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Town of Mammoth Lakes  
Community & Economic Development Department  
P.O. Box 1609  
Mammoth Lakes, CA 93546

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**RESOLUTION NO. PEDC 2025-09**

**A RESOLUTION OF THE MAMMOTH LAKES PLANNING AND  
ECONOMIC DEVELOPMENT COMMISSION APPROVING VARIANCE 24-002  
TO ALLOW A 7-FOOT HEIGHT INCREASE OF THE APPLICABLE 18-FOOT  
MAXIMUM BUILDING HEIGHT REQUIREMENT FOR CONSTRUCTION OF A 4,323-  
SQUARE FOOT SINGLE-FAMILY RESIDENCE LOCATED WITHIN AREA 1 OF THE  
JUNIPER RIDGE MASTER PLAN AT 65 JUNIPER COURT (LOT 23)  
(APN: 032-150-023-000)**

**WHEREAS**, a request for consideration of a Variance (VAR 24-002) was filed by the architect, Elliott Brainard, on behalf of the property owners, Elsa and Stan Megerdichian, to allow a 7-foot height increase of the applicable 18-foot maximum building height requirement for construction of a 25-foot, 4,323-square foot single-family residence, in accordance with Chapter 17.72 (Variances) of the Town of Mammoth Lakes Municipal Code, for property located at 65 Juniper Court; and

**WHEREAS**, the Planning and Economic Development Commission conducted a duly noticed public hearing on the application request June 11, 2025, at which time all those desiring to be heard were heard; and

**WHEREAS**, the Planning and Economic Development Commission considered, without limitation:

1. The staff report to the Planning and Economic Development Commission with attachments;
2. The General Plan, Juniper Ridge Master Plan, Municipal Code, and associated Land Use Maps;
3. The analysis and rationale to allow for height increase variances within Area 1 of the Juniper Ridge Master Plan outlined in District Zoning Amendment 92-04;
4. Oral evidence submitted at the hearing;
5. Written evidence submitted at the hearing; and
6. Project plans consisting of: six (6) sheets, dated November 2024, and dated received by the Town on May 10, 2025.
7. Project Narrative and Visual Impact Study dated received by the Town on May 10, 2025.
8. Valentine Eastern Sierra Reserve approval letter dated received by the Town on May 10, 2025

**NOW THEREFORE, THE PLANNING AND ECONOMIC DEVELOPMENT COMMISSION OF THE TOWN OF MAMMOTH LAKES DOES RESOLVE, DETERMINE, FIND AND ORDER AS FOLLOWS:**

**SECTION 1. FINDINGS.**

**I. CEQA.**

The project was determined to be categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303, New Construction or Conversion of Small Structures, of Title 14 of the California Code of Regulations. CEQA Guidelines Section 15303 applies to the construction of new, small facilities or structures, such as the construction of one single-family residence in a residential zone, which the State has determined to be a class of projects that will not have significant environmental impacts. The project consists of the construction of one (1) new single-family residence in a residential zone and therefore is eligible for use of the Class 3 Categorical Exemption. In addition, none of the exceptions set forth in CEQA Guidelines Section 15300.2 are present.

Therefore, because the project meets the criteria for use of the above-described categorical exemption, and the application of that categorical exemptions is not barred by one of the exceptions set forth in CEQA Guidelines Section 15300.2, the project is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(2).

**II. MUNICIPAL CODE FINDINGS.**

**A. FINDINGS FOR VARIANCE (Municipal Code Section 17.72.040)**

- 1. There are special circumstances applicable to the property , including size, shape, topography, location, or surroundings, so that the strict application of this Zoning Code deprives the property of privileges enjoyed by other property in the vicinity and under the identical zoning district;**

There are special circumstances applicable to the property including the steep topography of the site, which slopes downward from the street towards the Eastern Sierra Valentine Reserve. The slope of the property averages 24.9%. Also, approximately half of the south-facing portion of the lot has a slope greater than 30% and therefore deemed undevelopable per Section 7.1 Vegetation Preservation under the Juniper Ridge Master Plan. In addition to the steep topography of the property, the shape of the lot is irregular and features a width of 58-feet at the front of the property, with the widest portion of the lot being located at the rear of the site, which is unfortunately prohibited from being developed. These combined limitations – steep terrain, setback restrictions, irregular lot shape, and additional height restrictions- create a hardship to development of Lot 23 and due to these special circumstances, the strict application of the applicable development standards deprives the property of privileges enjoyed by other property in the vicinity and under the identical zoning district since the buildable area is significantly smaller than other nearby properties.

- 2. The approval of the variance does not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and within the same zone;**

The Variance is necessary to provide the property with land use privileges enjoyed by other properties in the vicinity and under identical zoning classification since the variance will allow for construction of a two-story plus loft single-family structure, in

a similar manner to the existing single-family structures located on Juniper Court and Juniper Road. The proposed design of the residence includes an estimated 4,323 square feet of conditioned living area, which is smaller than most of the neighboring houses when analyzing the total livable space. Additionally, the proposed single-family structure meets all other development requirements set forth by the Juniper Ridge Master Plan, including lot coverage and setbacks.

Allowing the proposed height increase eliminates hardship for the property owner because the owner is currently burdened with what is estimated to be 460 cubic yards of excavated soil, or 57 truckloads of soil, in order to achieve a two-story and loft design without exceeding the current height limit. Therefore, allowing the proposed height increase does not constitute a grant of special privilege for the subject property.

**3. Granting the variance would not authorize a use or activity which is not otherwise expressly authorized by the zone governing the property for which the application is made;**

The use authorized by this variance consists of a new single-family residence with an attached two-car garage, which is a permitted use in Area 1 of the Juniper Ridge Master Plan and is consistent with neighboring properties and uses in the site vicinity. The request for a height variance is allowed under the Ordinance 92-04 of the 1992 District Zoning Amendment for the Juniper Ridge Master Plan and is therefore consistent with the zoning laws. Additionally, after analyzing the provided Visual Impact Study, representatives for the Valentine Reserve reviewed and approved the height variance request, in adherence with the applicable condition of approval under the Ordinance 92-04 of the 1992 District Zoning Amendment.

**4. Granting the variance would not be detrimental to the public health, safety, or welfare, or injurious to the property or improvements in the vicinity and zoning district in which the property is located;**

Granting the requested variance would not be detrimental to public health, safety, or welfare because the proposed height increase does not result in any hazardous uses or impacts and is consistent with what would be permitted on similar single-family residential lots in areas not adjacent to the Valentine Reserve. The variance would also respect the ecological health of the surrounding environment by preventing potential erosion from unnecessary grading which could otherwise result in sediment run off that could affect the fragile watershed below, or due to the steep topography, excessive erosion posing threats to the future structure and soil stability.

**5. The variance is consistent with the General Plan and any applicable Specific Plan;**

The variance is consistent with the Town's General Plan, as the land use designation for the subject property is Resort (R), which is a land use designation that encompasses large parcels capable of providing a complete resort experience as found in the master plan area of Juniper Ridge. The Juniper Ridge Master Plan divides the land use into four areas, all of which combine to achieve the complete resort experience described in the General Plan, including single family residential housing, condominium units, hotels and lodging, and mixed-use. The lot pertaining to the requested variance is designated under Area 1, which restricts allowable land uses to single-family detached residential lots with a minimum of 10,000 square feet, and therefore the use is consistent since it is a detached single-family residence on a 13,082 square foot lot.

Additionally, the variance is consistent with the General Plan because the height increase will maintain high quality design and, livable housing units and neighborhoods in Mammoth Lakes by allowing for a two-story home (Goal H.6) while also minimizing erosion and sedimentation by reducing the need for excessive grading (Goal R.5).

The project adheres to the intent of the Juniper Ridge Master Plan that regulates all development within the Juniper Ridge subdivision.

There is no specific plan applicable to the property.

**6. The variance is the minimum departure from the requirements of this Zoning Code necessary to grant relief to the applicant, consistent with Subsections A and B, above; and**

The proposed height increase is designed to provide the minimum roof height needed to accommodate two stories and a loft and is the minimum departure from the zoning code necessary to provide relief to the property owner.

**7. The approval of the variance is in compliance with the requirements of the California Environmental Quality Act.**

The project is in compliance with the requirements of the California Environmental Quality Act (CEQA) because it is categorically exempt from CEQA pursuant to CEQA Guidelines §15303, New construction or conversion of small structures. The Project qualifies for this exemption because the exemption allows for the construction of small new structures, including a single-family residence in a residential zone, to not be subject to additional environmental review. The proposed project consists of the construction of one single-family residence located within a residential zone and is therefore consistent with the types of projects that qualify for this exemption.

**SECTION 2. PLANNING AND ECONOMIC DEVELOPMENT COMMISSION ACTIONS.**

The Planning and Economic Development Commission hereby takes the following actions:

1. Finds that this project is categorically exempt pursuant to Section 15303, New Construction or Conversion of Small Structures pursuant to the California Environmental Quality Act (CEQA) Guidelines; and
2. Approves Variance 24-002 subject to the following conditions:  
(SEE EXHIBIT “A”); and
3. Directs staff to file a Notice of Exemption.

**PASSED AND ADOPTED** this 11<sup>th</sup> day of June 2025, by the following vote, to wit:

AYES:

NAYS:

ABSENT:

ABSTAIN:

ATTEST:

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Nolan Bobroff,  
Community and Economic Development  
Director

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Michael Vanderhurst  
Chair of the Mammoth Lakes Planning  
and Economic Development Commission

**NOTE:** This action is subject to Chapter 17.104 of the Municipal Code, which specifies time limits for legal challenges.

OWNER/APPLICANT:

We, Elsa and Stan Megerdichian, are the property owners and we do hereby attest that we have read, and agree to, the conditions of approval stipulated within this Resolution.

\_\_\_\_\_  
Elsa Megerdichian  
Property Owner (Notary Required)

Date: \_\_\_\_\_

\_\_\_\_\_  
Stan Megerdichian  
Property Owner (Notary Required)

Date: \_\_\_\_\_

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California  
County of Mono }

On \_\_\_\_\_, before me, \_\_\_\_\_, Notary Public, personally appeared \_\_\_\_\_, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

**WITNESS my hand and official seal.**

\_\_\_\_\_  
Signature of Notary

**EXHIBIT “A”**  
**Resolution No. PEDC 2025-09**  
**Case No. VAR 24-002**  
**CONDITIONS OF APPROVAL**

**STANDARD PLANNING CONDITIONS**

1. This approval authorizes the following: A 7-foot height increase of the applicable 18-foot maximum building height requirement for construction of a 4,323-square foot single-family residence located within Area 1 of the Juniper Ridge Master Plan at 65 Juniper Court (Lot 23).
2. The approved site and building plans, consisting of Project plans consisting of: six (6) sheets, dated November 2024, and dated received by the Town on May 10, 2025, shall be maintained for the duration of the permit.
3. This permit and all rights hereunder shall automatically terminate unless the site preparation or construction has been commenced within two years after the issuance of this approval and such work is diligently carried on until completion, or an extension of time has been granted in accordance with Municipal Code §17.60.060.B.
4. All new improvements constructed on the site shall be in compliance with all Town of Mammoth Lakes, County of Mono, Mammoth Community Water District, the Mammoth Lakes Fire Protection District, the CRWQCB Lahontan District, Great Basin Air Pollution Control District, OSHA, State of California and United States of America laws, statutes, ordinances, regulations, directives, orders, and the like applicable thereto and in force at the time thereof. Any violation of the above may constitute grounds for revocation under Chapter 17.128 of the Mammoth Lakes Municipal Code.
5. This resolution of approval, as conditioned herein, shall be recorded for the subject property by the Mono County Recorder’s Office to commence the approved use on the property or the issuance of any building permits for new or remodeled structures.
6. The site shall be maintained in a neat, clean and orderly manner. All improvements shall be maintained in a condition of good repair and appearance. Outdoor storage of equipment and other materials, except for firewood, is prohibited. Non-operating vehicles, equipment and materials inappropriate to the site and its use shall not be stored within outdoor areas on the site.
7. Storage of construction materials and equipment off-site shall not be permitted without a permit issued by the Community and Economic Development Department of the Town. Any public or private property altered, damaged or destroyed by site preparation, grading, construction or use shall be restored to its pre-existing condition by the permittee.
8. All conditions of this permit shall be met or secured prior to final occupancy approval of any tenant improvements or new structures.
9. All uses are subject to review by the Building Official of the Town of Mammoth Lakes and must conform to occupancy ratings of the structures to obtain occupancy.

10. Town staff shall have the right to enter the subject property to verify compliance with these conditions. The holder of any permit associated with this project shall make the premises available to Town staff during regular business hours and shall, upon request make records and documents available to Town staff as necessary to evidence compliance with the terms and conditions of the permit.
11. Prior to the issuance of a building permit, the applicant shall pay all applicable fees as prescribed by ordinance and/or resolution and pay any fees due on the project processing account.
12. Where compliance with the conditions of approval or applicant initiated changes to the plans require additional staff review, that review time shall be billed at the Town's established billing rates. Prior to the issuance of a building or grading permit, the applicant shall pay all outstanding costs for the processing of this application.
13. This action may be appealed to the Town Council within fifteen (15) calendar days from the date of Planning and Economic Development Commission approval in accordance with Municipal Code Chapter 17.104.
14. The applicant shall defend, with counsel selected by the Town, indemnify, and hold harmless the Town and its agents, officers, and employees from any claim, action, or proceeding against the Town and its agents, officers, or employees to attack, set aside, void, or annul, an approval of the Town, advisory agency, appeal board, or legislative body concerning this approval. The Town shall promptly notify the applicant of any claim, action, or proceeding and shall be entitled to control the defense of any action.
15. All exterior lighting shall comply with Chapter 17.36.030 of the Town of Mammoth Lakes Municipal Code, Exterior Lighting. Exterior light fixtures having a total of over 400 lumens of output shall be equipped with shields that extend below the horizontal plane of the light source to direct the light downward onto the structure or surrounding grounds. Accent lighting is permitted as described in Municipal Code Section 17.36.030.F.6. This shall be verified prior to issuance of a certificate of occupancy.
16. A valid building permit and a permit from the Mammoth Lakes Fire Protection District are required before any building can begin on-site.
17. If necessary, water and sewer connections require a Connection Permit from Mammoth Community Water District. Prior to the Town authorizing any construction, the applicant shall obtain water and sewer permits from Mammoth Community Water district and pay applicable fees to the District.
18. All conditions of approval shall be printed verbatim on all of the working drawing sets used for issuance of building permits (architectural, structural, electrical, mechanical, and plumbing) and shall be referenced in the index.

#### **SPECIAL PLANNING CONDITIONS**

19. An approved Design Review shall be required prior to building permit submittal, per Section 2.1 – Permitted Uses of the Juniper Ridge Master Plan.
20. A building height certificate completed by a licensed land surveyor will be required prior to 1st floor joist inspection and roof framing inspection.



21. Pursuant to Municipal Code §17.64.040, the approval of the Variance shall run with the land through any change of ownership of the subject site, from the effective date of the permit. All applicable conditions of approval, as specified in this resolution of approval, shall continue to apply after a change in property ownership.