



**County of Santa Barbara - Department of Public Works**  
Scott D. McGolpin, Director



## **Certificate of Compliance Appeal**

09-CC-76/77 – Jameson Properties, LLC

APN 009-304-012 (1403 & 1407 Jameson Lane, Montecito)

Office of the County Surveyor

September 7, 2010

Michael B. Emmons, County Surveyor



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### **Purpose of Hearing**

**Request that the Board of Supervisors:**

- 1) Uphold the decision by the County Surveyor and deny issuing two Certificates of Compliance on APN 009-304-012; or**
- 2) Direct the County Surveyor to issue two Certificates of Compliance on APN 009-304-012**

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### **Location of property**



Located on the  
Southeast corner  
of Jameson Lane  
and Danielson  
Road in Montecito,  
California

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### **Property Permit History** (Prior to Lot Split 2180)

**Permit 605**

June 16, 1946

**Permit 1543**

October 24, 1950

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### **Current Parcel Configuration**

**Lot Split 2180**

August 28, 1964

**Record of Survey Book 68 Pg 74**

December 7, 1964

**Instrument #90-076743**

November 30, 1990

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### **People vs. Tehama County Board of Supervisors**

The outcome of this case provides law that makes it more restrictive when issuing Certificates of Compliance on “fractions of lots” that have never been previously conveyed or subdivided. Once a deed is recorded, any fractions of underlying previously created parcels are merged and therefore ineligible to receive a Certificate of Compliance.

No prior deeds for APN 009-304-012 were submitted prior to the recording of Instrument # 90-076743 and none are known to exist, therefore the recording of this document merged any underlying pre-existing portions of lots that had never been separately conveyed leaving a single legal parcel as approved by the County under Lot Split 2180.

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### **Evidence of this Case**

- 1. Carl Haitmann owned a large parcel of land prior to 1946 which included APN 009-304-012**
- 2. A permit (#605) was issued in June 1946 to construct a single family dwelling and garage at 1256 Coast Highway, Lot 8 Outside Pueblo Lands**
- 3. A second permit (#1543) was issued in October 1950 to move a single family dwelling from Summerland to the same lot (Lot 8)**
- 4. At the request of the owner, the County approved Lot Split 2180 on August 28, 1964 containing 3 lots and required the owner to file a Record of Survey or deed within one year**

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### **Evidence of this Case (Cont'd.)**

5. A Record of Survey was filed at the request of Carl Haitmann in Book 68 Page 74 of Records of Survey depicting the property as approved by Lot Split 2180 on December 7, 1964 (Within the 1 year time limit)
6. A subsequent grant deed was recorded as Instrument #90-076743 on November 30, 1990 conveying APN 009-304-012 (First time as a separate parcel)
7. An application for two Certificates of Compliance was filed with the County Surveyor on November 1, 2008 (1403 & 1407 Jameson Lane)
8. The County Surveyor issued a final determination (denial of two Certificates) at the request of the applicant by letter on May 25, 2010

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### **Administrative Findings**

- 1) There is no recorded grant deed, quitclaim deed, deed of trust, or subdivision (final or parcel) map that conveys, finances or creates the addresses of 1403 or 1407 Jameson Lane as separate parcels**
- 2) All underlying parcel lines that existed within APN 009-304-012 prior to the approval of Lot Split 2180 by the County were merged into one parcel depicted as “Parcel 1” on a Record of Survey recorded in Book 68 Page 74 of Records of Survey by the recording of a grant deed from Eileen Hanson to Karen Hansen, Trustee of the W. & E. Hanson Revocable Trust of 1990 on November 30, 1990**

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### **Conclusion**

**Request that the Board of Supervisors:**

- 1) Uphold the decision by the County Surveyor and deny issuing two Certificates of Compliance on APN 009-304-012; or**
- 2) Direct the County Surveyor to issue two Certificates of Compliance on APN 009-304-012**

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