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1418-15-801-008

DOC # 0699211
04/16/2007 01:06 PM Deputy: DW
OFFICIAL RECORD
Requested By:
TRPA

Assessor's Parcel Number: 114-15-801-008

Recording Requested By: Tahoe Regional Planning Agency

✓ Name: Jean Bauwens, Paralegal

Address: 128 Market Street

City/State/Zip Stateline, NV 89449

Real Property Transfer Tax: \$ N/A

Douglas County - NV
Werner Christen - Recorder
Page: 1 of 5 Fee: 43.00
BK-0407 PG-4622 RPTT: 0.00



SINGLE FAMILY DWELLING ADDITION PERMIT AS PART OF
LITIGATION SETTLEMENT

(Title of Document)

This page added to provide additional information required by NRS 111.312 Sections 1-2. (Additional recording fee applies)

This cover page must be typed or legibly hand printed.

TAHOE REGIONAL PLANNING AGENCY

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Stateline, Nevada 89449

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SINGLE FAMILY DWELLING ADDITION PERMIT AS PART OF LITIGATION SETTLEMENT

PROJECT DESCRIPTION: Single Family Dwelling Plan Revision APN: 114-15-801-008
Former APN 001-130-06

PERMITTEE(S): Charles Bluth

FILE #: 20040587

COUNTY/LOCATION: Douglas County, 1730 Highway 50

Having made the findings required by Agency ordinances and rules and in settlement of the pending litigation, TRPA v. Charles Bluth (Case No. 3:04-CV-00419-LHR-RAM, D.NV), TRPA approves the project as of **January 24, 2007**, expressly conditioned on TRPA Governing Board approval, and subject to the standard conditions of approval attached hereto (Attachment R) and the special conditions found in this permit.

This permit shall expire on **January 24, 2010**, 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 FURTHER CONSTRUCTION OR GRADING SHALL COMMENCE UNTIL THE PERMITTEE OBTAINS 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. NO CONSTRUCTION OR GRADING SHALL COMMENCE UNTIL ALL PRE-CONSTRUCTION CONDITIONS OF APPROVAL ARE SATISFIED AS EVIDENCED BY TRPA'S ACKNOWLEDGEMENT OF THIS PERMIT. IN ADDITION, NO CONSTRUCTION OR GRADING SHALL COMMENCE UNTIL 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 AND A TRPA PREGRADING INSPECTION HAS BEEN CONDUCTED. TRPA'S ACKNOWLEDGEMENT IS NECESSARY TO OBTAIN A COUNTY BUILDING PERMIT.

TRPA Executive Director/Designee

1-24-07

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. This permit and conditions thereof run with the land, and must be disclosed at the time of property transfer. I understand that TRPA will record this permit against the property for notice to subsequent purchasers. 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)

CHARLES BLUTH

Date

1/25/07

PERMIT CONTINUED ON NEXT PAGE

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APN 1418-15-801-008
FILE NO. 20040587

Air Quality Mitigation Fee: Amount \$ 2,400.00 Paid 5/29/02 Receipt No. 411120
Excess Coverage Mitigation Fee: Amount \$ 23,153.00 Paid 5/29/02 Receipt No. 411120
Security Posted: Amount \$ 19,954.00 Posted 5/29/02 Receipt No. 411120 Type CK
Security Administrative Fee: Amount \$ 139.00 Paid 5/29/02 Receipt No. 411120
Required plans determined to be in conformance with approval: Date: 1-29-07

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:

 1-29-07
TRPA Executive Director/Designee Date

SPECIAL CONDITIONS

1. This permit is for previously completed and proposed improvements for the subject parcel. This permit includes modification of the location and total amount of site coverage, permanent Best Management Practices (BMPs), landscaping, and shorezone restoration.
2. Prior to permit acknowledgement, the following conditions of approval must be satisfied.
 - A. The site plan in TRPA files dated March 31, 2005 by Resource Concepts is the latest coverage plan submitted by the applicant in TRPA's possession. This site plan, with the requisite modifications noted below, will be the basis to approve onsite and offsite coverage in the parcel's three different land capability districts, and permanent BMPs.
 - B. The applicant shall submit a Final Site Plan accurately and fully reflecting the following modifications and/or additions:
 - (1) The Final Site Plan shall restate the existing coverage in the project area.
 - (2) The Final Site Plan shall show one set of trees as opposed to trees in green and red ink, show one shorezone line (the line delineating land capability district 1b from land capability district 2, as drawn by Tim Hagan of TRPA on June 6, 2001), change the coverage table to include coverage in land capability district 1b. Coverage allowed in land capability district 1b shall include the rock steps leading to the breakwater, portions of the house and patio, portions of the lower pond, and a proposed path leading from the house to the beach with a maximum width of 4 feet. Maximum coverage in the project area shall not exceed 26,812 square feet.
 - (3) The Final Site Plan shall accurately and fully show all existing and proposed BMPs including roof drainage from all structures.
 - (4) The Final Site Plan shall accurately and fully show finish contours in accordance with the conceptual Shorezone Restoration plan, prepared by Michael Hagan. Slopes shall not exceed 2 to 1.

- (5) The Final Site Plan shall show the proposed restroom for marina users.
- C. Submit a true and accurate Floor Plan for the 803 square foot building northeast of the main residence. The Floor Plan must not include a kitchen.
- D. The applicant shall submit the Landscape Plan and Shorezone Revegetation Plans dated May 1, 2004, with the following modifications and additions:
- (1) Show the shorezone boundary (the line dividing land capability district 1b and land capability district 2), as drawn by Tim Hagan on June 6, 2001.
 - (2) Show all existing and proposed plants.
 - (3) The Final Shorezone Restoration Plan prepared by Michael Hogan should be shown, including a sloping permeable shoreline protective structure in accordance with the conceptual sketch submitted to TRPA on November 29, 2006. Show all riparian plantings within and adjacent to the proposed structure, and provide several cross sections showing the slope and design details of the structure.
- E. The applicant shall submit 3 copies of each of the final revised plans for TRPA staff approval prior to Governing Board action of this Permit: the Final Site Plan, the Floor Plan (on the Final Site Plan), the Final Landscape Plan, and the Final Shorezone Restoration Plan (on the Final Site Plan).
- F. Submit a detailed and itemized construction completion schedule for proposed future work. The schedule shall include completion of all required items no later than October 15, 2007. The applicant shall arrange a final security inspection by TRPA no later than October 31, 2007.
- G. Submit detailed information on method of draining ponds while preventing discharge to Lake Tahoe.
3. No tree or trees on the parcel shall be removed or trimmed without prior TRPA written approval.
4. This approval is based on the permittee's representation that all Final Plans as specified in Paragraph E, above, and other information in the subject application are true and correct. If any information or representation submitted in connection with the project application is incorrect or untrue, TRPA may rescind this approval, or take other appropriate action.
5. All exterior lighting within the project area (i.e., the parcel) shall be consistent with TRPA Code of Ordinances, Chapter 30, Section 30.8, Exterior Lighting Standards.
6. The permittee is responsible for ensuring that the project, as built, does not exceed the approved land coverage figures shown on the Final Site Plan. The approved land coverage figures shall supersede coverages as measured from scaled drawings when discrepancies occur.
7. TRPA inspectors or authorized agents shall be permitted to inspect the project for compliance. Inspections may occur after TRPA gives the applicant reasonable notice, and no less than 24 hours notice, prior to the inspection. Compliance inspections may occur at any reasonable time up until TRPA releases the project security. The permittee or representative is to be present during inspections.
8. Replacement plants shall be replaced with native or adapted species from the TRPA Plant List or as otherwise approved by TRPA, unless planting smaller accent plants.



