

TRPA Governing Board

May 22, 2024

Agenda Item VIII. A.

Appeal of Approval of an Accessory Dwelling Unit
Permit, 32 Moana Circle, Placer County, California,
APN 098-191-018, TRPA File No. ERSP2023-0701,
Appeal File No. ADMIN2024-0005



TRPA Governing Board

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STAFF PRESENTATION

Staff Recommendation: Deny the appeal and affirm the Executive Director's decision to issue the permit.

Overview of Issues

Issue 1: Required Findings

Issue 2: Achievable Housing Bonus Unit

Issue 3: Scenic Assessment

Proposed ADU/Garage



Tahoe Basin Area Plan

TABLE 2.03.BB-1: LAND USE REGULATIONS — TAHOMA RESIDENTIAL SUBDISTRICT		
Allowable Land Uses	Land Use Permit	Add'l Regs.
Residential		
Single-Family Dwelling	A	
Multiple Family Dwelling	A	
Multi-Person Dwellings	MUP	
Employee Housing	A	

Implementing Regulations, Ch. 2 BB.

Tahoe Basin Area Plan

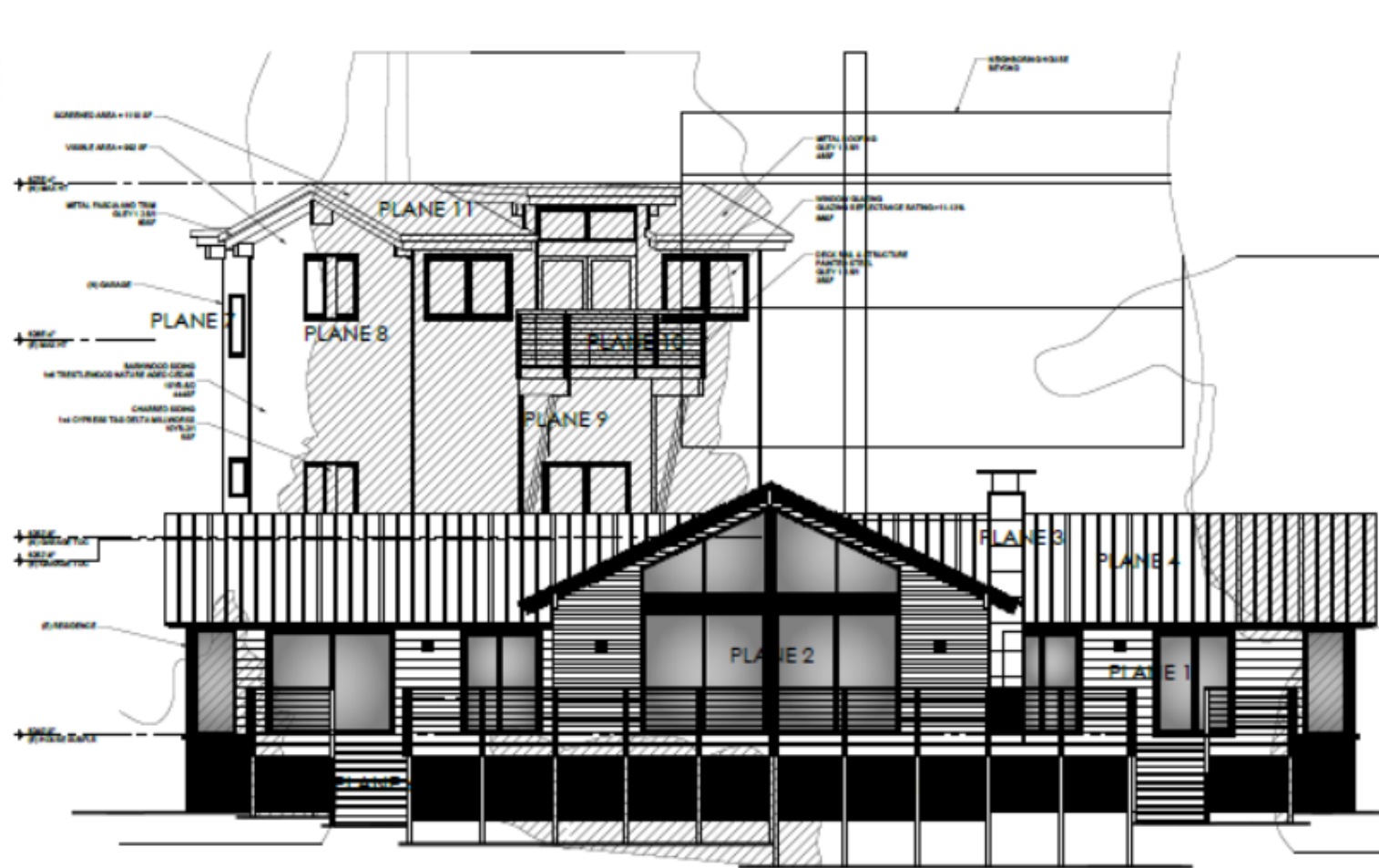
BB. **Tahoma Residential Subdistrict.** The Tahoma Residential Subdistrict is located within the West Shore Subarea. This area should continue to be residential, maintaining the existing character of the neighborhood.

1. **Special Designations.** (See Section 3.14)
 - a. TDR Receiving Area for Existing Development; Multi-Residential Units.
 - b. Preferred Affordable, Moderate, and Achievable Housing Area
2. **Special Policies.**
 - a. Placer County, El Dorado County, and the Tahoe City Advisory Council should continue to coordinate efforts with TRPA and State agencies to solve water quality problems in this area.
 - b. Water treatment facilities such as settling ponds should be located in this area.
 - c. Provide opportunities for development of a variety of multi-residential housing types with an emphasis on affordable, moderate, and achievable housing.



Implementing Regulations, Ch. 2 BB.

View from Lake Tahoe



NORTH ELEVATION - LAKEFRONT FACADE
SCALE 1/4" = 1'-0"

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APPELLANTS' PRESENTATION

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PERMITTEE'S PRESENTATION



Appeal of Approval of an Accessory Dwelling Unit Permit

32 Moana Circle, Placer County, CA

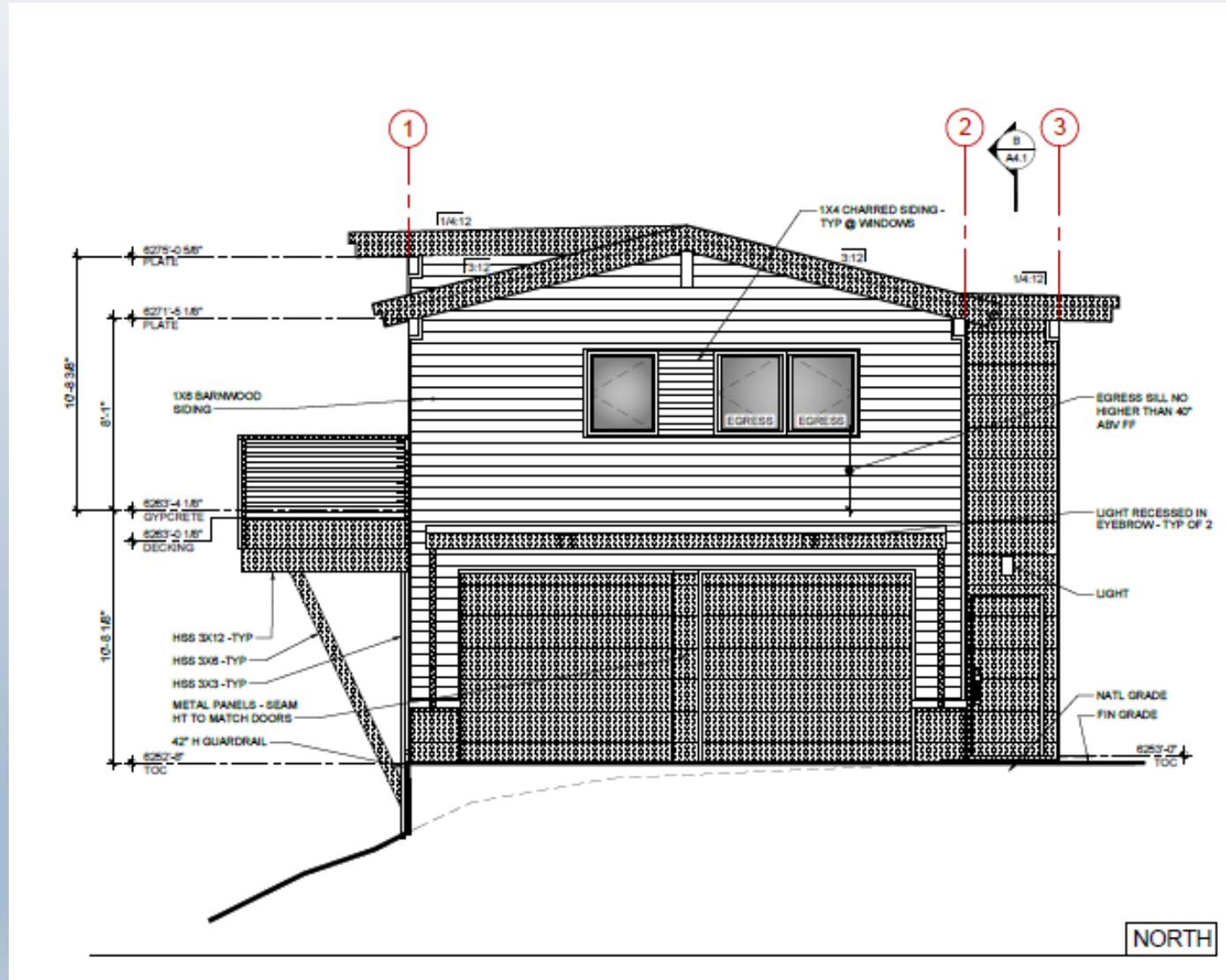
Assessor's Parcel Number 098-191-018

TRPA File No. ERSP2023-0701,

Appeal File No. ADMIN2024-0005

32 Moana Circle

ADU Submittal



TGMARCHITECT
TODD GORDON MATHER

PO Box 7675 Tahoe City CA 96145
530 414 4662 TGMarchitect.com

Figone ADU
& Garage

32 Moana Circle
Tahoma CA 96142
Placer County APN 098-191-018

Complaint

*Figone v. Moana Beach Property
Owners Association, Inc., et al.*

*Placer County Superior Court
Case S-CV-0051883*

ELECTRONICALLY FILED

Superior Court of California,
County of Placer

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By: Marina C Olivarez Fuentes
Deputy Clerk

1 MICHAEL B. BROWN (Bar No. 179222)
michael.brown@stoel.com
2 CHLOE M. FISHER (Bar No. 352019)
Chloe.fisher@stoel.com
3 STOEL RIVES LLP
500 Capitol Mall, Suite 1600
4 Sacramento, CA 95814
Telephone: 916.447.0700
5 Facsimile: 916.447.4781

6 Attorneys for Plaintiff Victoria Figone, Individually
and as Trustee of the Figone Family Trust FBO
7 Sarah J. Ihnken (2020) and Figone Family Trust
FBO Linda I. Ihnken (2020)
8

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA

10 COUNTY OF PLACER

11 VICTORIA FIGONE, individually and as Trustee
of the FIGONE FAMILY TRUST FBO SARAH
J. IHNKEN (2020) and FIGONE FAMILY
12 TRUST FBO LINDA I. IHNKEN (2020),

13 Plaintiff,

14 v.

15 MOANA BEACH PROPERTY OWNERS
ASSOCIATION, INC., a California non-profit
mutual benefit corporation; JENS EGERLAND;
16 JOHN ABEL; JEANNIE CONNER; MARION
ILES; BRUCE MATESSO; and DOES 1 through
17 10, inclusive,

18 Defendants.
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20
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Case No. S-CV-0051883

VERIFIED COMPLAINT FOR:

(1) BREACH OF DECLARATION

**(2) BREACH OF IMPLIED COVENANT
OF GOOD FAITH AND FAIR DEALING**

**(3) VIOLATION OF CIVIL CODE
SECTION 4765**

**(4) VIOLATION OF CIVIL CODE
SECTION 4751**

**(5) DECLARATORY RELIEF (BREACH
OF DECLARATION)**

**(6) DECLARATORY RELIEF
(VIOLATION OF CIVIL CODE
SECTION 4765)**

**(7) DECLARATORY RELIEF (CHANGED
CIRCUMSTANCES, ESTOPPEL AND
WAIVER)**

**(8) DECLARATORY RELIEF
(VIOLATION OF CIVIL CODE
SECTION 4751)**

(9) BREACH OF FIDUCIARY DUTY

(10) INJUNCTIVE RELIEF

Action Filed:
Trial Date: Not Set

Moana Circle Map

24 to 25 have two story residences.

Ms. Figone's existing residence (32 Moana Circle), highlighted in yellow is single-story.

*Appellant Meyer's property at 25 Moana Circle is a **two-story** residence with 3,435 square feet of living space with an 876 square foot garage.*

*Appellant Catterson's property at 35 Moana Circle is a **two-story** residence with 2,030 square feet and a 370 square foot garage.*

Appellant Egerland's property at 45 Moana Circle is a single-story residence with 2,934 square feet and a 336 square foot garage.



25 Moana Circle

Ms. Figone's Property will be a comparable size or smaller than Appellants' properties.

Appellant Meyer's property at 25 Moana Circle is a two-story residence with 3,435 square feet of living space with an 876 square foot garage.



25 Moana Circle

Proposed ADU does not block views

**Lake Tahoe View from Deck of
25 Moana Circle and Story Poles
Barely Visible on Left Side of
Photo**



35 Moana Circle

Proposed ADU does not block views

**Lake Tahoe Views from Deck on
35 Moana Circle with
Story Poles to Right of Flag**



45 Moana Circle

Proposed ADU does not block views

**Lake Tahoe View from Deck on
45 Moana Circle (owned by
Defendant Board Member Jens
Egerland)**



48 Moana Circle

Photograph of the lakefront property (48 Moana Circle) from across the street at 65 Moana Circle show that the views were completely blocked by the two-story improvements at 48 Moana Circle



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APPELLANTS' REBUTTAL



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GOVERNING BOARD COMMENTS

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PUBLIC COMMENT

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GOVERNING BOARD DELIBERATION AND FINAL STAFF RECOMMENDATION

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MOTION

A motion to grant the appeal.