, especially with a truck or trailer.<sup>31</sup> Emergency services are more than just public services for the extinguishment of fires. Indeed, the North Lake Tahoe Fire Protection District holds itself out as providing Emergency Medical Services to the citizens and visitors of Incline Village and Crystal Bay.<sup>32</sup> Moreover, the Washoe County Master Plan – Public Services and Facilities Element goes on at length about the issue of Public Safety.<sup>33</sup> That Master Plan element acknowledges that response to medical emergencies “are among the most basic and valuable

<sup>30</sup>[https://www.washoecounty.us/csd/planning\\_and\\_development/code\\_enforcement/files\\_forms\\_reports\\_manuals/dev\\_code/Cdc400\\_annotated\\_rev.pdf#page=189](https://www.washoecounty.us/csd/planning_and_development/code_enforcement/files_forms_reports_manuals/dev_code/Cdc400_annotated_rev.pdf#page=189)

<sup>31</sup>[https://youtu.be/iZABC6gIR\\_k?list=PLdx9\\_2ZV4M\\_wIoqR6PPWz-mvMqpxh44SU&t=12695](https://youtu.be/iZABC6gIR_k?list=PLdx9_2ZV4M_wIoqR6PPWz-mvMqpxh44SU&t=12695); see also

<sup>32</sup> See <https://www.nltfpd.org/ems>. This Court can judicially notice this fact pursuant to [NRS 47.130](#). See also *Mack v. Estate of Mack*, 125 Nev. 80, 91, 206 P.3d 98, 106 (2009) (allowing judicial notice of facts capable of verification from a reliable source)

<sup>33</sup>[https://www.washoecounty.gov/csd/planning\\_and\\_development/master-plan-zoning/files/public\\_services\\_facilities\\_element.pdf#page=39](https://www.washoecounty.gov/csd/planning_and_development/master-plan-zoning/files/public_services_facilities_element.pdf#page=39)

services provided to citizens by government.”<sup>34</sup> That Plan further points out that:

Due to the long distances from hospitals to outlying areas in the County, the responsibility for providing initial emergency medical services frequently falls to the fire department. As the primary basic life support providers in Washoe County, the proximity of fire units to the emergency is often the difference between life and serious injury or death.<sup>35</sup>

Caillier’s proposed demolition and construction plan does not remedy the access problem and continues to add to that long distance by increasing response times in the event of an emergency. Indeed, Caillier might be quite content to receive time critical medical services up or down a 30-degree sloped mountainside to State Route 28 or Wassou Road due to a life-threatening medical emergency for himself, his children, his grandchildren, and his invited guests. But Caillier’s neighbors continue to strenuously object to such a dangerous circumstance and condition just so that Caillier can build his new proposed home without addressing and remedying the access issue that he and GilanFarr have repeatedly promised.

Even the Washoe County Planning Commission Staff acknowledge on the record that there is a serious problem.<sup>36</sup> As Julee Olander from the Planning Commission Staff testified:

The applicant [Caillier] originally asked to abandon and you sort of see where the house is underneath. But they

<sup>34</sup> *Id.*

<sup>35</sup> *Id.*

<sup>36</sup> [https://youtu.be/u-NWdBIXQ\\_Y?t=465](https://youtu.be/u-NWdBIXQ_Y?t=465)

originally asked to abandon the 31 feet and then also to meet the setback which is 20 ft. However, this is on a cul-de-sac and because of that narrow road, a lot of people, the neighborhood uses that cul-de-sac as a turnaround area. They come down Pahute Road and then they turn around in this cul-de-sac.

So after reviewing this with Engineering, it was decided that they would only that County was only comfortable with abandoning the portion that where the house is residing on the Property . . .on the right-of-way, excuse me.<sup>37</sup>

This reduced turnaround area shown in Caillier's proposed plans does not address or correct the originally designed turn-around area, and hence, accessibility for emergency personnel. Caillier's and GilanFarr's proposed plan also fails to adequately address where the large volumes of materials along with the dozens of contractors, tradesmen, and inspection staff will park their vehicles during this multi-year project. Without an adequately sized and designated staging area for materials and vehicles and an enforcement mechanism, a failure to address this critical issue before work begins only invites litigation.

### **III. A sound legal solution that accommodates all affected parties is actually possible under these particular circumstances**

Under these facts and circumstances, it becomes pretty apparent that Caillier's application has serious flaws given the continuing access issues and failure to adhere to the Master Plan elements as well as TRPA's Code of Ordinances. Caillier and GilanFarr have stated many times throughout the abandonment proceedings that they

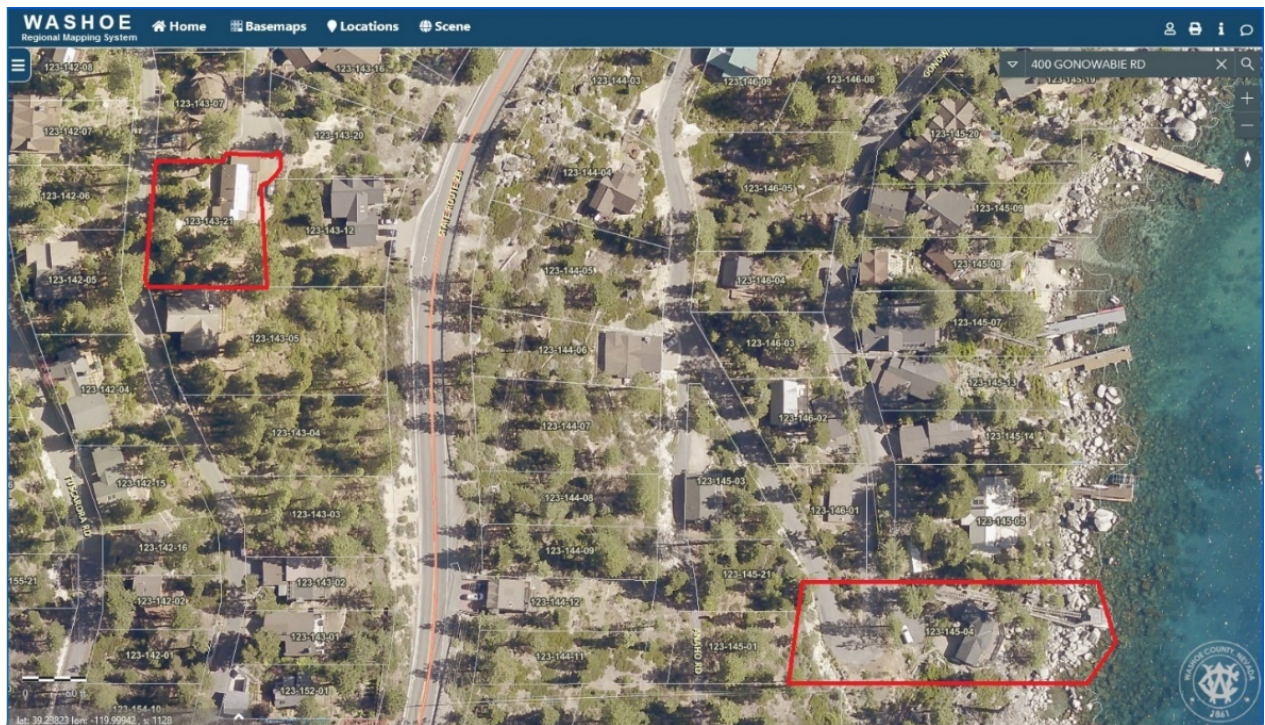
<sup>37</sup> [https://youtu.be/u-NWdBIXQ\\_Y?t=465](https://youtu.be/u-NWdBIXQ_Y?t=465)



wish to improve the current circumstances regarding Pahute Road and create a “win-win” for everyone. Only because Caillier wants to build a completely new structure on the Property and claims to wish to create a positive outcome for all, is a realistic and legally tenable solution for all those adversely affected even possible.

With a complete teardown and rebuild of the Property’s residence, Caillier’s application must be conditioned on the rededication of the Pahute cul-de-sac back to Washoe County so it can be used as an effective turnaround thereby granting somewhat reasonable public access to all parcels abutting the road.

There is precedent for exactly such an action. Parcel APN 123-145-04 also known as 400 Gonowabie Road – which is only 750 feet down the mountainside – has similar access problems for all parcels abutting it.



In 1998, an easement in the form of a dedication that permits vehicular access to all abutting parcels was recorded.<sup>38</sup> Such a similarly elegant, legal, and relatively

<sup>38</sup> See Exhibit 5

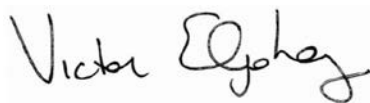
simple solution should be done in connection with Caillier's application to tear down the existing residence and its reconstruction onto its original boundaries.

## **V. Conclusion**

Over the past four years, Caillier and GilanFarr made numerous promises to Washoe County officials to remedy the access issue at the end of Pahute Road as a concession to obtaining the abandonment. Caillier has taken the first step by relocating the footprint of the new residence within the pre-abandonment parcel boundaries. That is a good start. But it is not anywhere near enough to remedy the problem that all have admitted exists. The general public and Caillier's full time residents along the street need reasonable year-round access for public emergency services and deliveries. Caillier and GilanFarr have not addressed that at all in their application in the hopes no one would notice, complain, or hold them to account to their previous representations. Caillier and GilanFarr have also not adequately addressed how the multitudes of workers will get to this limited access site for the purpose of parking their vehicles and also staging the voluminous materials necessary to construct a new home.

The hope is that these issues can be resolved administratively without further intervention by the courts that everyone can live with in the end. We would also request that we be copied on any filings made with regards to this project so that we can timely respond on the administrative record.

Respectfully Submitted

A handwritten signature in black ink, appearing to read "Victor Egohe". The signature is written in a cursive, somewhat stylized font.

# EXHIBIT 1



Return to:  
Washoe County Engineering  
PO Box 11130  
Reno, NV 89520

REVOCABLE ENCROACHMENT PERMIT

Pursuant to the provisions of Chapter 244 of the Nevada Revised Statutes and the Washoe County Code, WASHOE COUNTY

hereby grants a revocable permit to Glenn R. Martin

\_\_\_\_\_ hereinafter referred to

as "Owner", to construct an existing two story portion of residence of approximately 910 sq.ft.

partially within the right-of-way of Pahute Road, Crystal Bay. The authority hereby granted permits the installation of a portion of the existing residence as shown on the drawing attached hereto as Exhibit "A", and hereby made a part hereof.

The improvements permitted hereby are for the benefit of the Owner's real property and all restrictions and conditions set forth herein shall be binding upon the Owner, his legal representatives, successors and assigns. Said Owner's real property is more particularly described as follows:

- Physical Address: 425 Pahute Road
- Mail: PO Box 171, Crystal Bay NV 89402
- APN: 12314311 Lot: 20 portions of 19 and 21 Block: 9
- Subdivision: Crystal Bay Park #1

This permit is subject to the following conditions:

1. During the construction operation, proper barricades, warning and directional signs, flags, flares or other protective devices shall be installed and maintained as a protection to the traveling public when determined necessary by the County Engineer.
2. Any surface or public road appurtenance damaged or disturbed shall be returned to its original condition within two (2) days of completion of work, and if not so performed, the Washoe County Engineer reserves the right to make necessary replacements and repairs and the Owner hereby agrees to pay the actual cost of such work performed by the County upon receipt of proper billing of such work.

3. The Owner shall indemnify the County of Washoe and save it harmless from and against any and all liability for injury to persons or damage to properties whether said properties may belong to Owner, County or to third parties, which injury or damage is sustained by reason of any cause directly resulting from the exercise of the privilege herein granted.
4. The Owner shall make any and all repairs to the facilities installed by authority given in this permit as soon as the need therefore arises and shall at all times maintain said facilities. The Owner further agrees to indemnify the County of Washoe and save it harmless from and against any and all liability for damages to said facilities which may result from road maintenance operations.
5. Upon notification in writing from the County of Washoe of the necessity thereof, the Owner shall adjust or remove the encroachment at its own expense, within thirty (30) days after receipt of such notice, unless the emergency of the situation requires the work to be done in a shorter time.

THE OWNER AGREES TO THE ABOVE RESTRICTIONS AND CONDITIONS AND ACKNOWLEDGES THAT SAID RESTRICTIONS AND CONDITIONS SHALL RUN WITH THE OWNER'S REAL PROPERTY AND BE BINDING UPON HIS LEGAL REPRESENTATIVES, SUCCESSORS AND ASSIGNS.

Dated this 15 day of May, 2006.

Property Owner(s)

Printed

Property Owner(s)

Printed

STATE OF NEVADA     )  
   ) SS:  
 COUNTY OF WASHOE    )

On this 15 day of May, 2006, the above signed personally appeared before me, a Notary Public Glenn Martin, who acknowledged that he/she/they executed the above instrument.

Kelly O'Connor  
 NOTARY PUBLIC





3397808  
06/07/2006  
3 of 5

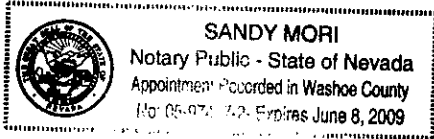
(Remainder to be completed by Washoe County only)

*[Signature]*  
FOR DAVID T. PRICE, Washoe County Engineer  
KIMBLE O. CORBRIDGE, Acting Washoe  
County Engineer

STATE OF NEVADA )  
 ) SS:  
COUNTY OF WASHOE )

On this 6<sup>th</sup> day of June, 20 06, *Kimble O. Corbridge*  
~~DAVID T. PRICE,~~  
personally appeared before me, a Notary Public, and who acknowledged that he executed the  
above instrument.

*Sandy Mori*  
NOTARY PUBLIC



Return to:  
Washoe County Engineering

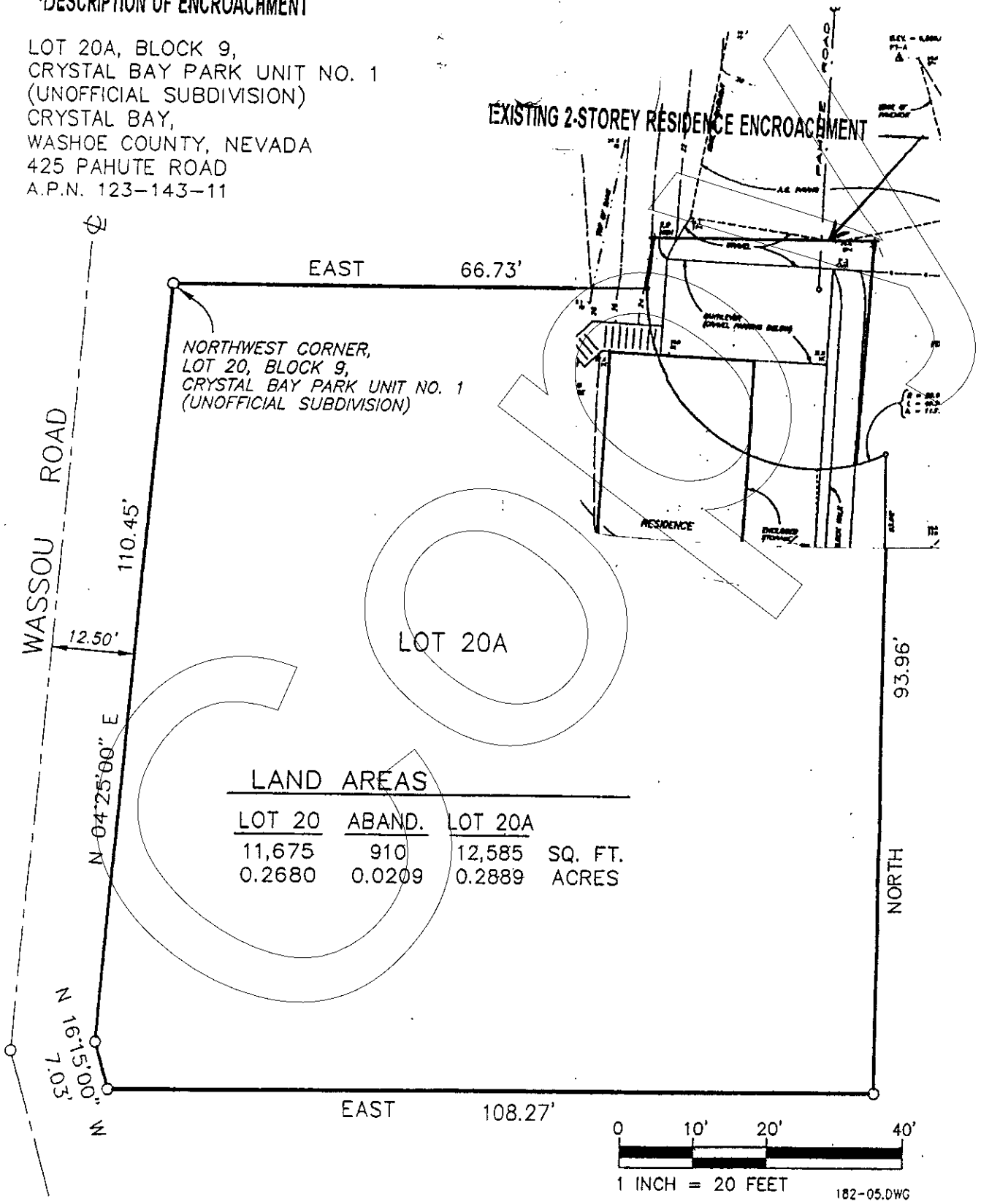
cc: Road Division  
Building & Safety



EXHIBIT A

DESCRIPTION OF ENCROACHMENT

LOT 20A, BLOCK 9,  
CRYSTAL BAY PARK UNIT NO. 1  
(UNOFFICIAL SUBDIVISION)  
CRYSTAL BAY,  
WASHOE COUNTY, NEVADA  
425 PAHUTE ROAD  
A.P.N. 123-143-11





# WASHOE COUNTY RECORDER

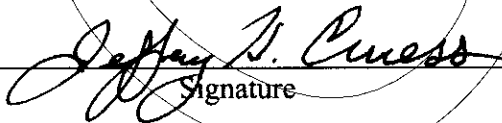
OFFICE OF THE RECORDER  
KATHRYN L. BURKE, RECORDER

1001 E. NINTH STREET  
POST OFFICE BOX 11130  
RENO, NEVADA 89520-0027  
PHONE (775) 328-3661  
FAX (775) 325-8010

## LEGIBILITY NOTICE

The Washoe County Recorder's Office has determined that the attached document may not be suitable for recording by the method used by the Recorder to preserve the Recorder's records. The customer was advised that copies reproduced from the recorded document would not be legible. However, the customer demanded that the document be recorded without delay as the parties rights may be adversely affected because of a delay in recording. Therefore, pursuant to NRS 247.120 (3), the County Recorder accepted the document conditionally, based on the undersigned's representation (1) that a suitable copy will be submitted at a later date (2) it is impossible or impracticable to submit a more suitable copy.

By my signing below, I acknowledge that I have been advised that once the document has been microfilmed it may not reproduce a legible copy.

  
Signature

6/7/2006  
Date

JEFFERY H. CRUESS  
Printed Name



## EXHIBIT 2

APN: 123-143-11

Return to:  
Washoe County Community Services Department Engineering Division  
1001 East Ninth Street Reno, NV 89512

DOC # 4967686

10/30/2019 10:59:33 AM  
Requested By  
WASHOE COUNTY CSD  
Washoe County Recorder  
Kalie M. Work - Recorder  
Fee: \$0.00 RPTT: \$0.00  
Page 1 of 4

**REVOCABLE OCCUPANCY PERMIT**



Pursuant to the provisions of Chapter 244 of the Nevada Revised Statutes and the Washoe County Code, WASHOE COUNTY

hereby grants a revocable permit to Michelle Rader

hereinafter referred to as "Owner", to allow an existing two-story portion of a residence with a footprint of approximately 910sq ft to remain

partially within the right-of-way of Pahute Road, Crystal Bay. The authority hereby granted permits a portion of the existing residence to remain as shown in the drawing attached hereto as Exhibit "A" and hereby made a part hereof.

The improvements permitted hereby are for the benefit of the Owner's real property and all restrictions and conditions set forth herein shall be binding upon the Owner, his legal representatives, successors and assigns. Said Owner's real property is more particularly described as follows:

Physical Address: 425 Pahute Road

Mailing Address: P.O. Box 1667, Crystal Bay, NV 89402

APN: 123-143-11 Lot: 20, portions of 19 and 21 Block: 9

Subdivision: Crystal Bay Park #1

This permit is subject to the following conditions:

1. The existing Revocable Encroachment Permit, Document # 3397808, dated June 07, 2006 Official Records Washoe County Recorder for 425 Pahute Road is hereby superseded by this document.
2. For any improvements or maintenance performed or permitted by Washoe County within the County Right-of-Way which are inhibited by the portion of the existing house, the Washoe County Engineer reserves the right to require the Owner to pay for the difference in cost for any additional work required due to the encroachment.
3. If the portion of the existing house, located in the Washoe County Right-of-Way, is removed no replacement structure shall be allowed to be built and no additions shall be added to the portion of the existing structure located in the Right-of-Way.

- 4. The Owner shall indemnify the County of Washoe and save it harmless from and against any and all liability for injury to persons or damage to properties whether said properties may belong to Owner, County or to third parties, which injury or damage is sustained by reason of any cause directly resulting from the exercise of the privilege herein granted.
- 5. The Owner shall make any and all repairs to the facilities installed by authority given in this permit as soon as the need therefore arises and shall at all times maintain said facilities. The Owner further agrees to indemnify the County of Washoe and save it harmless from and against any and all liability for damages to said facilities which may result from road maintenance operations.

THE OWNER AGREES TO THE ABOVE RESTRICTIONS AND CONDITIONS AND ACKNOWLEDGES THAT SAID RESTRICTIONS AND CONDITIONS SHALL RUN WITH THE OWNER'S REAL PROPERTY AND BE BINDING UPON HIS LEGAL REPRESENTATIVES, SUCCESSORS, AND ASSIGNS.

Dated this 30 day of October, 2019

*Michelle Rader*

Property Owner(s)

Property Owner(s)

MICHELLE RADER

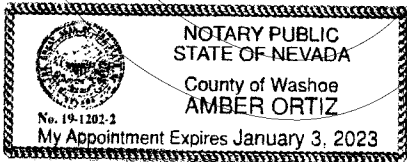
Property Owner(s) Printed

Property Owner(s) Printed

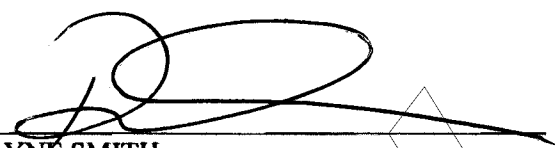
STATE OF NEVADA )  
) SS:  
COUNTY OF WASHOE )

On this 30<sup>th</sup> day of October 2019 the above signed Michelle Rader personally appeared before me, Amber Ortiz a Notary Public, who acknowledged that he/she/they executed the above instrument

*Amber Ortiz*  
NOTARY PUBLIC



FOR WASHOE COUNTY USE ONLY:

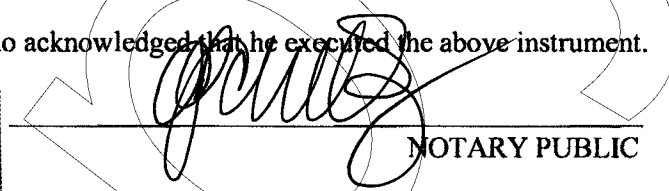


DWAYNE SMITH  
Director, Engineering & Capital Projects

STATE OF NEVADA     )  
                                  ) SS: COUNTY OF  
WASHOE                 )

On this 30<sup>th</sup> day of October, 20 19, DWAYNE SMITH ,

personally appeared before me, a Notary Public, and who acknowledged that he executed the above instrument.

  
NOTARY PUBLIC

**COOR**

Return to:  
Washoe County Community Services Department  
Engineering Division

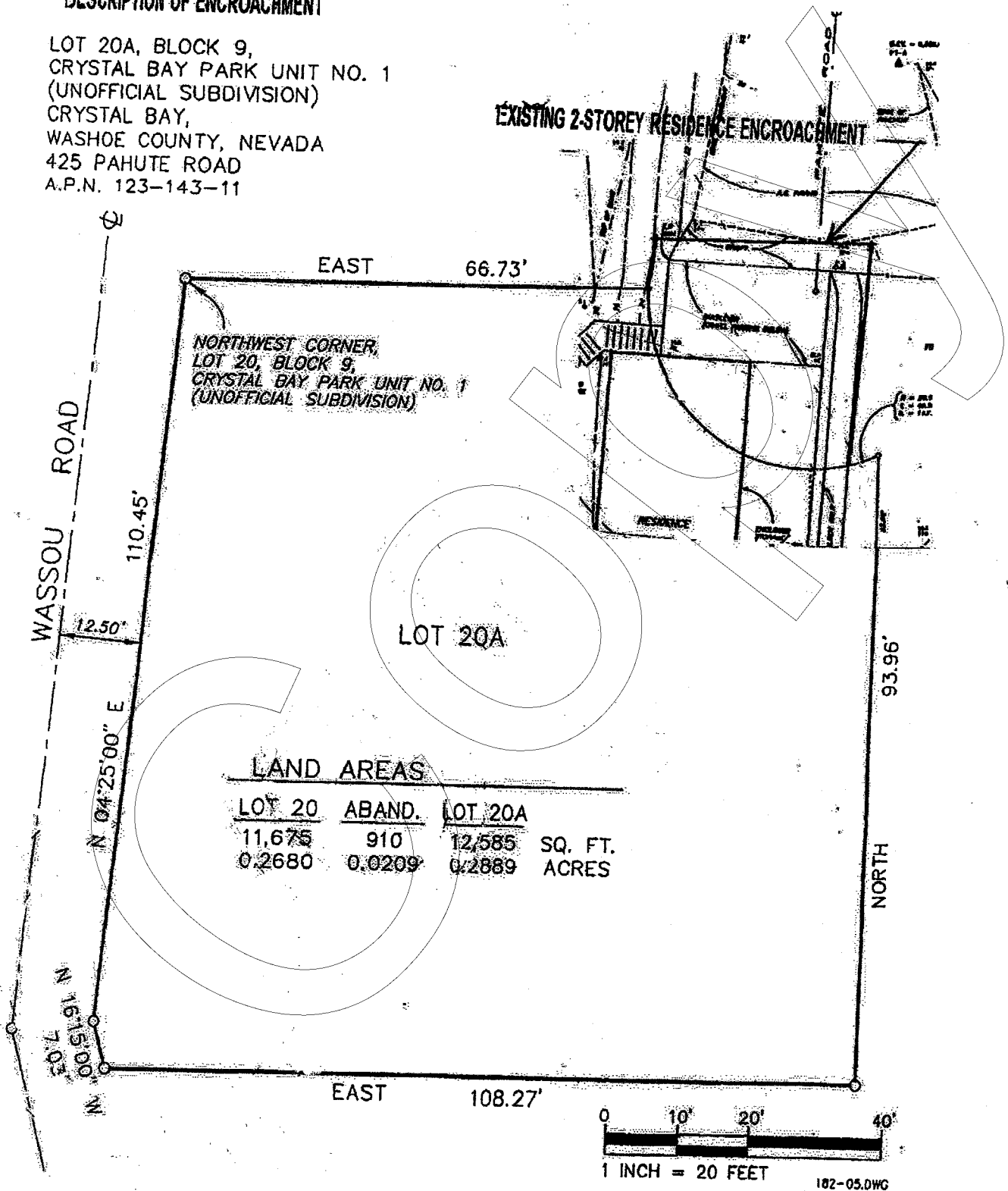


3397808  
05/07/2006  
4 OF 5

**EXHIBIT A**

**DESCRIPTION OF ENCROACHMENT**

LOT 20A, BLOCK 9,  
CRYSTAL BAY PARK UNIT NO. 1  
(UNOFFICIAL SUBDIVISION)  
CRYSTAL BAY,  
WASHOE COUNTY, NEVADA  
425 PAHUTE ROAD  
A.P.N. 123-143-11



## EXHIBIT 3

A.P.N.: 123-143-11  
File No: 123-2576450 (VD)  
R.P.T.T.: \$7,211.90

When Recorded Mail To: Mail Tax Statements To:  
Kurt D. Caillier, Trustee of the Kurt D. Caillier Living Trust  
4621 Teller Ave  
Newport Beach, CA 92660

**GRANT, BARGAIN and SALE DEED**

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

Michelle Rader, an unmarried woman

do(es) hereby GRANT, BARGAIN and SELL to

Kurt D. Caillier, Trustee of the Kurt D. Caillier Living Trust, dated August 30, 1996

the real property situate in the County of Washoe, State of Nevada, described as follows:

**PARCEL ONE:**

**BEGINNING AT A POINT FROM WHICH THE SOUTHWEST CORNER OF LOT III OF SECTION 19, TOWNSHIP 16 NORTH, RANGE 18 EAST, M.D.B.&M., BEARS SOUTH 84° 05' WEST 12.71 FEET AND SOUTH 16° 15' EAST 96.58 FEET AND SOUTH 25° 36' EAST 139.58 FEET AND SOUTH 1° 31' EAST 69.89 FEET AND SOUTH 13° 49' WEST 332.39 FEET AND SOUTH 4° 06' WEST 67.95 FEET AND SOUTH 62° 48' WEST 65.42 FEET AND SOUTH 19° 29' WEST 46.63 FEET AND SOUTH 7° 14' EAST 101.12 FEET AND SOUTH 17° 46' WEST 89.37 FEET AND SOUTH 30° 28' WEST 115.37 FEET AND SOUTH 55° 49' EAST 21.33 FEET AND SOUTH 34° 11' WEST 329.05 FEET AND SOUTH 41° 33' WEST 71.22 FEET AND SOUTH 18° 35' WEST 629.87 FEET AND NORTH 89° 18' 50" EAST 176.13 FEET; THENCE NORTH 4° 25' EAST 110.45 FEET; THENCE EAST 66.73 FEET; THENCE ALONG A CURVE CONCAVE TO THE LEFT, THE RADIUS OF WHICH IS 25 FEET AND CENTRAL ANGLE OF WHICH IS 30° 00' FOR A LENGTH OF 39.27 FEET; THENCE SOUTH 91.87 FEET; THENCE WEST 98.27 FEET; THENCE NORTH 16° 15' WEST 7.03 FEET TO THE PLACE OF BEGINNING. SAID PREMISES BEING LOT 20 IN BLOCK 9 OF CRYSTAL BAY PARK, A SUBDIVISION OF PORTIONS OF LOTS 2, II, 3 & III OF SECTION 19, T. 16N., R. 18E., WASHOE COUNTY, NEVADA, THE MAP OF WHICH HAS NEVER BEEN PLACED OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF WASHOE COUNTY, STATE OF NEVADA.**

**PARCEL TWO:**

**THE WESTERLY 10 (TEN) FEET OF THAT PROPERTY DESCRIBED AS FOLLOWS:**

**BEGINNING AT THE SOUTHEAST CORNER IDENTICAL WITH A POINT IN THE WESTERLY RIGHT OF WAY LINE OF THE STATE HIGHWAY FROM WHICH THE SOUTHWEST CORNER OF LOT III OF SECTION 19, T. 16N., R. 18E., IN WASHOE COUNTY, NEVADA, BEARS FIRST ALONG A CURVE, CONCAVE TO THE LEFT, THE RADIUS OF WHICH IS 440.00 FEET AND CENTRAL ANGLE OF WHICH IS 7° 50' 45" THROUGH A LENGTH OF CURVE OF 60.33 FEET; THENCE N. 86° 48' E. 40.00 FEET AND S. 3° 12' E. 169.75 FEET AND S. 5° 33' 30" W. 182.72 FEET AND S. 14° 19' W. 1610.50 FEET AND S. 89° 05' 50" W. 246.05 FEET; THENCE WEST 123.44 FEET; THENCE NORTH 50° 00' FEET; THENCE EAST 130.41 FEET TO THE SAID WESTERLY RIGHT OF WAY LINE OF THE SAID STATE HIGHWAY; THENCE ALONG THE SAID WESTERLY RIGHT OF WAY LINE WHICH IS A CURVE CONCAVE TO THE LEFT HAVING A RADIUS OF 440.00 FEET AND A CENTRAL ANGLE OF 6° 44' 39" AND A LENGTH OF 51.77 FEET TO THE PLACE OF BEGINNING. SAID PREMISES BEING LOT 19 OF BLOCK 9 OF CRYSTAL BAY PARK ACCORDING TO THE UNOFFICIAL MAP THEREOF WHICH HAS NEVER BECOME OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF WASHOE COUNTY, NEVADA.**

**PARCEL THREE:**

**THE WESTERLY 10 (TEN) FEET OF THAT PROPERTY DESCRIBED AS FOLLOWS:**

**BEGINNING AT THE SOUTHEASTERLY CORNER IDENTICAL WITH A POINT ON THE WESTERLY RIGHT OF WAY LINE OF THE STATE HIGHWAY FROM WHICH THE SOUTHWEST CORNER OF LOT III OF SECTION 19, T. 16 N., R. 18 E. IN WASHOE COUNTY, NEVADA, BEARS FIRST ALONG A CURVE CONCAVE TO THE LEFT HAVING A RADIUS OF 440.00 FEET AND A CENTRAL ANGLE OF 14° 35' 24" AND A LENGTH OF 112.10 FEET; THENCE N. 86° 48' E. 40.00 FEET AND S. 3° 12' E. 169.75 FEET AND S. 5° 33' 30" W. 182.72 FEET AND S. 14° 19' W. 1610.50 AND S. 89° 05' 50" W. 246.05 FEET; THENCE WEST 103.41 FEET; THENCE NORTH 41.87 FEET; THENCE ALONG A CURVE CONCAVE TO THE LEFT HAVING A RADIUS OF 25 FEET AND A CENTRAL ANGLE OF 47° 33' 41" AND A LENGTH OF 20.74 FEET; THENCE EAST 125.13 FEET TO A POINT IN THE SAID WESTERLY RIGHT OF WAY LINE OF THE SAID STATE HIGHWAY; THENCE ALONG THE SAID WESTERLY RIGHT OF WAY LINE IDENTICAL WITH A CURVE CONCAVE TO THE LEFT HAVING A RADIUS OF 440.00 FEET AND A LENGTH OF 51.71 FEET AND A CENTRAL ANGLE OF 6° 44' 13" TO THE PLACE OF BEGINNING. SAID PREMISES BEING LOT 21 OF BLOCK 9 OF CRYSTAL BAY PARK ACCORDING TO THE UNOFFICIAL MAP THEREOF WHICH HAS NEVER BECOME OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF WASHOE COUNTY, NEVADA.**

**NOTE: THE ABOVE METES AND BOUNDS DESCRIPTION APPEARED PREVIOUSLY IN THAT CERTAIN DOCUMENT RECORDED OCTOBER 11, 2005, AS INSTRUMENT NO. 3290360.**

*TOGETHER* with all tenements, hereditaments and appurtenances, including easements and water rights, if any, thereto belonging or appertaining, and any reversions, remainders, rents, issues or profits thereof.

Subject to

1. All general and special taxes for the current fiscal year.



2. Covenants, Conditions, Restrictions, Reservations, Rights, Rights of Way and Easements now of record.

Date: 10/17/2019


COPY

Michelle Rader  
Michelle Rader

STATE OF NEVADA )  
                          : ss.  
COUNTY OF WASHOE )

This instrument was acknowledged before me on  
November 12, 2019 by  
Michelle Rader.

[Signature]  
Notary Public  
(My commission expires: 5/28/23)

 **VICKIE K. DONATI**  
Notary Public - State of Nevada  
Appointment Recorded in Carson City  
No: 15-1997-3 - Expires May 28, 2023

This Notary Acknowledgement is attached to that certain Grant, Bargain Sale Deed dated  
10/30/2019 under Escrow No. 123-2576450

## EXHIBIT 4

October 31<sup>st</sup>, 2023

**Re: TRPA New Single Family Dwelling Addition/Modification Application**

APN: 123-143-21

425 Pahute Rd  
Crystal Bay, NV 89402

**PROJECT DESCRIPTION:**

This project proposes to demolish the existing residence to make way for a new build single family dwelling.

**APPLICABLE FINDINGS:**

**2.2.4.E Other Projects**

Construction of projects other than new single family homes shall be complete by the date set forth in the conditions of approval. Extension of a completion schedule for a project other than a single family home may be granted provided the request is made in writing prior to the expiration of the completion schedule, a security is posted to ensure completion or abatement of the project and TRPA makes either of the following findings:

1. The project was diligently pursued, as defined in subparagraph 2.2.4.C, during each building season (May 1 - October 15) since commencement of construction; or
2. Events beyond the control of the permittee, which may include engineering problems, labor disputes, natural disasters or weather problems, have prevented diligent pursuit of the project.

Finding Rationale

This project will be completed within two years of the pregrading inspection barring any circumstances out of the control of the contractor or owner. If the project cannot be completed the owner will file for an extension before the two year time period has expired.

**4.4.1 Finding Necessary To Approve Any Project**

To approve any project, TRPA must find, in accordance with sections 4.2 and 4.3, that:

- A. The project is consistent with, and will not adversely affect implementation of the Regional Plan, including all applicable Goals and Policies, plan area statements and maps, the Code and other TRPA plans and programs.
- B. The project will not cause the environmental threshold carrying capacities thresholds to be exceeded; and
- C. Wherever federal, state or local air and water quality standards applicable for the region, whichever are strictest, must be attained and maintained pursuant to Article V(d) of the Tahoe Regional Planning Compact, the project meets or exceeds such standards.

that construction of a driveway with a ten percent or less slope would require excessive excavation and that the runoff from a steeper driveway shall be infiltrated as required in Section 60.4. In no case shall the driveway exceed 15 percent slope.

### Finding Rationale

The existing driveway has a minimum of 2% and a maximum of 3% slope and do not exceed any standard of Washoe County.

## **32.3**

### **Paved Roads**

All projects described in Section 32.2 and that require vehicular access shall be served by a paved roadway. To be considered "served," a right-of-way or easement shall abut the driveway serving the parcel and shall contain a paved roadway of adequate size and construction to accommodate the vehicular traffic resulting from the project.

#### **32.3.1 Waiver**

TRPA may permit a waiver of this requirement if the agency finds that one of the following criteria is met:

- A. The project is subject to a variance for historically significant structures and districts pursuant to Chapter 67: *Historic Resource Protection*;
- B. The roadway is not designated to be paved by the surface water management plan. (Volume I of the 208 Water Quality Plan as amended);
- C. The project is the expansion of a single-family dwelling;
- D. The permittee posts a security with TRPA in an amount equal to 110 percent of the permittee's fair share of the estimated cost of paving the road serving the parcel. TRPA shall apply the procedures established in law by the local jurisdiction to determine a fair share, or in the absence of such procedures, shall adopt a procedure for determining a fair share. This waiver shall not apply to the construction or reconstruction of a commercial, tourist accommodation or multi-family residential project; or
- E. A program has been established which provides assurance the road will be paved within five years.

### Finding Rationale

The adjacent roadway serving the property is paved and maintained.

## **32.4.2**

### **Water Supply**

Additional development requiring water shall not be approved unless there is distribution and storage or pumping systems to deliver an adequate quantity and quality of water to the development for domestic consumption and fire protection. A service connection to a water system or an approved well system shall be sufficient for domestic consumption.

#### **32.4.2.B Waiver**

If the above minimum fire flow requirements cannot be met, TRPA may waive the requirements for I and II in Table 32.4.2-1, if TRPA finds that existing conditions are equal or superior to the following:



## EXHIBIT 5





APN: Portion of 123-145-04

**When recorded, return to:**

Washoe County Engineering  
P.O. Box 11130  
Reno, Nevada 89520



**IRREVOCABLE OFFER OF DEDICATION**

THIS IRREVOCABLE OFFER OF DEDICATION, made and entered into this 6 day of June, 2013, by and between Grable B. Ronning, as Trustee of The Bosworth Family Trust, hereinafter called "Offeror" and the County of Washoe, a political subdivision of the State of Nevada, hereinafter referred to as "Offeree", with reference to the following facts and is as follows:

**WITNESSETH:**

A. Prior to 1972 and at all times thereafter Gonowabie Road has existed as a paved road maintained by Offeree.

B. Offeror and Offeree desire to memorialize in writing the dedication of a portion of Gonowabie Road as more particularly described herein.

NOW THEREFORE, the Offeror does by these presents irrevocably offer to dedicate unto the Offeree and to its assigns, forever, a perpetual non-exclusive easement for roadway purposes over, across and through that certain paved portion of Gonowabie Road situate in the County of Washoe, State of Nevada, and more particularly described in Exhibits "A" and "B" attached hereto and by this reference made a part hereof ("Roadway Easement");

TO HAVE AND TO HOLD the Roadway Easement together with said appurtenances unto the said Offeree and to its assigns forever.

THE OFFER OF DEDICATION was duly accepted by a resolution of the Board of County Commissioners of Washoe County, Nevada, adopted on October 23, 2012.

IN WITNESS WHEREOF, Offeror has caused these presents duly to be executed the day and year first above written.

Grable B. Ronning, Trustee  
Grable B. Ronning, as Trustee of  
The Bosworth Family Trust

STATE OF NEVADA )  
 )  
County of WASHOE )

This instrument was acknowledged before me on June 3, 2013, by  
Grable B. Ronning, as Trustee of The Bosworth Family Trust.



Carolyn S. Ryon  
(Signature of Notarial Officer)

Accepted for the County of Washoe,  
by and through the Washoe County Surveyor

By: Michael Gump  
Michael Gump  
Washoe County Surveyor

STATE OF NEVADA     )  
  )  
County of Washoe     )

This instrument was acknowledged before me on June 6, 2013, by Michael Gump as Washoe County Surveyor of Washoe County.



*Kathleen M. Emerson*  
(Signature of Notarial Officer)

C O R P

**Exhibit "A"**  
**Legal Description**

*(See attached.)*

COPY

EXHIBIT A

LEGAL DESCRIPTION OF ASPHALT PAVEMENT OF A PORTION OF GONOWABIE ROAD AS OF JULY 2, 1998 FOR AN IRREVOCABLE OFFER OF DEDICATION

A parcel of land situated in Section 19, Township 16 North, Range 18 East, M.D.M., Washoe County, Nevada, being a portion of Parcels 1 and 2 as described in Deed in Book 3769 at Page 868, recorded June 21, 1993, in the office of the Recorder of Washoe County, Nevada. Said parcel being more particularly described as follows:

COMMENCING at the Northwest corner of said Parcel 1 of said deed and considering the Basis of Bearing of this description to be identical with the bearing South  $89^{\circ}02'52''$  East from said Northwest corner (a found  $5/8''$  rebar PLS 8422) to a point on the North line of said Parcel 2 (a found Nail and Tag in X on rock), as described in Deed in Book 3769 at Page 868, Washoe County Official Records (Deed record bearing of S  $90^{\circ}00'00''$  E rotated  $00^{\circ}57'08''$  clockwise to match Washoe county basis of bearings and Record of Survey basis of bearings);

Thence South  $89^{\circ}02'52''$  East 6.56 feet along the North line of said Parcel 1 to the POINT OF BEGINNING;

Thence South  $22^{\circ}55'23''$  East 3.57 feet to an angle point;

Thence South  $17^{\circ}19'11''$  East 15.46 feet to an angle point;

Thence South  $11^{\circ}43'20''$  East 30.35 feet to an angle point;

Thence South  $24^{\circ}32'12''$  East 13.86 feet to the beginning of a curve;

Thence Southeasterly along the edge of pavement as surveyed as shown on a as-built contour survey by Kenneth F. Barrow, PLS 2983 dated July 2, 1998, Job No. 113-98, along the curve to the left with a radius of 30.00 feet through a central angle of  $56^{\circ}36'40''$  an arc distance of 29.64 feet through said Parcels 1 and 2 to a point of compound curve;

Thence Northeasterly along said surveyed edge of pavement as of July 2, 1998 along the curve to the left with a radius of 24.20 feet through a central angle of  $108^{\circ}21'53''$  an arc distance of 45.77 feet to the end of the curve;

Thence North  $09^{\circ}30'45''$  West 19.42 feet to an angle point;

Thence North  $14^{\circ}28'44''$  West 14.24 feet through said Parcels 1 and 2 to an angle point;

Thence North  $02^{\circ}33'26''$  East 6.76 feet to an angle point;

Thence North 05°56'52" West 8.98 feet to the North line of said Parcel 1;

Thence North 89°02'52" West 17.42 feet along the North line of said Parcel 1 to an angle point;

Thence South 07°19'11" East 26.56 feet along the edge of pavement as shown on a Washoe County survey dated August 24, 2010 to an angle point;

Thence South 04°38'34" East 12.98 feet along the edge of pavement as shown by said Washoe County survey to an angle point;

Thence South 13°51'40" West 2.52 feet along the edge of pavement as shown by said Washoe County survey to an angle point;

Thence South 87°15'39" West 11.02 feet along the existing edge of pavement to an angle point;

Thence North 20°01'24" West 36.73 feet along the said edge of pavement as shown on a survey by Robert O. Anderson dated May 16, 2003, Job No. 1016-01 to an angle point;

Thence North 22°32'52" West 8.80 feet more or less along the said edge of pavement as shown by Robert O. Anderson survey to the North line of said Parcel 1;

Thence North 89°02'52" West 20.24 feet along the North line of said Parcel 1 to the POINT OF BEGINNING.

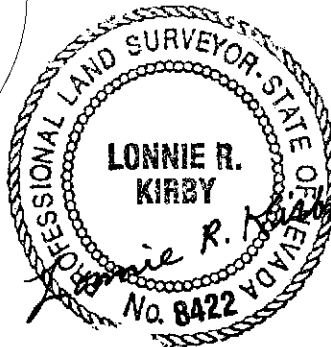
Said parcel contains 3,245 Square feet more or less.

Attached hereto is a plat consisting of two pages and by this reference made a part hereof.

Refer this legal description to your Title Company.

Prepared by:

11/06/2012  
Lonnie R. Kirby P.L.S. 8422  
License expires 6/30/2013



K.B. Foster Civil Engineering, Inc.  
P.O. Box 129 (530) 546-3381  
Carnelian Bay, California 96140

**Exhibit "B"  
Survey**

*(See attached.)*

COPY

**EXHIBIT CONTINUED**

LEGAL DESCRIPTION OF ASPHALT PAVEMENT OF A PORTION OF GONOWABIE ROAD AS OF JULY 2, 1998, FOR AN IRREVOCABLE OFFER OF DEDICATION WITHIN PARCELS AS DESCRIBED IN DEED BOOK 3789 AT PAGE 0868, RECORDED JUNE 21, 1993, WASHOE COUNTY, NEVADA OFFICIAL RECORDS

SECTION 19, T. 16 N., R. 18 E., M.D.B. & M.

**NOTES:**

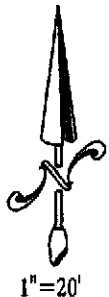
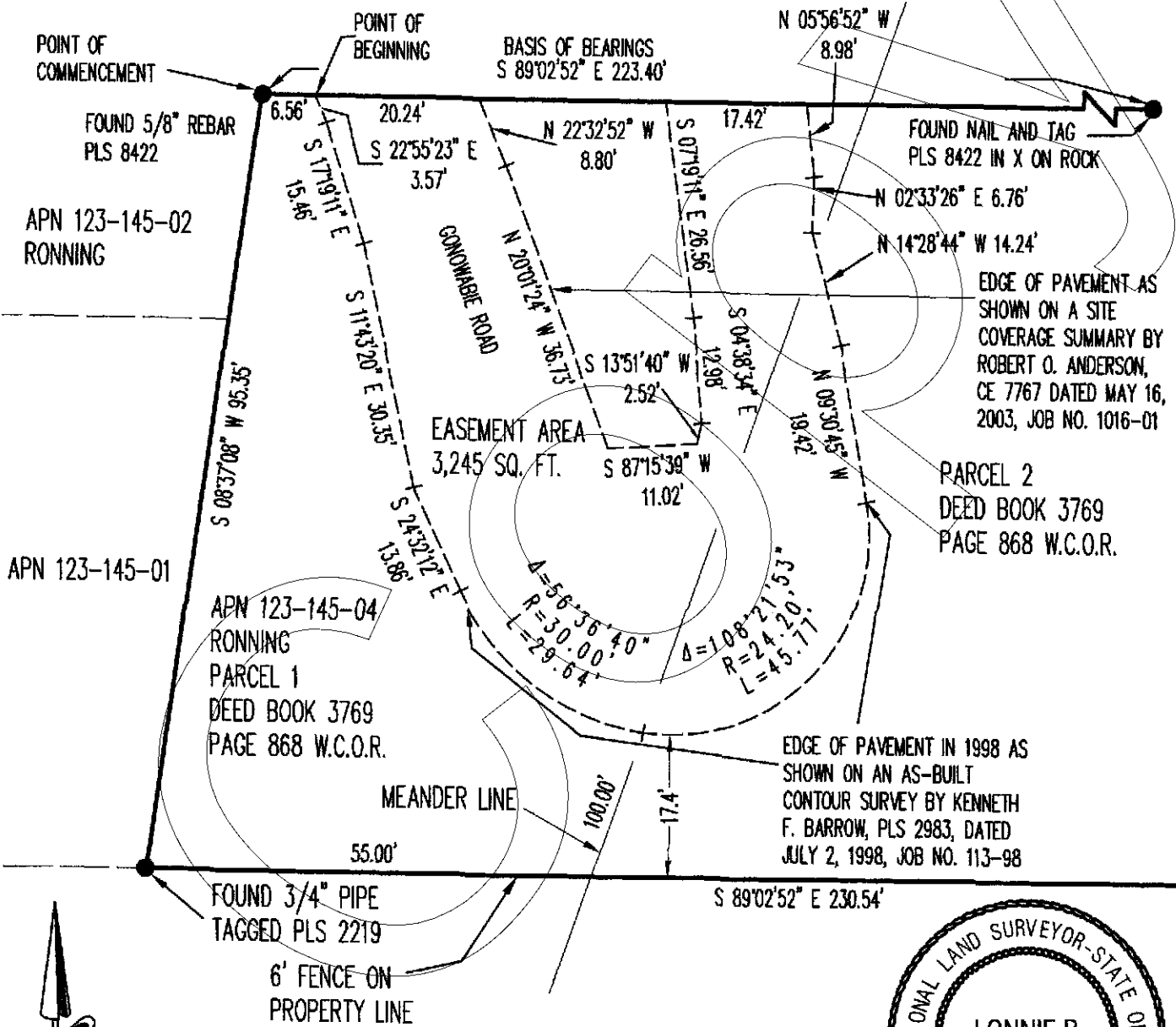
INFORMATION PER DEED, BOOK 3769, PAGE 0868, W.C.O.R.

INFORMATION PER RECORD OF SURVEY S \_\_\_\_\_ W.C.O.R.

INFORMATION PER AN AS-BUILT CONTOUR SURVEY BY KENNETH F. BARROW, PLS 2983, DATED JULY 2, 1998, JOB NO. 113-98

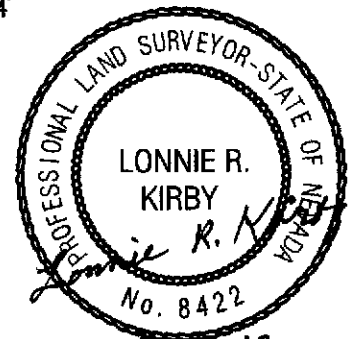
INFORMATION PER A SITE COVERAGE SUMMARY BY ROBERT O. ANDERSON, CE 7767, DATED MAY 16, 2003, JOB NO. 1016-01

SEE PAGE 2 OF THIS EXHIBIT B FOR OTHER AREAS AND INFORMATION



**BASIS OF BEARINGS:**

THE BEARING S 89°02'52" E FROM THE NORTHWEST CORNER OF PARCEL 1 A FOUND 5/8" REBAR PLS 8422 TO A FOUND NAIL AND TAG PLS 8422 ON A ROCK 223.40' ALONG THE NORTH LINE OF PARCELS AS DESCRIBED BY DEED IN BOOK 3769 AT PAGE 868 W.C.O.R. (RECORD PARCEL LINE BEARINGS ROTATED TO WASHOE COUNTY BASIS OF BEARINGS) WAS USED AS THE BASIS OF BEARINGS FOR THIS DESCRIPTION



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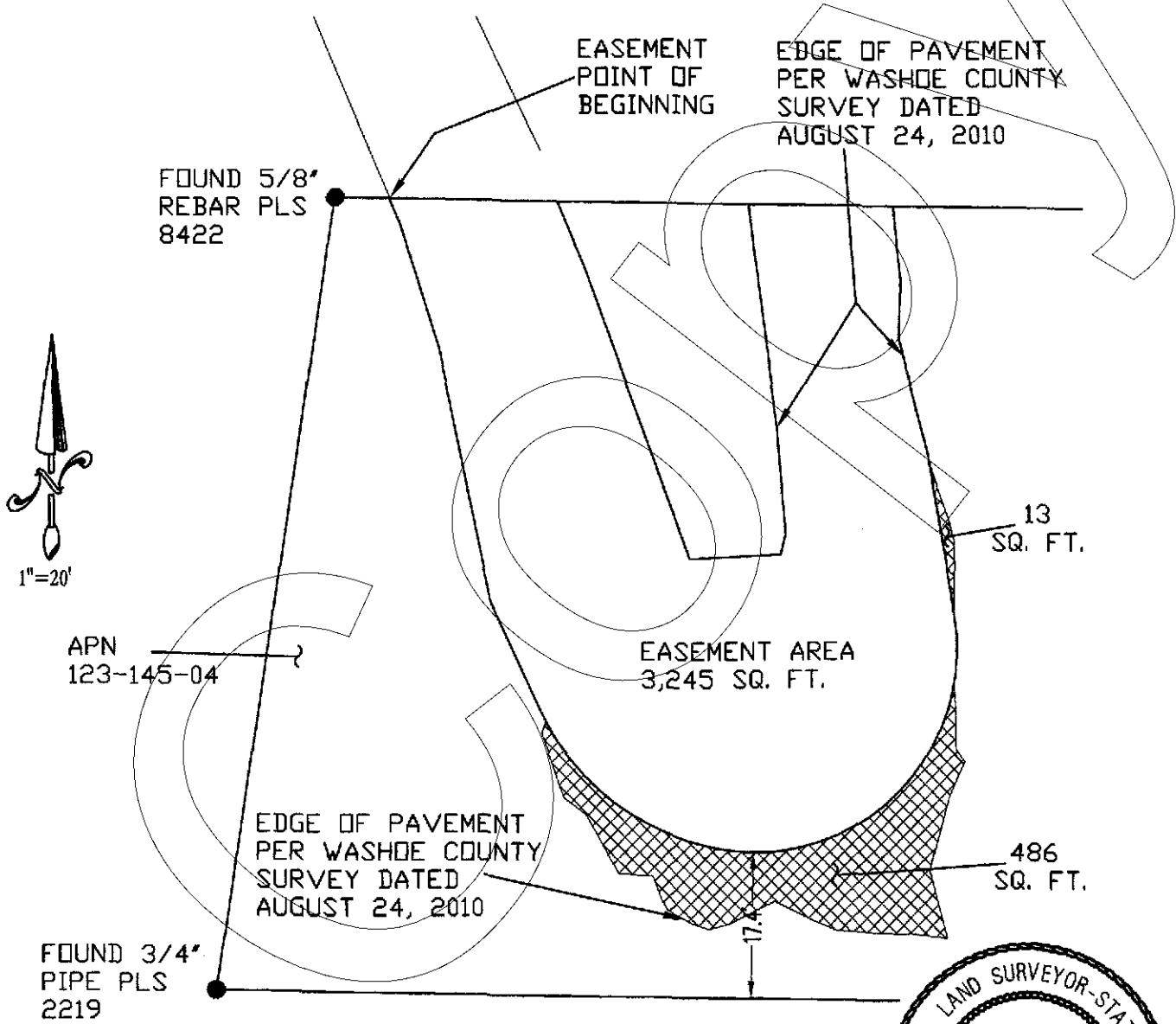


### EXHIBIT CONTINUED

LEGAL DESCRIPTION OF ASPHALT PAVEMENT OF A PORTION OF GONOWABIE ROAD AS OF JULY 2, 1998, FOR AN IRREVOCABLE OFFER OF DEDICATION WITHIN PARCELS AS DESCRIBED IN DEED BOOK 3789 AT PAGE 0868, RECORDED JUNE 21, 1993, WASHOE COUNTY, NEVADA OFFICIAL RECORDS SECTION 19, T. 16 N., R. 18 E., M.D.B. & M.

### NOTES:

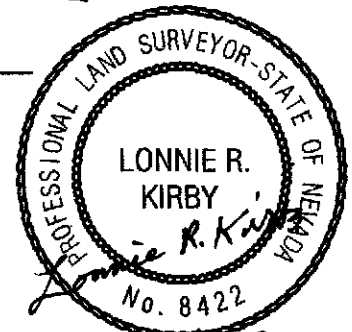
- INFORMATION PER DEED, BOOK 3769, PAGE 0868, W.C.O.R.
- INFORMATION PER RECORD OF SURVEY S \_\_\_\_\_ W.C.O.R.
- INFORMATION PER AN AS-BUILT CONTOUR SURVEY BY KENNETH F. BARROW, PLS 2983, DATED JULY 2, 1998, JOB NO. 113-98
- INFORMATION PER A SITE COVERAGE SUMMARY BY ROBERT O. ANDERSON, CE 7767, DATED MAY 16, 2003, JOB NO. 1016-01
- INFORMATION PER WASHOE COUNTY SURVEY DATED AUGUST 24, 2010



### LEGEND



OWNER'S ORIGINAL PAVED PARKING AREA



11/06/2012

License expires 06/30/2018 FILE # 02299  
SCALE: 1"=20' PAGE 2 OF 2  
AGENDA ITEM NO. V.B.