



*Variance Application Narrative*



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Attention TOML Planning:

On behalf of my clients Damon Conover & Danica McCoy, I am preparing this application and narrative as an explanation as to why we are seeking a variance to construct a garage on the property, where no garage currently exists. You will quickly see in the plans that there are several features of this property that make development challenging. Additionally, you will see that the property currently has no driveway and parking occurs on both Mammoth Knolls Drive and the right of way.

To begin with, the topography of the lot is relatively steep and down sloping. At the top however is a small relatively flat area which shall try to be utilized to the greatest extent to alleviate the challenge that a down sloping lot brings. The design uses this flat area to provide a level driveway leading to the garage. The front one-third or so of the garage is also taking advantage of this level area. Beyond this the slope quickly drops off towards the existing 3-bedroom + loft house below.

In addition to the utilization of the flat terrain at the top of the lot, the location of the existing home itself provides a more significant challenge. Visually this can be seen on Sheet A3.01, Section 1 (Building Section East-West). Placing the garage any closer to the house will result in a surcharge load from the garage foundation onto the existing foundation of the house. The existing foundation is highly unlikely to be designed for such a load and could be structurally compromised if we were to locate it any closer.

The next challenge faced with this property is the substandard lot width. For this zone, the TOML standard for frontage width at the street is 50 feet. This lot provides only 37 feet of frontage, thus

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constricting the available area for a garage. The neighboring lots to the south, 404 & 426 Mammoth Knolls Drive contain lot widths of 67' and 82' respectively. See Sheet A1.01 for an aerial view depicting this. With this substandard lot width and the current house placement, the owners have no option but to seek a variance to locate a garage on the property.

The zoning standard for a house of this size requires 3 parking spaces. Per 17.44.100, "*At least 50 percent of required parking shall be enclosed and at least one space shall be unenclosed, unless otherwise approved by the review authority.*" In this current situation with the house unable to be located further off the front property line, three parking spaces can only be achieved in the configuration shown on the site plan. In this case we have chosen to provide three enclosed parking spaces rather than the minimum requirement of two. This provides a more safe and reasonable solution for the four occupants of the property consisting of two adults, a teenager and an elderly parent, each with a vehicle. It is a reasonable request to go beyond the 50% requirement and enclose 100% of the parking spaces. The garage is dimensioned at nearly the minimum size to include three conforming spaces. With indoor parking widths specified at 9' wide, this results in the need for a 27' wide garage. The inside width of the proposed garage is 28' wide; this extra one foot provides a realistic parking laying to access the vehicles. With the garage located where it is, there is also no compliant space available for an exterior parking space leading to the garage. The vehicles would extend over the property line and into the right of way. This design will ensure that vehicles are clear of TOML snow removal operations along Mammoth Knolls Drive.

Snow storage has also been considered in this plan and is shown to be compliant. Compliant snow storage requires a minimum ten-foot dimension on all sides of the snow storage area. The southwest corner of the garage has been located at 10'-11" to allow the snow removal to be located downhill on the property. Again, refer to the site plan. With the substandard width of 37' there is no allowance for complaint snow storage along the sides of the driveway.

The final item to point out is the neighboring property to the north. The subject property borders land owned by the United States Forest Service (USFS) and thus will never be developed upon. The garage situated in the proposed location will not have any effect on any neighbors. We explored shifting the garage to the south property line, but this would further encroach on the adjacent residential lot and still provide all of the same challenges for parking and snow storage.

With all said, this proposal provides the most reasonable and safe means to achieve compliant parking on a lot that is currently deprived of the opportunity.

Following is a commentary that responds to the findings needed for variance approval:

- 1) *There are special circumstances applicable to the property, including size, shape, topography, location, or surroundings, so that the strict application of this chapter deprives the property of privileges enjoyed by other property in the vicinity and under the identical zoning district;*
  - The topography of the lot the current house placement, and the non-standard frontage width of 37' provide for special circumstances.
  - As topography is a valid reason for a variance request, we feel this should be considered. We are clearly trying to utilize the upper portion of the lot that provides much less topography.

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- The frontage width provides an obvious hardship for snow storage means. There is no possibility of 10' wide snow storage along the sides of the driveway and thus it must all be placed downhill, as shown on the site plan. Thus, the southern wall of the garage cannot move any further south. For an adequate garage width this makes encroachment into the north side setback unavoidable.

- 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;*

There is no grant of special privileges here. Rather, the lot provides a significant hardship to build a garage and become more compliant with the TOML Zoning Code.

There are multiple homes in the Knolls with three-car (or larger) garages. This home includes three bedrooms plus a loft, effectively four sleeping spaces. Denying a three-car garage would restrict us from a privilege that comparable homes in the same neighborhood already enjoy. Based upon an MLS search, the following homes in the neighborhood enjoy the opportunity to have a three or more car garage:

*139 Zurs 3-car*

*115 Zurs 3-car*

*304 Mammoth Knolls Dr 5-car*

*305 Mammoth Knolls Dr 3-car*

*240 Mammoth Knolls Dr 3-car*

*245 Sestriere Pl 4-car*

*29 Kitzbuhel Pl 4-car*

*36 Kitzbuhel Pl 3-car*

*26 Kitzbuhel Pl 4-car*

*476 Courchevel Ct 3-car*

*470 Courchevel Ct 4-car*

*446 Grindewald 4-car*

*368 Grindewald 3-car*

*324 Davos Ct 3-car*

*318 St Anton 3-car*

*202 Zermatt 3-car*

- 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 garage is an authorized use. The garage would not be detrimental to any of the above. It in fact would provide a benefit to the public and the occupant. From the public's perspective it would provide parking for vehicles that are currently parked in the right of way or in the street itself. The property currently has no driveway. This would substantially improve snow removal safety as well. From an occupant's perspective, providing the covered parking only provides more safety. The proposed garage placement does not diminish sunlight, privacy, or views for the adjacent parcel.

- 4) *The variance is consistent with the general plan and any applicable specific plan;*

Yes. Enclosed parking is required. While the zoning code only requires two spaces, the addition of the third enclosed space shall be considered with occupancy as stated

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above, and occupant safety in mind. With the proposed garage plan the buildout of the lot is still only at 28.4% ground cover; well below the 40% threshold.

- 5) *The variance is the minimum departure from the requirements of this chapter necessary to grant relief to the applicant, consistent with Subsections (1) and (2) of this section; and.*

Yes. The zoning code requires three parking spaces for a dwelling of this size. In this case we have met the minimum and propose that all three spaces are enclosed. This exceeds the 50% requirement but provides a safer solution in this challenging lot situation.

- 6) *The approval of the variance is in compliance with the requirements of the California Environmental Quality Act, Public Resources Code § 21000 et seq.*

Yes, project is exempt from CEQA

Sincerely,

Mike Britton, AIA

A handwritten signature in black ink, appearing to read "Mike Britton".

Britton Architecture

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