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

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RESOLUTION NO. PEDC 2026-02

**A RESOLUTION OF MAMMOTH LAKES PLANNING & ECONOMIC
DEVELOPMENT COMMISSION APPROVING VARIANCE (VAR) 25-002 FOR
AN 80% REDUCTION OF THE REQUIRED 20-FOOT FRONT YARD SETBACK AND
FOR AN 80% REDUCTION OF THE REQUIRED 10-FOOT NORTHERN SIDE YARD
SETBACK TO ALLOW THE PROPOSED CONSTRUCTION OF A NEW
DETACHED GARAGE ON A STEEP, DOWN-SLOPING LOT
LOCATED AT 436 MAMMOTH KNOLLS DRIVE
(APN: 039-050-030-000)**

WHEREAS, a request for consideration of a variance application was filed by Mike Britton of Britton Architecture on behalf of the record property owners, Damon Conover and Danica McCoy, for an 80% reduction of the required 20-foot front yard setback (*reduced from 20 feet to approximately 4 feet at the northwest corner of the new detached garage*) and for an 80% reduction of the required 10-foot northern side yard setback (*reduced from 10 feet to approximately 2 feet*) to allow the proposed construction of a new detached garage on a steep, down-sloping lot located at 436 Mammoth Knolls Drive. The variance application was filed in accordance with the applicable Town of Mammoth Lakes Municipal Code chapters, which include Chapter 17.20 (Residential Zones) and Chapter 17.72 (Variances); and

WHEREAS, the existing single-family residence is nonconforming with regards to required parking spaces, because no garage or conforming 10'x20' exterior parking spaces currently exist on-site;

WHEREAS, the Planning and Economic Development Commission conducted a duly noticed public hearing on the application request on February 11, 2026, at which time all those desiring to be heard were heard; and

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

1. The Planning and Economic Development Commission staff report with attachments;
2. The General Plan, Municipal Code, and associated Land Use Maps;
3. Oral evidence submitted at the hearing;

4. Written evidence submitted at the hearing;
5. The physical configurations and limitations of the property; and
6. The variance application dated received by the Town on 10/21/2025, the variance narrative dated received by the Town on 12/03/2025, and the variance plans consisting of seven (7) sheets dated received by the Town on 01/22/2026.

NOW THEREFORE, THE TOWN’S PLANNING AND ECONOMIC DEVELOPMENT COMMISSION DOES RESOLVE, DETERMINE, FIND, AND ORDER AS FOLLOWS:

SECTION 1: FINDINGS

I. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS

The project has been determined to be categorically exempt from the provisions of CEQA pursuant to CEQA Guidelines Section 15303, New Construction or Conversion of Small Structures, of Title 14 of the California Code of Regulations, which applies to construction and location of limited numbers of new, small facilities or structures, such as the proposed construction of one (1) accessory (appurtenant) structure (e.g., carport, garage, patio). The State of California has determined that these types of projects are within a class of projects that will not have any significant environmental impacts. The project qualifies for the above-described categorical exemption, because the project consists of the proposed construction of a new 696-square-foot detached garage for an existing 1,926-square-foot single-family residence.

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 because:

- a) The project is not located within a sensitive environment. The project is located on a developed and previously disturbed site that consists of an existing single-family residence. Furthermore, the project site is not located within an area that would be considered environmentally sensitive, as the project site and surrounding contiguous parcels to the south and to the east are fully developed.

There are no designated scenic highways adjacent to or near the project site. There are no designated farmland areas located within the Town boundaries, thus the project site is not identified as farmland by the California Resources Agency as part of the Farmland Mapping and Monitoring Program, is not located on or near Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, and is not subject to any Williamson Act Contracts. Furthermore, no portion of the project site is zoned for or developed as forest land or timberland as defined in Public Resources Code §12220(g) and Government Code §4526. There are no known sensitive biological resources located within the project vicinity, and the project site is not located within the boundaries of a Habitat Conservation Plan or Natural Community Conservation Plan. The project site is currently developed with an existing single-family residential use. No classified or designated mineral deposits of statewide or regional significance are known to occur on the project site. The project site is not located within a state-designated Alquist-Priolo Fault Hazard Zone, does not have any known active faults crossing the project site, and the nearest fault to the project site is approximately 0.65 miles to the west. There are no hazardous material sites listed within or near the project site per any of the State and Federal databases. There are no known historical or cultural resources on the project site.

- b) The cumulative impact from successive projects over time will not be significant because the use is consistent with the allowed and previously anticipated uses for the zone.
- c) Given the location, scope, and purpose of the proposed project, there would be no significant impacts or effects on environmental resources, as the site has been previously developed and the development is consistent with all development and design standards of the Zoning Code with approval of this variance. It is not anticipated that any unusual circumstances exist on the site that would result in significant impacts or increase the severity of any existing less than significant impacts.
- d) As stated above in response (a), the project site is not located adjacent to or near a scenic highway. The project location is not identified as a Major View Corridor in the Town's General Plan and views of the project site are not considered scenic. Therefore, the proposed project would not have a substantial adverse effect on a scenic vista or damage scenic resources within a state scenic highway.
- e) As stated above in response (a), there are no hazardous materials listed within or near the project site. The project site is not listed on the Hazardous Waste and Substances list maintained by the Town; or the State Water Resources Control Board GeoTracker system which includes leaking underground fuel tank sites and spills, leaks, investigations, and cleanup sites; or the Department of Toxic Substances Control EnviroStar Data Management System which includes CORTESTE sites; or the Environmental Protection Agency's database of regulated facilities.
- f) As stated above in response (a), there are no known historical or cultural resource areas on the project site, and therefore, there will not be a substantial adverse change in the significance of an established historical resource as a result of the project.

Therefore, since the project meets the criteria for use of the above-described categorical exemption, and the application of that categorical exemption 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

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 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;**

There are special circumstances applicable to the property, including the steep and down-sloping topography of the lot, which features an average slope of approximately 35-36% within the required setback lines (the standard buildable area). The existing topography of the lot significantly reduces the area suitable for conventional development located within the standard buildable area. The flattest portion of the lot is partly located within the standard 20-foot front yard setback area and the standard 10-foot northern side yard setback area, and because this area is the most accessible from the public right-of-way, it is the most feasible location for vehicular access and placement of the garage.

In addition, the property is considered to be substandard with regard to lot width (37-foot lot width adjacent to the public right-of-way), which is significantly below the minimum lot width requirement

of 75 feet and the minimum lot width requirement for site access of 50 feet for lots located within the Residential Single-Family zoning district pursuant to Municipal Code Section 17.20.030.

The above-described special circumstances create a hardship for the property owner with regard to development and adherence to the standard 20-foot front yard setback requirement and the standard 10-foot northern side yard setback requirement. The strict application of the Zoning Code development standards therefore deprives the property of privileges enjoyed by other property located within the vicinity and under the identical zoning district.

2) Approval of the variance does not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and in the same zone;

Approval of Variance 25-002 does not constitute a grant of special privileges, because the Variance will allow for the proposed construction of a new detached garage, which is consistent with land use privileges enjoyed by other properties located within the subdivision and is a permitted land use within the Residential Single-Family zoning district.

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;

Variance 25-002 requests an 80% reduction of the standard 20-foot front yard setback requirement (*reduced from 20 feet to approximately 4 feet at the northwest corner of the new detached garage*) and requests an 80% reduction of the standard 10-foot northern side yard setback requirement (*reduced from 10 feet to approximately 2 feet*) to allow for the proposed construction of a new detached garage. This request is expressly authorized by the zone governing the property and is consistent with neighboring properties, where the majority of neighboring properties are significantly less challenging topographically and feature larger lot widths adjacent to the public right-of-way.

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

Approval of Variance 25-002 would not be detrimental to the public health, safety, or welfare, or injurious to the property or improvements located within the vicinity and zoning district in which the property is located, because a new detached garage is consistent with what would be permitted on similar single-family residential lots. The project improves compliance with parking space requirements and provides safer access to and from the existing single-family residence.

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

Variance 25-002 is consistent with the General Plan, as the applicable land use designation for the property is Low-Density Residential 2 (LDR-2), which protects the low-density character of existing neighborhoods. Development standards are intended to provide for privacy through separation of buildings, usable yards, and limited shading by structures of adjoining parcels. The proposed construction of a new three-car detached garage maintains the existing single-family residential use of the property as well as the low-density residential character of the neighborhood through careful site planning that maximizes the separation from the adjacent residential structures. 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 Variance is the minimum departure from the requirements of the Zoning Code necessary to grant

relief to the applicant, since the existing 1,926-square-foot single-family residence requires three (3) parking spaces (*two (2) interior 9'x18' spaces and one (1) exterior 10'x20' space*) in order to be compliant with the minimum parking space requirement. The Variance enables the property owner to construct a new three-car detached garage with covered entryway on-site, which improves compliance with the applicable parking space requirements and provides for safer access to and from the existing 1,926-square-foot single-family residence.

A third parking space is proposed to be located within the garage, because the proposed location of the garage does not maintain adequate dimensions for an exterior parking space to be located within the driveway and entirely outside of the public right-of-way. The alternative parking space configuration may be approved by the review authority if deemed appropriate, and in this scenario, the project Architect has stated that the proposed location of the garage is important, because locating the garage any closer to the existing single-family residence would result in a surcharge load from the garage foundation onto the existing single-family residence foundation, which was not likely designed for such a load and therefore, could be structurally compromised.

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

Approval of Variance 25-002 is in compliance with the requirements of CEQA, in that the scope of the project is categorically exempt from the provisions of CEQA pursuant to CEQA Guidelines Section 15303, New Construction or Conversion of Small Structures, of Title 14 of the California Code of Regulations, since the project consists of the proposed construction of a 696-square-foot detached garage addition for an existing 1,926-square-foot single-family residence, which involves a negligible expansion of the existing use. The proposed detached garage will not result in an increase of more than 10,000 square feet, is located within an area where all public services and facilities are available to allow the maximum development permissible in the General Plan, and is located within an area that is not environmentally sensitive.

SECTION 2: PLANNING & ECONOMIC DEVELOPMENT COMMISSION ACTION

1. Finds that the project is categorically exempt from the provisions of CEQA pursuant to CEQA Guidelines Section 15303, New Construction or Conversion of Small Structures, of Title 14 of the California Code of Regulations;
2. Approves Variance 25-002, subject to the following Conditions of Approval:

(see “EXHIBIT A”); and
3. Directs staff to file a Notice of Exemption.

PASSED AND ADOPTED this 11th day of February 2026, by the following vote, to

AYES:

NAYS:

ABSENT:

ABSTAIN:

RECUSED:

ATTEST:

Nolan Bobroff
Community & Economic Development Director

Dawn Vereuck
Vice Chair of the Mammoth Lakes Planning &
Economic Development Commission

NOTE: Pursuant to Municipal Code Section 17.104.030, if the applicant disagrees with this determination, an appeal may be filed with the Town’s Planning and Economic Development Commission. This determination is subject to Municipal Code Chapter 17.104, which specifies time limits for legal challenges.

PROPERTY OWNERS:

We, Damon Conover and Danica McCoy, do hereby attest that we have read, and agree to, the Conditions of Approval stipulated within this Determination of Approval.

Damon Conover
(Notary Required)

Date: _____

Danica McCoy
(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 _____

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.

Notary Public Signature

Seal

EXHIBIT “A”
Case No. VAR 25-002 – Resolution No. PEDC 2026-02
CONDITIONS OF APPROVAL

- 1) This approval authorizes: an 80% reduction of the standard 20-foot front yard setback requirement (*reduced from 20 feet to approximately 4 feet at the northwest corner of the new detached garage*) and for an 80% reduction of the standard 10-foot northern side yard setback requirement (*reduced from 10 feet to approximately 2 feet*) to allow for the proposed construction of a new three-car detached garage on a steep, down-sloping lot located at 436 Mammoth Knolls Drive consistent with the final submittal set received by the Town on January 22, 2026, except as may be modified pursuant to the conditions of approval, which shall be adhered to for the duration of this approval. The plans submitted for building permit plan check shall conform to the plans approved as part of this approval. Changes to design and/or layout not considered by this approval will require additional Community and Economic Development Department review and approval.
- 2) A valid grading permit and/or building permit shall be required before any work can begin on-site.
- 3) 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.
- 4) The use shall be in compliance with all Town of Mammoth Lakes, County of Mono, Mammoth Community Water District, and Mammoth Lakes Fire Protection District requirements, laws, statutes, ordinances, regulations, directives, orders, and the like, applicable thereto and in force at the time thereof.
- 5) This Resolution, as conditioned herein, shall be recorded for the subject real property by Mono County Recorder’s Office prior to commencement of the use or the issuance of any building permit.
- 6) All conditions of approval shall be met prior to issuance of a certificate of occupancy or the final building permit sign-off.
- 7) Existing trees and vegetation shall be preserved to the maximum extent feasible. Only the trees and vegetation explicitly identified to be removed on the approved site plan may be removed. Existing tree and vegetation removal shall be limited to the designated disturbance areas necessary for construction of the proposed detached garage and covered entryway. Remaining trees and vegetation outside of the approved disturbance areas shall be protected and retained. Prior to any disturbance of the site related to the construction, a pre-construction inspection by Town staff shall be conducted to verify that only the existing trees and vegetation explicitly identified to be removed on the approved site plan are marked for removal.

- 8) Existing trees and vegetation shall be protected with fencing prior to grading and/or construction, and the fencing shall exist on-site for the duration of construction. Dripline areas shall be protected, and trunks of retained trees shall be protectively wrapped. Protection of the existing trees and vegetation shall be verified during the pre-construction inspection by Town staff.
- 9) Pursuant to California Fish and Game Code (FGC) Sections 3503 and 3503.5 and the Federal Migratory Bird Treaty Act, it is unlawful to take, possess, or needlessly destroy the eggs or nest of any bird or bird-of-prey, except as otherwise provided by FGC or any regulation made pursuant thereto. Completion of a survey prepared by a biologist with relevant qualifications within three (3) days of initiation of disturbance is recommended for projects that have the potential to disturb suitable nesting habitat, which may include riparian vegetation, mature trees, structures, or snags.
- 10) Exterior lighting shall be downward directed, shielded, and the source of lighting shall not be visible from any point off of the property. The minimum amount of exterior lighting necessary for the exterior shall be utilized with minimal intensity. Exterior lighting shall be compliant with Municipal Code Section 17.36.030 and shall be verified for compliance prior to building permit sign-off for the addition.
- 11) Proposed landscaping shall be compliant with Municipal Code Chapter 17.40.
- 12) If new, permanently irrigated landscape areas exceed 500 square feet or if existing, permanently irrigated landscape areas in excess of 2,500 square feet are rehabilitated, a comprehensive landscape documentation package shall be required prior to building permit sign-off for the addition.

Said landscape document package shall conform with the requirements set forth in Municipal Code Chapter 17.40. Aggregate landscape is defined as the total horizontal surface area dedicated to plant installation and irrigation plus the wet surface of any decorative water features. The landscape area for shrubs and trees shall be determined using the shrub/tree growth diameter or drip line. The landscape area does not include footprints of buildings, structures, driveways, sidewalks, decks, patios, gravel walks, stone walks, or other pervious or non-pervious hardscapes outside of planted areas. The landscape area does not include undisturbed areas with established non-irrigated vegetation or landscaping that is exempt pursuant to Municipal Code Section 17.40.020.D.

If the project qualifies for an exemption from the landscape document package requirements pursuant to Municipal Code Section 17.40.020.D, the WELO exemption form shall be completed by the owners of the property and shall be submitted to the Town prior to building permit sign-off for the addition.

- 13) The new detached garage roof eaves that encroach 8 feet into the standard 10-foot northern side yard setback area shall be protected with an engineered snowslide restraint device, which shall be verified for compliance prior to building permit sign-off for the addition.
- 14) No snow shall be shed or deposited onto the adjacent properties or into the public right-of-way, which includes snow that is removed from any portion of the property, including, but not limited to, the new detached garage, the existing single-family

residence, the new covered entryway, and the driveway. All interim snow storage areas shall be on the subject property. The property owner shall be subject to fines pursuant to Municipal Code Section 12.16.030 (*Snow Removal – Violation/Penalty*) if found to be in violation of this condition of approval.

- 15) The Town's Building Division will require that a string property line be run between the property monuments along the northern side yard property line and the southern side yard property line at foundation inspection to verify the actual field distance from the structure to the north property line and the south property line.
- 16) Pursuant to Municipal Code Section 17.64.040, approval of Variance 25-002 shall run with the land through any change in property ownership, from the effective date of the approval. All applicable conditions of approval, as specified in this resolution of approval, shall continue to apply after a change in property ownership.
- 17) No parking shall be permitted within the Town right-of-way.
- 18) Dripline trenches are required below all eaves (which do not have roof gutters or downspouts) that receive direct runoff from rooftops pursuant to Storm Drainage Design Manual Pages 2-24.
- 19) Existing drainage patterns across the property shall be maintained.
- 20) Temporary and permanent erosion control plans shall be included with grading, improvement, and building plans. Continuous water spraying or other approved methods shall be used during grading operations to control fugitive dust. Drop inlet filters and other temporary Best Management Practices shall be employed to filter nuisance water from storm drain inlets affected by construction, on-site and off-site. Groundwater pollution from urban run-off water generated by the project shall be mitigated using best management practices (BMPs), per the requirements of the California Regional Water Quality Control Board, Lahontan District, and as indicated in the "New Development and Redevelopment Guidelines". The applicant shall apply for and obtain all required permits, written clearances, or exemptions from the Lahontan District prior to any grading. All BMPs shall be shown on the erosion control plans. If the Town inspector determines that the BMPs in place are not adequate, then additional BMPs shall be installed at the discretion of the Town inspector or a revised erosion control plan shall be prepared for approval by the engineering services division. Gravel bags shall be used in lieu of sandbags. All permanent erosion control measures shall be irrigated for at least one season. Permanent BMPs shall include sediment traps upstream of infiltrators and oil water separators for parking areas consistent with the General Plan.