

MONO COUNTY PLANNING COMMISSION

PO Box 347
Mammoth Lakes, CA 93546
760.924.1800, fax 924.1801
commdev@mono.ca.gov

PO Box 8
Bridgeport, CA 93517
760.932.5420, fax 932.5431
www.monocounty.ca.gov

Adopted Minutes

April 18, 2024 – 9:00 a.m.

COMMISSIONERS: Patricia Robertson, Roberta Lagomarsini, Chris Lizza, Scott Bush

STAFF: Heidi Willson, planning commission clerk; Brent Calloway; principal planner; Wendy Sugimura, director; Rob Makoske, planning analyst; Aaron Washco, planning analyst; Emily Fox, county counsel; Tom Perry, building official; Jeff Hughes, county counsel; Ray Flagg, building inspector; Dustin LeBrun, Code enforcement officer

PUBLIC: Craig Tapley, Luke Connaughton

1. **CALL TO ORDER & PLEDGE OF ALLEGIANCE:** Meeting called to order at 9:12 am and the Commission led the Pledge of Allegiance.
2. **PUBLIC COMMENT:** Opportunity to address the Planning Commission on items not on the agenda.
 - **No public comment.**
3. **MEETING MINUTES**
 - A. Review and adopt minutes of March 21, 2024.

Motion: Approve the minutes from meeting on March 21, 2024, as presented.
Lizza motion; Robertson second.
Roll-call vote – Ayes: Bush, Lizza, Robertson, Lagomarsini. Absent Fogg.
Motion Passes 4-0 with 1 absent.
4. **ACTION ITEMS –**
 - A. **Planning Appeal/Connaughton (B24-015). 201 West Steelhead Road, June Lake (APN 016-112-015-000).** Appeal of a Planning Division determination that the height of the garage encroaching into the front yard setback exceeds the eight-foot height maximum of the General Plan Land Use Element. The property is located at 201 West Steelhead Road (APN 016-112-015-000) and designated Single-Family Residential (SFR). The Planning Commission can affirm or reverse the Planning Division’s determination. A CEQA exemption is proposed.
Staff: Aaron Washco
 - Lizza recused himself due to a personal relationship with the applicant and the perceived conflict of interest.
 - Washco gave a presentation and answered questions from the Commission.
 - Public Hearing opened at 9:24 a.m.

DISTRICT #1
COMMISSIONER
Patricia Robertson

DISTRICT #2
COMMISSIONER
Roberta Lagomarsini

DISTRICT #3
COMMISSIONER
Jora Fogg

DISTRICT #4
COMMISSIONER
Scott Bush

DISTRICT #5
COMMISSIONER
Chris I. Lizza

- Applicant gave a comment and answered questions from the Commission.
 - No public comments
 - Public Hearing Closed at 9:28 am.
- Commissioners deliberated the project, which included questions to, answers from, and exchanges with staff and the applicant.

Motion: Uphold the staff determination and move forward with a variance.

Robertson motion; Lagomarsini second.

Roll-call vote – Ayes: Robertson, Lagomarsini. Nay Bush. Absent Lizza, Fogg.

Motion Passes 2-1 with 2 absent.

Findings and Rationale

Staff reviewed the required findings that must be made to grant a variance from the provisions of the land use designations or land use regulations, as follows:

- A. *Because of special circumstances (other than monetary hardship) applicable to the property, including its size, shape, topography, location or surroundings, the strict application of the provision of the land use designations or land development regulations deprives such property of privileges (not including the privilege of maintaining a nonconforming use or status) enjoyed by other property in the vicinity and in an identical land use designation.*

The subject parcel is highly constrained due to the steep upward slope and large rock outcroppings present on the parcel. This topography deprives the subject property of privileges enjoyed by other properties in the vicinity with Single-Family Residential (SFR) land use designations. On other SFR parcels in the vicinity without such topographical limitations, landowners are able to build garages with nine-foot doors to store larger vehicles. Therefore, this finding can be made.

- B. *The grant of variance will not constitute a special privilege inconsistent with the limitations upon other properties in the vicinity and in the land use designation in which the property is situated.*

A garage door height of nine feet is considered standard and numerous other single-family residential units in the area have garage doors that are nine feet tall. Therefore, allowing for a nine-foot-tall garage door on the subject parcel is not a special privilege. This finding can be made.

- C. *The grant of variance will not be detrimental to the public welfare or injurious to property or improvements in the area in which the property is situated.*

The project is designed to maintain as much of the setback as possible. There have also been no oppositional comments made or received in the noticing period for the project. As a result, there is no evidence that the lower-level garage component of the proposed project would be detrimental to the public welfare or injurious to property or improvements in the area. This finding can be made.

D. The grant of variance will not be in conflict with established map and text of the general and specific plans and policies of the County.

The proposed project involves construction of a single-family home on a parcel with a land use designation of SFR. The proposed project is consistent with the subject parcel's land use designation, as described in the Mono County General Plan. The proposed project is also not in violation of any Mono County policies and, therefore, this finding can be made.

Motion: Move to tentatively grant a variance for this project and incorporate oral findings as stated by staff.

Lagomarsini motion; Bush second.

Roll-call vote – Ayes: Bush, Robertson, Lagomarsini. Absent Lizza, Fogg.

Motion Passes 3-0 with 2 absent.

5. REPORTS

A. Director: Sugimura gave a brief overview of the director report provided in the packet and answered questions from the Commission.

B. Commissioners: No reports.

6. INFORMATIONAL/ CORRESPONDENCE

7. ADJOURN to the Scheduled Special Meeting on May 9, 2024, at 1:00 pm in the Bridgeport Chambers.