



Town of Mammoth Lakes

Planning & Economic Development Commission Staff Report

Meeting Date: February 11, 2026

AGENDA TITLE: Consideration of Variance 25-003 for a 60% reduction of the required 10-foot east side yard setback to allow for the construction of a new detached accessory dwelling unit and two-car garage located at 506 Lakeview Boulevard. The project was found to be categorically exempt from CEQA pursuant to CEQA Guidelines §15303, *New Construction or conversion of Small Structures*.

Applicant/ Property Owners: Mike Britton/ Thomas Wetherald and Syndey Miller

REQUESTING DEPARTMENT:

Community & Economic Development

Nolan Bobroff, Director

Gina Montecallo, Assistant Planner

OBJECTIVE:

1. Hear Staff and Applicant presentations
2. Hold Public Hearing
3. Planning & Economic Development Commission (PEDC) discussion
4. PEDC action to either:
 - a. Adopt the Planning and Economic Development Commission Resolution (the Resolution), making the required CEQA and Municipal Code findings, and approving Variance 25-003 with conditions as recommended by staff;
 - b. Adopt the Resolution with modifications; or
 - c. Deny the Resolution

SUMMARY:

Proposal: Variance request for a 60% reduction of the required 10-foot east side yard setback (reduced from 10 feet to 4 feet) to allow construction of a new detached accessory dwelling unit (ADU) and two-car garage on a steep down sloping lot.

Location: 506 Lakeview Boulevard (APN: [031-170-002-000](#))

Size of Property: 0.18 acres (7,637 sq. ft.)

Zoning: Residential Single-Family (RSF)

General Plan: Low Density Residential (LDR-2)

Environmental Review: Categorically Exempt pursuant to CEQA Guidelines Section 15303 – New Construction or conversion of small structures

KEY ISSUES:

1. Can the findings be made for approval of a Variance pursuant to Municipal Code (MC) Chapter 17.72?

2. Is the proposed project consistent with the California Environmental Quality Act (CEQA)?

I. INTRODUCTION AND BACKGROUND

The subject property is located at 506 Lakeview Boulevard in the Residential Single-Family (RSF) zoning district. The existing single-family residence was originally built in 1971 with approximately 1,604 square feet (sf) of conditioned living area. The house is situated on a steep, down sloping lot and is served by a 19-foot wide 24-foot-long uncovered driveway, and there is no existing garage on the property. The existing topography of the lot within the front setback of the property is relatively flat then drops off with a slope of roughly 54% for a large portion of the remaining buildable space on the lot. The slope lessens towards the rear of the property, but that area is difficult to access due to the steep topography through the middle portion of the lot. The topography of the site is depicted in the site plan (Sheet G.00) of the proposed plans in **Attachment B**.

Variance application (VAR) 25-003 was submitted in October 2025, and requests a 60% reduction of the 10-foot east side yard setback to permit a 4-foot setback which would allow for the construction of a new accessory dwelling unit (ADU) and two-car garage on the steep, down sloping lot.

A public notice for the application was published in The Sheet newspaper on January 31st and February 7th and was mailed on Wednesday, January 28th to a total of 147 property owners within a 300-foot radius of the project site.

Project Proposal:

As described above, the Variance application requests a 60% reduction of the required east side yard setback, allowing a 4-foot setback to accommodate a proposed detached ADU and tandem two-car garage adjacent to the existing single-family home. The structure consists of two levels, the street-level floor contains a tandem two-car garage, while the lower level features a one-bedroom ADU accessed by a covered entry that connects to the driveway at street grade. The interior dimensions of the proposed structure are 38 feet in depth and 14 feet in width. The total floor area includes 683 square feet of unconditioned garage area, 640 square feet of conditioned living area dedicated to the ADU and 150 square feet of covered walkway/staircase (See **Attachment B** for proposed site plan). The street level garage has a relatively modest footprint which accommodates two enclosed parking spaces in a tandem configuration with additional walkway space on either side of the garage parking. The lower level contains a one-bedroom ADU, which includes a full bathroom and open floorplan kitchen and living area. The exterior covered stairway provides safe access down the 10-foot elevation change from the street level driveway to the lower level ADU entrance.

The existing single-family home currently has two non-conforming exterior parking spaces and no covered parking. The proposed structure brings the existing single-family residence into conformance with the applicable parking standards by providing a minimum of two covered parking spaces and one exterior parking space. Additionally, the proposed garage brings the two existing exterior parking spaces into compliance since both spaces are located in the front setback but do not lead to a garage, which is only permitted if the driveway leads to a garage per M.C. Section 17.36.100.5.a.2. The project also proposes widening the driveway to provide two exterior parking spaces that meet the minimum dimensions of 10-feet by 20-feet per TOML Public Works Standards, and will provide the minimum required parking for the single-family residence (2 covered and one exterior) plus a fourth parking space for the proposed ADU.

The property features an average downward slope of 12%, however the steepest portion begins at the front setback line, increasing to about 54% before leveling out near the rear setback line. Staff has determined that placing the garage and ADU farther back on the more level portion of the property would be cost prohibitive and impractical given the scope of the proposed project. Instead, the proposed design takes advantage of the natural grade by integrating the structure into the slope, with the garage at street level and the ADU below, thereby reducing the need for extensive grading.

Placement of the structure, which includes a request for a 60% reduction to the east side yard setback, maintains a reasonable building separation of 8'1" between the main residence and the new structure. The building separation is of primary safety concern to the property owner to maintain a fire resilient property and ensure the new structure utilizes fire resistive materials and can be independent from the main structure. The building separation will also provide a safety benefit to the occupants of the ADU by ensuring there is adequate room for snow shed coming off both the main structure and the proposed structure so as not interfere with the ADU entryway. The applicant's original intent was to utilize the reduced setback allowance of 4'-0" for Accessory Dwelling Units (ADU) per the Town Municipal Code. However, due to the steep topography, the garage/ADU could not feasibly meet the height limit requirement of 18' (20' if the new structure matches the roof pitch of the main residence) to allow for the reduced setback since all portions of the proposed structure must be no more than 20 feet tall. Although the average height of the proposed structure nearly meets the standard at 20'5", portions of the structure substantially exceed the height limit due to the steep nature of the topography. As a result, a variance is being requested.

The proposed design of the garage and ADU is compatible with the design of the existing home. The roof has been designed to match the same low pitch of the existing home (4:12) and incorporates snow retention rails along the east roof edge to prevent snow from shedding onto the adjacent property. The roof will be structurally designed to withstand the weight of the snow with the snow rails installed. The average building height for the structure is 20'5", and 28'11" at its tallest point at the rear of the property and 13'10" at its shortest point facing the street.

FIGURE 1 PROJECT ELEVATIONS



An application narrative was submitted with the variance application to explain the need for the reduced east side yard setback and describes the site characteristics that create a hardship to constructing a garage and ADU, to bring parking into compliance and to provide safe accessibility to the ADU. The narrative explains that the steep topography presents challenges to the building design along with a desire from the property owner to ensure adequate building separation for snow shed and fire prevention resulting in the need for a setback reduction.

Existing Site and Surrounding Land Uses

The subject property is zoned Residential Single Family (RSF). Adjacent properties to the north and west are developed with single-family residences. The vacant parcel to the east is also zoned RSF, however it is owned by the Seasons 4 condominium owners association and used for snow storage by that condo complex. The properties to the south are zoned as Residential Multi-Family 2. **Table 1** further describes the surrounding land uses and zoning.

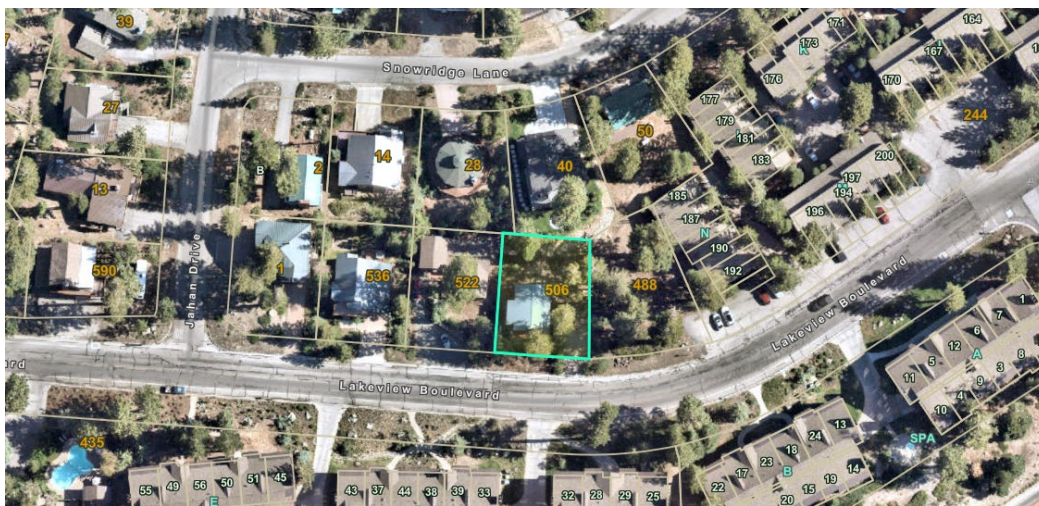


Table 1: Surrounding Land Uses and Zoning.

Location	Zoning*	Land Use	Special Considerations
North	RSF	Single-family residence	None

South	RMF-2	Mountainback Condominiums	None
East	RSF	Vacant	Used for snow storage for the Seasons 4 Condominiums
West	RSF	Single-family residence	None

*RSF = Residential Single Family; RMF-2= Residential Multi-family 2

Municipal Code Consistency

The project site is zoned Residential Single-family (RSF). *“This zone is intended as an area for single-family residential development. Transient Occupancy or rental, hotels and motels, bed and breakfast, and group living quarters uses are not permitted in this zone. Only those uses are permitted that are complementary to and can exist in harmony with a residential neighborhood.”* The proposed single-family residential home is a permitted use in the RSF zone.

The project complies with all applicable development standards considered together with the proposed Variance, which are summarized in the following **Table 2**.

Table 2: Zoning Consistency.

General Information			
General Plan: Low-Density Residential 2 (LDR-2)		Specific Plan: N/A	
Zoning: Residential Single-Family (RSF)		Overlay Zone/District: N/A	
Existing Land Use: Single-family residence		Permits Required: Variance for a 60 percent reduction of the east side yard setback	
Development Standards			
Standard	Required/Allowed	Proposed/Provided	Complies?
Setbacks			
Front yard (feet)	20	20	Yes
Side yard - East (feet)	10 feet	4 feet	Variance Requested
Side yard - West (feet)	10 feet	10 feet	Yes
Rear yard (feet)	10 feet	10 feet	Yes
Lot Coverage	40%	34%	Yes
Building Height	35 feet	20.46 feet (average building height)	Yes
Snow Storage	75% of driveway area (669 sq.ft.)	501 sq.ft.	Yes

Parking Spaces	2 enclosed 1 exterior	2 enclosed 2 exterior	Yes
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General Plan

The General Plan land use designation for the site is Low-Density Residential 2 (LDR-2) which “allows single-family detached residential development of up to four (4) dwelling units per gross acre... This designation protects the low-density character of existing neighborhoods. Development standards are intended to provide for privacy through building separation, useable yards, and limited shading by structures of adjoining parcels.” (General Plan, Pg. L-4). The existing and proposed land use are consistent with the LDR-2 land use designation.

Specific General Plan Vision Statements with which the proposed project is consistent are described in **Table 3**:

Table 3: General Plan Vision Statement Conformance

General Plan Vision Statement	Explanation of Project Conformance
<i>“Adequate and appropriate housing that residents and workers can afford”</i>	Approval of the requested Variance application would enable the property owner to develop the site with a modest-sized ADU and a two-car garage with safe access between the street level garage and the lower level ADU.
<i>“Protecting the surrounding natural environment and supporting our small-town atmosphere by limiting the urbanized area.”</i>	The project is located within the Urban Growth Boundary and the density is consistent with that allowed by the LDR-2 land use designation.
<i>“Sustainability and continuity of our unique relationship with the natural environment”</i>	The location of the proposed garage/ADU is designed to work with the steep topography and minimize excessive grading. Additionally, the proposed development is designed to mitigate fire risk through the use of fire resistive materials and building separation.

The project is consistent with the following General Plan goals, policies, and actions as described in **Table 4**:

Table 4: General Plan Conformance with Goals, Policies, and Actions

Goal, Policy, or Action	Explanation of Project Conformance with Goal, Policy, or Action
<i>Policy C.2.L: Create visually interesting and aesthetically pleasing built environment by requiring all development to incorporate the highest quality of architecture and thoughtful site design and planning.</i>	The project incorporates design features and architectural detail that provides a high-quality appearance and incorporates thoughtful site planning that works with the site topography and avoids excessive grading.
<i>Goal S.3.: Minimize loss of life, injury, property damage, and natural resource destruction from all public safety hazards.</i> <i>Policy S.3.A.: Design all structures in Mammoth Lakes to withstand snow loads and to reduce any additional hazards created by snow accumulation.</i>	If approved, the Variance request will result in building placement and design that provides improvements to the accessibility of the property in winter through provision of sufficient room for snow shed between the existing residence and the proposed exterior stairway entrance for the ADU. The project is designed to mitigate fire risk. The proposed

	improvements result in improved safety for the occupants of the existing home and the ADU.
<i>Goal H.2. Promote construction of an adequate supply of housing to meet the needs of all sectors of the community, including the conservation and improvement of existing housing supplies</i>	The project would allow for the construction of an ADU which will add to the alternative housing options within the community.
<i>Policy C.2.V: Building height, massing and scale shall complement neighboring land uses and preserve views to the surrounding mountains.</i>	Proposed building height and massing are similar to the heights and massing of surrounding single-family homes in the neighborhood. The tallest point on the structure as measured using a varied plane is 28-feet in height which is consistent with the RSF development standards.

II. ANALYSIS OF KEY ISSUES

KEY ISSUE #1: Can the findings be made for approval of a Variance pursuant to MC Section 17.72.040?

Variances are intended to allow modifications to the development standards of the Zoning Code only when, because of special circumstances applicable to the property, including size, shape, topography, location, or surroundings, the strict application of the Zoning Code deprives such property of privileges enjoyed by other property in the vicinity and under the identical zoning district. The following represents staff’s analysis of the required findings pursuant to MC §17.72.040:

Variance Findings:

A. 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 topography of the site, which slopes downward from the roadway at a roughly 43% slope within the first 30-feet beyond the front setback. Due to the steep down sloping nature of the buildable area of the property, any proposed structures within the site would exceed 20-feet in height on the down sloping side of the structure without excessive grading that would make the project cost prohibitive. This topographic constraint prevents the project from utilizing the 4-foot side setback allowance typically available for ADUs on single-family lots, because that reduced setback requires compliance with the 20-foot height restriction.

Due to the special circumstances described above, the strict application of the zoning code deprives the property of privileges enjoyed by other property in the vicinity and under the identical zoning district.

B. 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 comparable to those enjoyed by other properties in the vicinity and under the same zoning classification. Approval of the variance will allow construction of an ADU and two-car garage, consistent with the land use privileges enjoyed by other properties in the vicinity. The reduced east side yard setback will allow for a covered entry stairway located between the garage/ADU and the existing single-family residence with enough building separation to avoid conflicts with snow shed areas and enhance fire safety. In addition, the variance also enables the property to meet Municipal Code parking requirements, which currently does not satisfy because the site’s steep slope makes a conventional garage impractical within the sloped area of the site. Finally, the ADU is not eligible for

the 4-foot setback allowance because the 20-foot height limitation cannot be met given the steep topography of the site.

C. 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 construction authorized by this variance consists of a new detached two-car garage and one-bedroom ADU, which is permitted use in the RSF zone and is consistent with neighboring properties and uses in the site vicinity.

D. 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 ADU and two-car garage is consistent with what would be permitted on similar single-family residential lots. The covered staircase entry to the new ADU will improve safety by minimizing snow hazards and ensure secure access to the property. To further ensure that there is not a safety hazard created from snow shed, a condition of approval for the project requires snow restraint devices (snow rails) be installed on roof eaves that encroach into the east side yard setback area. Additionally, the variance corrects the nonconforming parking configuration for the site by providing two enclosed parking spaces and two 10' x 20' foot exterior parking spaces within the driveway.

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

The variance is consistent with the Town's General Plan, because the Low-Density Residential 2 (LDR-2) land use designation allows for single-family detached residential development, and therefore the use will remain consistent since the property will continue to be used as a detached single-family residence with an ADU. Additionally, the variance is consistent with the General Plan because the project will minimize the risk of injury or property damage through the addition of covered parking where it does not currently exist (*Goal S.3*) and will promote construction of an adequate supply of housing to meet the needs of all sectors of the community, including the conservation and improvement of existing housing supplies (*Goal H.2*) through the creation of an ADU. The ADU will not be permitted to be rented on a transient nightly basis.

There is no specific plan applicable to the property.

F. 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 requested variance represents a minimum departure from the requirements of the Zoning Code to grant relief to the applicant and is consistent with subsections A and B above. The proposed building footprint is located as far from the east property line as possible in order to maintain adequate distance between the proposed structure and the existing single-family residence. The new garage/ADU currently sits 8'-1" from the roofline of the existing single-family residence which will allow space for snow shed deposited from the roof of the existing structure and the proposed structure. Additionally, the space between the structures is important because the covered staircase entry to the proposed ADU is also located between the structures and the building separation will minimize snow impacts to the entry to the ADU. Finally, the building separation provided helps to mitigate fire risk to prevent potential fire spread between structures.

G. 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*. Additional details are provided under Key Issue #2 below.

KEY ISSUE #2: Is the proposed project consistent with the California Environmental Quality Act (CEQA)?

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 projects that consist of one single-family residence, or a second dwelling unit in a residential zone, which the State has determined to be a class of projects that will not have a significant effect on the environment. The project involves the construction of a new accessory dwelling unit and detached garage on a lot with an existing single-family residence, and therefore meets the criteria for use of the categorical exemption. Additionally, none of the exceptions set forth in CEQA Guidelines Section 15300.2, which would preclude a project from using a categorical exemption, are applicable as outlined in the resolution (**Attachment A**).

Therefore, the project is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(2) since the project meets the criteria for use of the ‘New Construction or Conversion of Small Structures’ categorical exemption and the application of that categorical exemption is not barred by one of the exceptions set forth in Section 15300.2.

Agency/Public Comments

Staff routed the application to the following local agencies for review: Mammoth Lakes Fire Protection District (MLFPD) and the Mammoth Community Water District (MCWD). No comments were received that resulted in any additional conditions of approval for the project.

Engineering staff reviewed the application and is supportive of the Variance with the requirement that the new structure shall be protected with engineered snowslide restraint devices.

A public notice for the application was published in The Sheet newspaper on January 31st and February 7th and was mailed on Wednesday, January 28th to a total of 147 property owners within a 300-foot radius of the project site. No public comments have been received as of the writing of this staff report.

III. STAFF FINDINGS AND RECOMMENDATIONS

Staff finds that the proposed project meets the applicable requirements and recommends that the Planning and Economic Development Commission adopt the Planning and Economic Development Commission Resolution making the required CEQA and Municipal Code findings, and approving Variance (VAR) 25-003 with conditions as recommended by staff, or with modifications.

Attachments

Attachment A: Planning and Economic Development Commission Resolution

Attachment B: Project Plans, dated received by the Town December 5, 2025

Attachment C: Project Narrative, dated received by the Town November 22, 2025