

From: [Roz Lassoff](#) on behalf of [Council](#)
To: [Kathy Cook](#); [Theresa Rice](#); [Ryan Ericson](#)
Subject: FW: Proposed SMP
Date: Thursday, March 14, 2013 5:00:04 PM

Roz Lassoff

Rosalind D. Lassoff, City Clerk
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From: MC Halvorsen [mailto:mchalvorsen@hotmail.com]
Sent: Thursday, March 14, 2013 4:41 PM
To: Council
Cc: Gary Trip
Subject: Proposed SMP

Dear City Council Members of the City of Bainbridge Island:

With regard to your Meeting March 13, 2013 considering the proposed SMP with the designation of "non-conforming", because there were so many who attended, I did not stay to testify. Besides, I had testified earlier in the year that your proposed zoning of "non-conforming" was unconstitutional because it constituted a taking.

A "taking" is a fundamental legal concept enshrined in the United States constitution which prohibits a "taking" without due process of law accompanied with compensation. This is a concept that four of you, Members Balir, Hytopoulos, Lester and Scales seem incapable of grasping; thus you are not qualified to take action on a plan involving this concept. Any action you would take, would be invalid.

I know legal concepts are difficult to grasp but it is essential, if an action involves a certain concept, the people making the decision must understand the concept. If they do not, as you four do not understand, you cannot act. You four must recuse yourselves.

M. C. Halvorsen