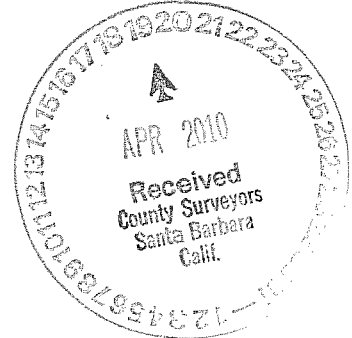


LAW OFFICE OF
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April 19, 2010



Michael Emmons
County of Santa Barbara
Public Works – Surveyor
123 Anapamu Street
Santa Barbara, CA 93105

Re: Certificates of Compliance Applications 09CC76 and 09CC77

Dear Mr. Emmons,

The genesis of Certificates of Compliance applications 09CC76 and 09CC77 was the Planning Department's requirement that the applications be made before permits could be reviewed for a trellis, an accessory structure and a deck.

History of the lots. 1403 and 1407 Jameson were originally part of the property known as 1256 Coast Highway in Montecito. The then owner, Carl Heitman, wanted to move three houses from Summerland (where a Division of Highways highway widening required their relocation) to his vacant property at 1256 Coast Highway.

He applied for permits for the relocation at different times. The permit applications showed three proposed lots with dimensions of 78 feet by 150 feet (1403 Jameson), 65 feet by 150 feet (1407 Jameson), and 65 feet by 150 feet (a third lot). The permits for 1403 Jameson and 1407 Jameson were approved by the Planning Commission in 1953 and 1946, respectively. The permit carried a handwritten notation for both lots: "**Lot will contain at least 6,000 sq ft if sold from total property.**" 6000 square feet was the minimum lot size under the zoning of the property at the time [B-1 under Santa Barbara County Ordinance §453].

At the time of their creation, neither Santa Barbara County ordinances nor state law required a plat map showing interior boundaries of proposed lots. The County was concerned that an owner not subdivide adjoining land he did not own; hence, the requirement that exterior lines be shown. A November 7, 1967 memo from the County Surveyor's office to interested parties illustrates how County policy was interpreted:

Michael Emmons
April 19, 2010
Page 2 of 2

“b) A Parcel Map, of four or less lots, may be compiled from record data taken from filed maps when there is sufficient data to locate and retrace **the exterior boundary lines** of the Parcel Map. One line must be established in the field from found monuments. (Section 11576b). **All interior lot data may be calculated.**”

This is precisely what the owner did by establishing interior lot lines by describing a distance from which the interior lot dimension could be calculated.

The County Assessor also recognized the fact of three lots in its 1952 building appraisal record. The Assessor gave two of the three lots a separate assessor number (9-304-11 and 9-304-12 for 1407 and 1403 South Jameson, respectively). The Assessor also gave each lot a separate address (1260 and 1266 South Jameson Lane) in its 1952 building appraisal [copy attached]. The two lots had separate water meters. When the lots were reappraised in 1968, the Assessor **acknowledged that the houses on 1403 and 1407 South Jameson had been separately leased (for \$150 and \$175 per month, respectively).**¹

1411 South Jameson (with dimensions 65 feet by 150 feet) was sold on February 20, 1951 [deed is at Book 972, Page 163 of Official Records]. The County has never made the claim, to our knowledge, that this was the sale of an illegal parcel. In November, 1995, the County issued a permit to remodel 1411 South Jameson. The County did not require that 1411 South Jameson obtain a certificate of compliance before issuing that permit. Jameson Properties LLC requests to be treated the same as the 1411 South Jameson lot, and requests that you issue a certificate of compliance for the 1403 and 1407 South Jameson lots. Given the time that has elapsed in this matter, we ask that you decide this matter expeditiously so that we can pursue whatever administrative or judicial remedies are available to us.

Sincerely yours,


Frederik A. Jacobsen

Attorney for Jameson Properties LLC

¹ Before 1968, the Assessor re-numbered 1260 and 1266 South Jameson to 1403 and 1407 South Jameson.

BUILDING APPRAISAL

Santa Barbara County Assessors Office

Class	Desc.	Sp. Feat.	Pl. Est.	Value	% Comp.	Age - est.	Age - Act.	Prov. A.V. Impts.	% Good	Net Val.	Date
12	Brick 10	Conc. Blk. 10									
12	Wood 5										
24	Stone 24										
20	Wood Fr. 12-22	Adobe 20									
24	Conc. Blk. 22-24-26										
7	Ash. Sh. 5	Brick Ven. 7	R.W. Sliding 4								
4	Wd. Sh. 3	Galv. 1									
2	Paint or Plst. over conc. add 2										
7	Ash. 6	Shakes 5-7	Metal 2								
4	Wd. Sh. 4	Comp. Sh. 3-4									
2	Tar & Grav. 2-4	Paper 2									
10	Plst. 10	Pl. Blk. 7	Plywd. 4	345							
7	Conc. Blk. Part 7	No. of Rms.									
5	Plywd. 5	Plywd. 3	Conc. 4								
3	Wall-Wall Carp. or Asph. Tile add 3										
10	Unit Forced Air 10	Unit Grav. 9									
12	Rad In Fl. 12	Extrpl. 8-10									
3	60-Wt Furn (Sgl.) 3	Dbl. 6	Pan Ray 2-4								
6	HIBoy Type 6	Air Cond. 10	Stoves 0								
10	One 5-7	Two 10	Three 15								
3	One Half 3	Stall Shower 2									
2	Tile add 2										
3	Good 3	Aver. 2	Poor 1								
1	Copper 2	Galv. 1									
3	Good 5	Med 3	Cheap 2								
3	Good 5	Med 3	Cheap 2								
1	Good 3	Aver. 1	Poor 0								
3	A-0	B-1	C-2								
3	Special										
TOTAL POINTS											

Owner **Haitmann, Carl, et ux**
 School Dist. **Montecito Union**
 Code No. **78 02, 78-03**
 Lot **3** Blk. **Tract Pueblo Map #33, B**
 No **1260** 66 Street **S. Jameson Lane**
 Yr. Buil: **Act. 1951 Est. 1940** Remodeled.
 Gen. Cond. **Excellent** Good Fair Poor Bad
 Usage **Dwelling Duplex** Apt. Hotel Store
 Hotel **Special** Serv. **Inst. (Dbl)** C.P.
 13-0

Class	Desc.	Sp. Feat.	Pl. Est.	Value	% Comp.	Age - est.	Age - Act.	Prov. A.V. Impts.	% Good	Net Val.	Date
12	Brick 10	Conc. Blk. 10									
12	Wood 5										
24	Stone 24										
20	Wood Fr. 12-22	Adobe 20									
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7	Ash. Sh. 5	Brick Ven. 7	R.W. Sliding 4								
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2	Tar & Grav. 2-4	Paper 2									
10	Plst. 10	Pl. Blk. 7	Plywd. 4	345							
7	Conc. Blk. Part 7	No. of Rms.									
5	Plywd. 5	Plywd. 3	Conc. 4								
3	Wall-Wall Carp. or Asph. Tile add 3										
10	Unit Forced Air 10	Unit Grav. 9									
12	Rad In Fl. 12	Extrpl. 8-10									
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6	HIBoy Type 6	Air Cond. 10	Stoves 0								
10	One 5-7	Two 10	Three 15								
3	One Half 3	Stall Shower 2									
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TOTAL POINTS											