TAHOE REGIONAL PLANNING AGENCY

TRPA Legal Committee

July 27, 2022

Agenda Item 3

APPEAL OF CONDITION OF APPROVAL FOR RECONSTRUCTION AND EXPANSION OF AN EXISTING PIER, 1590 NORTH LAKE TAHOE BLVD., PLACER COUNTY, CALIFORNIA, APN: 094-160-008, TRPA FILE NO. ERSP2020-2095, APPEAL FILE NO. ADMIN2022-0014

TAHOE REGIONAL PLANNING AGENCY

TRPA Legal Committee

July 27, 2022

Agenda Item 3

STAFF PRESENTATION

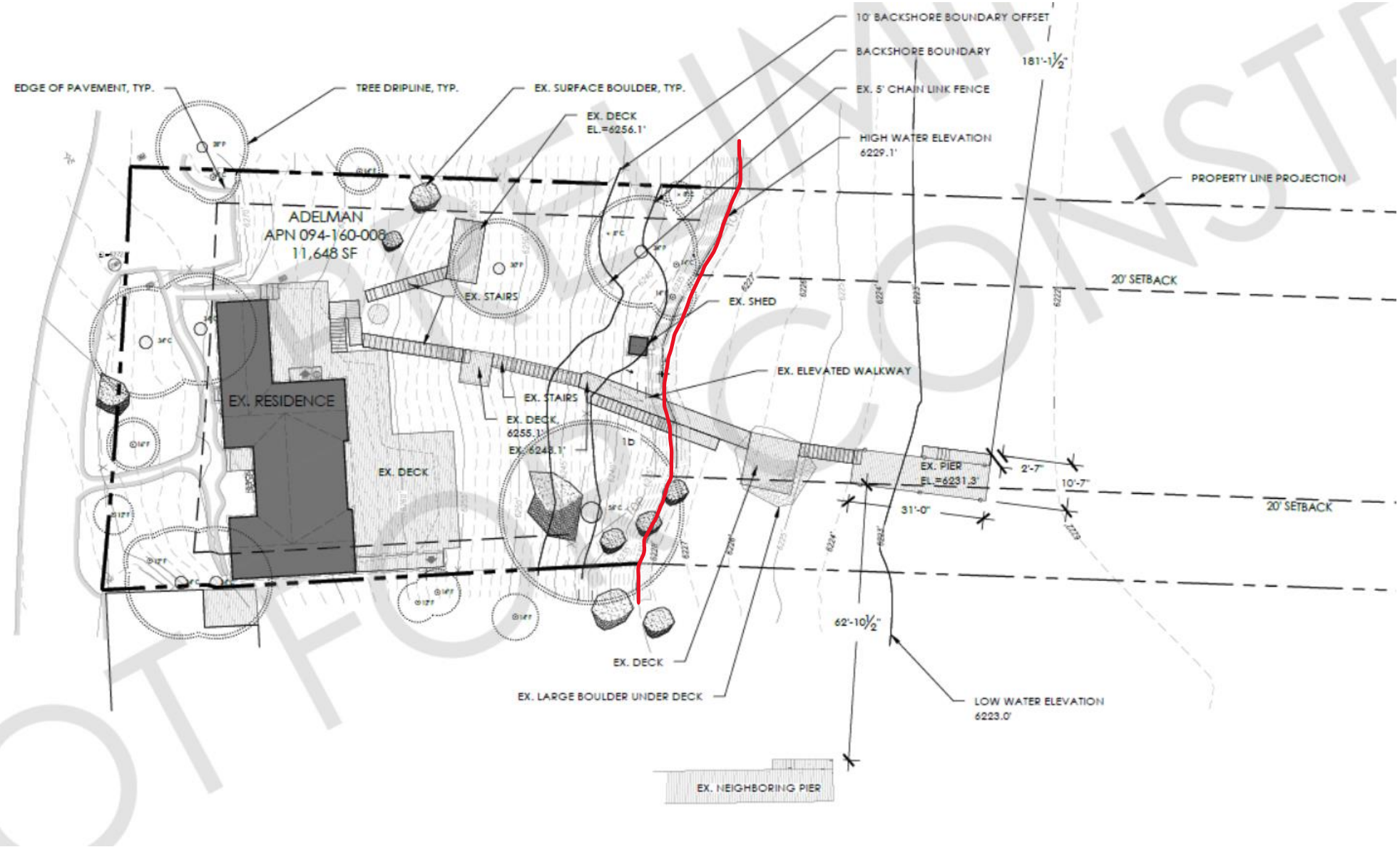
APPEAL OF CONDITION OF APPROVAL FOR RECONSTRUCTION AND EXPANSION OF AN EXISTING PIER, 1590 NORTH LAKE TAHOE BLVD., PLACER COUNTY, CALIFORNIA, APN: 094-160-008, TRPA FILE NO. ERSP2020-2095, APPEAL FILE NO. ADMIN2022-0014

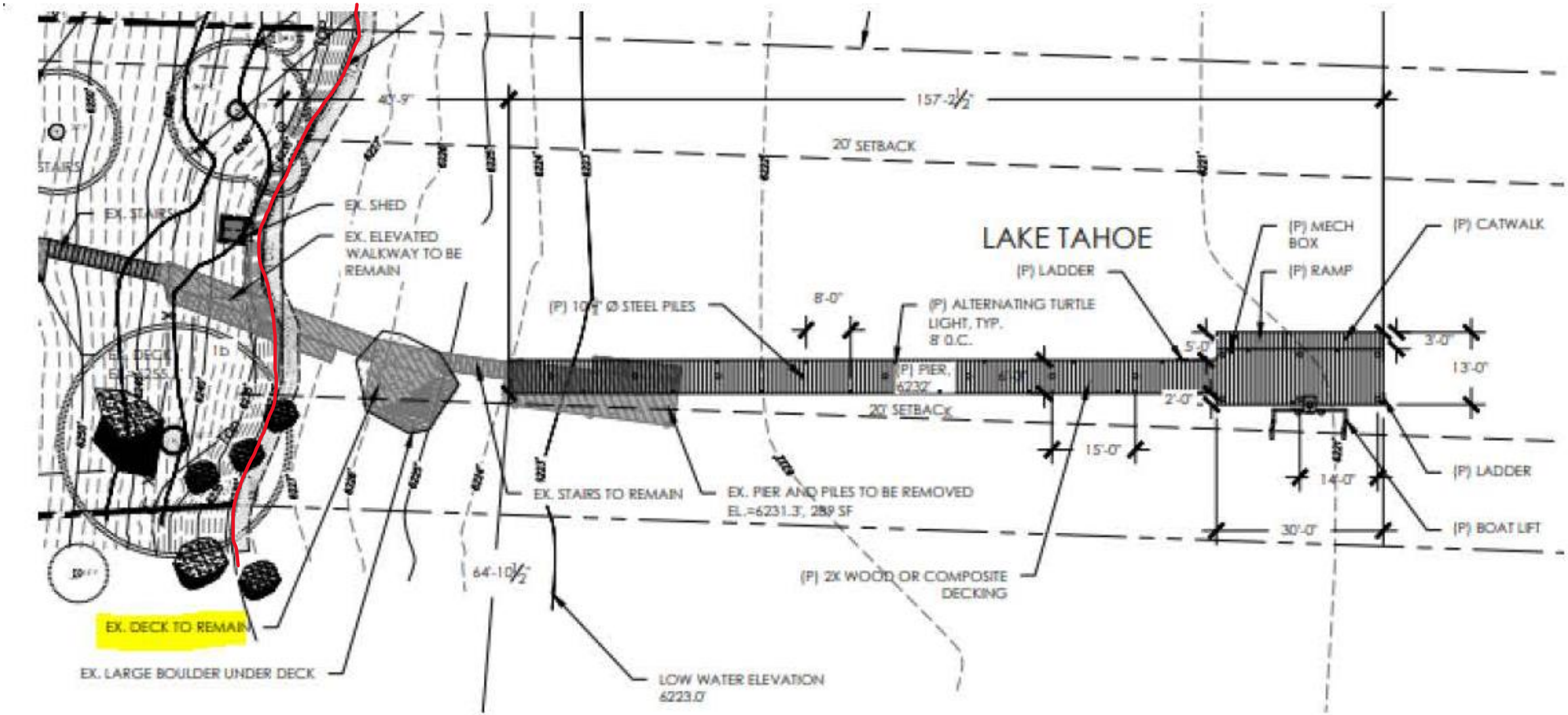
TAHOE REGIONAL PLANNING AGENCY

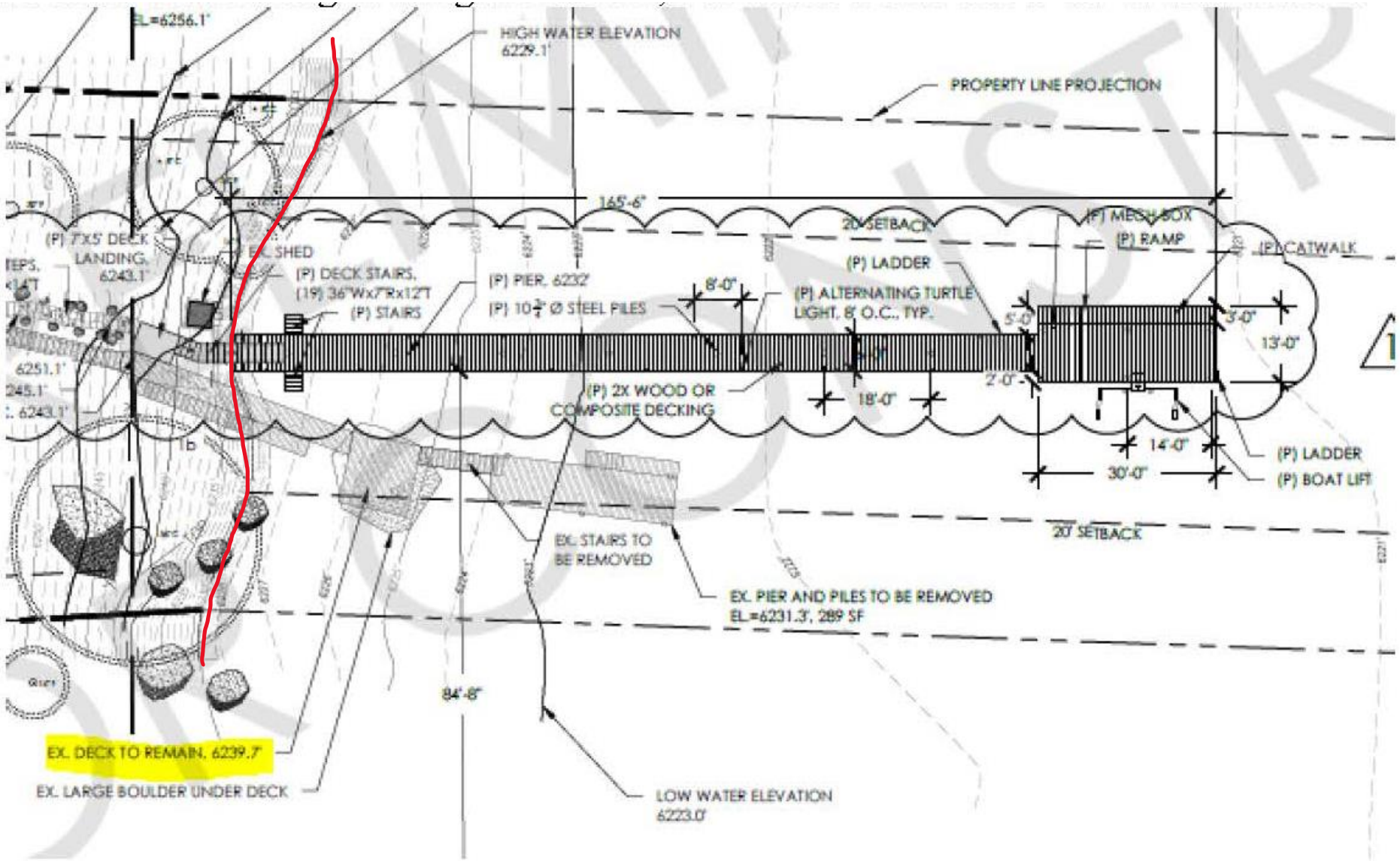
TAHOE REGIONAL PLANNING AGENCY

TAHOE REGIONAL PLANNING AGENCY

Figure 1: Adelman Piery– Looking South-East


EDGE OF PAVEMENT, TYP.
TREE DRIPLINE, TYP.
EX. SURFACE BOULDER, TYP.
EX. DECK
EL.=6256.1'
10' BACKSHORE BOUNDARY OFFSET
BACKSHORE BOUNDARY
EX. 5' CHAIN LINK FENCE
HIGH WATER ELEVATION
6229.1'
181'-1½"
PROPERTY LINE PROJECTION
ADELMAN
APN 094-160-008
11,648 SF
20' SETBACK
EX. STAIRS
EX. SHED
EX. ELEVATED WALKWAY
EX. RESIDENCE
EX. STAIRS
EX. DECK
6255.1'
EX. 6248.1'
EX. DECK
EX. PIER
EL.=6231.3'
2'-7"
10'-7"
31'-0"
20' SETBACK
62'-10½"
EX. DECK
EX. LARGE BOULDER UNDER DECK
LOW WATER ELEVATION
6223.0'
EX. NEIGHBORING PIER


LAKE TAHOE
157'-2½"
45'-9"
20' SETBACK
EX. SHED
EX. ELEVATED WALKWAY TO BE REMAIN
EX. STAIRS
EX. DECK
EL.=6235.
(P) 10¾" Ø STEEL PILES
8'-0"
(P) ALTERNATING TURTLE LIGHT, TYP. 8' O.C.
(P) LADDER
(P) MECH BOX
(P) RAMP
(P) CATWALK
(P) PIER, 6230'
4'-0"
5'-0"
2'-0"
3'-0"
13'-0"
20' SETBACK
15'-0"
14'-0"
30'-0"
(P) LADDER
(P) BOAT LIFT
EX. STAIRS TO REMAIN
EX. PIER AND PILES TO BE REMOVED EL.=6231.3', 289 SF
64'-10½"
(P) 2X WOOD OR COMPOSITE DECKING
EX. DECK TO REMAIN
EX. LARGE BOULDER UNDER DECK
LOW WATER ELEVATION 6223.0'


HIGH WATER ELEVATION
6229.1'
PROPERTY LINE PROJECTION
165'-6"
20' SETBACK
(P) MESH BOX
(P) RAMP
(P) CATWALK
(P) 7'X5' DECK
LANDING,
6243.1'
EX. SHED
(P) DECK STAIRS,
(19) 36"Wx7"Rx12"T
(P) STAIRS
(P) PIER, 6232'
(P) 10¾" Ø STEEL PILES
8'-0"
(P) LADDER
(P) ALTERNATING TURTLE
LIGHT, 8' O.C., TYP.
5'-0"
3'-0"
13'-0"
2'-0"
18'-0"
(P) 2X WOOD OR
COMPOSITE DECKING
14'-0"
30'-0"
(P) LADDER
(P) BOAT LIFT
20' SETBACK
EX. STAIRS TO
BE REMOVED
EX. PIER AND PILES TO BE REMOVED
EL=6231.3', 289 SF
84'-8"
EX. DECK TO REMAIN, 6239.7'
EX. LARGE BOULDER UNDER DECK
LOW WATER ELEVATION
6223.0'

TAHOE REGIONAL PLANNING AGENCY

TRPA Legal Committee

July 27, 2022

Agenda Item 3

APPELLANTS' PRESENTATION

APPEAL OF CONDITION OF APPROVAL FOR RECONSTRUCTION AND EXPANSION OF AN EXISTING PIER, 1590 NORTH LAKE TAHOE BLVD., PLACER COUNTY, CALIFORNIA, APN: 094-160-008, TRPA FILE NO. ERSP2020-2095, APPEAL FILE NO. ADMIN2022-0014

Appeal of Condition of Approval for Pier Modification – 1590 North Lake Tahoe Blvd.

TRPA File Number ERSP2020-2095
Appeal File Number ADMIN2022-0014

Appeal of Condition 3.b.6.

- “All existing structure [sic] lakeward of the High Water Line of 6,299.1 shall be removed as a result of this project.”

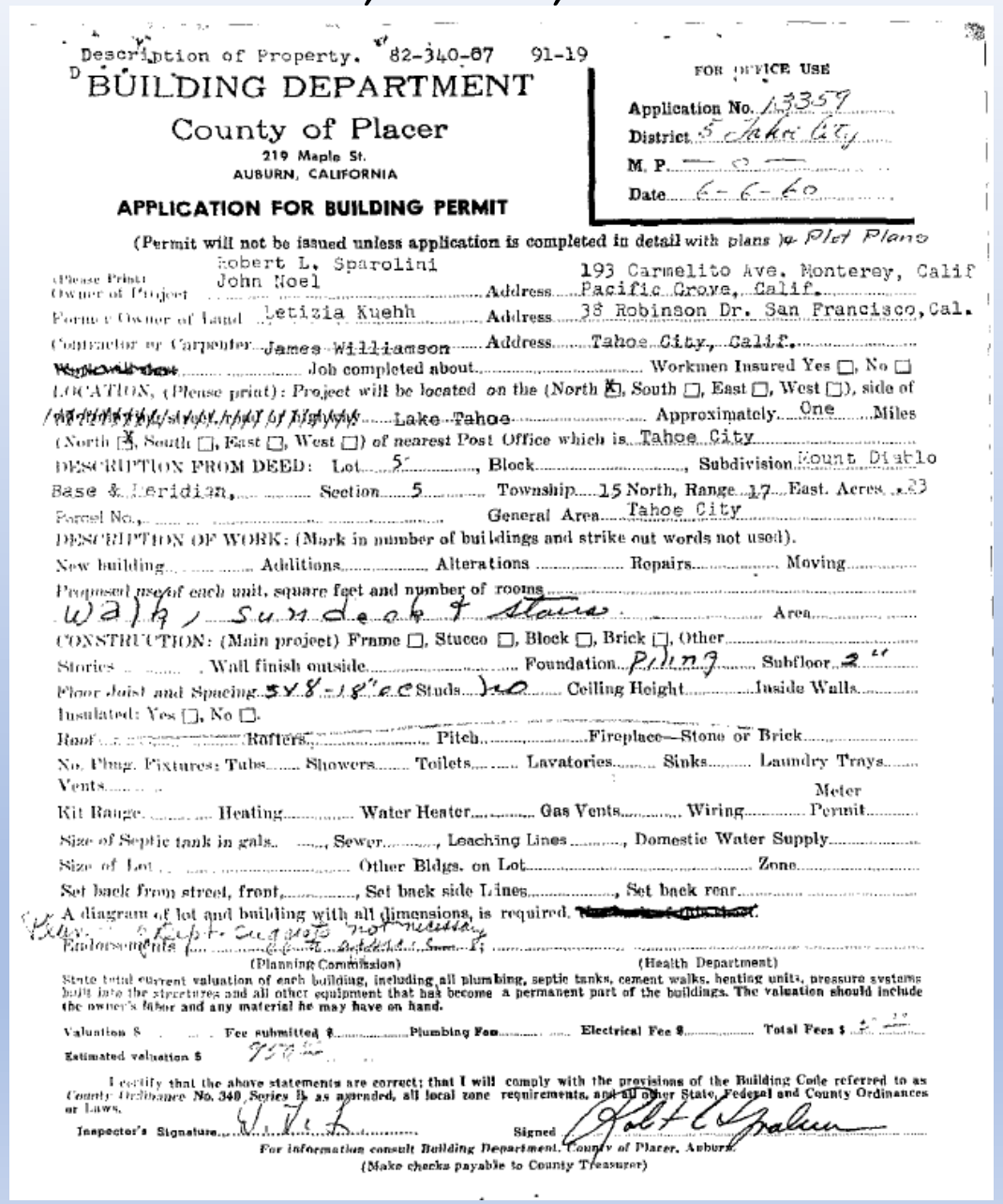
SUNDECK

THRESHOLD QUESTION

- Is an independently constructed and separately legally recognized structure considered part of a “pier”?

Regulatory agencies have consistently treated the pier and sundeck as separate structures

June 6, 1960, Building Permit Application for Walk, Sundeck, and Stairs



Description of Property. 82-340-67 91-19

D

BUILDING DEPARTMENT

County of Placer

219 Maple St.
AUBURN, CALIFORNIA

FOR OFFICE USE
Application No. 13357
District 5 Tahoe City
M. P. — 0 —
Date 6-6-60

APPLICATION FOR BUILDING PERMIT

(Permit will not be issued unless application is completed in detail with plans) + Plot Plans

(Please Print) Owner of Project Robert L. Sparolini / John Noel Address 193 Carmelito Ave. Monterey, Calif

Former Owner of Land Letizia Kuehh Address 38 Robinson Dr. San Francisco, Cal.

Contractor or Carpenter James Williamson Address Tahoe City, Calif.

~~Plumber Sub~~ Job completed about ..... Workmen Insured Yes ☐, No ☐

LOCATION, (Please print): Project will be located on the (North ☒, South ☐, East ☐, West ☐), side of ~~Street, Road, etc.~~ Lake Tahoe Approximately One Miles

(North ☒, South ☐, East ☐, West ☐) of nearest Post Office which is Tahoe City

DESCRIPTION FROM DEED: Lot 5, Block ....., Subdivision Mount Diablo

Base & Meridian, ... Section 5 Township 15 North, Range 17 East. Acres .23

Parcel No., ... General Area Tahoe City

DESCRIPTION OF WORK: (Mark in number of buildings and strike out words not used).

New building ..... Additions ..... Alterations ..... Repairs ..... Moving .....

Proposed use of each unit, square feet and number of rooms .....

Walk, Sundeck & Stairs ..... Area .....

CONSTRUCTION: (Main project) Frame ☐, Stucco ☐, Block ☐, Brick ☐, Other .....

Stories ..... Wall finish outside ..... Foundation Piling Subfloor 2"

Floor Joist and Spacing 5x8-18"o.c Studs No Ceiling Height ..... Inside Walls .....

Insulated: Yes ☐, No ☐.

Roof ..... Rafters ..... Pitch ..... Fireplace—Stone or Brick .....

No. Plmg. Fixtures: Tubs ..... Showers ..... Toilets ..... Lavatories ..... Sinks ..... Laundry Trays .....

Vents .....

Kit Range ..... Heating ..... Water Heater ..... Gas Vents ..... Wiring ..... Meter Permit .....

Size of Septic tank in gals. ....., Sewer ....., Leaching Lines ....., Domestic Water Supply .....

Size of Lot ..... Other Bldgs. on Lot ..... Zone .....

Set back from street, front, ..., Set back side Lines ....., Set back rear .....

A diagram of lot and building with all dimensions, is required. ~~Plot plan attached.~~

Plan Dept. Req. not necessary

Endorsements ....

(Planning Commission) (Health Department)

State total current valuation of each building, including all plumbing, septic tanks, cement walks, heating units, pressure systems built into the structures and all other equipment that has become a permanent part of the buildings. The valuation should include the owner's labor and any material he may have on hand.

Valuation $ ..... Fee submitted $ ..... Plumbing Fee ..... Electrical Fee $ ..... Total Fees $ 2.00

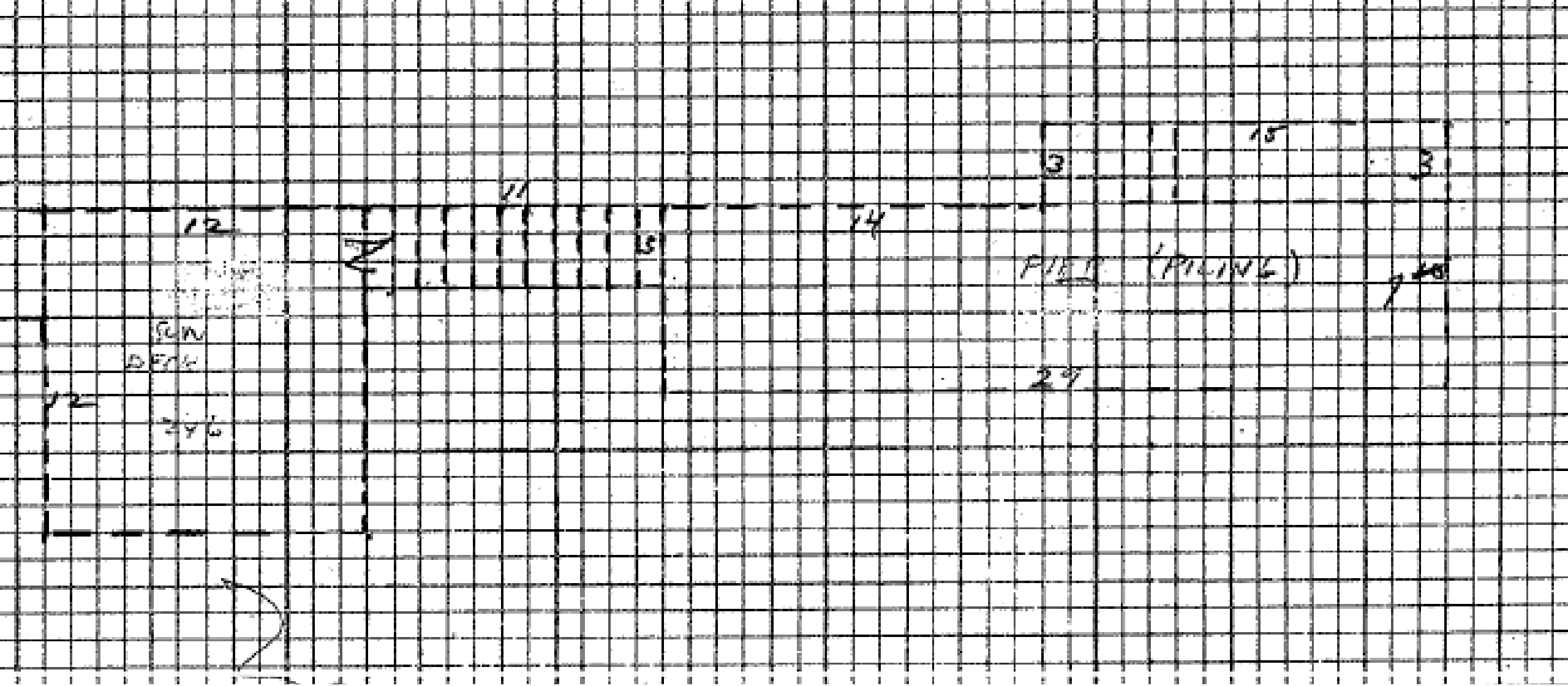
Estimated valuation $ 750.00

I certify that the above statements are correct; that I will comply with the provisions of the Building Code referred to as County Ordinance No. 340, Series B, as amended, all local zone requirements, and all other State, Federal and County Ordinances or Laws.

Inspector's Signature V. V. L. Signed Robt L Sparolini

For information consult Building Department, County of Placer, Auburn.

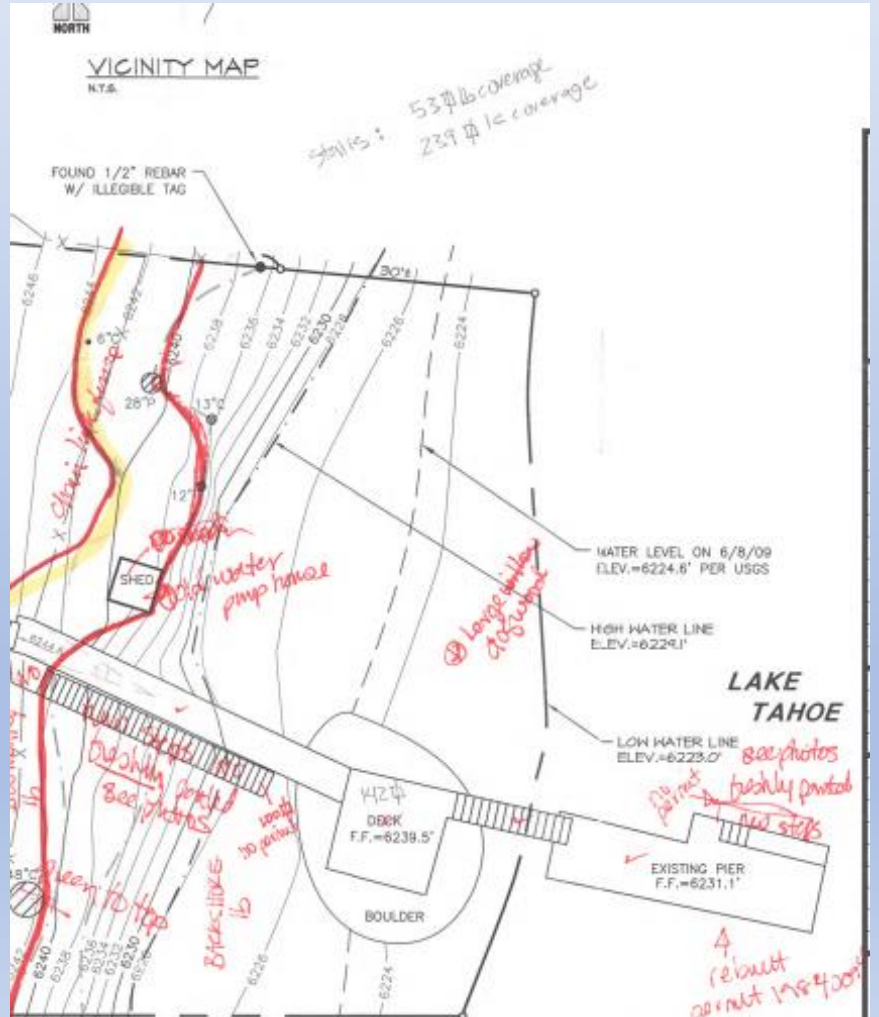
(Make checks payable to County Treasurer)



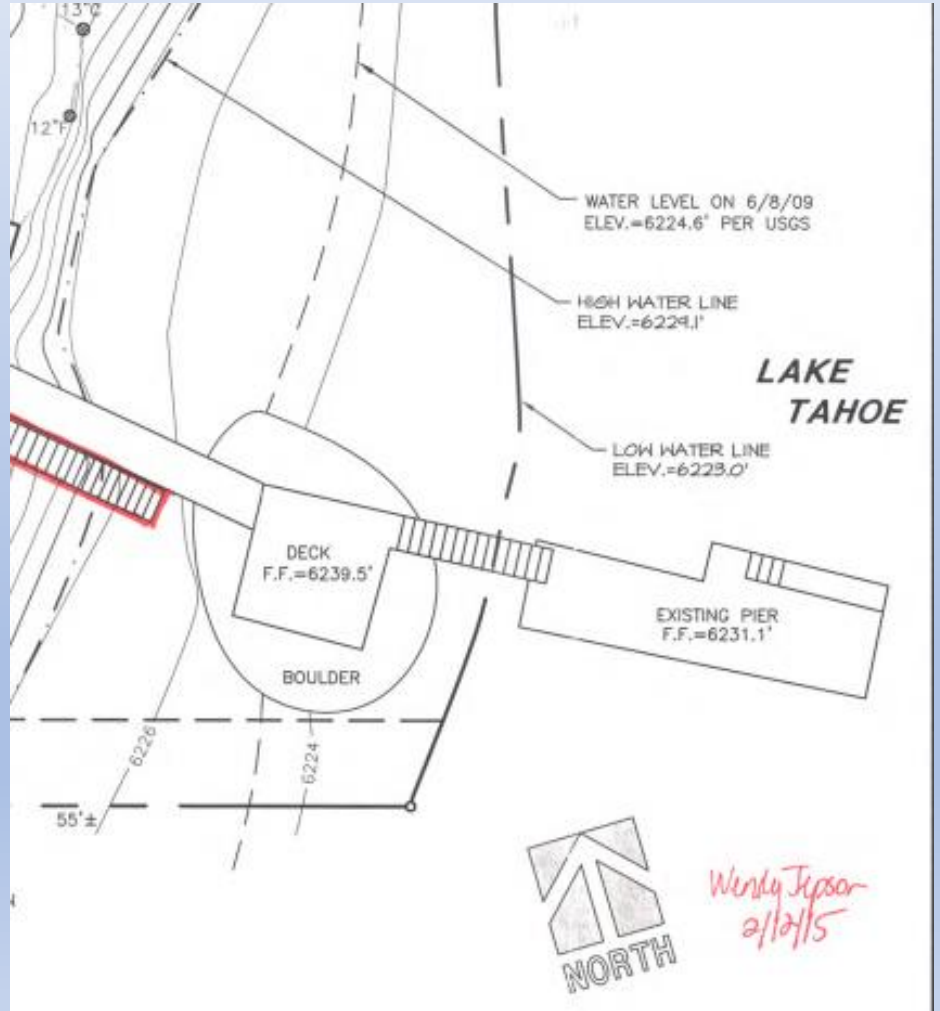
Pier and Sundeck Are Assessed As Separate Structures

TRPA Approved Site Assessments Depict the Sundeck as a Separate Structure From the Pier

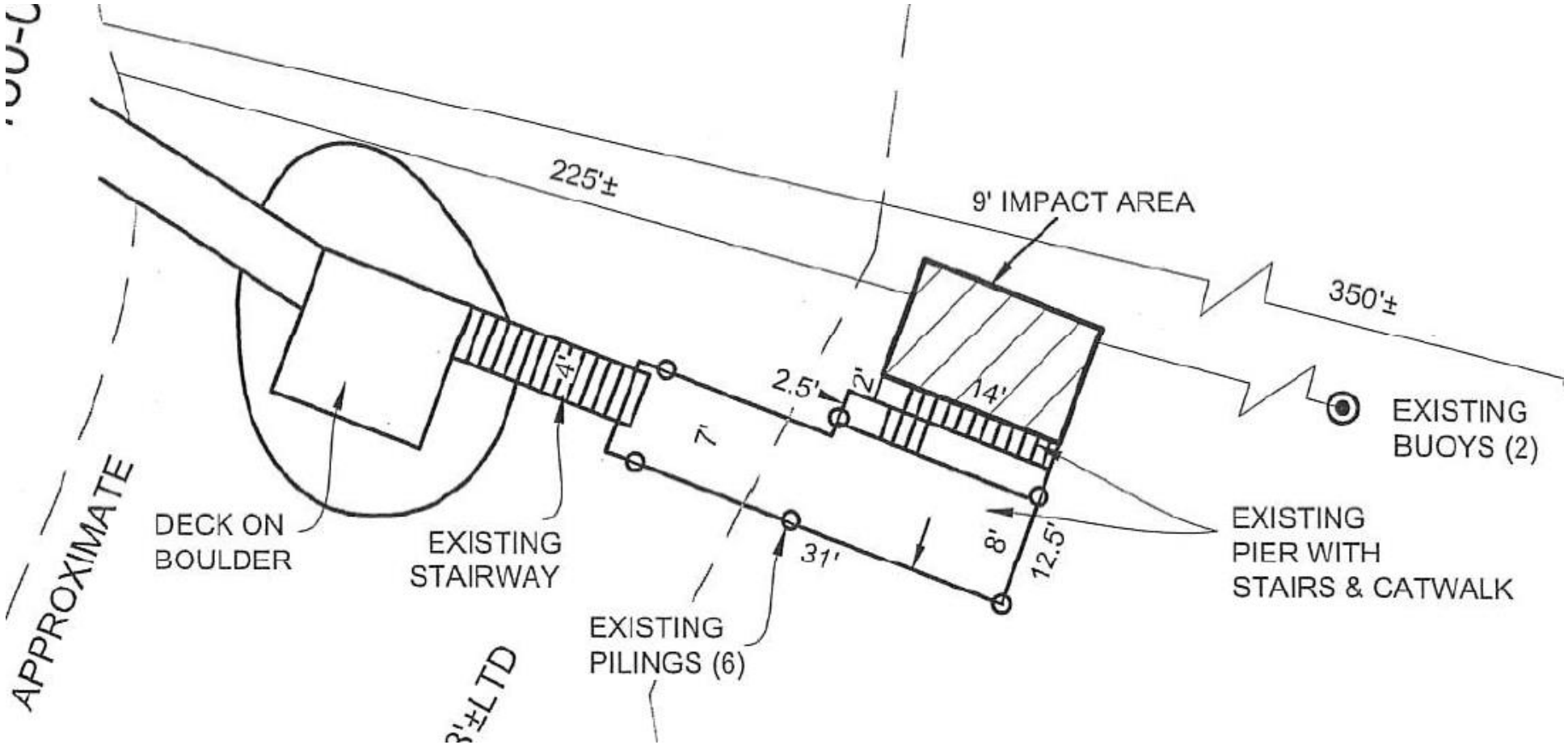
2009 Approved Site Assessment



2015 Approved Site Assessment



2019 California State Lands Commission Lease



2018 MLS Listing

About This Home

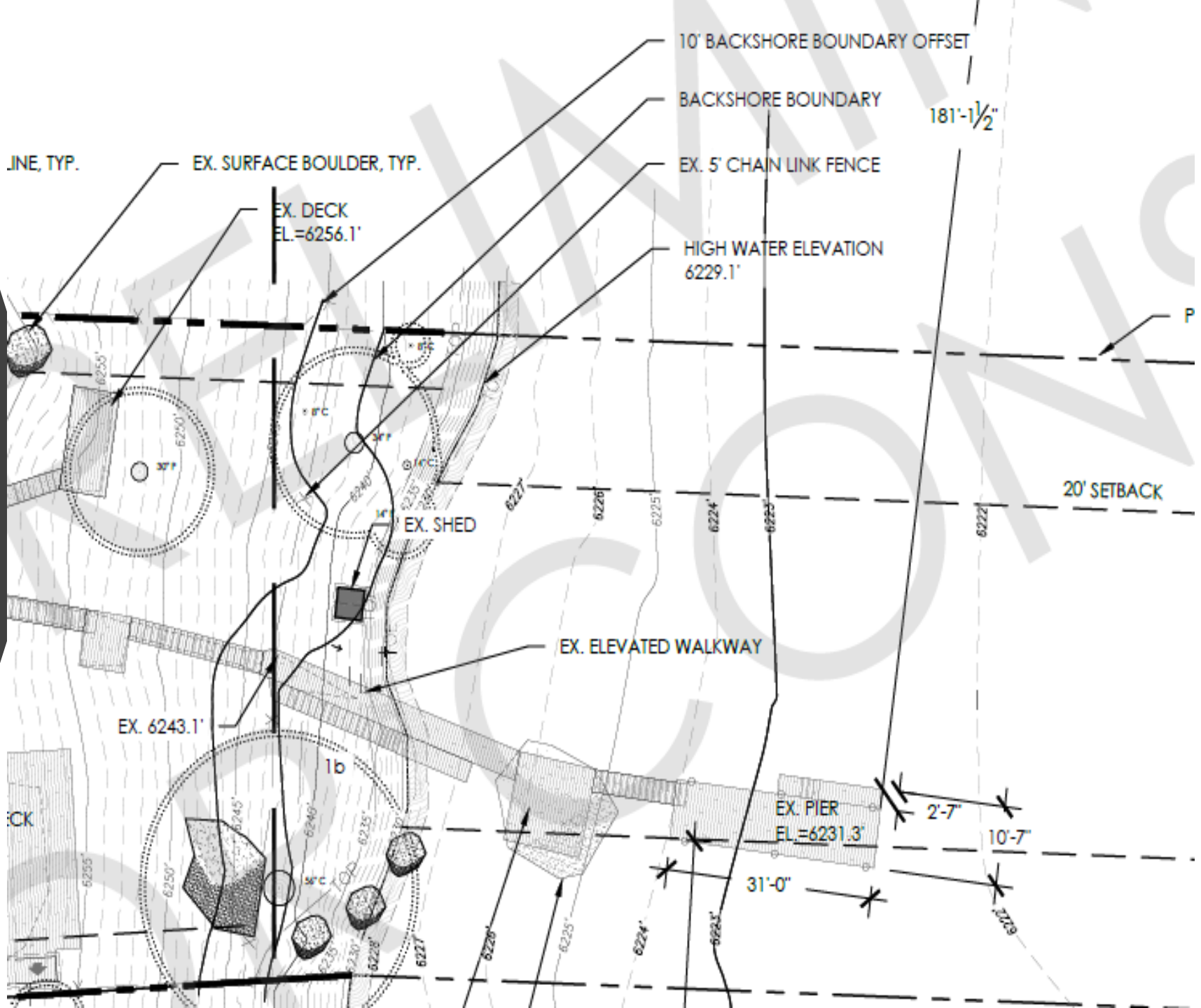
Endearing "Old Tahoe" cottage. A great opportunity for a new build or extensive remodel. Close to town for an easy walk or bike ride on adjacent path. Huge lakeside deck accessed from one of the bedrooms and the living room. An additional sun deck above the pier. Single level living with 3 bedrooms, 2 bathrooms, separate laundry room and office area. Two-car parking. Verified coverage of 3,783 sf. Gary Davis did rebuild proposal.

Listed by Katrine Watson • DRE #00326518 • Chase International - TC
Redfin last checked: 3 minutes ago | Last updated Oct 8, 2018 • Source: TSMLS #20181002

The Deck Does Not Meet TRPA's Pier Definition

- "A fixed or floating structure intended as a landing or temporary mooring for watercraft…."
- Elevation of deck = 6,239.7'

The Pier and Common Accessway Extend to the Backshore Without the Deck



The Deck is Allowed to Remain as a Legal Nonconforming Structure

Code of Ordinances § 82.7.1.A:

“Structures that were legally established and are used for a conforming use but are nonconforming with regard to applicable location and design standards *may continue as legal nonconforming structures* and may be maintained and repaired.”

Code of Ordinances § 81.6.1 :

“Uses legally commenced prior to the effective date of ordinance adopting this Chapter, are recognized as existing uses and may be continued….”

The Applicant is not severing the deck from the pier, from its inception the deck was applied for, constructed, used and continually legally recognized by Placer County and CSLC as a separate and independent structure.

TAHOE REGIONAL PLANNING AGENCY

TRPA Legal Committee

July 27, 2022

AGENDA ITEM 3

Committee Member Comments

TAHOE REGIONAL PLANNING AGENCY

TRPA Legal Committee

July 27, 2022

Agenda Item 3

PUBLIC COMMENT

APPEAL OF CONDITION OF APPROVAL FOR RECONSTRUCTION AND EXPANSION OF AN EXISTING PIER, 1590 NORTH LAKE TAHOE BLVD., PLACER COUNTY, CALIFORNIA, APN: 094-160-008, TRPA FILE NO. ERSP2020-2095, APPEAL FILE NO. ADMIN2022-0014

TAHOE REGIONAL PLANNING AGENCY

TRPA Legal Committee

July 27, 2022

AGENDA ITEM 3

Committee Member Deliberation and Final Staff Recommendation

TAHOE REGIONAL PLANNING AGENCY

TRPA Legal Committee

July 27, 2022

AGENDA ITEM 3

A motion to recommend that the Governing Board deny the appeal.