



**CITY OF LA CAÑADA FLINTRIDGE PLANNING DEPARTMENT
NOTICE OF ADMINISTRATIVE APPROVAL AND
ACKNOWLEDGEMENT OF CONDITIONS**

Certified Mail / Return Receipt

Date of Approval: July 30, 2015
Site Location: 324 Knight Way

Case No.: DM 15-27 (Pool Eqpt)
Planner: Jess Barragan

TO: Sherry Lou and David Kuang
324 Knight Way
La Cañada Flintridge, CA 91011

RE: Director's Miscellaneous (DM) 15-27 at 324 Knight Way

Staff has reviewed your request for a Director's Miscellaneous Setback Modification to allow pool/spa mechanical equipment to encroach into the required rear-yard setback. The proposed swimming pool equipment will be located 5-feet from the southwest (rear) property line encroaching 10-feet within the required setback. Per Section 11.45.010 of the Modification and Special Reviews – Setback Modification Ordinance, staff found the following.

Director's Miscellaneous Review (Setback):

- 1. Topographic features, lot configurations or other conditions make it impractical to require compliance with the yard requirements.**

Given the location of the pool and the configuration of the rear yard, placing the pool equipment 15-feet from rear property line would not be practical. The proposed location is the best possible alternative. The new pool equipment will be immediately behind an existing garage and would be screened with existing trees and a wood fence. Staff supports the finding.

- 2. The proposed project preserves the existing scale and character of the surrounding neighborhood, and protects public views, and aesthetic and other property values in such neighborhoods in a manner which is compatible with reasonable development of the subject lot and is consistent with the residential design guidelines as adopted by resolution of the city council.**

The proposed swimming pool/spa mechanical equipment would not be visible from off-site. It will have no impact on the existing scale and character of the neighborhood. Staff supports the finding.

Based on the above findings, your request **HAS BEEN APPROVED**, subject to fourteen (14) conditions of approval listed in Exhibit "A", attached to this notice.

Please note that Condition No. 6 stipulates that the approval expires one year from the date of this approval unless an extension request is received in writing prior to the expiration of the original approval. If the approval expires prior to start of construction, and no request for extension is received by that time, City procedures require a new application with full fees. Please also be aware that the City will not provide further notice of the expiration date.

Robert J. Stanley
 Director of Community Development

Cc:

<i>Applicant:</i> <i>Dave Arnold</i> <i>4170 Eve Road</i> <i>Simi Valley, CA 93063</i>	APN: 5817-011-014 DAVID A & SHERRY KUANG 324 KNIGHT WAY LA CANADA FLINTRIDGE CA 91011	APN: 5817-013-010 JESSICA S CHU 1418 ESSEX LN GLENDALE CA 91207
APN: 5817-011-015 BETTE J & F HOBBS 320 KNIGHT WAY LA CANADA FLINTRIDGE CA 91011	APN: 5817-013-009 ALBERT & SHEILA MASTERS 319 KNIGHT WAY LA CANADA FLINTRIDGE CA 91011	APN: 5817-011-023 OTTO & SUSANNA LEAR 327 CANON DE PARAISOLN LA CANADA FLINTRIDGE CA 91011
APN: 5817-011-022 FENGCHUAN LIU 331 CANON DE PARAISOLN LA CANADA FLINTRIDGE CA 91011	APN: 5817-011-013 MAUREEN C MARR 330 KNIGHT WAY LA CANADA FLINTRIDGE CA 91011	

PROPERTY OWNERS' ACKNOWLEDGEMENT OF CONDITIONS

As property owner(s), we, Sherry Lou and David Kuang, hereby acknowledge that we have received and understand the fourteen (14) conditions of approval, listed in Exhibit "A", attached.

Signature of Property Owner(s)

Date

Please sign and return one (1) copy of this form to the Planning Department prior to permit issuance, per Condition 3 of approval.

APPEAL PROCEDURES

Any interested person may appeal this action to the Planning Commission within fifteen (15) days of the mailing date of this notice.

An appeal shall contain the following information:

1. The Project Case No.,
2. The nature of the appeal (e.g., objection to approval/denial, or any of the conditions).
3. A brief statement of reasons for the appeal.
4. A filing fee equal to one-half the original application fee.

File applications for appeal to:

CITY OF LA CAÑADA FLINTRIDGE
1327 FOOTHILL BLVD.
LA CAÑADA FLINTRIDGE, CA 91011
(818) 790-8880

Any court challenge of the matter will be limited to filing within 90 days of a final City decision, per the adoption of Section 1094.6 of the Code of Civil Procedure, as adopted by the City Council.

EXHIBIT "A"
CONDITIONS OF APPROVAL
DIRECTOR'S MISCELLANEOUS (POOL EQUIPMENT SB) 15-27
324 KNIGHT WAY

1. Compliance with and execution of all conditions listed herein shall be necessary prior to obtaining final building inspection clearance and/or prior to obtaining any occupancy clearance. Deviation from this requirement shall be only by written consent of the Director of Community Development.
2. This approval is granted for the land or land use as described in the application and any attachments thereto, and as shown on the site plan submitted, labeled DM 15-27 (Pool Eqpt)
3. Prior to obtaining a building permit or when applicable initiation of use, the applicant and property owner shall file with the Secretary of the Planning Commission written acknowledgment of the conditions stated herein on forms provided by the Planning Department.
4. All structures, site work and other features including but not limited to, buildings, roadways, parking areas, landscaping and other facilities shall be located and maintained substantially as shown on the site plan labeled DM 15-27 (Pool Eqpt), except as otherwise stated in these conditions.
5. All buildings and structures shall be substantially of the design as indicated on the elevation plans labeled DM 15-27 (Pool Eqpt), except as otherwise stated in these conditions.
6. This approval will expire unless "start of construction" is commenced within 12 months after approval is granted and diligently pursued thereafter. The Director of Community Development may extend the original expiration date by as much as 12 months upon receipt of a written request from the applicant prior to expiration of the original approval if the approved project and applicable zoning standards are unchanged. Start of construction is defined as:
 - a. All zoning and related approvals are effective; and
 - b. All required building and grading permits for the project have been issued; and
 - c. The "foundation inspection" and "concrete slab or underfloor inspection" have been made and received approval from the Division of Building and Safety; i.e., all trenches must be excavated, forms erected, and all materials for the foundation delivered on the job and all in-slab or underfloor building service equipment, conduit, piping accessories and other ancillary equipment items must be in place. Nothing in this definition shall be construed to alter the applicable legal standards for determining when vested property rights to complete the project have arisen.

7. All applicable requirements of any law, ordinance, or regulation of the City of La Cañada Flintridge shall be complied with.
8. This approval is subject to the applicant paying all fees and assessments to the City of La Cañada Flintridge, as established by ordinance, resolution or policy of the City Council.
9. In the event the City determines that it is necessary to take legal action to enforce any of the provisions of these conditions, and such legal action is taken, the applicant agrees to pay any and all costs of such legal action, including reasonable attorney's fees, incurred by the City, even if the matter is not prosecuted to a final judgment or is amicably resolved, unless the City should otherwise agree with the applicant to waive said fees or any part thereof. The foregoing shall not apply if the permittee prevails in the enforcement proceeding.
10. The applicant shall defend, indemnify, and hold harmless the City and its officers, agents, and employees from any claim, action or proceeding against the City or its officers, agents, or employees to attack, set aside, void, or annul approval of this Director's Miscellaneous application. The City shall promptly notify the applicant of any such claim, action, or proceeding and shall cooperate fully in the defense.
11. An approval granted by the Director of Community Development does not constitute a building permit or authorization to begin any construction. An appropriate permit issued by the Division of Building and Safety must be obtained prior to construction, enlargement, relocation, conversion, or demolition of any building or structure within the City.
12. All construction/contractor parking shall be on-site only. If it is deemed by the Community Development Director that sufficient on-site parking may not be available, then on-street parking in front of the site will be permitted if it can be demonstrated that such parking will not interfere with the immediate neighbors, and will not interfere with the public's use of the surrounding streets. If this cannot be found, then any additional construction vehicle or equipment parking must occur off-site at a location approved by the Director of Community Development. Approval of the off-site location shall be based on the submittal of a Parking Management Plan by the applicant that demonstrates that the site shall not interfere with the neighbors in the area or hinder the public's use of the surrounding streets. Contractors and construction workers will be required to carpool to the construction site. No construction, no deliveries and no movement of construction materials shall occur on Sundays or City recognized holidays.
13. Proposed installation and location of pool/spa equipment shall comply with building regulations and maintain the required tree setback distance of 3.5 times the trunk diameter of all surrounding City protected oaks and Sycamores.
14. The pool/spa equipment or any screening structure located within the required side and rear-yard setbacks shall not exceed 6-feet in total height.

* * * * *