

Theresa Rice

From: Roz Lassoff on behalf of Council
Sent: Thursday, February 07, 2013 9:21 AM
To: Theresa Rice
Cc: Kathy Cook; Ryan Ericson
Subject: FW: Conforming vs. non-conforming

Roz Lassoff
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From: Joel Levin [mailto:joel_a_levin@hotmail.com]
Sent: Thursday, February 07, 2013 8:05 AM
To: Council
Cc: Bill Maggio; Mary Levin; Melva Hill
Subject: Conforming vs. non-conforming

This note is especially written to Kirsten, however it applies equally to the members who are supporting the non-conforming designation position,

I hope you don't mind if I ask you a couple of questions concerning your view on the non-conforming issue. It is possible that I misheard or misunderstood your position, or didn't understand the motivation behind your position. None-the-less I have a couple of questions for you (and the other members of the Council sharing the same non-conforming) position.

Regarding the impact and effect imposing the non-conforming criteria would have on all property owners. I know and understand that COBI hired a consultant to review a year over year assessment to offer an opinion if there would be any economic impact on such a change. It was my understanding that because of this reporting, you believe there would be no such impact. Have you actually personally spoken with any mortgage/banking professional and personally asked them the same question? Yesterday I specifically asked Mr. Bill Maggio, a mortgage specialist from Wells Fargo bank just that question: **If designation of non-conforming language on a property was imposed would it effect and impact a lenders position and likely working with a potential buyer. His response was absolutely yes.** Please feel free to contact Mr. Maggio yourself. This direction the Council is taking is a serious mistake in my view.

From your comments it sounded like the non-conforming designation was pertinent and applicable only to shoreline properties. What about ALL the other "non-conforming" properties everywhere else on the Island? Will COBI be doing a survey to see which properties are conforming vs. which are non-conforming in order to enforce this proposed plan? It is fairly ironic, that my desire over the past few years to have the Municipal Storm Water code language amended to make all properties (however specifically applicable to upland slope properties) that are considered grandfathered (non-conforming) to be required to be held to the same high standard as all properties build after the current storm water municipal code language was written. I suppose that if the non-conforming

designation language is adopted, than my initial desire and work for enforcement of storm water drainage systems on slope top properties will be much easier now—as they will now be officially deemed non-conforming. I suppose I should thank you for taking this strong position now.

If I have misunderstood or mischaracterized your position I would be grateful if you would correct me.

Thank you—and I sincerely hope that you speak with Mr. Maggio and seek an independent professional opinion on the non-conforming economic impact to property owners.

Best regards,

Joel Levin

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