



COUNTY OF PLACER
Community Development/Resource Agency

Michael J. Johnson, AICP
Agency Director

PLANNING
SERVICES DIVISION

EJ Ivaldi, Deputy Director

MEMORANDUM

TO: Honorable Board of Supervisors

FROM: Michael Johnson, AICP
Agency Director

By: Lisa Carnahan, Associate Planner

DATE: July 22, 2014

SUBJECT: LUNDBERG VARIANCE - APPEALS OF THE PLANNING COMMISSION'S DECISION

ACTION REQUESTED

1. Conduct a public hearing to consider an appeal filed by Vinita Varma and a separate appeal filed by Alan and Alvina Lundberg.
2. Deny the appeal filed by Vinita Varma.
3. Deny the appeal filed by Alan and Alvina Lundberg.
4. Affirm the decision of the Planning Commission by the following actions:
 - a. Determine the project is Exempt from environmental review pursuant to Section 15301 of the CEQA Guidelines and Section 18.36.030 of the Placer County Environmental Review Ordinance (Class 1 – Existing Facilities).
 - b. Deny the Variance for any portion of the lower deck (including the horizontal girder and corner vertical post) to remain within the five-foot setback; and
 - c. Approve the Variance to allow a maximum three-foot encroachment into the five-foot setback for the upper deck and all the appurtenances thereto.

There are no net County costs associated with these actions.

BACKGROUND

The original home and upper deck, currently owned by the Lundbergs and located at 1346 Kings Way in the Tahoe Vista area, were constructed during 1977 and 1978 by a prior owner. Based upon the site plan submitted in 1977, the home and upper deck were both to be located on the subject property and outside of the five-foot setback. The building plans were approved, a building permit was issued and the house and upper deck were constructed. At that time, the total side yard setback requirement was 15 feet, with a minimum side yard setback of 5 feet, which is consistent with current setback requirements. However, the Zoning Ordinance in effect at that time allowed unenclosed porches and landing places, which were interpreted to include decks, to extend into the side setback by up to three feet (1974 Zoning Ordinance, Section 1726 (c)(2)). The building permit for the original house and deck was finalized on December 6, 1978.

The Lundbergs subsequently purchased the property in 1985. In April 2008, a minor boundary line adjustment was recorded between the Lundbergs and the property owner to the north (Bonnie Whittemore) in order to divide in half a co-owned, vacant lot between the two lots, which added 6,102 square feet to the north side of the Lundberg's property. According to the Lundbergs, the minor boundary line adjustment was conducted in order to increase the lot size for both parties, provide privacy for the other property owner, and to allow the Lundbergs to increase the footprint of the front of their residence. Prior to the recordation of the minor boundary line adjustment, the County received plans submitted on behalf of the Lundbergs to rebuild the pre-existing home and upper deck, and add a new lower deck. Those site plans showed the corner of the upper deck touching the southern property line. Tahoe Planning staff documented in the permit history that the "setbacks were allowed per the non-conforming section" of the Zoning Ordinance. The plans were approved by Placer County in May 2010 and again with revisions in August 2010. County staff indicated on the plans that the upper deck corner was "existing", although a five-foot minimum side setback was noted under the "Setback Requirement" area for all proposed new construction, which included the lower deck.

The Lundbergs were in the process of rebuilding the home and upper deck and constructing the new lower deck when they were notified by Placer County Code Enforcement that a citizen's complaint had been filed against their property. The complaint claimed that the Lundberg's upper deck was encroaching onto the neighbor's property to the south. Code Enforcement staff subsequently issued a courtesy notification to the Lundbergs on December 28, 2012 to apprise them of the situation, and to request the Lundberg's assistance in reviewing and resolving the issue. Code Enforcement staff has been working with the Lundbergs and the complainants since that time to resolve the situation.

A Record of Survey was recorded by Webb Land Surveying, Inc. for Vinita Varma (the adjacent property owner to the south) on March 5, 2013, which showed that the Lundberg's upper deck under construction was built over the south property line. (A copy of the Record of Survey is included as Attachment 1.) On May 20, 2013, a Stop Work Notice was issued to the Lundbergs for the rear decks until the property line issues could be resolved. The Lundbergs then voluntarily removed approximately two feet of the upper deck in order to solve the encroachment issue over the property boundary, and filed an application for a Variance on January 31, 2014 to allow the resultant upper and lower decks, as well as a corner of the house, to remain within the five-foot, south-side setback.

The Lundberg's representative and licensed Land Surveyor, Martin Wood, has signed and stamped the project site plan attached to this staff report (Attachment 2), and has indicated that, based upon his reading of the Record of Survey No. 3250, recorded in Book 22 of Surveys, Page 25 of the Placer County records, and taking into account the approximately two feet of upper deck which was removed by the owner's contractor, the remaining corner of the upper deck is 0.41-foot (approximately 5 inches) from the south property line, which results in a total of 33.5 square feet of upper deck currently encroaching within the five-foot side setback. As mentioned previously, at the time the house was originally constructed in 1978, the deck would have been able to extend, by right, three feet into the required five-foot side setback (Attachment 3). Utilizing the 1978 Zoning Ordinance setback exceptions, the Lundberg's licensed Land Surveyor has calculated that approximately 4.1 square feet of the current upper deck is beyond the three-foot encroachment area.

PLANNING COMMISSION HEARING

The Planning Commission conducted a public hearing to consider the Lundberg Variance project request at its May 22, 2014 meeting. At that hearing, the Commission received a presentation from staff and heard comments from the Lundbergs and their legal representative. Vinita Varma and her legal representative, and one other member of the public (who had also provided written comments) spoke against the project. Prior to the hearing, written comments were received from two neighbors who opposed the granting of the Variance. The Planning Commission also considered the staff report and all attachments. In its presentation to the Planning Commission, staff recommended that the Planning Commission:

1. Deny the Variance request for the portion of the lower deck which is within the five-foot side setback (with the exception of the corner vertical post and girder attaching the corner vertical post with the

adjacent vertical post, as these portions of the structure are critical parts of the structural support of the deck) and require the Lundberg's to remove said portion of lower deck within 60 days of this action; and

2. Approve the Variance for the corner of the house which is within the five-foot setback; and
3. Approve the Variance for the upper portion of the deck which is within the five-foot setback.

Staff's support of the request to allow approximately one inch of the corner of the house to remain within the setback was based on the fact that it is a minimal encroachment. Staff's support of the request to allow the 33.5 square-foot portion of the upper deck which was constructed within the five-foot setback to remain was based upon the facts that:

- The original upper deck was constructed approximately 36 years ago;
- The remodeled upper deck involves no further encroachment into the setback than what previously existed;
- The upper deck was denoted as "existing" on plans approved by the County;
- Tahoe Planning staff designated in the permit history that the "setbacks were allowed per the non-conforming section" of the Zoning Ordinance; and
- The requested Variance for the upper deck is a minimal departure from the required setback.

Staff did not support the variance request for the lower deck surface because it is a new addition to the home, and a five-foot minimum side setback was noted under the "Setback Requirement" area for all proposed new construction. Staff did support the variance for the retention of the corner vertical post and girder (the horizontal girder is comprised of double, six-foot by 12-foot boards) based upon information from the Lundbergs' engineer stating that these structures are integral for the support of deck. (See Attachment 4)

After deliberations, the Planning Commission adopted the following motions:

1. Adopted a motion which determined that the project is categorically exempt from CEQA review (6:0, Commissioner Roccucci absent); and
2. Approved the Variance (6:0; Commissioner Roccucci absent) to allow the corner of the house to encroach approximately one inch into the five-foot setback; and
3. Denied the Variance (5:1; Commissioner Johnson voting No, Commissioner Roccucci absent) for any portion of the lower deck (including the horizontal girder and corner vertical post) to remain within the five-foot setback; and
4. Approved the Variance (5:1; Commissioner Gray voting No, Commissioner Roccucci absent) to allow a maximum three-foot encroachment into the five-foot setback for the upper deck and all the appurtenances thereto.

In denying the Variance request to allow the portion of the lower deck which was constructed within the five-foot side setback to remain, the Commission's decision was predicated on the fact that the lower deck was new construction, and any new construction was required on the approved plans to adhere to a five-foot setback. While the condition of approval required the removal of the decking within 60 days of the action, the appeal filed by the Lundberg's stayed enforcement of that condition (Section 17.60.110(C)(3)). However, it is staff's understanding that the Lundbergs have recently removed some or all of the lower deck. Staff has not yet field verified the extent of this removal.

As previously discussed, the Zoning Ordinance in 1978 allowed unenclosed porches and landing places to extend into the side setback by up to three feet (Zoning Ordinance, June 1974, Section 1726 (c)(2)). This

zoning code provision was in effect through July 1995. Staff has verified that during the time this provision was in effect, staff historically interpreted “unenclosed porches” to include decks. Based upon the 1974 Zoning Ordinance three-foot encroachment allowed at the time the upper deck was originally constructed, the fact that the remodeled upper deck did not encroach any further into the setback than the original deck, and the fact that the County had approved the site plans and had specifically noted the upper deck as “existing”, the Commissioners (with the exception of Commissioner Gray) voted to allow a maximum three-foot encroachment into the five-foot setback for the upper deck and all the appurtenances thereto. The result of the Commissioner’s decisions was that an approximately 4.1 square-foot triangular corner of the existing upper deck, including the corner vertical support post, would need to be removed. In addition, the triangular, approximately 33.5 square-foot section of the lower deck, including the horizontal girder, would also need to be removed.

APPEALS

Neither the Lundbergs nor Ms. Varma is appealing the Planning Commission’s decision on the CEQA determination or the grant of the variance to allow the encroachment of the corner of the house. Both parties have filed appeals on the Planning Commission’s decision on the upper deck. The Lundbergs have filed an appeal on a portion of the Planning Commission’s decision on the lower deck, specifically, the decision that the vertical support post and horizontal girder for the lower deck must be relocated outside of the five-foot setback. The Lundbergs have not appealed the Planning Commission’s decision on the lower deck which required that a portion of the deck surface be removed to comply with the five foot setback requirement. Ms. Varma has not appealed the Planning Commission’s decision to deny the variance for the lower deck but has retained the right to testify and comment on the Lundbergs’ appeal of the same.

Pursuant to Section 17.60.110(D)(4)(a), the Board as the appellate body conducts a “de novo” hearing on the matters that have been appealed. During the hearing, the Board will consider and initiate a discussion limited to only those issues that are the specific subject of the appeal and, in addition, the specific grounds for the appeal. The subject and grounds of each appeal are addressed below in further detail.

VARMA APPEAL

Upper Deck

On May 28, 2014, Vinita Varma submitted an appeal (Attachment 5) of the Planning Commission’s decision to approve the Variance to allow the upper deck to encroach a maximum of three feet into the five-foot setback. The appeal states that the Variance for the upper deck should have been denied in its entirety because there is not substantial evidence to support the legal findings required by Placer County Code, section 17.60.100 (Variance). Specifically, the appeal asserts that:

1. There are not special circumstances applicable to the Lundberg’s property, and even if there were, those special circumstances do not deprive the property of privileges enjoyed by other property in the vicinity and under identical zoning classification.
2. The record contains no evidence of comparable properties in the same vicinity and under identical zoning restrictions to allow an encroaching deck to remain under those circumstances.
3. The granting of the Variance would adversely affect public health or safety due to snow shedding and fire danger, and is injurious to Ms. Varma’s property.

Staff’s specific responses to the Varma appeal of the upper deck are provided below.

No Special Circumstances or Comparable Properties

Ms. Varma asserts that the record contains no evidence of legally-recognized special circumstances or comparable properties in the same vicinity and under identical zoning restrictions to allow an encroaching deck to remain.

Staff Response

In allowing the upper deck and all appurtenances thereto to extend three feet into the five-foot setback, the Planning Commission determined that there are in fact special circumstances applicable to the property. Although special circumstances generally focus on physical attributes such as size, shape and topography, the scope of findings set forth in state law and County code allow for the consideration of other applicable special circumstances. In this case, the original upper deck was constructed approximately 36 years ago, and the Placer County Zoning Ordinance at the time that the deck was originally constructed was interpreted to allow for a three-foot encroachment of decks into side setbacks. Additionally, the Planning Commission recognized that the upper deck was delineated as an "existing" structure on the both the May 2010 and August 2010 plans submitted by the Lundberg's, and these plans were reviewed and approved by both the Placer County Building Services Division in Tahoe, and the Tahoe Regional Planning Agency. Lastly, the Planning Commission concluded that the Variance to allow the upper deck to encroach a maximum of three feet into the five-foot setback was a minimal departure from the setback requirements and that the amount of upper deck remaining within the setback has a minimal impact on light, air and open space and meets the spirit and intent of setbacks.

With regards to comparable properties which have been granted Variances to setbacks by Placer County, staff supplied the Planning Commission with three separate Variances which were previously approved by Placer County in order to bring existing structures into compliance with County Code. These Variances were included because, similar to the Lundberg request, all three were requests for Variances to setbacks to allow existing residential structures to remain. In cases where structures have been inadvertently constructed either within a setback or over property lines, the property owner may apply for a Minor Boundary Line Adjustment or a Variance to attempt to resolve the code violation (the other method being removal of the encroachment). The following are other examples of Variances which have been approved within the North Tahoe area in order to bring existing structures into conformance:

1. Variance 3965 - Brockway Residential Area in Kings Beach – 4.2 miles from the Lundberg property. The County approved a Variance in 2002 to the front and side setbacks (including a zero-foot setback for an existing deck) in order to bring into conformance the existing residential structures.
2. Variance 2009124 – Agate Bay/Flick Point Residential Area – 5.5 miles from the Lundberg property. The County approved a Variance in 2009 to allow a garage addition and two sheds (built by a previous owner) to remain within a side setback area.
3. Variance 4162 – Martis Landing in the Northstar Residential Area – 8.2 miles from the Lundberg property. The County approved a Variance in 2003 for a 3.6-foot side setback (1.75 feet to the eaves) in order to add a dormer and bring into conformance the existing residence.

The Planning Commission concluded that special circumstances did exist in this particular case which supported the approval of a Variance for the upper deck. These special circumstances included the facts that construction of the original upper deck occurred approximately 36 years ago, the Placer County Zoning Ordinance at the time that the deck was originally constructed was interpreted to allow for a three-foot encroachment of decks into side setbacks and the upper deck was delineated by the County as an "existing" structure on both the May 2010 and August 2010 approved plans.

With regard to Ms. Varma's claim that the record contains no evidence of comparable properties in the same vicinity and under identical zoning restrictions to allow an encroaching deck to remain, staff has provided the Variances referenced above which demonstrate that there are in fact comparable residential properties within the Tahoe basin area which have been granted Variances in order to bring existing structures into conformance. Therefore, it is staff's opinion that Ms. Varma's assertions are without merit.

Adversely Affect Public Health and Safety

In her appeal, Ms. Varma states that the granting of the Variance would adversely affect public health or safety due to snow shedding and fire danger, and is injurious to Ms. Varma's property.

Staff Response

The Lundberg's property has a significant downhill slope from the road to the bottom of the parcel, with an elevation drop of 46 feet. The house and deck are situated near the top of the parcel, and were constructed with the pitch of the roof perpendicular to the adjoining property line with Ms. Varma. Therefore, any snow which may accumulate on the roof is going to naturally shed either towards the front of the house or onto the downhill side, and onto the deck. Snow which accumulates on the deck would logically be removed towards the downhill side of the house, where there is ample room for snow accumulation. Therefore, snow shedding would not have any significant effect on Ms. Varma's property.

According to the North Lake Tahoe Fire Protection District Fire Marshall, as long as the vegetation is kept down between the Lundberg's residence and any future adjacent residence to the south, and because any future residence on the Varma's property will be required to utilize construction materials which comply with current building codes (as does the Lundberg structure), there would not be an increased risk due to fire or safety if the Lundberg's deck is allowed to remain in its current position. Based upon the response from the Fire Marshall, the Planning Commission concluded that there is no additional risk from fire or safety hazards. The Placer County Building Services Division in Tahoe has stated that approval of the Lundberg Variance would not increase nor affect the setback for any future construction on Ms. Varma's property. Therefore, approval of the Variance for the upper deck would have no bearing on where Ms. Varma chooses to construct her future house, nor would it affect her usage, rights or enjoyment of her property. Staff concludes there is no merit to Ms. Varma's arguments that the granting of the upper deck Variance would adversely affect public health or safety.

Lower Deck

Ms. Varma supports the Planning Commission's decision and has reserved the right to testify during the Lundberg appeal on this issue.

LUNDBERG APPEAL

Upper Deck

In their appeal (Attachment 6) dated June 2, 2014, the Lundberg's have appealed the decision of the Planning Commission which would require them to remove all portions of their upper deck which encroach more than three feet into the five-foot setback. The Planning Commission's decision would permit the Lundbergs to retain approximately 29.4 square feet of the existing upper deck within the 5-foot setback area and would require the Lundbergs to remove approximately 4.1 square feet of the upper deck, which includes the corner vertical support post.

In their appeal, the Lundberg's have subsequently stated that they are willing to remove another 1.4 square feet of upper decking material from the corner of the upper deck, but are requesting the Board grant a variance that would allow the retention of a total of approximately 32.1 square feet of upper deck within the 5 foot setback area. (Please refer to Attachment 7 for a visual representation of this modified request.)

Staff Response

The Lundberg's appeal of the Planning Commission's grant of the upper deck variance focuses on whether the Board finds evidence in the record, oral and/or written, to support the findings to grant a variance for the entire 33.5 square feet of decking that currently encroaches into the 5 foot setback area.

When the Lundbergs initially applied for the upper deck variance to allow the approximately 33.5 square feet of upper deck to remain within the five-foot setback, staff was not convinced that findings in support of that request could be made. However, through further analysis of the history of the structure, a review of other variances granted for similar properties, and a review of all the correspondence and facts in this case, staff concluded and

recommended to the Planning Commission that it grant the variance for approximately 33.5 square feet of the upper deck to remain within the five-foot setback. As discussed above, staff determined that the upper deck was constructed when the zoning code allowed a three-foot encroachment for decks into the side yard setback area. Deducting the historical encroachment area, that left approximately 4.1 square feet, including the corner vertical support beam encroaching into the setback area. This, in staff's opinion, was a minimal departure from the setback requirements.

The Planning Commission disagreed. While the Commission could make findings to support a variance to allow the deck to encroach a total of 3 feet (for a total of 29.4 ± square feet) into the setback in recognition of the facts related to the original home construction, earlier versions of the Zoning Ordinance and permits granted, the Commission could not reach consensus on findings to support a grant of a variance for any portion of the upper extending beyond the three-foot encroachment area. In order to comply with the Planning Commission's decision, the corner vertical post and an approximately 4.1 square triangular section of upper decking material would need to be removed back to the three-foot encroachment line.

The approval or conditional approval of a variance may be granted only when the granting authority first determines that the Variance satisfies the criteria set forth for "Findings" in California Government Code section 65906 and the Placer County Zoning Code Section 17.60.100(D). While staff makes recommendations to the hearing body as to what it finds in its analysis to be findings, it is ultimately the role of the hearing body to ascertain what facts and evidence are presented in the record to support findings to grant a variance. In this instance, the Planning Commission identified facts and evidence to support the three-foot encroachment but none to support any further encroachments.

Lower Deck

Lundbergs' Position: The Lundbergs are also appealing the Planning Commission's denial of retention of the horizontal girder for the lower deck and encroachment of the same into the five-foot side yard setback, and are asking that the lower horizontal girder be allowed to remain as constructed in order to keep the structural integrity of the deck as a whole.

Ms. Varma's Position: In her appeal, Ms. Varma states that if the Lundbergs appeal the denial of the Variance for the lower deck that she intends to argue in support of the Planning Commission's action to deny the Variance request, because granting of a Variance for the lower deck would be legally unsupportable under Placer County Code, section 17.60.100 (Variance).

Staff Response

The Lundbergs are not appealing the Planning Commission's decision requiring that the lower decking material be removed and this portion of the lower deck variance matter is not before the Board. However, the Lundbergs are requesting that the lower horizontal girder which attaches to the vertical corner post be allowed to remain in order to maintain the structural integrity of the entire deck. In order to comply with the Planning Commission's decision, the double six-by-twelve lower horizontal girder would need to be removed back to the five-foot setback line, and a new vertical post would need to be constructed at the five-foot setback line. Staff forwards to the Board the Planning Commission's recommendation, which would require the entire lower deck, including the corner vertical post and horizontal girder, to be removed back to the five-foot setback line.

CONCLUSION

With respect to Ms. Varma's appeal, staff can find no validity in any of the assertions raised in her appeal. The majority of the issues raised are the same issues that were considered by the Planning Commission at its May 22, 2014 meeting. The Planning Commission, after conducting a public hearing and considering the testimony of the applicant, appellant and public, concluded that there are special circumstances applicable to the property, that the granting of the Variance for the upper deck to encroach three feet into the five-foot setback does not constitute a grant of special privileges, that the Variance does not adversely affect public health or safety, and that it is the minimum departure from the requirements of the Placer County Zoning Ordinance.

With respect to the Lundbergs' appeal, staff forwards the decision of the Planning Commission to allow the upper deck to encroach a maximum of three feet into the five-foot setback, and requires the lower deck, including the horizontal girder, to be removed to the five-foot setback. Staff finds no additional facts or evidence, nor do the Lundbergs present any in their appeal to support a modification of the Planning Commission's decisions on either the upper or lower decks.

RECOMMENDATION

1. Deny the third-party appeal filed by Vinita Varma.
2. Deny the appeal filed by Alan and Alvina Lundberg.
3. Affirm the decision of the Planning Commission by the following actions:
 - a. Determine the project is Exempt from environmental review pursuant to Section 15301 of the CEQA Guidelines and Section 18.36.030 of the Placer County Environmental Review Ordinance (Class 1 – Existing Facilities).
 - b. Deny the Variance for any portion of the lower deck (including the horizontal girder and corner vertical post) to remain within the five-foot setback; and
 - c. Approve the Variance to allow a maximum three-foot encroachment (approximately 29.4 square feet) into the five-foot setback for the upper deck and all the appurtenances thereto.

The Planning Commission's decision on the lower deck was based on the following finding:
The Commission finds no special circumstances to support findings to grant a variance for the lower deck.

The Planning Commission's decision to grant a variance for the upper deck as outlined in (c) above was based on the following findings:

- A. There are special circumstances applicable to the property. The original upper deck was constructed approximately 36 years ago. The Placer County Zoning Ordinance at the time that the deck was originally constructed was interpreted to allow for a three-foot encroachment of decks into side setbacks. Additionally, the upper deck was noted as an "existing" structure on the both the May 2010 and August 2010 plans submitted by the Lundberg's, and these plans were reviewed and approved by the Placer County Building Services Division in Tahoe and the Tahoe Regional Planning Agency. Lastly, the Variance request as modified by the Planning Commission for the upper deck to remain has a minimal impact on light, air and open space and meets the spirit and intent of setbacks and because of such circumstances, the strict application of this chapter would deprive the property of privileges enjoyed by other property in the vicinity and under identical zoning classification. The Commission finds no special circumstances to grant a variance to allow for the additional 4.1 square feet and with its decision mandates that all encroachments beyond three feet into the five foot setback area be removed.
- B. The granting of this Variance does not constitute a grant of special privileges inconsistent with limitations upon other residential properties in the vicinity and in the zone district. Based upon the site plan submitted to the County in 1979, the house and deck were represented to meet the setbacks. There are other instances within the Tahoe area of residences or decks inadvertently having been built over property lines or within the setbacks. In those instances, either approval of a Variance or a property line adjustment would be a method utilized to correct the problem.
- C. The granting of this Variance does not authorize a use that is not otherwise authorized in the zoning district. Approval of this Variance would authorize an existing deck to remain; decks are structures are allowed within this zoning district.
- D. The granting of this Variance does not, under the circumstances and conditions applied in the particular case, adversely affect public health or safety, is not materially detrimental to the public welfare, or injurious to nearby property or improvements. According to the Placer County Building Services Division

and North Lake Tahoe Fire Protection District, approval of the Variance would not adversely affect the setback of the neighboring property to the south, nor would it cause additional risk of fire or safety hazards.

- E. The Variance is consistent with the objectives, policies, general land uses and programs as specified in the North Tahoe General Plan. Approval of the Variance would be consistent with the Plan's objectives, policies and general land uses with regards to residential development.
- F. The Variance is the minimum departure from the requirements of Chapter 17 (Zoning Ordinance) necessary to grant relief to the applicant, consistent with sections (a) and (b) above.

ATTACHMENTS:

- Attachment 1: Record of Survey 3250, March 5, 2013 for Vinita Varma
- Attachment 2: Lundberg Site Plan
- Attachment 3: Section 1726 (c)(2) of Placer County Zoning Ordinance in Effect in 1977 and 1978
- Attachment 4: Structural Engineer's Memo on Girder and Post
- Attachment 5: Appeal from Vinita Varma
- Attachment 6: Appeal from Alvina and Alan Lundberg
- Attachment 7: Proposed Limits of Upper Deck Removal by Lundbergs
- Attachment 8: Picture of Limits for Upper and Lower Decks by Lundbergs
- Attachment 9: Proposed Limits of Lower Deck Removal by Lundbergs
- Attachment 10: July 7, 2014 Correspondence from Vinita Varma
- Attachment 11: Other Public Correspondence Received as of July 9, 2014
- Attachment 12: Recommended Conditions of Approval
- Attachment 13: Declaration of Carl Gustafson, Civil Engineer for Lundbergs
- Attachment 14: Declaration of Peter Gerdin, Licensed Architect for Lundbergs
- Attachment 15: May 22, 2014 Planning Commission Staff Report; Response and Submittals to the Planning Commission

cc: Vinita Varma – Appellant
Alvina and Alan Lundberg – Applicant/Appellant
Porter Simon Professional Corporation – Attorney for Vinita Varma
Diepenbrock Elkin LLP – Attorney for Lundbergs
Martin Wood – Representative for Lundbergs
Karin Schwab – County Counsel
Michael Johnson – Community Development/Resources Agency Director
EJ Ivaldi – Deputy Director, Planning Services
Sharon Boswell – Engineering and Surveying Division
Justin Hansen – Environmental Health Services
Tim Alameda – North Lake Tahoe Fire Protection District