

## **EXHIBIT "A"**

### **Lot Line Adjustment No. LLA-016-2018 Variance No. V-020-2018**

11831 Trask Avenue  
Assessor's Parcel Nos. 100-352-28 and 31

#### **CONDITIONS OF APPROVAL**

##### **General Conditions**

1. The applicant and each owner of the property shall execute, and the applicant shall record a "Notice of Agreement with Conditions of Approval and Discretionary Permit of Approval," as prepared by the City Attorney's Office, on the property. Said Notice of Agreement shall be recorded at the same time the Lot Line Adjustment is recorded. All Conditions of Approval set forth herein shall be binding on and enforceable against each of the following, and whenever used herein, the term "applicant" shall mean and refer to each of the following: the project applicant, George and Beverly Paras, the developer of the project, the owner(s) and tenants(s) of the property, and each of their respective successors and assigns. All conditions of approval are required to be adhered to for the life of the project, regardless of property ownership. Any changes of the Conditions of Approval require approval by the Planning Commission.
2. Variance No. V-020-2018 authorizes (i) a deviation of 1,549 square feet from the minimum 7,200 square foot lot size requirement for the R-1-7 (Single Family Residential) zone to permit a lot of 5,651 square feet in area after the right of way dedication made pursuant to Lot Line Adjustment No. LLA-016-2018, (ii) a deviation from the rear yard setback requirement for the R-1-7 zone of 20% of lot depth not to exceed 25 feet in order to facilitate development of a single-family dwelling structure that encroaches in the rear yard setback, and (iii) a deviation from the open space requirement for the R-1-7 zone to allow the minimum 1,000 square feet of usable open space to be maintained outside of the rear yard area, in order to facilitate the construction of a single-family dwelling on the site. The rights granted the applicant pursuant to Variance No. V-020-2018 shall continue in effect for only so long as a single-family dwelling structure similar in size, orientation, and location to the structure depicted on the architectural and site plans presented to the Planning Commission in conjunction with its approval of Lot Line Adjustment No. LLA-016-2018 and Variance No. V-020-2018 are approved by the City and constructed and continue to exist on the Site. In the event the necessary building and other permit or permits for such a structure is/are not obtained within one year of approval (or the length of any extension approved by the City), the structure is not constructed within the time allowed under such building permit(s), or such structure is demolished and not re-established within one year of demolition, Variance No. V-020-2018 shall cease to be effective or grant the applicant any rights to construct other improvements inconsistent with

the then-currently applicable development standards. Approval of this Lot Line Adjustment and Variance shall not be construed to mean any waiver of applicable and appropriate zoning and other regulations; and wherein not otherwise specified, all requirements of the City of Garden Grove Municipal Code shall apply.

3. Minor modifications to the Lot Line Adjustment and/or these Conditions of Approval may be approved by the Community and Economic Development Director, in his or her discretion. Proposed modifications to the project and/or these Conditions of Approval determined by the Community and Economic Development Director not to be minor in nature shall be subject to approval of new and/or amended land use entitlements by the applicable City hearing body.
4. All conditions of approval shall be implemented at the applicant's expense, except where specified in the individual condition.

#### **Public Works Engineering Division**

5. The Lot Line Adjustment shall comply with all provisions of the City of Garden Grove Public Works Engineering Services Division.
6. The applicant/property owner shall submit an updated title report along with copies of the recorded instruments listed in the title report. All owners of record per the Title Report shall sign the Lot Line Adjustment application with their signatures notarized. This shall also include, if applicable, any lien holders, holders of bank notes/loans against subject properties and/or others holding financial interest in said properties per the title report.
7. The applicant/property owner shall ensure the consolidated property, as a result of Lot Line Adjustment No. LLA-016-2018, involving the two (2) subject properties (Assessor's Parcel Nos. 100-352-28 and 100-352-31), is re-conveyed to a property owner(s) recorded on title, through the appropriate means (i.e., quitclaim deed, grant deed), meeting the requirements of and to the satisfaction of the Engineering Division.
8. The applicant/property owner shall submit copies of the reference maps used to prepare the legal description and the plat.
9. The applicant/property owner shall provide legal descriptions based on the proposed Lot Line Adjustment plot maps. The surveyor or engineer's signature and wet seal are required on the legal descriptions and plot maps.
10. The applicant/property owner shall provide traverse closures and area calculations.

**Planning Services Division**

11. A minimum of 1,000 square feet of contiguous and usable open space shall be provided to the rear of the single-family dwelling unit, to the satisfaction of the Planning Services Division, and in a similar fashion as shown in the architectural plans submitted for Lot Line Adjustment No. LLA-016-2018 and Variance No. V-020-2018.
12. As part of any plans submitted to the City for a proposal to construct a single-family dwelling on the newly consolidated property, pursuant to the approval of Lot Line Adjustment No. LLA-016-2018 and Variance No. V-020-2018, the existing detached accessory structure located on Parcel 2 (Assessor's Parcel No. 100-352-28) shall be demolished.
13. Any plans submitted to the Building & Safety Division for building plan check, to develop the property, shall be for the construction of a single-family dwelling that, with the exception of the three (3) variances (for minimum lot size, minimum rear yard setback, and rear yard open space) approved under Variance No. V-020-2018, shall comply with all development standards of the R-1-7 (Single-Family Residential) zone.
14. The applicant shall, as a condition of Project approval, at its sole expense, defend, indemnify and hold harmless the City, its officers, employees, agents and consultants from any claim, action, or proceeding against the City, its officers, agents, employees and/or consultants, which action seeks to set aside, void, annul or otherwise challenge any approval by the City Council, Planning Commission, or other City decision-making body, or City staff action concerning Lot Line Adjustment No. LLA-016-2018 and/or Variance No. V-020-2018 (collectively, the "Project entitlements"). The applicant shall pay the City's defense costs, including attorney fees and all other litigation related expenses, and shall reimburse the City for court costs, which the City may be required to pay as a result of such defense. The applicant shall further pay any adverse financial award, which may issue against the City including but not limited to any award of attorney fees to a party challenging such project approval. The City shall retain the right to select its counsel of choice in any action referred to herein.