

Verification of coverage
appeal for 817 Oriole Way
Incline Village, Nv.
Owner: D.A. Griscom

EXHIBIT P - TAHOE
Document consists of 28 pages.
Entire exhibit provided.
Meeting Date: 03-29-10

Compromise Letter to
Scott Lichtig under
appeal filed Oct 2008.

February 17, 2010

Scott J. Lichtig
Associate Attorney
Tahoe Regional Planning Agency
128 Market Street
P.O. Box 5310
Stateline, NV 89449

RE: Appeal filed on Site Assessment and Coverage Verification October 29, 2008
APN: 132-221-27 Washoe County
Address: 817 Oriole Way, Incline Village, NV
Legal: A Por, of the S.E. ¼ of Sec. 16, T16N, R18E, MDB&M
TRPA File No.: VBOC208-0289

Dear Mr. Lichtig,

It was a pleasure meeting with you in our last review at TRPA for the appeal of TRPA's findings for the above-mentioned parcel. The meeting was January 8, 2010.

It has taken some time to put together the visual information that seemed lacking in the meeting. In some cases, we had to hold off until some snow melted to be able to better outline the visual evidence that goes to the heart of the reason of the appeal.

In this meeting Mr. Griscom and I learned that there were three areas that directed the TRPA and the evaluation team to come to the conclusion they did.

1. TRPA says the assessor's record for Washoe County is not dependable for a project built in 1965.
2. BMP's and coverage (soft coverage) are confusing as to which is which in the TRPA Code of Ordinances.
3. Past determinations by the teams of TRPA for what is coverage and what is not are not binding on the agency. They could just be staff mistakes.

I would like to review these three areas in more detail and how they apply to our appeal and the site assessment done for the property owned by D.A. Griscom at 817 Oriole Way, Incline Village, Nevada.

1. The assessors record: The record that is compiled by the local authority such as the assessor is based on documents for the permitted project built, as in the case of this 4-plex. Plans were reviewed and verifications made of the final work done took place when the C of O was given in 1965. They became the official record of taxable value that the owners of this development have paid taxes on for over 45 years. Other areas also were created before 1972 when the current rules for coverage were adopted by TRPA. In some cases these areas were grandfathered coverage, soft coverage, yet were not added to the assessors record because under the rules of the assessor, compacted gravel and cobbles are not considered an improvement, thus taxable. Yet, under the TRPA code, they do represent a use and thus are grandfathered if the development was done before 1972 (February 10, 1972). See land coverage Chapter 2-Definitions page 2 or 18.
2. BMP's vs. Coverage: The TRPA code is very clear on what defines "soft coverage." We have provided a sheet (Sheet 1) that outlines what soft coverage was prior to 1972. On that sheet it also indicates with dots where some areas of gravel and cobbles are partly BMP's. The crosshatched areas are clearly coverage that was and is used for repeated pedestrian traffic and storage.

Just because gravel and cobbles are used for some BMP's in a designed infiltration system, they do not automatically make them a BMP. If that was the case, people could just spread gravel and cobbles on their property and meet the BMP code. In fact, many people have had to remove just a use and material that was put in after 1972. If the areas on the parcel at 817 Oriole Way, which were part of the development in 1964, are called a BMP, then the TRPA code will be changed.

The key to the area of the code that defines "soft coverage" as restriction of water reaching the soil and no vegetation can grow. The areas on Sheet 1: A, B, C, D, E & F meet the definition for "soft coverage" because well over 75% water restriction to the soil has taken place and no vegetation can or does grow. The areas we have now agreed to not being coverage from the survey of December 30, 2009 by Mr. Lancaster, are allowing for the growth of trees. This is much different than the other areas which have had repeated storage and pedestrian traffic, with no vegetation or trees.

3. Past approvals: In the January 8, 2010 meeting, I briefly mentioned the determinations that had taken place by TRPA on the issues we have appealed:
 - a. Projects built before 1972 did not have to provide documents where coverage was created as part of that project. Having to provide some sort of record some 45 years ago is a burden that cannot be placed on a current owner. If there isn't some clear aerial photo record or TRPA files with stamps available then the coverage is grandfathered by TRPA code.
 - b. Gravel that was used to have access and/or storage is allowed as "soft coverage."

These determinations did not take place by some sort of mistake by the field person doing a review. They have been made by Nicole Rinke/Brian Judge and also at the meeting of the Governing Board in an appeal process.

Existing Appeal: The appeal number we submitted on October 15, 2008 of 8,341 square feet with this compromise represents a loss to Mr. Griscom's parcel of 2,892 square feet. We reserve the right to bring the number to the Governing Board of TRPA of 8,341 square feet if TRPA staff turns down the compromise. We still strongly believe that the TRPA Code of Ordinances Chapter 2 Land Coverage Defined soundly supports the basis of this number of 8,341 square feet.

The areas that we have suggested compromise are on Sheet 1 (February 17, 2010 - architectural documents submitted for compromise) and noted by dots. The areas do not support any vegetation other than many clustered trees. It is true that the trees do remain vital and some water is getting to the root system, yet the areas surrounding these trees remain covered with gravel and rock thus not allowing other vegetation to grow. We reserve the right to bring this area and argument to the Governing Board of TRPA if Staff rejects the compromise.

In addition to the front area with dots, we also reserve the right to bring to the Governing Board the condition of the soil in the rear yards, where over the years a great deal of storage has taken place. The result of this use has compacted the soil to the point that it does not support vegetation. True, there are two pines, one 27-inches and one 28-inches, yet their water source is much deeper. We reserve the right to bring to the Governing Board these coverage facts and arguments if the compromise is rejected by Staff.

Once again, thank you for giving us an opportunity to resolve this issue and hopefully not have to take up the time of members of the Governing Board.

Wayne Ford
Residential Designer, State of Nevada * Nevada License No. 91-P
Post Office Box 4775 * Incline Village, NV 89450 * (775) 831-3073

To only allow for coverage on this site, which was 4,287 square feet, noted by Melanie Vincent on October 1, 2008, would deny D.A. Griscom what others have had grandfathered in the area. He would be prevented from providing what other owners can do with grandfathered coverage. Those are upgrades of covered parking, access ramps to the apartments that meet ADA specifications, normal walks and access to the rear yards and trash storage for the four units.

Mr. Griscom understands that the Conservation District shows some sort of BMP compliance. In reality this is not true and upon inspection of the property it is confirmed. Mr. Griscom, in any future project will correct this issue with new BMP systems.

The coverage numbers should be:

Building	1,938 square feet
Building crawl access	8 square feet
Decks	43 square feet
Concrete patios & stairs	842 square feet
AC paving	1,378 square feet
Gravel/cobbles	1,040 square feet
Compact dirt (woods, cans, walks)	<u>200</u> square feet
Total	5,449 square feet

Sincerely,

Wayne Ford

Compromise Letter and plans
to TRPA Feb 17, 2010 no response
from legal division.

Wayne Ford
Residential Designer, State of Nevada * Nevada License No. 91-P
Post Office Box 4775 * Incline Village, NV 89450 * (775) 831-3073

February 17, 2010

Scott J. Lichtig
Associate Attorney
Tahoe Regional Planning Agency
128 Market Street
P.O. Box 5310
Stateline, NV 89449

RE: Appeal filed on Site Assessment and Coverage Verification October 29, 2008
APN: 132-221-27 Washoe County
Address: 817 Oriole Way, Incline Village, NV
Legal: A Por, of the S.E. ¼ of Sec. 16, T16N, R18E, MDB&M
TRPA File No.: VBOC208-0289

Dear Mr. Lichtig,

It was a pleasure meeting with you in our last review at TRPA for the appeal of TRPA's findings for the above-mentioned parcel. The meeting was January 8, 2010.

It has taken some time to put together the visual information that seemed lacking in the meeting. In some cases, we had to hold off until some snow melted to be able to better outline the visual evidence that goes to the heart of the reason of the appeal.

In this meeting Mr. Griscom and I learned that there were three areas that directed the TRPA and the evaluation team to come to the conclusion they did.

1. TRPA says the assessors record for Washoe County is not dependable for a project built in 1965.
2. BMP's and coverage (soft coverage) are confusing as to which is which in the TRPA Code of Ordinances.
3. Past determinations by the teams of TRPA for what is coverage and what is not are not binding on the agency. They could just be staff mistakes.

I would like to review these three areas in more detail and how they apply to our appeal and the site assessment done for the property owned by D.A. Griscom at 817 Oriole Way, Incline Village, Nevada.

RECEIVED
FEB 17 2010
TAHOE REGIONAL
PLANNING AGENCY

Time line of appeal process
sent to Commissioner Breternitz
and appeal documents outlining
our basis for the appeal.

Wayne Ford
as Designer, Designer: State of Nevada * Nevada License No. 31 F
Post Office Box 4775 * Incline Village, NV 89450 * 775 831 3073

October 20, 2009

Commissioner Breternitz
P.O. Box 11130
Reno, NV 89520

RE: Appeal filed to TRPA on October 28, 2008

For: Site Assessment and Coverage Verification on Parcel
APN: 132-211-27 Washoe County.
Address: 817 Oriole Way, Incline Village, Nevada
A Por, of the S.E. ¼ of Sec. 16, T16N, R18E,
MDB&M
TRPA File Number: VBOC2008-0289

Timeline of appeal through TRPA:

1. Appeal filed on October 29, 2008. Receipt No. 627040 (see attached). See attached appeal letter and photos.
2. On December 5, 2008 – Call to Heather Gustafson. Status of appeal? She is gone, meet with Melanie Vincent, she is taking over the appeal. Then told that Nicole Rinke is going to get back with appeal schedule. Appeal hearing and/or meeting so as to avoid having to go to the Governing Board.
3. December 8, 2008 – Call to Heather Gustafson. When will we meet? Left message with APN number and owners name.
4. December 11, 2008 – Call to Heather Gustafson. Left another message – no call back from the 8th.
She called back said that we were now in line.... I called Nicole Rinke. What does "in line" mean...? No call back from Nicole Rinke regarding my question. Call to Heather Gustafson at the North Shore office. Left message: What's the schedule? When can we meet? Received no call back.
5. December 15, 2008 – Call to Gary Weigle. Why is there no letter of Complete Application for the appeal document? He said he would look into it.
6. December 16, 2008 – Call to Gary Weigle. Gave him the site assessment file number so he could look into issue.

7. December 17, 2008 – Call to North Shore TRPA office. Was told that Heather Gustafson would call me back.
Received a call back from Heather. There will be no letter of Complete Application. This does not apply to appeals. It is now likely it will take another two months to come to the Board.
Note: Because the legal division of TRPA has taken the position that an appeal does not require a letter of being complete, then the code is by-passed requiring a 120-day review period as outlined for projects. This also allows the Legal Division to not have to bring before the Board a report of projects that have exceeded the TRPA code and give a reason for the delay....
8. December 24, 2008 – Call to Nicole Rinke: Heather will call me back. Call to paralegal Jordon Dunlap. I left a message: Two months have gone by now, looks like another two months will go by with no accountability for a timely hearing on the appeal.
2:00 pm – call to Commissioner Breternitz because of concern with appeal process.
Call back from Jordon Dunlap – she will look into the appeal timeline.
9. January 8, 2009, 10:00 am – Call from Jordon Dunlap, the appeal will not be heard by next June and go before the Governing Board. I indicated my concern that this all could be taken care of in a meeting with the planner and legal.
3:00 pm – Call Washoe County Assessor's office – spoke to DA David Cheekman and Terry Shay about my concern that TRPA was putting in question the legal status of the assessor's record. What I learned in this process is that they, the planners, would not accept the Assessors Record as noted in the file.
10. February 6, 2009 – call to Commissioner Breternitz
11. February 10, 2009 – Call Jordon Dunlap and let her know about the meeting that Commissioner Breternitz was having locally around the 4th of March.
12. March 31, 2009 – Call paralegal Jordon Dunlap – Nicole Rinke has now moved the appeal hearing to sometime in December of 2009.
Call to Commissioner Breternitz about the change in schedule.
13. April 13, 2009 – Call from Commissioner Breternitz – he had spoken with Nicole Rinke about the issue. They would be calling me about options.
Note: No one ever called from TRPA on this matter to go over option.
14. April 15, 2009 – Called Jordon Dunlap – What about the "options"? What did that mean after Commissioner Breternitz spoke to Nicole Rinke? She, Jordon said, would look into it.
Note: I never got any call back on the matter.
15. July 9, 2009 – I called Jordon Dunlap and left a message with her about the two areas I felt TRPA had violated their Code.
 - a. Approval in a timely manner
 - b. No letter of Complete Application within 30 days
 - c. No determination of approval or denial within 120 days of letter

16. September 10, 2009 – Call Jordon Dunlap and left message. When will this appeal be heard?

Note: No call back...

There seems to be an injustice to my client, DA Griscom, to be told by Heather Gustafson that if he wanted to appeal the staff's review of his development, he had only 20 days to pay and file it.

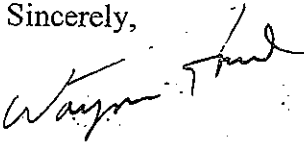
Then TRPA violates the intent of their own code by the Legal Division making a determination that all appeals, at least ours, do not have to follow the same review and required action that a project review must meet.

In 9 days, it will have been a year since the appeal was filed. I have thought I might bring this before the Governing Board of TRPA, but to do this in the public comment portion of the meeting may result in impacting our case at a later date. I also have noted that many members do not pay a lot of attention to many of the speakers during the public comment portions of the meetings.

I just want to thank you for your support and help in seeing this injustice corrected for Mr. Griscom.

One other thing DA wanted you to know: with all the correspondence and phone calls on our part, no one from TRPA has ever sent him one letter or made one call to him.

Sincerely,



Wayne Ford

cc: DA Griscom



TAHOE
REGIONAL
PLANNING
AGENCY

128 Market Street
PO Box 5310 3080 N. Lake Blvd.
Stateline, NV 89449 Tahoe City, CA 96145
(775) 588-4547

Hatner Properties
C/O HATNER PROPERTIES LLC
774 MAYS BLVD #10-312
INCLINE VILLAGE, NV 89451

TAHOE REGIONAL PLANNING AGENCY
PERMITS AND INSPECTIONS RECEIPT

THIS IS NOT A PERMIT

This document serves only as a record of payment received for application fee.
There is a minimum \$25.00 charge on all Insufficient Funds.

APPLICATION DETAILS

Date: 10/29/2008

Receipt Number: 101669

Permit Application Type: Notice of Appeal

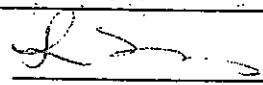
Description of Work: 092 - Appeal of Executive Director Decision

Payment received from: Hatner Properties

Payee address:

APN: 132-211-27

Application number: ADMIN2008-0035

Payment Method	Status	Check#	Comment	Amount
Check	Paid	3168 & 3169		\$809.00

Cashier ID: Bellotti, Linda

PAYMENT DETAILS

Invoice				Applied
No.	Assessed Fees	Fee Category	Fee Amount	Amount
62740	\$721.00	092. Appeal of Executive Director Decision	\$721.00	\$721.00
62740	\$88.00	I.T. Surcharge	\$88.00	\$88.00

Total Paid: \$809.00

ROBERT J. ANGRES, LTD.

Attorney and Counsellor at Law

Licensed in Nevada,
California and Illinois (retired)

2650 Friesian Court
Reno, Nevada 89521

Telephone (775) 852-5244
Facsimile (775) 852-5266
E-mail: rjangres@charter.net

October 28, 2008

Melanie Vincent, Associate Planner,
TRPA Land Capability Program
Environmental Review Services

RE: TRPA Site Assessment for D.A. Griscom
817 Oriole Way, Incline Village, Nevada
APN: 132-211-27 Washoe County
File Number VBOC2008-0289

Dear Ms. Vincent,

This letter is an appeal to the final coverage number that was provided to Mr. Griscom through his representative, Wayne Ford, in the letter of October 10, 2008 from TRPA.

The areas that were removed from our site plan are the gravel, cobbles and compacted dirt, representing approximately 1,657 square feet. The 4-plex was built in 1965. The areas that were denied are established access points for utilities, rear yard, trash storage, wood storage and parking for the 4 units. These areas of cobbles, gravel and compacted dirt on the upper level of the site, near the street, are the minimum needed for the parking that is required.

The 8 spaces have been used for the 4 apartment units from the time the 4-plex was built in 1965. To now deny this use would cause the complex to fall out of compliance with Washoe County Code and give renters no other choice than to park on the street. In the winter, this is not allowed on snow days and thus becomes a safety issue. To not allow for cars to pull forward onto the property also can cause problems for children using the walking path. This is the natural pathway for children to walk to and from the elementary school, just down the street.

It also prevents compliance as to ingress and egress pursuant to ADA (Americans with Disability Act) requirements. Our design is to see this property support access for those who need ramps and access around and between cars. TRPA removal of key coverage will prevent this important future option for those with physical challenges to use these apartments.

In the last year alone it is documented that other site assessments done by TRPA have allowed for this very type of coverage without any photo verification in light of the years past in which the structures were built. One need only inspect the files for the patio at 434 Gonowabie and the gravel at meter locations and dirt walkways down site at 818 Toni Court.

The impacts of this kind of coverage removal will deprive this current owner of uses that past owners of this property have enjoyed, not to mention that accorded to other owners of property in the area. These uses include the ability to access the rear yards, to access the gas and electrical

We must require that your office make the necessary corrections to the coverage record on this parcel so the present owner can remedy the numerous, pressing safety issues which must be addressed on behalf of the people who live there. These issues include the need for routine de-icing of the parking area, trash storage, access issues and re-vegetation of the rear yards to minimize the problems with dust proliferation.

We are available to meet with you on this matter. Please call me, so that I can confirm the time and date with Mr. Griscom.

Very truly yours,

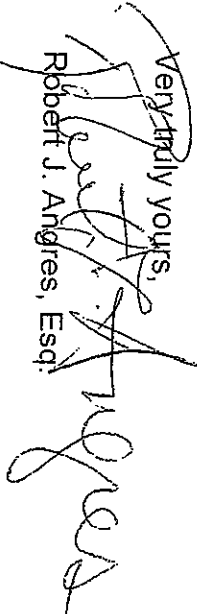
Robert J. Angres, Esq.

Wayne Ford, Residential Designer
cc: Nicole Rinke/D. A. Griscom

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We are available to meet with you on this matter. Please call me, so that I can confirm the time and date with Mr. Griscom.

Very truly yours,


Robert J. Angres, Esq.

Wayne Ford, Residential Designer
cc: Nicole Rinke/D. A. Griscom

Wayne Ford
Residential Designer, State of Nevada * Nevada License No. 91-P
Post Office Box 4775 * Incline Village, NV 89450 * (775) 831-3073

October 15, 2008

Melanie Vincent
Associate Planner
TRPA
Land Capability Program
Environmental Review Services

RE: TRPA Site Assessment for D.A. Griscom
817 Oriole Way, Incline Village, Nevada
APN: 132-211-27 Washoe County
File Number VBOC2008-0289

Dear Ms. Vincent,

This letter is an appeal to the final coverage number that was provided to us in the letter of October 10, 2008 from TRPA.

The areas that were removed from our site plan are the gravel, cobbles and compacted dirt. It represents approximately 1,657 square feet.

The 4-plex was built in 1965. The areas that were denied are established access points for utilities, rear yard, trash storage, wood storage and parking for the 4 units.

These areas of cobbles, gravel and compacted dirt on the upper level of the site near the street are the minimum needed for the parking that is required. The 8 spaces have been used for the 4 apartment units from the time the 4-plex was built in 1965. To now deny this use would make the complex out of compliance with Washoe County code and cause renters to have to park on the street. In the winter, this is not allowed on snow days and thus becomes a safety issue. To not allow for cars to pull forward onto the property also can cause problems for children using the walking path. These kids walk to and from the elementary school, just down the street.

It also prevents egress for ADA (American Disability Act) requirements. Our design is to see this property support access for those who need ramps and access around and between cars. TRPA removal of key coverage will prevent this important future option for those with physical challenges to use these apartments.

Wayne Ford
Residential Designer, State of Nevada * Nevada License No. 91-P
Post Office Box 4775 * Incline Village, NV 89450 * (775) 831-3073

In the last year I have seen other site assessments done by TRPA allow for this very type of coverage without any photo verification because of when the structures were built. See files for 434 Gonowabie patio and 818 Toni Court – gravel at meter locations and dirt walkways down site.

The impacts of this kind of coverage removal will deprive this current owner of uses that past owners of this property have enjoyed, not to mention that accorded to other owners of property in the area. These uses include the ability to access the rear yards, to access the gas and electrical meters, to use paths to take out the trash from the rear and side yards, to store the trash on the east end of the building at unit #1 and the ability to park on the upper area as required by the code when the units were built.

Per the definition "Land Coverage" – TRPA Code of Ordinances Chapter 2: 1) A man-made structure, improvement or covering either created before February 10, 1972 or created after February, 1972 pursuant to either TRPA Ordinance No. 4, as amended, or other TRPA approval, that prevents normal precipitation from directly reaching the surface of the land underlying the structure improvement or covering. Such structures improvements and coverings include but are not limited to roofs, decks, surfaces that are paved with asphalt, concrete or stone, roads, streets, sidewalks, driveways, parking lots, tennis courts, patios: and 2) lands so used before February 10, 1972, for such uses as for the parking of cars and heavy and repeated pedestrian traffic that the soil is compacted so as to prevent substantial infiltration. A structure, improvement or covering shall not be considered as land coverage if it permits at least 75% of normal precipitation directly to reach the ground and permits growth of vegetation on the approved species list.

Common terms related to land coverage are:

- 1) Hard Coverage - man made structures as defined above
- 2) Soft Coverage – compacted areas without structures as defined above

The areas underlined above confirm by TRPA code the existence of valid coverage which was incorrectly removed after the recent site assessment.

In addition to asserting that the removed coverage be replaced and recognized properly, we also assert that the rear yards of each unit be added to the coverage calculation. The rear yards clearly represent coverage as defined in the TRPA code (compacted dirt). As confirmed in prior discussion with you, there are no aerial photos that can be relied on to show that the coverage removed by the review was put in after 1972, thus this area qualifies for coverage under TPRA code and should be added to the coverage for this project.


We are now requesting the rear yards be added to the total coverage figures which we submitted on July 28, 2008. This would now bring the existing coverage of compacted dirt to 2,458 square feet and the total coverage to 8,341 square feet. We have included photos of these areas that were missed by the recent review.

Wayne Ford
Residential Designer, State of Nevada * Nevada License No. 91-P
Post Office Box 4775 * Incline Village, NV 89450 * (775) 831-3073

It is clear that TRPA has no evidence that the coverage was established illegally after 1972 and we are aware of no such illegal establishment of coverage. The coverage is directly connected to the use of structure that was built 7 years before the TRPA code came into effect. Thus, the coverage is grandfathered and meets the definition for the coverage provided in the TRPA code of Ordinances, Chapter 2. Please make the necessary corrections to the record.

We are available to meet with you on this matter on November 4, 2008. Please call me, so that I can confirm the time and date with Mr. Griscom.

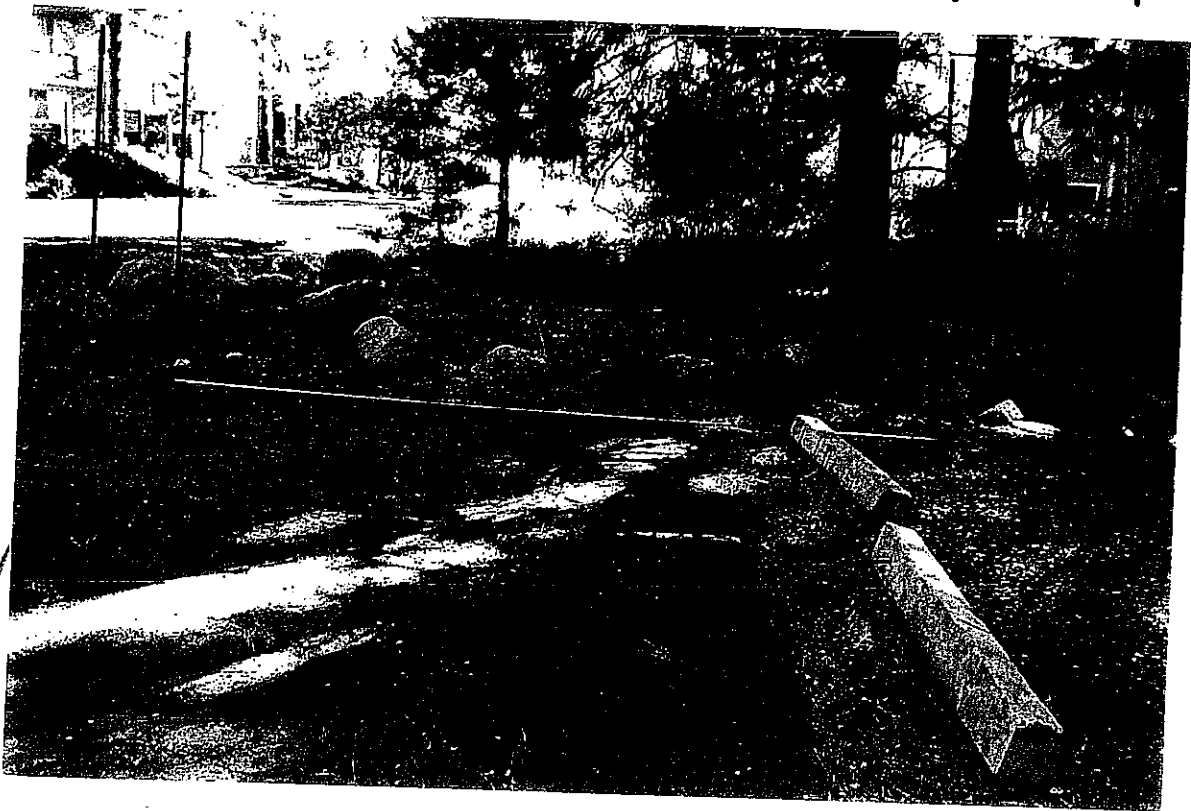
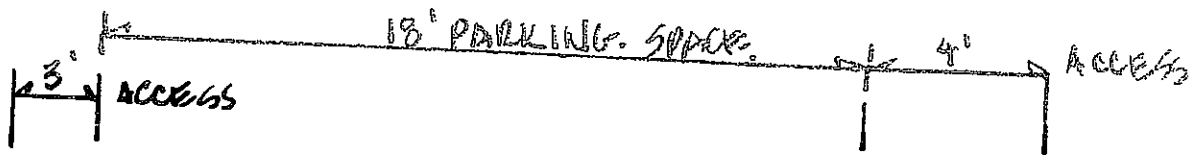
Sincerely,



10/21/08

Wayne Ford

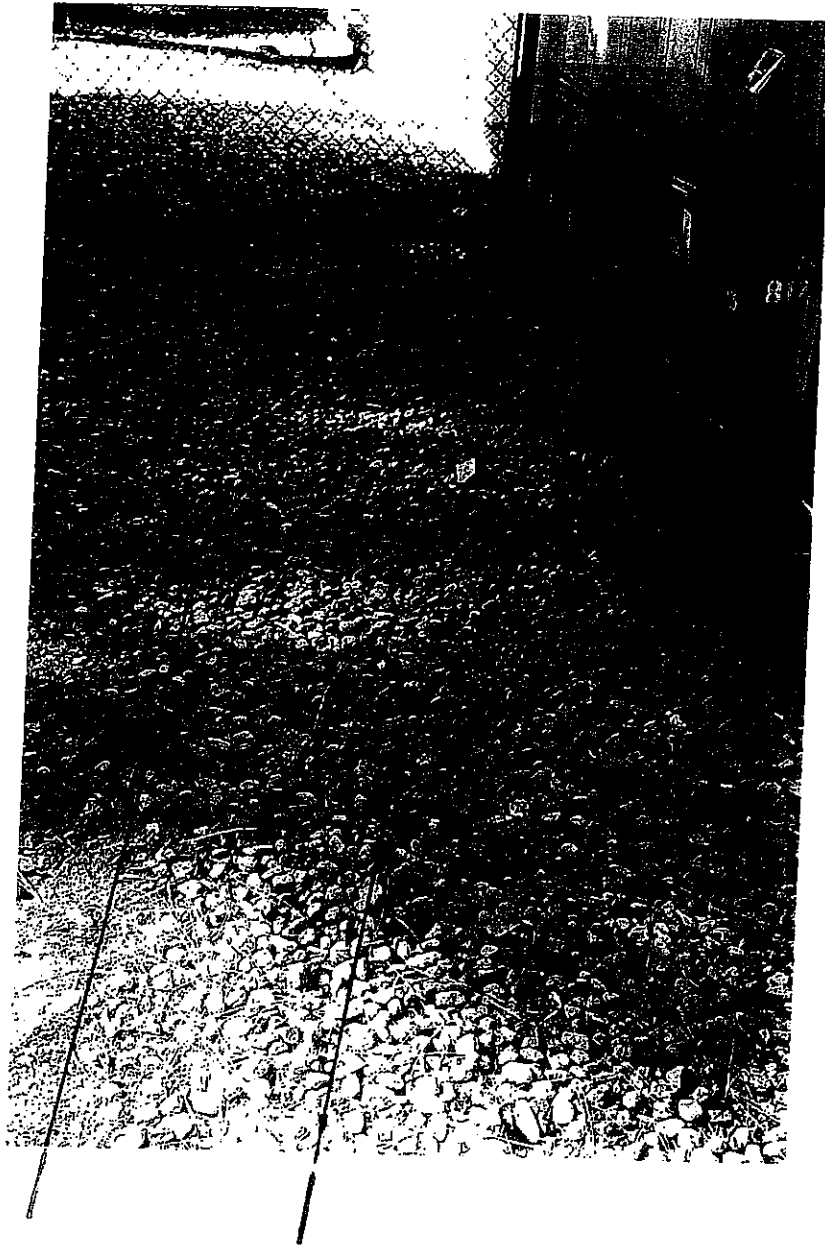
CC Robert Julian Angres, Esq.
D. A. Griscom



PROPERTY CORNER.

PHOTO ONE.

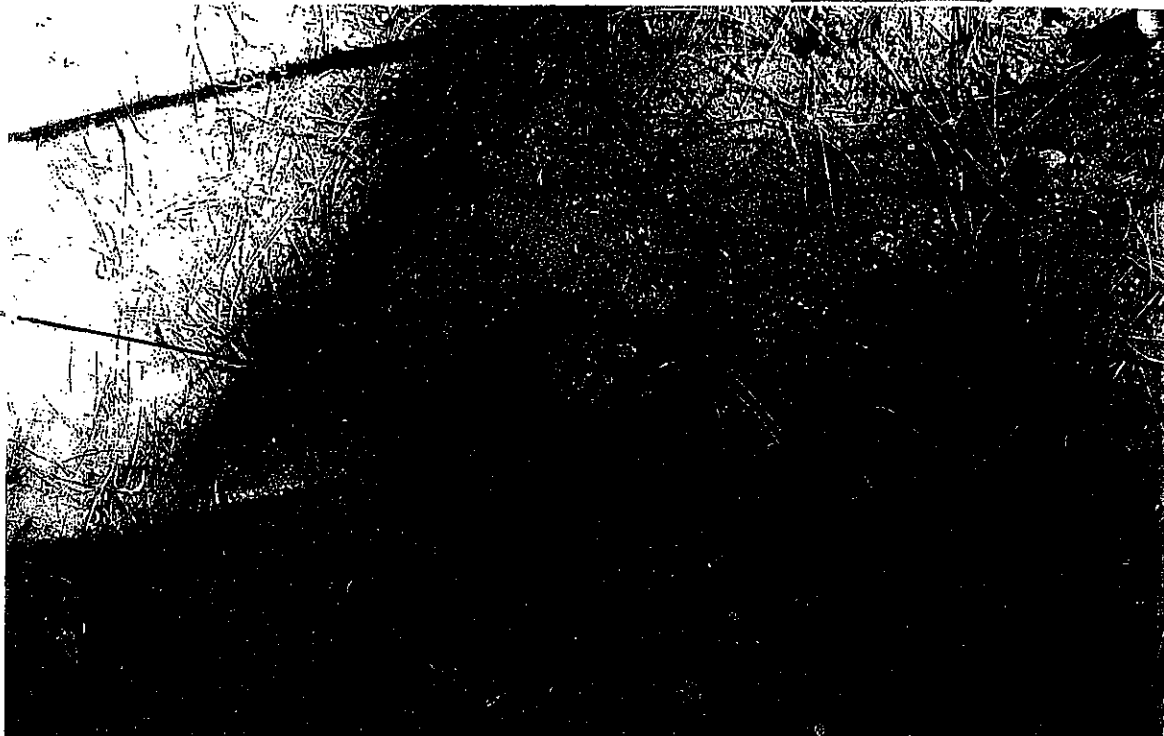
MINIMUM PARKING AND ACCESS USED BY
RENTERS OFF APARTMENTS



METERS: CODE 3 TO 4' CLEAR IN FRONT
OF METERS / TRASH 3 TO 4' IN FRONT TO USE.
IT IS A USE AREA SEE GRAVEL AREA FOUND
TO BE COVERAGE FOR SIX TON COURT.



REAR YARD USED FOR STORAGE: SOIL COMPACTED OVER 75%
 COVERAGE PER TMDA CODE CHAPTER 2. DEFINITION



SOIL DOES
 NOT
 SUPPORT
 VEGETATION.



WOOD STORAGE: EDON APARTMENT HAS A
WOOD BURNING FIRE-PLACE



GATE

GRAVEL WALK WAY
TO GATE TO REAR
YARD.

COMPRESSED SOIL
IN WALK TO GATE.



arcel	4
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TRPA verification of coverage
Oct 10, 2008 where some 1,657
square feet of "grandfathered"
coverage was taken away.

TAHOE REGIONAL PLANNING AGENCY

128 Market Street
Stateline, Nevada
www.trpa.org

P.O. Box 5310
Stateline, Nevada 89449

(775) 588-4547
Fax (775) 588-4527
Email: trpa@trpa.org

October 10, 2008

 COPY

Wayne Ford
PO Box 4775
Incline Village, NV 89450

GRISCOM COVERAGE VERIFICATION, 817 ORIOLE WAY, WASHOE COUNTY, NEVADA, ASSESSOR'S PARCEL NUMBER (APN) 132-211-27 TRPA FILE NUMBER VBOC2008-0289

Dear Mr. Ford,

At your request, a coverage verification was recently conducted at the above-referenced property. Based on the submitted information and a site visit to the property TRPA will recognize the following existing land coverage:

LAND COVERAGE VERIFICATION

The Tahoe Regional Planning Agency (TRPA) has verified the following existing land coverage:

<u>Existing Coverage</u>	<u>Square Feet</u>
Building	1,938
Building Crawl Space	8
Decks	43
Concrete Patio and Stairs	842
A. C. Paving	1,378
Gravel & Cobbles	10
Compacted Dirt	68
Total existing on-site coverage:	4,287 square feet

According to the site plans submitted, the off-site coverage appears accurate.

TRPA staff was unable to verify some of the gravel/cobbles and compacted dirt due to a lack of evidence that the development was legally established. You may wish to submit additional information for TRPA staff to consider in reference to the portions of gravel/cobbles and compacted dirt which was not verified as legally existing. TRPA considers the Rock/Concrete Wall to be a Best Management Practice (BMP). BMPs are not verified as coverage.

<u>Unverified Land Coverage</u>	<u>Square Feet</u>
Gravel and Cobbles	1,596
Rock/ Concrete Wall	3
Compacted Dirt	58
Total unverified coverage:	1,657 square feet

Please revise the project plans to reflect only verified existing land coverage (see attached site plan).

TREES

Please be advised that Section 71.2 of the TRPA Code of Ordinances requires certain standards for the conservation of healthy and sound trees in excess of 30 inches diameter at

breast height (dbh) for your area. These standards require that specified trees be retained as specimen trees having aesthetic and wildlife values, unless 1) all reasonable alternatives are not feasible to retain the tree, including reduction of parking area and/or modification of the original design; 2) a written discussion pursuant to Section 71.2 has been provided, regarding how this Code section was applied. The TRPA Code of Ordinances is available for viewing on line at www.trpa.org.

It will be necessary to post a security to ensure compliance with certain conditions of approval. Project securities are typically equal to 110 percent of the estimated cost of the required BMPs.

Pursuant to Rule 11.2 of the TRPA Rules of Procedure, this coverage verification may be appealed within twenty-one (21) days from the time TRPA releases any final decision (October 10, 2008).

If you have any questions, please call.

Sincerely,



Melanie Vincent
Associate Planner
Land Capability Program
Environmental Review Services

enclosures

Cc: Washoe County Building Department
D.A. Griscom, PO Box 4775, Incline Village, NV 89450