

# CITY OF LA CAÑADA FLINTRIDGE

## PLANNING COMMISSION STAFF REPORT

July 21, 2016 Meeting

### Owner/Applicant:

Mr. James K. Floyd  
1135 Vista Del Valle Road  
La Cañada Flintridge, CA 91011

### Case Types/Numbers:

Variance 16-03  
Lot Line Adjustment 16-01

### Project Address:

1135 Vista Del Valle Road and  
5215 Vista Miguel Drive

### Case Planner:

Susan Koleda  
Deputy Director of Community Development

### Recommendation:

Approval with conditions



### 1. Request:

Lot Line Adjustment (LLA) 16-01 is a request to modify the lot line between two existing, developed single-family residential parcels. The LLA would result in 1135 Vista Del Valle Road (Parcel 1) increasing in size from 15,174 square feet to 19,045 square feet and 5215 Vista Miguel Drive (Parcel 2) would decrease in size from 15,751 square feet to 11,880 square feet. A Variance is required because the parcels would remain below the 20,000 square foot minimum lot size requirement for the zone.

### 2. Location:

1135 Vista Del Valle Road is located on the north side of Vista Del Valle, between La Cañada Boulevard and Vista Miguel Drive. 5215 Vista Miguel Drive is located on the west side of Vista Miguel Drive, north of Vista Del Valle Road. The project is located within the R-1-20,000 zone.

### 3. Staff Recommendation:

It is recommended that the project **BE APPROVED**, subject to the conditions contained in the attached draft resolution.

**4. Project Size:**

	<u>1135 Vista Del Valle</u>	<u>5215 Vista Miguel</u>
Designation	Parcel 1	Parcel 2
Existing Lot Area:	15,174 sf	19,045 sf
Proposed Lot Area:	15,751 sf	11,880 sf

**5. General Plan / Zoning / Existing Land Use:**

The Land Use Map identifies the site as Very Low Density Residential – Up to 2 Dwelling Units per Acre. The property is designated R-1-20,000 (Single Family Residential – 20,000 Square Foot Minimum Lot Size). Each of the lots comprising the project area is occupied by a single-family residence and accessory structures.

**6. Environmental Impact Review:**

Staff has determined that the proposed project is Categorically Exempt from the California Environmental Quality Act pursuant to Section 15305, Minor Alternations in Land Use Limitations and under Section 2.5(e)(1) of the City of La Cañada Flintridge Guidelines for the Implementation of CEQA, Alterations in Land Use Limitations, which includes minor lot line adjustments and variances not resulting in the creation of any new parcel.

**7. Previous Action:**

None.

**8. Pending and Potential Actions:**

Recordation of the Lot Line Adjustment.

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**9. Staff Analysis:**

A. Context:

The subject parcels share a common property line; the east (side) property line of Parcel 1 and the west (rear) property line of Parcel 2. Although the parcels share a property line, Parcel 1 has frontage on, and takes access from, Vista Del Valle Road and Parcel 2 has frontage on, and takes access from, Vista Miguel Drive. The north-south oriented portion of Parcel 2, the area that is the subject of the proposed Lot Line Adjustment, does not extend to or have frontage on Vista Del Valle Road. A five foot by 26.7 foot wide strip associated with 5207 Vista Miguel Drive separates the proposed adjustment area of Parcel 2 from Vista Del Valle Road. This appears to have been a deliberate designed to prevent Parcel 2 from accessing Vista Del Valle.

Lot sizes within the general vicinity of the project site and with a zone designation of R-1-20,000 are shown in the table below.

<b>Address</b>	<b>Lot Size</b>	<b>Address</b>	<b>Lot Size</b>
5186 La Cañada Blvd	15,250 sf	5207 Vista Miguel Dr	35,284 sf
5195 La Cañada Blvd	15,360 sf	5210 Vista Miguel Dr	25,700 sf
5198 La Cañada Blvd	21,360 sf	5224 Vista Miguel Dr	24,394 sf
5203 La Cañada Blvd	18,000 sf	5225 Vista Miguel Dr	39,640 sf
5210 La Cañada Blvd	28,750 sf	5234 Vista Miguel Dr	24,394 sf
5213 La Cañada Blvd	15,300 sf	5244 Vista Miguel Dr	24,830 sf
5218 La Cañada Blvd	18,295 sf	5245 Vista Miguel Dr	39,640 sf
5221 La Cañada Blvd	15,246 sf		

**B. Project Description:**

The project is an adjustment of a lot line between the side yard of Parcel 1 and the rear yard of Parcel 2. The two parcels are commonly owned.

As currently configured, Parcel 1 is a rectangular lot with dimensions of 85 feet by 178.52 feet. The principal portion of Parcel 2, 60 feet wide by 198 feet deep, has an east-west orientation. A narrow strip approximately 26.5 feet wide by 145 feet deep extends to the south from the southwest corner of the balance of Parcel 2. Although the strip is legally part of Parcel 2, the area has been developed with a concrete driveway as part of Parcel 1. According to the current owner, this occurred when the parcels were under separate ownership but with a private agreement between the two owners. Both properties are currently under one ownership. An existing fence is located along the proposed amended property line between Parcels 1 and 2. The proposed lot line adjustment would not alter access for either parcel and would result in no physical changes.

The adjustment of the lot line would not result in any new nonconformities to either parcel. The existing legally constructed single-family residence and pool house located on Parcel 1 both have an existing side yard setback of five feet on the west side. With an existing lot width of 85 feet, the existing residence and pool house are located 3'-6" into the side yard setback, making the structures legal nonconforming with respect to the side yard setback. Any future modifications to the structures will require approval of a Setback Modification. The existing residence located on Parcel 2 has a north side yard setback of four feet, encroaching two feet into the required six foot side yard setback. All other yard setbacks are compliant. No additional encroachments would result from the proposed lot line adjustment.

### C. Lot Line Adjustment:

#### *Issues/Discussion*

According to the State Subdivision Map Act, the review of a Lot Line Adjustment is limited to ensuring that the resulting parcels conform to the local General Plan and Zoning Code, and that no significant environmental problems are created.

#### General Plan Compliance

Both parcels have a General Plan Land Use designation the Very Low Density Residential (up to two dwelling units per acre). This designation is consistent with a minimum lot area of 20,000 square feet, making both existing parcels legal nonconforming. The nonconformity of Parcel 2 would increase if the lot line adjustment were approved, which would be contrary to the General Plan. This concern would be alleviated by a more functional distribution of lot area and may be authorized through approval of a Variance. Therefore, staff would recommend finding that the properties are consistent with the General Plan if the concurrent Variance application is approved.



#### Zoning Code Compliance

As previously stated, with approval of the lot line adjustment Parcel 1 would increase in size from 15,174 square feet to 19,045 square feet (decreasing the nonconformity with regard to lot size) and Parcel 2 would decrease in size from 15,751 square feet to 11,880 square feet. Both lots are currently smaller than the 20,000 square foot minimum size required by the Zone designation of R-1-20,000 and both would remain below than the minimum required size if the project is approved.

Approval of the project would not result in any new nonconformities with regards to current Zoning standards. The existing residence and accessory pool house on Parcel 1 are nonconforming with regard to the side (west) yard setback. This is not a new nonconformity and would need to be addressed through a Setback Modification if any future permits for expansion of the structures were requested. The total roofed area of Parcel 1 would remain

consistent with current codes, with 5,268 square feet existing and 5,559 square feet permitted.

The rear and side setbacks of Parcel 2 would not be modified by the lot line adjustment and the total roofed area of the lot is consistent with current codes with 3,635 square feet existing and 4,032 square feet permitted post adjustment.

### Environmental Issues

The reconfiguration of lot lines would not affect any environmentally sensitive areas. The lot line adjustment would not modify access to either site but would allow for better utilization of that portion of the lot that is the subject of the lot line adjustment. Post adjustment, the 26.5 foot by 145 foot adjustment area more would be wholly contiguous to the side yard of Parcel 1, rather than a remote portion of Parcel 2 with no functional purpose.

### *Findings*

#### **A. The proposed Lot Line Adjustment complies with all requirements of the General Plan.**

The proposed Lot Line Adjustment complies with all requirements of the General Plan with approval of the requested Variance. Each of the parcels have a General Plan Land Use designation of Very Low Density Residential (up to 2 du/acre). Each of the parcels have been previously developed and no new development is proposed in association with the Lot Line Adjustment. Therefore, there will be no increase in density (new dwelling unit) associated with the project. Staff supports the finding.

#### **B. The proposed Lot Line Adjustment conforms to standards of the Zoning Ordinance.**

The proposed Lot Line Adjustment conforms to standards of the Zoning Ordinance. Both of the subject lots are currently non-conforming with respect to the minimum lot size for the R-1-20,000 zone. The net difference of modified area (3,871 square feet) results in 1135 Vista Del Valle Road increasing in size to 19,045 square feet and 5215 Vista Miguel Avenue decreasing in size to 11,880 square feet. As both lots will remain below the minimum lot size for the zone, the application would be consistent with the Zoning Ordinance if Variance 16-03 is approved concurrently with Lot Line Adjustment 16-01.

Approval of the project would not result in any new nonconformities with regards to current Zoning standards. The existing residence and accessory pool house on Parcel 1 are nonconforming with regard to the side (west) yard setback as they currently encroach 3'-6" into the setback while the existing residence located on Parcel 2 encroaches two foot into the required six foot side yard (north) setback. The total roofed area of Parcel 1 would remain consistent with current codes, with 5,268

square feet existing and 5,559 square feet permitted post adjustment. The total roofed area of Parcel 2 would remain consistent with current codes with 3,635 square feet existing and 4,032 square feet permitted post adjustment. Therefore, the Lot Line Adjustment would not create any new nonconformities with regards to current Zoning standards for the R-1 zone designation. Staff supports the finding.

**C. The proposed Lot Line Adjustment will not detrimentally affect floodwater drainage control; nor require improvements to public roads, sanitary disposal facilities, water supply facilities; nor require other environmental protection measures.**

The proposed Lot Line Adjustment will not detrimentally affect flood water drainage control; nor require improvements to public roads, sanitary disposal facilities, water supply facilities; nor require other environmental protection measures. Each of the parcels associated with the Lot Line Adjustment have been previously developed and no new construction is associated with the request. Therefore, the request will not have any effect on existing drainage patterns and will not impact flood water drainage control. Each of the existing lots are accessed via improved public streets and are connected to existing sanitary disposal and water supply facilities. Based upon the existing public and private improvements associated with the parcels, the request will not require the construction of improvements for access, water or sanitary sewer and will not require any other environmental protection measures. Staff supports the finding.

D. Variance:

*Issues/Discussion*

The Lot Line Adjustment involves two existing legal nonconforming parcels with regard to lot size, as both parcels are below the minimum 20,000 square foot lot area for the zone. The Lot Line Adjustment cannot remedy the lot area nonconformity but this may be permitted through the approval of the Variance.

Due to the narrowness of the proposed adjustment area, 26.7 feet in width by 145 feet in depth, the area cannot be effectively utilized by Parcel 2. With a rear yard setback of 15 feet and a side yard setback of six feet, any new structure located within this area could have a maximum width of 5.7 feet. However, if this area were added to Parcel 1, the area could be effectively utilized as a side yard. Additionally, the area in question was previously developed and utilized in conjunction with Parcel 1 through a private agreement between the owners of each of the parcels.

*Findings*

- 1. Because of special circumstances or exceptional characteristics applicable to the subject property, the strict application of this code deprives such**

**property of privileges enjoyed by other property in the vicinity and under identical zoning classification.**

There are special circumstances or exceptional characteristics applicable to the subject property, the strict application of this code deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification because each of the existing lots is currently legal nonconforming with respect to lot size. 1135 Vista Del Valle Road is currently 15,174 square feet and 5215 Vista Miguel Drive is 15,751 square feet in size; lot sizes would be modified to 19,045 square feet and 11,880 square feet respectively with approval of the Lot Line Adjustment.

5215 Vista Miguel Drive is an L-shaped property, with direct access to Vista Miguel Avenue. The north-south portion of the property, which is the subject of the Variance, is 26.7 feet in width and does not provide frontage on or access to Vista Del Valle Road. Given a rear yard setback of 15 feet and side yard setbacks of six feet (ten percent of the lot width), the 26.7 foot width is insufficient to effectively allow for a structure to be built within this area. Additionally, the 3,871 square feet of area that would be transferred as part of the associated Lot Line Adjustment has been developed and utilized in conjunction with the development located at 1135 Vista Del Valle Road through a private agreement between the property owners. Therefore, based on the existing non-conformity of the lot sizes, the narrowness of the portion of the lot to be transferred which precludes effective development and the lack of access to Vista Del Valle Road, there are special circumstances or exceptional characteristics applicable to the subject property that warrant the granting of the Variance. Staff supports the finding.

2. **The adjustment authorized will not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the property is situated.**

The adjustment authorized will not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the property is situated because all existing lots would have the same limitations with regard to compliance with minimum lot size, consistent with applicable zone designation. Any property owner wishing to adjust a lot line that will result any parcel being less than the minimum size as required by the Zoning Code may apply for a Variance from the minimum size requirement. Additionally, there are other parcels within the vicinity of the project site and with the same zone designation contain a lot area of less than 20,000 square feet. Staff supports the finding.

3. **Strict application of zoning regulations as they apply to such property will result in practical difficulties or unnecessary hardships inconsistent with the general purpose of such regulations and standards.**

The strict application of zoning regulations as they apply to such property will result in practical difficulties or unnecessary hardships inconsistent with the general purpose of such regulations and standards because as each of the parcels currently contain less area than the minimum lot size for the R-1-20,000 zone, the strict application of the code is not feasible with regard to minimum lot area. Also, the narrowness of the area that is the subject of the Lot Line Adjustment (26.7 feet by 145 feet), in conjunction with a rear yard setback of 15 feet and a side yard setback of six feet (being 10 percent of the lot width), results in an area that cannot be effectively developed with any compliant structure.

Additionally, the area to be transferred by the Lot Line Adjustment was developed and has been utilized for a significant period of time by the owner of 1135 Vista Del Valle Road through a private agreement between the property owners. The area in question does not contain frontage on Vista Del Valle Road and is separated from the public street by a five foot wide strip associated with the parcel immediately to the east. This gap appears to have been created deliberately to remove the possibility of access to Vista Del Valle Road. The resulting lot configuration provides a practical difficulty and unnecessary hardship for development of the narrow strip if it is not associated with 1135 Vista Del Valle Road. Staff supports the finding.

- 4. Such adjustment will not be materially detrimental to the public health, safety or general welfare, or to the use, enjoyment or valuation of property of other persons located in the vicinity.**

The adjustment will not be materially detrimental to the public health, safety or general welfare, or to the use, enjoyment or valuation of property of other persons located in the vicinity because there will be no physical change to the longstanding property improvements. The existing fencing surrounding the subject area and use of the transferred area will not be modified from that existing and there will therefore be no physical effect on the surrounding properties. Based on this, the approval of the Lot Line Adjustment and Variance would not be materially detrimental to the public health, safety or general welfare. Staff supports the finding.

- 5. The proposed project preserves the existing scale and character of the surrounding neighborhood and protects public views, and aesthetic values in the neighborhood.**

The proposed project preserves the existing scale and character of the surrounding neighborhood and protects public views, and aesthetic values in the neighborhood because approval of the Lot Line Adjustment and Variance will result in no physical change perceivable from offsite. The area that is the subject of the lot line adjustment has long been developed and utilized in conjunction with Parcel 1.

Staff supports the finding.

E. Recommendation:

Based on the above analysis and findings, staff recommends that the Lot Line Adjustment and Variance **BE APPROVED**, subject to conditions listed in Exhibit "A", attached to the draft resolution.



**RESOLUTION NO. 16-xx**

**A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF LA CAÑADA FLINTRIDGE  
APPROVING VARIANCE 16-03 AND  
LOT LINE ADJUSTMENT 16-01  
AT 1135 VISTA DEL VALLE ROAD AND  
5215 VISTA MIGUEL DRIVE**

WHEREAS, a request by Mr. James Kermit Floyd has been received for the approval of Variance 16-03 and Lot Line Adjustment 16-01, said request attached hereto and incorporated herein by reference; and

WHEREAS, the request applies to two properties within the R-1-20,000 zone district, referred to on the County Assessor's roles as APN 5864-021-017 and 5864-021-012; and

WHEREAS, the Lot Line Adjustment 16-01 would modify the lot line between two existing, developed single-family residential parcels, resulting in 1135 Vista Del Valle Road increasing in size from 15,174 square feet to 19,045 square feet and the 5215 Vista Miguel Drive decreasing in size from 15,751 square feet to 11,880 square feet. Variance 16-03 is request because the parcels would remain below the 20,000 square foot minimum lot size requirement for the zone.

WHEREAS, each of the properties that are the subject of the Lot Line Adjustment request contain an existing single-family residence and accessory structures; and

WHEREAS, the Planning Commission, on July 21, 2016, after publication and posting of notice in the prescribed manner, held a public hearing on the Variance and Lot Line Adjustment requests and concluded said hearing on that date; and

WHEREAS, the Planning Commission reviewed the project and determined that no significant environmental impacts would result from the project, which is Categorically Exempt from the California Environmental Quality Act, pursuant to Section 15305, Minor Alternations in Land Use Limitations and Class 2.5(e)(1) of the City of La Cañada Flintridge Guidelines for the Implementation of CEQA, Alterations in Land Use Limitations, which includes minor lot line adjustments and variances not resulting in the creation of any new parcel; and

WHEREAS, the Planning Commission has reviewed the facts contained in the staff report dated July 21, 2016 regarding the applications for Variance 16-03 and Lot Line

Adjustment 16-01 at 1135 Vista del Valle Road and 5215 Vista Miguel Drive, and heard and considered the testimony of the applicant and the public; and

WHEREAS, based on the evidence presented by the application materials, staff report, and public testimony, the Planning Commission hereby finds the following:

Section 1. Variance

A. There are special circumstances or exceptional characteristics applicable to the subject property, the strict application of this code deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification because each of the existing lots is currently legal nonconforming with respect to lot size. 1135 Vista Del Valle Road is currently 15,174 square feet and 5215 Vista Miguel Drive is 15,751 square feet in size; lot sizes would be modified to 19,045 square feet and 11,880 square feet respectively with approval of the Lot Line Adjustment.

5215 Vista Miguel Drive is an L-shaped property, with direct access to Vista Miguel Drive. The north-south portion of the property, which is the subject of the Variance, is 26.7 feet in width and does not provide frontage on or access to Vista Del Valle Road. Given a rear yard setback of 15 feet and side yard setbacks of six feet (ten percent of the lot width), the 26.7 foot width is insufficient to effectively allow for a structure to be built within this area. Additionally, the 3,871 square feet of area that would be transferred as part of the associated Lot Line Adjustment has been developed and utilized in conjunction with the development located at 1135 Vista Del Valle Road through a private agreement between the property owners. Therefore, based on the existing non-conformity of the lot sizes, the narrowness of the portion of the lot to be transferred which precludes effective development and the lack of access to Vista Del Valle Road, there are special circumstances or exceptional characteristics applicable to the subject property that warrant the granting of the Variance.

B. The adjustment authorized will not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the property is situated because all existing lots would have the same limitations with regard to compliance with minimum lot size, consistent with applicable zone designation. Any property owner wishing to adjust a lot line that will result any parcel being less than the minimum size as required by the Zoning Code may apply for a Variance from the minimum size requirement. Additionally, there are other parcels within the vicinity of the project site and with the same zone designation contain a lot area of less than 20,000 square feet.

C. The strict application of zoning regulations as they apply to such property will result in practical difficulties or unnecessary hardships inconsistent with the general purpose of such regulations and standards because as each of the parcels currently contain less area than the minimum lot size for the R-1-20,000 zone, the strict application of the code is not feasible with regard to minimum lot area. Also, the narrowness of the area that is the subject of the Lot Line Adjustment (26.7 feet by 145 feet), in conjunction with a rear yard setback of 15 feet and a side yard setback of six feet (being 10 percent

of the lot width), results in an area that cannot be effectively developed with any compliant structure.

Additionally, the area to be transferred by the Lot Line Adjustment was developed and has been utilized for a significant period of time by the owner of 1135 Vista Del Valle Road through a private agreement between the property owners. The area is question does not contain frontage on Vista Del Valle Road and is separated from the public street by a five foot wide strip associated with the parcel immediately to the east. This gap appears to have been created deliberately to remove the possibility of access to Vista Del Valle Road. The resulting lot configuration provides a practical difficulty and unnecessary hardship for development of the narrow strip if it is not associated with 1135 Vista Del Valle Road.

D. The adjustment will not be materially detrimental to the public health, safety or general welfare, or to the use, enjoyment or valuation of property of other persons located in the vicinity because there will be no physical change to the longstanding property improvements. The existing fencing surrounding the subject area and use of the transferred area will not be modified from that existing and there will therefore be no physical effect on the surrounding properties. Based on this, the approval of the Lot Line Adjustment and Variance would not be materially detrimental to the public health, safety or general welfare.

E. The proposed project preserves the existing scale and character of the surrounding neighborhood and protects public views, and aesthetic values in the neighborhood because approval of the Lot Line Adjustment will result in no physical change perceivable from offsite. The area that is the subject of the lot line adjustment has long been developed and utilized in conjunction with Parcel 1.

## Section 2. *Lot Line Adjustment:*

1. The proposed Lot Line Adjustment complies with all requirements of the General Plan. Each of the parcels have a General Plan Land Use designation of Very Low Density Residential (up to 2 du/acre). Each of the parcels have been previously developed and no new development is proposed in association with the Lot Line Adjustment. Therefore, there will be no increase in density (new dwelling unit) associated with the project.

2. The proposed Lot Line Adjustment conforms to standards of the Zoning Ordinance. Both of the subject lots are currently non-conforming with respect to the minimum lot size for the R-1-20,000 zone. The net difference of modified area (3,871 square feet) results in 1135 Vista Del Valle Road increasing in size to 19,045 square feet and 5215 Vista Miguel Drive decreasing in size to 11,880 square feet. As both lots will remain below the minimum lot size for the zone, the application would be consistent with the Zoning Ordinance if Variance 16-03 is approved concurrently with Lot Line Adjustment 16-01.

Approval of the project would not result in any new nonconformities with regards to current Zoning standards. The existing residence and accessory pool house on Parcel 1

are nonconforming with regard to the side (west) yard setback as they currently encroach 3'-6" into the setback while the existing residence located on Parcel 2 encroaches two foot into the required six foot side yard (north) setback. The total roofed area of Parcel 1 would remain consistent with current codes, with 5,268 square feet existing and 5,559 square feet permitted post adjustment. The total roofed area of Parcel 2 would remain consistent with current codes with 3,635 square feet existing and 4,032 square feet permitted post adjustment. Therefore, the Lot Line Adjustment would not create any new nonconformities with regards to current Zoning standards for the R-1 zone designation.

3. The proposed Lot Line Adjustment will not detrimentally affect flood water drainage control; nor require improvements to public roads, sanitary disposal facilities, water supply facilities; nor require other environmental protection measures. Each of the parcels associated with the Lot Line Adjustment have been previously developed and no new construction is associated with the request. Therefore, the request will not have any effect on existing drainage patterns and will not impact flood water drainage control. Each of the existing lots are accessed via improved public streets and are connected to existing sanitary disposal and water supply facilities. Based upon the existing public and private improvements associated with the parcels, the request will not require the construction of improvements for access, water or sanitary sewer and will not require any other environmental protection measures.

NOW, THEREFORE, Based on the above findings, the Planning Commission of the City of La Cañada Flintridge hereby approves the Variance 16-03 and Lot Line Adjustment 16-01 at 1135 Vista Del Valle Road and 5215 Vista Miguel Drive, subject to the conditions listed in Exhibit "A", attached to this Resolution.

**PASSED, APPROVED AND ADOPTED** this 21<sup>st</sup> day of July, 2016.

\_\_\_\_\_  
Chair of the Planning Commission

ATTEST:

\_\_\_\_\_  
Secretary to the Planning Commission

**EXHIBIT "A"**  
**CONDITIONS OF APPROVAL**  
**VARIANCE 16-03**  
**LOT LINE ADJUSTMENT 16-01**

1135 Vista Del Valle Road / 5215 Vista Miguel Drive

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 Lot Line Adjustment 16-01 and Variance 16-03.
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 as shown on the site plan labeled Lot Line Adjustment 16-01 and Variance 16-03, except as otherwise stated in these conditions.
5. This approval will expire unless the Lot Line Adjustment is recorded within 12 months after approval is granted. 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 project if the approved project and applicable zoning standards are unchanged.
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 Variance and/or Lot Line Adjustment. 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 Planning Commission 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.

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