

Attachment H

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May 30, 2020

Monterey County RMA - Planning
1441 Schilling Place, South 2nd Floor
Salinas, CA 93901

Re: Lot Legality/Certificate of Compliance (27610 Schulte Road, Carmel, CA 93923,
APN 416-022-006-000)

Dear County Staff:

I am manually filing this application due to issues with the Accela system; it will not allow me to process this application and upload attachments.

This letter summarizes the parcel legality for two parcels that comprise the above-referenced property and compliance with local laws in effect at the time of their creation. The property is owned by John and Tammy Lewis. A copy of their deed and a Title Company lot exhibit are included as Exhibits A & B.

Unconditional Certificates of Compliance for the parcels are requested. The lot creation background is as follows:

Parcel 1

This parcel was originally part of a larger 4.16-acre lot created via grant deed recorded on June 7, 1949 (Exhibit C). At the time of its creation, the property was in a “U” (Unclassified) Zoning District (Exhibit D). Under Monterey County Ordinance No. 568, the “U” District had no minimum parcel size. The Monterey County Subdivision Ordinance did not regulate this division of land (Ordinance No 546). The creation of this parcel conformed to local regulations in effect at that time.

In August 1949, a 0.17-acre parcel was deeded out of this parcel (Exhibit E). At the time of its creation, the property was in a “U” (unclassified) zoning district (Ordinance No.

568) with no minimum parcel size (Exhibit B). The Monterey County Subdivision Ordinance did not regulate this division of land (Ordinance No 546). The creation of this parcel conformed to local regulations in effect at that time.

In August 1962, the parcel was conveyed by Grant Deed and excepted a 2.33-acre portion of the property (Exhibit F). This exception, along with the August 1949 exception of 0.17 acres, resulted in a new parcel size of 1.668 acres. Both the 2.33-acre parcel created via exception and the resulting 1.668-acre parcel for which an Unconditional Certificate of Compliance is requested both conformed to local regulations in effect at the time. In 1962, Monterey County Zoning Ordinance No. 911 designated the property as K-G-B-4 (Exhibit G). The “K (Agricultural – Residential) zoning required a building site of 10,000 square feet; the B-4 overlay required a one (1) acre building site. Both parcels complied with the one-acre minimum B-4 District lot size. At that time, the Monterey County Subdivision Ordinance No. 836 did not regulate the division of land into four or less parcels. Similarly, State subdivision regulations (Business and Professions Code Section 11535) did not regulate property divisions of less than five parcels. The establishment and boundary location of Parcel 1 is illustrated in green on Exhibit I.

Parcel 2

This parcel was created via Grant Deed, recorded on May 16, 1952 (Exhibit H). At the time of its creation, the property was in a “U” (unclassified) Zoning District (Ordinance No. 568) . There was no minimum parcel size in the ”U” District. The Monterey County Subdivision Ordinance did not regulate this division of land (Ordinance No 546). Parcel 2 is highlighted in blue on Exhibit I

The property described in the 1952 deed has repeatedly been described in subsequent deeds as a separate parcel; it has never been merged. The parcel is described as Parcel 2 in the 2019 Deed to the current property owners.

Summary

Based on this analysis and evidence filed with this application, we have demonstrated that both Parcels complied with local zoning and subdivision regulations at the time of their creation. Issuance of two (2) Unconditional Certificates of Compliance are requested.

Sincerely,

Joel R. Panzer
Authorized Agent

JP/Enclosures:

Application for Two (2) Unconditional Certificates of Compliance
Chain of Title
CD with documentation and Exhibits
Check for application fees (\$4,875.00)
List of Exhibits

LIST OF EXHIBITS

UNCONDITIONAL CERTIFICATES OF COMPLIANCE
26710 Schulte Road, Carmel, CA
(APN 416-022-006-000)

- Exhibit A – Lewis Grant Deed (Recorder’s Document No. 2019056447)
- Exhibit B – Title Company Lot Exhibit
- Exhibit C – June 1949 Grant Deed (Chain Doc. 7: Vol. 1143, Pg. 352, Official Records)
- Exhibit D – 1948 Zoning Map (10-5J)
- Exhibit E – August 1949 Grant Deed (Vol. 1155, Pg. 124, Official Records)
- Exhibit F – August 1962 Grant Deed (Chain Doc. 16: Reel 83, Pg. 442, Official Records)
- Exhibit G – 1957 Zoning Map (10-5J)
- Exhibit H – May 1952 Grant Deed (Chain Doc. 10: Vol. 1381, Pg. 117, Official Records)
- Exhibit I – Parcel Exhibit with Document References