

Couple wins dispute to build in Angora area



Ray Burns and Teresa Avila-Burns will be able to build in the Angora burn area.
Photo/Provided

By Kathryn Reed

A Bay Area couple learned the hard way that buying a vacant lot in Lake Tahoe does not automatically mean one gets to build on it.

Although, in the disclosure forms of the sale it was noted that the property was partially in a stream environmental zone.

“Prior to their purchase, a house on the property burned down in the Angora Fire, and the prior owner did not rebank his/her right to rebuild the home in time, so the automatic right to rebuild on this property was lost,” Tom Lotshaw with the Tahoe Regional Planning Agency told *Lake Tahoe News*. “After their purchase, this couple had an option to get a buildable IPES score for the property, but for some reason, we don’t know why, they chose to get a zero – nonbuildable – score, and then sue TRPA.”

IPES stands for individual parcel evaluation system. This is something the bi-state regulatory agency came up with to

decide how much of a lot could be covered and which parts of it could be developed.

Teresa Avila-Burns and Ray Burns bought the foreclosed lot in the Angora burn area for \$5,000. In December, they filed the lawsuit. The couple enlisted the Pacific Legal Foundation to fight in court for their right to build on the El Dorado County parcel.

The settlement reached this month allows for about 3,100 square feet to be eligible for development. One area is off-limits because of the SEZ.

TRPA said if the couple asked for an IPES score at the get-go, there would have been no need for a lawsuit.

The couple's lawyer said it wasn't quite that simple.

"Before turning to PLF for help, Ray and Teresa had wrangled with the regulators for years," Christopher Kieser attorney for PLF, said in a statement. "Now, faced with being hauled before a court, TRPA is finally recognizing this couple's fundamental rights, so they can finally move ahead with their dream to build a Lake Tahoe home for their elderly mothers."