



## Incline Village Crystal Bay Citizens Advisory Board

DRAFT: Approval of these draft minutes, or any changes to the draft minutes, will be reflected in writing in the next meeting minutes and/or in the minutes of any future meeting where changes to these minutes are approved by the CAB.

Minutes of the Incline Village Crystal Bay Citizens Advisory Board meeting held at Incline Village General Improvement District, 893 Southwood Blvd, Incline Village, NV 89451 on November 4, 2019, 5:00 P.M.

1. **\*CALL TO ORDER/ PLEDGE OF ALLEGIANCE** – Pete Todoroff called the meeting to order at 5:32 P.M.

2. **\*ROLL CALL/DETERMINATION OF A QUORUM** - Pete Todoroff, Kevin Lyons, Michael LeFrancois, Mike Sullivan. A quorum was determined.

Absent: Judy Miller(excused)

3. **\*PUBLIC COMMENT** –

With no requests for public, Chair Todoroff closed the public comment period.

4. **APPROVAL OF AGENDA FOR THE MEETING OF NOVEMBER 4, 2019** – Kevin Lyons moved to approve the agenda. Mike Sullivan seconded the motion to approve the agenda for **NOVEMBER 4, 2019**. Motion carried unanimously.

5. **APPROVAL OF THE MINUTES FOR THE MEETING OF JUNE 3, 2019** – Mike Sullivan noted he is an alternate and the minutes noted he was absent/not excused, but alternates don't need to be excused. He requested that to be reflected. Kevin Lyons moved to approve the minutes of **JUNE 3, 2019** with correction that Mike Sullivan was absent. Mike Sullivan seconded the motion to approve the minutes as corrected. Motion carried unanimously.

6. **DEVELOPMENT PROJECTS**- The project description is provided below with links to the application or you may visit the Planning and Building Division website and select the Application Submittals page:  
[www.washoecounty.us/comdev](http://www.washoecounty.us/comdev)

6.A. **Special Use Permit Case Number WSUP19-0006 (Verizon Monopole)** - Request for community feedback, discussion and possible action to forward community and Citizen Advisory Board comments to Washoe County staff on a request for a special use permit for the construction of a new wireless cellular facility consisting of a 45-foot-high stealth monopine structure (aka cell phone tower disguised to resemble a pine tree) designed as a collocation facility and a small cabin structure to house the wireless equipment. The monopole is proposed to be located on the southern portion of the 3 acre parcel at 1200 Tunnel Creek Road. (for Possible Action)

- Applicant\Property Owner: Epic Wireless for Verizon Wireless\Tunnel Creek Properties, LLC
- Location: 1200 Tunnel Creek Rd.
- Assessor's Parcel Number: 130-311-17
- Staff: Julee Olander, Planner; 775-328-3627; [jolander@washoecounty.us](mailto:jolander@washoecounty.us)
- Reviewing Body: Tentatively scheduled for the Board of Adjustment on December 5, 2019

Buzz Lyn, Applicant representative, provided an update with the changes since the last time it was proposed.

Mike LeFrancois asked if there are any proposed trees in the area that are similar to the proposed tree. Buzz said the monopine is much shorter, and mimics the jeffery pine in the surrounding area.

Kevin asked if there were any other changes to the application

Public comment:

David Geddes said it's important to include the pad elevations for the mechanical room and the tower. He spoke about fill that isn't depicted in the plans. He said the simulation pictures show the roadway. It's not realistic. Realistically, someone can see the entire tree. He said the pine tree tapers naturally, but the tower has a box at the top. It's important to see what it actually looks like. He spoke about the mechanical room on the roadway. It needs to be clarified. The pad elevation is very important. The most important simulation is simulation from the residence. This will obstruct the multimillion-dollar view. The board needs to consider these things. He said it would be helpful to put stakes in the ground to show the location of the pad and depict the height of the tree to show the structure.

Pricilla O'Leary provided a written comment – The cell tower produces a lot of trash in the form of plastic looking blades. We picked up approximately 2,300 pieces of trash produced by the cell tower.

Alec Flores held up a jar with pine needles. He spoke about the materials from the pine tree on the Mountain Golf Course. He asked how this will impact the Lake. If it will be constructed to mimic the monopine, he asked how it will be constructed and with what materials. He said we need cell coverage but not at the expense of the lake.

Hillary asked if there is limit on expansion. She said Scientific American article spoke about impact of cell towers. She asked if the tower can be limited to 4G. She asked that this is not a blanket approval and limit usage. Please research human safety. She said she doesn't care what it looks like but sympathize with the neighbors who have to look at it, and it should be screened with other natural trees. She said it should be designed for one usage. Look at the impact on humans before expanding.

Craig Olson, Tunnel Creek owner, he said he has done cell sites on property before. He said he put Verizon through the ringer about the appearance. He said this is his property. He said if he was concerned about radio waves, he wouldn't put it on the property. He said he wants it to look good. He said he is concerned with the materials falling off as well. He said he spoke with Buzz about the tree shedding. He said there will be strong language in the contract. He said he doesn't want to put trash in the lake either. He wants to reduce waste and protect the lake. He said cell towers are NIMBY. It won't impact Mr. Geddes or his mother-in-law. He said he met with Duffield's representative. He invited everyone to meet and talk to him. He said he doesn't need the lease money, but we need to coverage. He said they are accepting comments about the look and how to protect the environment.

John Finney, neighbor of Craig Olson, spoke about 5G technologies. It will be distributed on smaller posts around town. It's not a larger tower for 5G.

Hillary asked if another company gets added to the same location, does it increase the cell tower power. Mike Sullivan said the other cell tower proposed was 125 feet. This one is 45 feet. Buzz said carriers like to co-locate so they don't have to recreate cell towers, but at 45 feet, there isn't the opportunity. He said if that is to happen, it would come back to the CAB.

Mike LeFrancois asked about the proposed changes. Buzz said it wasn't to the pole or antenna which will remain the same. He said the structure would move downhill to reduce the view shed by 12 feet vertical and horizontal.

Pete Todoroff asked if it was staked out. Buzz said no. Pete said it would be helpful.

Julee Olander said there are 3 distinct trees where it will be located. She would be happy to send pictures.

Craig Olson said equipment shed with air conditioning units didn't go over well with him since it doesn't look like a log cabin. The air conditioning unit will be on the inside. Craig said he is doing everything to make it look like it belongs there..

Kevin Lyons explained wave length and energy between 4G and 5G technology. He said he would live next to this tower.

**MOTION: Kevin Lyons moved to recommend approval and recommend it being staked. Mike Sullivan seconded the motion to recommend approval and to forward community and Citizen Advisory Board comments to Washoe County staff on a request for Special Use Permit Case Number WSUP19-0006 (Verizon Monopole). Mike Sullivan noted Craig Olson will be the first person to approve or deny the final project. The motion passed unanimously.**

**6.B. Abandonment Case Number WAB19-0002 (Romance Ave.)** – Request for community feedback, discussion and possible action to forward community and Citizen Advisory Board comments to Washoe County staff on a request for an abandonment of Washoe County's interest in ±3,231 square feet of the southern portion of the unimproved right-of-way of Romance Avenue between Lake Tahoe and Lakeshore Drive to the property owner at 1713 Lakeshore Drive (APN: 130-331-05) to the south of the abandonment site. (for Possible Action)

- Applicant\Property Owner: Lee Herz Dixon\Washoe County
- Location: Adjacent to parcels 130-331-04 & 05 off Lakeshore Drive
- Assessor's Parcel Number: 130-331-05
- Staff: Julee Olander, Planner; 775-328-3627; [jolander@washoecounty.us](mailto:jolander@washoecounty.us)
- Reviewing Body: Tentatively scheduled for the Planning Commission on December 3, 2019

Art O'Connor, applicant representative, provided a PowerPoint slide show.

- Requesting abandonment of south half of Romance.
- He provided a map of the location south of Incline Village.
- Romance pre-dates the dam in 1909
- He spoke about the lake levels
- In 1933, a new map was recorded with new alignment of Highway 28
- Washoe County has already abandoned 3 roads in Rocky Point
- He reviewed Rocky Point Topographic map
- Romance contours are steep slopes
- He said the property line crosses through the neighbor's property. It's an encroachment.
- He showed pictures and a video of existing public access
- He showed pictures of Romance parcel and property line of the Dixon's, IVGID Pump station, and storm drain treatment system
- He spoke about hill scar and erosion. He said they are proposing turfstone/gravel and access for IVGID access to lift station where the hill scar is located.

Benefits of abandonment:

- Dixon deck encroachment resolved
- 3,200 s.f. added to tax roll
- Erosion mitigation
- Repair access to lift station
- Automatic backup power for lift station
- IVGID lift station protected with fencing
- Public access built to current code
- Turfstone path environmentally friendly

Pete Todoroff said he went down there Saturday and agrees with the erosion issues. Art said they will clean that up and include a utility board to replace the old plywood.

Kevin asked the history of the dock structure. Art said the people across the street built that many years ago. You cannot receive prescriptive right on public property. Everyone can access that dock. The County expressed the desire to obtain it and updated it to code. He said he believes it was 50 years old. Kevin asked how wide. Art said 50 feet. He said IVGID will take 20 for access to lift station, with 5 feet for public access. Kevin asked if the appraisal was done. Art provided background on the nearby abandonment, and the County did not get money. Half will be valued for Dixon on boundary line and increase their evaluation of taxes and County will start to collect. Art said it probably wasn't surveyed. Kevin spoke about paying fair value of the land unless it was a mistake by the County. Kevin said you are taking public property and transferring it private owner. He said it's curious behavior without fair compensation of public funds. He said appraisals might equal the improvements. Art showed the map of their deck and shed and reconstruction of the property. He said it use to be a larger encroachment. He spoke about an established buoy and right to build a community pier. He said the Dixon's want to build a community pier to be used by the Steinheimers and Finney property. Art spoke about fencing and screening with vegetation. He said they will have to do a boundary line adjustment. This property has been in the family since 1926. Kevin said there needs to be an appraisal; it's public property. He asked how there can be transfer public land without appraisal. Art said the County hasn't been collecting taxes on this property. It's being put on the tax roll. Art spoke about application appendix of previous abandonment.

Mike LeFrancois asked how they will maintain the land. Art said IVGID will maintain it. Julee Olander said IVGID will maintain fence around lift station, and nothing else. It's not IVGID property, its Washoe county property, but can't find interest in maintaining this land. Art said IVGID didn't repair the scar after replacing the lift station. Julee Olander said she wasn't sure if the County wants liability of this access. She said it's currently public access.

Public Comment:

Richard Dixon said he doesn't mind paying for appraisal, but it's a non-buildable lot. People have been using that street as access to the lake. We have started to see deterioration and there is soil erosion. He said he doesn't mind leasing or renting it. He said the County isn't taking care of it. He said they won't build on it, but rather landscape it. He said we spend our money to maintain County land with native vegetation. He said across the street neighbor had pipes and electrical lines run down there. He said we have problem with exposure liability to the County. The people across the street wants to access the lake. He said we are trying to satisfy, but the county doesn't know what they want. We are trying to rectify the erosion and abide by TRPA strict guideline. He said we won't build on it, but we want to plant vegetation to prevent erosion.

Matt Callahan said his father built the cabin across the street in 1958 and installed the pipes. That is why that structure was built originally for a pump house. He said 4 generations have used that dock. He said they have maintained that dock. He said they have a problem with meeting noticing. He said we found out last Friday about this meeting. The neighbors emailed him. He said there isn't delivery of mail to physical address. It's lack of legal notice since they just found out about it. The abandonment of Romance will take away their access. Matt said he has IVGID water. The piping was taken out at that time. Art said their dock is not part of the abandonment. Mike Sullivan asked about noticing. Julee Olander said it's a courtesy notice; it will be required noticing when it goes to Planning Commission. Julee noted she sent it to PO boxes, not to physical addresses. She said they use the tax bill address. The official notice will go out when it goes before the Commission. Matt said he didn't talk to the Dixons. They aren't on the best terms.

Derek Callahan spoke about how his grandfather built the cabin and pumped water since early 60s. There has been no notification that it's not supposed to be there. He asked why does the Dixon have say of what happens of the northern section of Romance avenue. It's disingenuous to say it's not upkept. He said his mom spends time and money to keep it maintained.

Pete Todoroff asked for clarification about being what is being maintained. Derek said they maintain the dock structure. They use the slope to access. Pete said the slope is not being maintained. He said there is an issue with erosion. Matt said he has been asking the County to replace the steps for 5 years now.

Jenette Finney, neighbor, said TRPA should go after Washoe County and IVGID for BMPs. It's not the Callahan/Herz to maintain that hill cut. She said there were old wooden stairs that disappeared that was the access. It's been removed on public land. IVGID needs to access the lift station.

Lee Dixon, 1713 Lakeshore, said she refuted what has been said. The wooden stairs were built by her uncle on the south end. It was removed by IVGID because they felt it was endangering their staff down to the lift station. There has been steps carved out illegally. She said she saw Matthew and Derek dig out those stairs which increased erosion. The property is not maintained. The only maintenance added was caution tape added two years ago that said use at your own risk.

Catherine Julian asked if this dock permitted on public land or private land. She asked who is allowed to use it. She asked for clarification. Lee Dixon said its Washoe county property with unpermitted structure. Kevin Lyons provided a similar situation with Crystal Bay public access to the lake. She said she can use it. Richard Dixon said he called Joe Pomroy when they were doing this, and Joe said he was tearing it down because it was unsafe. Richard Dixon said he can use his stairs as easement. He said Joe is concerned about someone messing with the plumbing and so it will be fenced and landscaped. It's not safe currently. Not one wants sewage in the lake. Richard said he would put a generating source so that would not happen. He said he will spend so you won't have to look at it.

Tina Williams said spoke about how she doesn't see a difference between the docks both encroaching into public land. It's public access land being cleaned by a private owner. She said anyone would love to receive an abandoned piece of land on the lake. She said no one has maintained it. She said someone was struck and killed on the highway. Its public access with no proper access and parking. She said we want access to the lake, but any person acquiring land from public should go through process of being purchased as a lot on the lake that someone has the right to buy. Lee Dixon said its public access now. It's no different than abandonment than Twain or Reno in which the abandonment was approved. We are asking for that same courtesy.

Jeanette Finney, neighbor, said he knows about the abandonments. He provided history of the abandonment.

Mr. Connor said the last previous abandonment portion of Romance across the road was for absolutely no money. He said they built illegally on County right-a-way. County gave them the land instead.

Julee Olander said the County abandons without charging a fee. It's a piece of property the County doesn't want to maintain. She provided clarification of why we are abandoning it. She said there are plenty of ways abandonment can be done. It's proposed for 25 feet. But it can be only 10 feet, 25 feet, or nothing at all. She is trying to take in all the voices and comments.

Pete wanted clarification regarding noticing per NRS. Julee Olander said this is courtesy notices, but required notices will go out for the Planning Commission and Board of County Commissioners.

Lee Dixon said this is decades of resentment and familial objections.

Tina Williams said abandonment can take place in different ways. This is a special and unique case on the Lake. As a member of the public, there is already limited lake access for public. This is going from public to private.

Jeannette Finney said no one at Rocky Point has access to IVGID beaches. This is Callahan/Herz' access to the beach.

Susan Herz Callahan read a letter her brother wrote. They are requesting postponement. She said she can provide invoices of maintenance of the dock. A dock was created back in the 60s. She reiterated they haven't had time to digest what is this application so they can seek council.

Mike LeFrancois said Washoe County doesn't have a lot of land on the lake. He said there are options for public access. Erosion can be solved. There is lack of maintenance.

Kevin Lyons spoke about typical abandonment cases. He spoke about the land swap proposed for bull wheel for lake access in Crystal Bay. He said there is a lot of opportunities. IVGID should be held responsible for repairing the land. The County isn't maintaining it and they aren't getting money generated from it. He suggested perhaps an endowed park. He said make sure this land of value is being done properly. It doesn't feel ready. There could be a good solution here.

Mike Sullivan said it's been sitting for so long, let IVGID do what they want. IVGID was wrong on the whole deal. I'm surprised the County isn't upset about it. Art said IVGID didn't cut those stairs.

Pete Todoroff said Planning Commission will hear this on December 3<sup>rd</sup>. He invited them to attend the Commission meeting to state their concerns. Matt asked for extension. Julee said they can discuss this further after the meeting, and we can come forward with something to agree with all parties.

MOTION: Kevin Lyons recommended the neighbors talk with the County. Kevin Lyons moved to recommend further work on this before the Planning Commission hears this item, and forward minutes and comments to County Staff. Pete Todoroff seconded the motion. The motion passed unanimously.

**7. \*WASHOE COUNTY COMMISSIONER UPDATE-** Commissioner Berkbigler was not available to address questions and concerns from the CAB and the audience. Commissioner Berkbigler can be reached at (775) 328-2005 or via email at [mberkbigler@washoecounty.us](mailto:mberkbigler@washoecounty.us).

Julee Olander announced there will be a Tahoe Area plan neighborhood meeting with Eric Young after Thanksgiving. She said there will be a notice sent to the community. They are still having conversation about where that meeting will be located.

**8. \*CHAIRMAN/BOARD MEMBER ITEMS-** This item is limited to announcements by CAB members. (This item is for information only and no action will be taken by the CAB).

There were no updates

**9. \* GENERAL PUBLIC COMMENT AND DISCUSSION THEREOF –**

With no requests for public comment, Pete Todoroff closed the public comment period.

**ADJOURNMENT** – meeting adjourned at 6:41 p.m.

Number of CAB members present: 4

Number of Public Present: 12

Presence of Elected Officials: 0

Number of staff present: 1

Submitted By: Misty Moga

**From:** [babisnar@gmail.com](mailto:babisnar@gmail.com)  
**To:** [Olander, Julie](#)  
**Subject:** Dixon Abandonment hearing  
**Date:** Monday, January 24, 2022 1:33:02 PM

---

[**NOTICE:** This message originated outside of Washoe County -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Julie,

Just wanted to offer my comments on the Dixon abandonment hearing. I live on the adjacent parcel to the north side of the parcel in question. I fully support the Dixon's receiving this section of the parcel. We have a problem with people using this lot to access the water. There have been stairs carved in to the hillside and I know the Dixon's will be very good stewards where this section of land is concerned.

Respectfully,

Brent Bisnar  
1709 Lakeshore Blvd.  
Incline Village, NV



---

**From:** Basin Strategies <basinstrategies@gmail.com>  
**Sent:** Tuesday, February 1, 2022 8:02 AM  
**To:** larrypeyton@comcast.net; KateNelsonPE@gmail.com; Donshick, Francine; Flick, Michael; Chvilicek, Sarah; Chesney, Larry; Phillips, Patricia; ken@kraterconsultinggroup.com; Hill, Alexis; Olander, Julee; Washoe311; Flick, Michael; Chesney, Larry; Hill, Alexis; Brown, Eric P.; Kerfoot, Lacey  
**Subject:** Addressing comments regarding February 1, 2022 Agenda Item #10A Abandonment Case Number: WAB19-0002 (Romance Avenue)

**[NOTICE:** This message originated outside of Washoe County -- **DO NOT CLICK** on links or open attachments unless you are sure the content is safe.]

Dear Planning Commission Members and County Staff Members,

I am writing to you on behalf of Richard and Lillian Dixon, the applicants for the above-referenced abandonment project. I am a planning consultant and a resident of Incline Village.

I would like to request your support of the 20-foot-wide abandonment of the southern portion of the unimproved Romance Avenue right-of-way, consistent with Washoe County Staff's recommendation to approve the project with the conditions outlined in the staff report.

I would also like to address the questions and comments you received in opposition to this project:

**Question 1:** Why does this project not include upfront fair market value compensation for this public land?

**Response:** The Dixons have been willing to pay fair market value compensation for this land area. Although the abandonment may increase the size of their property, there is no significant increase in value or development potential because the area is criss-crossed with easements, large boulders, steep terrain and is essentially unbuildable. The Dixons had offered to purchase the property in an amount commensurate with its low value dependent upon an appraisal. They met with the County on several occasions to arrange for an appraisal in November and December 2019. Unfortunately, COVID intervened and the project did not go forward until now.

The property taxes will, however, increase substantially with the abandonment and the additional taxes will be collected annually in perpetuity.

As noted in the first of four possible alternatives explored by the County in the past three years, requesting compensation was determined not to be a feasible option because, *"Incline Village General Improvement District (GID) has a [sewer] lift station located in the ROW and obtaining an appraisal of the ROW with the lift station located in the ROW was difficult;"* (noted at the bottom of page 5 of 9 of the staff report for this project).

Once all alternatives were thoroughly explored, *"...staff ultimately concluded that the abandonment was the best solution."* (per the second paragraph on page 6 of 9 of the staff report).

Accordingly, the Dixons were directed by Washoe County staff to resubmit the 2019 abandonment application and to propose a 20-foot-wide abandonment, which they did.

**Question 2:** Would approval of this project set precedence and encourage property owners to erect unpermitted structures on adjacent County land and then request abandonment of said land?

**Response:** No, it would not. The Dixons did not act with malice. The approximately 100 square foot deck and stair encroachment associated with the Dixon's property was built in the 1930's, presumably before there was an application process in place for such improvements. The rebuilding of these original structures in the same location has since been applied for and permitted by Washoe County (File #08-0553).

There seems to be the assumption that the approximately 400 square feet of unpermitted deck and accessory structures located within the same ROW immediately north of the proposed abandonment area is associated with the Dixon property. This assumption is false. These structures were built and are used by neighboring residents within this subdivision with homes located east of Highway 28.

The Dixons do not own, use, or maintain the unpermitted structures in the ROW.

Approval of this 20-foot-wide abandonment proposal would not set precedence for rewarding those who build unpermitted structures on County land.

With regard to precedence, four 25-foot-wide abandonments in this small subdivision have already been approved including two on Romance Avenue and two fronting Lake Tahoe.

This is likely to be the last abandonment request fronting the lake in this subdivision as the northern adjacent parcel is owned by Nevada Division of State Lands and that agency has no interest in acquiring the remaining 30-foot-wide section of ROW (see possibility 2 on page 5 of 9 of the staff report).

**Question 3:** Does approval of this abandonment restrict or otherwise affect public access to Lake Tahoe?

**Response:** There will be no diminution of or affect on public access. The 20-foot-wide section of shoreline proposed for abandonment has never been used by the public as an access point to the shoreline due to the steep terrain with large boulders at the shoreline. The 30-foot-wide section of shoreline that is to remain in the public domain has mainly been used by a few residents with homes on the east side of Highway 28 in this small subdivision of Rocky Point.

The steep terrain, rocky shoreline, lack of parking, and dangerous access along Highway 28 has prevented this area from being used by the general public. The County considered a park in this area and it was determined not to be feasible for these reasons and because of the existing IVGID sewer lift station on this land.

Nevada Division of State Lands expressed concern that this abandonment may result in public use of the 50-foot-wide State-owned shoreline immediately north of this ROW. This also seems unlikely, as this parcel is burdened by the same steep terrain with large boulders along the shoreline, dense vegetation and lack of parking or safe access.

There does exist more widely used unimproved public shoreline access at Hidden Beach, which is less than a block away from this ROW. Additionally, the nearby Tahoe East Shore Trail provides safe and improved public shoreline access to an approximately 3-mile-long section of nearby public shoreline.

Our impression is the majority of the neighborhood in the immediate vicinity of this project is indifferent to or in support of this abandonment proposal, a few of whom are planning to comment in favor of the proposal at the meeting this evening. I also plan to make a brief presentation at the meeting via Zoom.

Thank you for your time and consideration.

Sincerely,

Karin Hoida  
Basin Strategies Planning & Consulting  
1046 Lucerne Way

Incline Village, NV 89451  
(775) 671-0559 phone  
[basinstrategies@gmail.com](mailto:basinstrategies@gmail.com)

**From:** [Doug Flaherty](#)  
**To:** [Hill, Alexis](#); [Olander, Julee](#); [Brown, Eric P.](#); [Washoe311](#)  
**Subject:** Public Written Comment - Opposition to Item 10 A WC Planning Comm Mtng Feb 1 2022  
**Date:** Monday, January 31, 2022 12:03:16 PM  
**Attachments:** [Planning Commission Agenda 1Feb2022.pdf](#)  
[WAB19-0002\\_app\\_resubmittal-2022.pdf](#)  
[IVCB-CAB-4Nov2019-draft-minutes.pdf](#)

---

[**NOTICE:** This message originated outside of Washoe County -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Please consider this email in opposition to the WC abandonment in connection with Item 10 A. of the WC Planning Commission Agenda for the Feb 1, 2022 Meeting as follows:

**" A. Abandonment Case Number WAB19-0002 (Romance Avenue) [For possible action] – For hearing, discussion, and possible action to approve the abandonment of Washoe County’s interest in 20 feet of width (±2,950 sq. ft) of the southern portion of a 50 foot wide unimproved right-of-way at the terminus of Romance Avenue between Lake Tahoe and Lakeshore Drive. If approved, the area will be abandoned to the abutting property to the south of the abandonment site, which is owned by Richard & Lillian Dixon at 1713 Lakeshore Drive (APN: 130-331-05). The request to abandon this right-of-way is made pursuant to NRS 278.480 and related provisions in the Washoe County Development Code".**

1. In context of the Tahoe Basin, and Lake Tahoe shoreline, why is our County giving away lakefront land to private parties with no compensation to the County and its taxpayers? The 0.175 acres of lakefront land will increase the value of 1713 Lakeshore because it increases their parcel size by 50%, adding 0.175 acres to the existing 0.35 acres. County Planning staff maintains that the property has no value to the County, and thus they see no problem giving it away, arguing that the parcel owner will pay taxes on that additional land in future. However, this approach ignores the significant value of lakefront land in Tahoe and the opportunity cost of not being compensated for the “abandonment” upfront. County Staff argues that the County code allows for such abandonments, and it has been done for many years. But this ignores the significant value of lakefront land in Tahoe, both to the public in terms of access to the lake or to the public purse.
2. The request for abandonment of this property adjacent to 1713 Lakeshore was originally submitted to the County in late 2019. At that time, the Citizens Advisory Board (CAB) was charged with reviewing such requests. (Recently, our County Commissioners voted to remove the CAB from review of such requests.) The CAB did review the 2019 request and referred it back to the County for more discussion. Various CAB members and the public questioned the abandonment in 2019 as per the CAB minutes below. Concerns were raised about giving away a parcel of land that provided rare public access to the lake in Incline Village. A CAB member also suggested that there should be a

fair market appraisal of the property so that appropriate compensation to public funds could be considered. The new submission and Washoe County Planning staff ignore these concerns.

3. The “abandonment” does not appear to meet the requirement set out in the County Code which states there should be no detriment to the public. In this case, transferring lakefront land to a private party is detrimental to the public insofar as it (i) denies the public access to the lake and (ii) it transfers a public asset of value to a private party without proper appraisal and compensation.
4. This “abandonment” of lakefront land sets a precedent that could be used to abandon pieces of County land adjacent to lakefront property owners off Somers Loop in Crystal Bay that provide residents of Crystal Bay public access to the lake.
5. Ceding valuable lakefront land to private property owners who have encroached upon the public land rewards such practice. This could embolden other property owners to encroach at will. While this may not have much impact on sagebrush lands in the middle of Nevada, it will have an impact in the Tahoe Basin.
6. The parcel owners at 1713 Lakeshore could, in the future, request to build on this 0.175 acres should they desire, thus increasing the value of this “abandonment” to the private party even more. A property owner across from 1713 Lakeshore (at 1710 Lakeshore) is currently requesting a variance from the Board of Adjustment to build an extension of their house on a parcel that had been “abandoned” by the County to them (at no cost) several years ago.

Sincerely,

Doug Flaherty

Resident

Incline Village, NV

[TahoeBlue365@gmail.com](mailto:TahoeBlue365@gmail.com)

**From:** [kathie.julian](mailto:kathie.julian)  
**To:** [larrypeyton@comcast.net](mailto:larrypeyton@comcast.net); [KateNelsonPE@gmail.com](mailto:KateNelsonPE@gmail.com); [Donshick, Francine](#); [Flick, Michael](#); [Chvilicek, Sarah](#); [Chesney, Larry](#); [Phillips, Patricia](#); [ken@kraterconsultinggroup.com](mailto:ken@kraterconsultinggroup.com)  
**Cc:** [Hill, Alexis](#); [Olander, Julee](#); [Brown, Eric P.](#); [Washoe311](#)  
**Subject:** WAB19-0002 Romance Avenue - Opposition to Application for Abandonment  
**Date:** Monday, January 31, 2022 12:29:11 PM  
**Attachments:** [IVCB-CAB-4Nov2019-draft-minutes.pdf](#)

---

[**NOTICE:** This message originated outside of Washoe County -- **DO NOT CLICK** on links or open **attachments** unless you are sure the content is safe.]

Dear Planning Commission Members:

I am a full-time resident of Incline Village and write regarding my concerns about the proposed abandonment of Romance Avenue lakefront parcel adjacent to 1713 Lakeshore Blvd (along SR 28) in Incline Village.

I urge you **not to approve this abandonment** as it is detrimental to the Incline Village/Crystal Bay community:

- Abandoning this parcel to a private party deprives the public of a scarce access point to the lakeshore in Incline Village.
- It deprives the public purse/Washoe County treasury of proper compensation for a 0.175 acre parcel of lakefront land on in the Tahoe Basin.
- It sets a precedent that will encourage other property owners adjacent to County land in IVCB to encroach upon that land with the confidence that the County, through an abandonment process, will ultimately give the land to them at no cost, citing all of the instances in the past of such abandonments. *(This may not be an issue on sagebrush land to the east, but it is a concern on the shores of Lake Tahoe.)*
- This “abandonment” of lakefront land also sets a precedent that could be used to abandon pieces of County land adjacent to lakefront property owners off Somers Loop in Crystal Bay that provide residents of Crystal Bay their only neighborhood public access to the lake.

I have spoken with County Planning staff on the matter of this abandonment. Staff cite that the 0.175 acre parcel has no value to the County. But that assessment does not factor in the value of the abandonment to the property owners at 1713 Lakeshore Blvd. **With this abandonment, they will increase their own parcel size by 50%, from 0.35 acres to 0.525 acres.** In the context of the Tahoe Basin, and on the shores of Lake Tahoe, this is **significant value creation for a private party at the expense of the public purse.** While the property owners may

pay annual taxes on that property, **that amount pales in comparison to the increased value of their multi-million dollar home at 1713 Lakeshore with the 50% increase in the parcel size.**

Further, as in the case of 1710 Lakeshore Blvd (just across SR 28 from the applicant), there is potential in the future for a request to **further build on this 0.175 acres as is being done at 1710 Lakeshore Blvd.** The latter benefitted from an earlier abandonment of Romance Avenue and is now requesting the Board of Adjustment for a setback reduction so that to accommodate an addition to their house ([WPVAR22-0001 Herz-Callahan Side Yard Setback Reduction](#)). Certainly that addition of a bedroom wing, made possible by the County previously vacating land to the adjacent parcel owner, will have significant value. But alas, the County abandoned that property for no compensation.

Abandonments of lakefront land in the Tahoe Basin have value to the County and to its taxpayers. **To ignore the ultimate value of the abandoned County property to the applicant and to be compensated for that value upfront, not through future (and relatively small) property tax payments, is detrimental to the public purse.**

You may know that this application was originally submitted in 2019, and came before the IVCB Citizens Advisory Board (CAB) in November 2019 (see attached CAB minutes). **At that time, CAB members and the public questioned the abandonment, and suggested that there should be a proper assessment of the property value and consideration by the County to make it an appropriate access way to the public.** Sadly, such abandonment applications no longer go to the CAB, thus it is more difficult for community members to be made aware of such give-aways by our County Government.

I urge you not to approve this application and instead reconsider the significant value of lakefront land in the Tahoe Basin, and the opportunity cost of not being compensated for significant value that will accrue to the applicant with the transfer of this lakefront land. This may or may not be an appropriate place for the public to access the lake, however, that should not give Washoe County and the Planning Commission the permission to **give away our lakeshore resources with no upfront and appropriately assessed compensation to the public fund.**

We know that this land has value to the applicant. In their 2019 application they proposed to make improvements to the parcel and to provide a safer public access to the shore in return for the abandonment. **Now even this small compensation to the County has been removed from consideration!**

Going forward, there should be an amendment to the County Code that specifically deals with the Tahoe Basin as **our land resource needs, environment and property market are unique.**

Thanks and kind regards.

Kathie Julian

PO Box 5477  
Incline Village, NV 89450  
[E-mail: kathiejulian@gmail.com](mailto:kathiejulian@gmail.com)



**From:** [Pamela Tsigdinos](#)  
**To:** [Hill, Alexis](#); [Olander, Julee](#); [Brown, Eric P.](#); [larrypeyton@comcast.net](mailto:larrypeyton@comcast.net); [KateNelsonPE@gmail.com](mailto:KateNelsonPE@gmail.com); [Donschick, Francine](#); [Flick, Michael](#); [Chvilicek, Sarah](#); [Chesney, Larry](#); [Phillips, Patricia](#); [Kerfoot, Lacey](#)  
**Subject:** Public Comment: Please oppose Abandonment Case Number WAB19-0002 (Romance Ave.)  
**Date:** Monday, January 31, 2022 1:45:50 PM

---

[**NOTICE:** This message originated outside of Washoe County -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Dear Planning Commission and County members,

I am a full-time resident of Incline Village writing to ask you to oppose Abandonment Case Number WAB29-0002 (Romance Ave.)

It's important to note that this property abandonment request *first* came in front the of the Incline Village Crystal Bay CAB in 2019. At that time, a CAB member asked for fair market value compensation for the public land. That has not been addressed in this 2022 planner recommendation.

Also, in 2019, the 1713 Lakeshore property owners agreed to keep up the existing dock and public access and build things to code, as well as put in a nice public path. That is not included here in the resubmitted proposal, thus Washoe County is foregoing even the minimal compensation for the "abandonment" previously offered.

Further, the IVGID rights reservation may or may not have been addressed, but that was reserved in the 2019 proposal

That said, I ask you to oppose this request as currently written because it:

- 1) Takes away the right of public access to the Lake with no significant public notice. This is one of the few areas of public access to the Lake.
- 2) Will add waterfront land to the 1713 property owners land ownership (increasing their parcel size by 50% with no upfront compensation to the County), thus bringing significant added value to the 1713 Lakeshore property.
- 3) Rewards bad behavior. It appears the owners of 1713 Lakeshore allowed their deck to encroach on land that does not belong to the County.

Finally, I ask of the County that these and other 'abandonments' once again come back in front of the Incline Village Crystal Bay CAB since there will be impacts on the community. It is only right and fair that CAB have community oversight on such requests and issues.

Pamela Tsigdinos  
Full-time resident of Incline Village, NV

**From:** [Erin Connell](mailto:Erin.Connell@washoecounty.gov)  
**To:** [washoe311@washoecounty.gov](mailto:washoe311@washoecounty.gov); [larrypeyton@comcast.net](mailto:larrypeyton@comcast.net); [KateNelsonPE@gmail.com](mailto:KateNelsonPE@gmail.com); [Donshick, Francine](mailto:Donshick.Francine@washoecounty.gov); [Flick, Michael](mailto:Flick.Michael@washoecounty.gov); [Chvilicek, Sarah](mailto:Chvilicek.Sarah@washoecounty.gov); [Chesney, Larry](mailto:Chesney.Larry@washoecounty.gov); [Phillips, Patricia](mailto:Phillips.Patricia@washoecounty.gov); [ken@kraterconsultinggroup.com](mailto:ken@kraterconsultinggroup.com)  
**Cc:** [Hill, Alexis](mailto:Hill.Alexis@washoecounty.gov); [Olander, Julee](mailto:Olander.Julee@washoecounty.us); [Brown, Eric P.](mailto:Brown.Eric.P@washoecounty.us)  
**Subject:** Agenda Issue - Abandonment Case Number WAB19-0002 (Romance Ave)  
**Date:** Monday, January 31, 2022 2:36:54 PM  
**Attachments:** [IVCB-CAB-4Nov2019-draft-minutes.pdf](#)

---

[**NOTICE:** This message originated outside of Washoe County -- **DO NOT CLICK** on links or open **attachments** unless you are sure the content is safe.]

**To Whom It May Concern,**

Thank you for the opportunity to make public comment on this “abandonment” case.

**Case: 6.B. Abandonment Case Number WAB19-0002 (Romance Ave.)** – Request for community feedback, discussion and possible action to forward community and Citizen Advisory Board comments to Washoe County staff on a request for an abandonment of Washoe County’s interest in ±3,231 square feet of the southern portion of the unimproved right-of-way of Romance Avenue between Lake Tahoe and Lakeshore Drive to the property owner at 1713 Lakeshore Drive (APN: 130-331-05) to the south of the abandonment site. (for Possible Action)

- Applicant\Property Owner: Lee Herz Dixon\Washoe County
- Location: Adjacent to parcels 130-331-04 & 05 off Lakeshore Drive
- Assessor’s Parcel Number: 130-331-05
- Staff: Julee Olander, Planner; 775-328-3627; [jolander@washoecounty.us](mailto:jolander@washoecounty.us)
- Reviewing Body: Tentatively scheduled for the Planning Commission on December 3, 2019

The request for abandonment of this property adjacent to 1713 Lakeshore was originally submitted to the County in late 2019. (see attached) All issues that were brought up at that time, are still current. Please read the comments carefully, the new submission and Washoe County Planning staff are not taking these issues into consideration, but nothing has changed, and these concerns need to be addressed before moving forward.

Lakefront land in Tahoe is extraordinarily rare and extremely valuable at this time, both to the public in terms of access to the lake or to the public coffers. Just because something used to be done, such as abandonment with “zero value”, when property values were nothing, doesn’t mean that it should still be done that way. Everything needs to be reevaluated in today’s environment. Every decision made right now regarding growth, land, property, lake access in Lake Tahoe will affect whether or not the “community lifestyle” survives or whether it falls and towns such as Incline are tourist only. Every decision made right now regarding growth, land, property, lake access in Lake Tahoe will affect whether or not the lake remains clear and pristine or whether it turns in to a gigantic algae-filled green pond.

As Kathie Julian brings up, “The “abandonment” does not appear to meet the requirement set out in the County Code which states there should be no detriment to the public. In this case, transferring lakefront land to a private party is detrimental to the public insofar as it (i) denies the public of access to the lake and (ii) it transfers a public asset of value to a private party without proper appraisal and

compensation. This "abandonment" of lakefront land sets a precedent that could be used to abandon two pieces of County land adjacent to lakefront property owners in off Somers Loop in Crystal Bay that provide residents of Crystal Bay public access to the lake. Ceding valuable lakefront land to private property owners who have encroached upon the public land rewards such practice. This could embolden other property owners to encroach at will. While this may not have much impact on sagebrush lands in the middle of Nevada, it will have impact in the Tahoe Basin."

I urge that all the points of contention brought up by concerned residents and neighbors in 2019, now be addressed before any decision is made or approval granted. I ask that everyone with the power to make these decisions that will keep Lake Tahoe Blue, please remember how sacred your responsibility is to our future and the future of our children and grandchildren around this "Wonder-of-the-World" Lake.

Thank you for your consideration.

Erin Connell  
Incline Village

**From:** [roxanna\\_dunn](mailto:roxanna_dunn)  
**To:** [larrypeyton@comcast.net](mailto:larrypeyton@comcast.net); [KateNelsonPE@gmail.com](mailto:KateNelsonPE@gmail.com); [Donshick, Francine](#); [Flick, Michael](#); [Chvilicek, Sarah](#); [Chesney, Larry](#); [Phillips, Patricia](#); [ken@kraterconsultinggroup.com](mailto:ken@kraterconsultinggroup.com)  
**Cc:** [Hill, Alexis](#); [Olander, Julee](#); [Brown, Eric P.](#); [Washoe311](#)  
**Subject:** 1713 Lakeshore request for abandonment, just running some numbers  
**Date:** Tuesday, February 1, 2022 2:52:23 PM

---

[NOTICE: This message originated outside of Washoe County -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Regarding the request by 1713 Lakeshore Blvd., Incline Village, for the county's abandonment of adjacent property... just running some numbers here:

I live in Incline Village, and per my Washoe County Assessment Notice, my land is 75% of the worth of my property. I'm not sure how universal this percentage is, but in the case of Lakeshore Blvd., we are talking lake front property which is gold, so I will use 75%.

The current Zillow estimate on 1713 Lakeshore is \$4,673,500, and applying the 75% value estimate, that means the current lot, which I understand to be .35 acres, is worth \$3,505,125. Adding the requested .175 acres increases lot size by 50%, so the estimated value of the requested abandonment is \$1,752,563.

That's a sweet deal. And what is the cost to Washoe residents? Dividing the \$1,752,563 by the population of Washoe County, 446,903, means that every man, woman and child in Washoe is donating \$3.92 to the landowner at 1713 Lakeshore.

I understand that the Zillow estimate is not equivalent to the land assessment, which is subject to increase restrictions, but this is a good estimate of the actual value that could be realized. I recognize that the .175 acre sliver of lake front property is not large enough for a separate development and that with the abandonment it would at least bring in some property tax revenue, but stil... So, tell me where my numbers are wrong.

Roxanna Dunn  
Member, Citizens Advisory Board, District V, Washoe County

**From:** [Diane Becker](#)  
**To:** [Olander, Julie](#)  
**Subject:** Fwd: February 1, 2022 Planning Commission Meeting, Objection to Agenda Item WAB19-0002 (Romance Avenue)  
**Date:** Tuesday, February 1, 2022 1:45:03 PM  
**Attachments:** [2019 CAB Minutes.pdf](#)  
[2019 Romance Avenue CAB agenda.pdf](#)

---

[**NOTICE:** This message originated outside of Washoe County -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Dear Miss Olander,

I oppose the proposed abandonment and request that my comments in opposition to the abandonment be made a part of the public record, and specifically that you advise the Planning Commission members as to the objections on: 1)the abandonment is against they public interest in having beach access; 2)the abandonment should not be for no compensation to the County; 3) the abandonment did not provide adequate notice to IVGID and to the public which could have commented to the IVGID Board, and additionally did not provide any actual notice to many of the owners of property in Incline Village who do not abut the easement; 4)the planning commission should be advised of the comments of the CAB members and the public in 2019, all as discussed in more detail below.

I really hope that you will consider the public interest here and held our community. Hopefully some waivers or variances could be given to the Dixon's instead of the proposed abandonment. No one desires to injure their interests, but giving them this beach front land and right of public access is just not right.

Thank you,

Diane Becker  
805-290-2779

----- Forwarded message -----

**From:** **Diane Becker** <[dbecker8891@gmail.com](mailto:dbecker8891@gmail.com)>  
**Date:** Mon, Jan 31, 2022 at 2:41 PM  
**Subject:** February 1, 2022 Planning Commission Meeting, Objection to Agenda Item WAB19-0002 (Romance Avenue)  
**To:** <[larrypeyton@comcast.net](mailto:larrypeyton@comcast.net)>, <[KateNelsonPE@gmail.com](mailto:KateNelsonPE@gmail.com)>, <[f.donshick@att.net](mailto:f.donshick@att.net)>, <[mflick@washoecounty.us](mailto:mflick@washoecounty.us)>, <[chviliceks@unce.unr.edu](mailto:chviliceks@unce.unr.edu)>, <[lchesney@washoecounty.us](mailto:lchesney@washoecounty.us)>, <[pataphillips@yahoo.com](mailto:pataphillips@yahoo.com)>, <[ken@kraterconsultinggroup.com](mailto:ken@kraterconsultinggroup.com)>  
**Cc:** Hill, Alexis <[ahill@washoecounty.us](mailto:ahill@washoecounty.us)>

Re: Objection to Abandonment Request, Agenda Item WAB19-0002 (Romance Avenue)

Dear Planning Commissioners:

I am writing this email to request that the abandonment request described above not be granted at this time, or if granted be granted subject to the commitments/agreements which were proposed and offered by the 1713 Lakeshore Homeowner ( herein “the Homeowner”) to the Incline Village community and to the public in 2019, when the Homeowners originally requested approval of abandonment of this same property for the same reason.

By the proposed abandonment, the County would abandon +-3,231 square feet of property now owned by Washoe County (the “subject property”) to the owners of 1713 Lakeshore, a lakefront home, **for no consideration to the County,** and **closing off a public access point directly to the lake** where the public currently, and has for many years launched kayaks and gained swim access. This is being done based on the justification that the owners of 1713 Lakeshore built illegal stairs and a deck and this would resolve the coverage issue and the building code violations. I have outlined my concerns below, and included a description of the prior unsuccessful request for abandonment proposed by the same County planner and the same Homeowner in 2019, copies of which I have attached.

1. **Proposed abandonment is contrary to the public interest.** Washoe County Development Code **Section 110.806.20(b)** requires that the Planning Commission make a finding for an abandonment that:

**“No. Detriment. The abandonment or vacation does not result in a material injury to the public...”**

I respectfully submit that an abandonment of public lands by Washoe County that currently does and has at all times in the past, given direct Lake access to the local residents in the subdivision in which the proposed abandonment would occur, is contrary to the public interest (see the testimony of local residents in the attached Minutes of the 2019 CAB meeting). While some of the properties in this subdivision are on the lake and thus have their own lakefront access, there are a number of properties in this subdivision that are not on the lake and have no access to the lake other than through the subject property. Also please note that the homes in this subdivision do not have access to the IVGID private beaches because of the terms of the beach deed excluding this and several other lakefront subdivisions.

2. **No IVGID input was timely obtained.** Washoe County Development Code **Sections 110.806.15 and 110.806.40** required this notice and time for IVGID to secure its rights, which would also have given the local community the opportunity to raise this issue to the IVGID Board of Trustees. This did not occur. **The land to be abandoned is next to land owned by Nevada State Lands and IVGID. Nevada State Lands opposed the abandonment in writing. According to the document filed by planning staff, IVGID is reported to not have responded, but that is not correct.** When I contacted IVGID to ask why IVGID had not responded, I was told that **IVGID had not been noticed** or aware of this abandonment request. IVGID is now asking for an easement across this 20-foot section for its pipeline before the

abandonment as there is no easement with the County for the pump station and sewer lines in the right of way, and that situation needs to be remedied. At a minimum the IVGID easement needs to be handled. Additionally, please review page 4 of the 2019 CAB Minutes under "Benefits of Abandonment" attached hereto, which included a commitment by the Homeowner to IVGID to "repair access to lift station, automatic back up power for lift station, IVGID lift station protected with fencing, turfstone path environmentally friendly". Shouldn't those also be conditions of the abandonment since that would benefit IVGID and thus the residents of Incline Village and Crystal Bay who pay all of the expenses of IVGID.

**3. Has there been a search to see if the beach access proposed for abandonment was part of the original development conditions?** The nearby development at Pine Cone has a small public beach which is in the original development conditions to assure continued beach access for the subdivision owners who do not have homes directly on the Lake. I do not see any mention in the staff presentation as to whether this has been researched and the status of this issue.

**4. The prior request to the CAB in 2019 by the same property owners for abandonment.** A prior request for this abandonment (but with more concessions to benefit the local residents, the public and IVGID) came before the Incline Village Crystal Bay Citizen Advisory Board (the "CAB") on November 19, 2019, and the abandonment was not recommended by the CAB at that time and was sent back for further work, due in part to the objections of other owners in the subdivision who used the property proposed to be abandoned for their beach access, and also because the CAB questioned why no compensation was being paid for the land that was being abandoned for no compensation. I have attached copies of the Minutes and Notice of the 2019 CAB meeting. The Herz family at 1710 Lakeshore gave extensive testimony concerning their long-time use of the subject property for beach access and of their expenditures to keep up the access for their use. If you read the public comments in the CAB Minutes, you see the community desire from the subdivision residents that public beach access through the subject property, be retained by the County. At the 2019 meeting Washoe County Planner Julie Oleander said that the County may not want to continue to maintain the public access. Is it fair to make or implement a decision to abandon public beach access property without input from Incline Village Crystal Bay residents or residents in the subdivision, by an abandonment proceeding which is noticed only to abutting property owners...who are themselves beneficiaries on the abandonment?

**5. The Homeowner offered to do several things for the public benefit in 2019 in exchange for the abandonment, which are not even in the current abandonment proposal.** If you look at page 4 of the 2019 CAB Minutes under "Benefits of Abandonment" attached hereto in 2019 the **Homeowner agreed to keep up the dock and public access and build things to code**, and put in a nice **public path**, and those obligations are not referenced in this abandonment. Shouldn't those be minimum conditions here.

**6. Objections of local residents.** The Herz family at 1710 Lakeshore, that

opposed the abandonment of subject property at the 2019 CAB hearing, and if they should now support the abandonment, that should be of no impact on this proceeding. The Herz family is now requesting a variance from the Board of Adjustment in March 2022. Even if the Hertz family no longer objects, there has still been no public input and no real notice at all to the public.

**7. Greater public notice and input is needed.** Under the Development Code at **Section 110.806.15, the only notice required is to publish notice in a single newspaper publication and to provide mail notice to abutting or connecting properties.** Locals will remind you that there is no local newspaper in Incline Village, and providing 10 days' notice by mail to abutting or connected properties, which is not even the entire subdivision, is not sufficient for such a significant action effecting the public.

**8. No compensation to the County.** This is a public asset, and the subject property gives access to the Lake to the public. The CAB Minutes from 2019 raised the objection of the need for fair market value compensation for the public land, and that is not addressed in this recommendation for abandonment. It is stated that this abandonment is a benefit to the County because the County will get increased property taxes. It would be better for the County to actually get fair value for the land plus the increased property taxes. The addition of this waterfront land adds beach front land and square footage to the Homeowner's property, and thus is of significant value to the 1713 Lakeshore property which can now build a bigger home and fix the illegally built deck and stairs was ignored. Additionally, many local property owners in Incline Village would like to buy a small amount of beachfront property and beach access, and this could be auctioned for a substantial sum. (But it should not be given to private parties; the subject property should be held for the benefit of the public.)

**9. Other alternatives.** There is no mention in the staff report of just trying to work with TRPA to waive this coverage issue for the Homeowner and grandfathering the deck in or giving the Homeowner an easement over the County land for the existing deck and stairs. Were other solutions explored? Solving the Homeowner's illegal deck and stairs problem should be explored while preserving the public beach access would be in the public interest.

I am the Chairperson of the Incline Village Crystal Bay Citizen Advisory Board, and I sincerely believed that abandonment requests such as this should come before the CAB for recommendation.

Thank you for your kind consideration of this issue.  
Best regards,

Diane Becker  
805-290-2779