

## Theresa Rice

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**From:** Roz Lassoff on behalf of Council  
**Sent:** Thursday, August 16, 2012 11:28 AM  
**To:** PCD  
**Subject:** FW: SMP

*Roz Lassoff*  
Rosalind D. Lassoff, City Clerk  
City of Bainbridge Island  
280 Madison Avenue North  
Bainbridge Island, WA 98110  
(206) 780-8624

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**From:** Michael J Sebastian [mailto:msebian@comcast.net]  
**Sent:** Thursday, August 16, 2012 8:48 AM  
**To:** Council  
**Cc:** Mark Levine  
**Subject:** Fwd: SMP

Dear Council,

I have sent several requests to you for a common sense approach for the SMP. I believe the attached letter from Mr. Benson says it far better than I can, and I urge your support for his approach to this issue and the suggested wording for the SMP.

M Sebastian  
5066 Rockaway Beach Rd.  
B.I. WA 98110

Begin forwarded message:

**From:** Mark Levine <[klmarkl@me.com](mailto:klmarkl@me.com)>  
**Subject:** SMP  
**Date:** August 16, 2012 7:21:14 AM PDT  
**To:** Pearl and John Keller <[kellerjp@msn.com](mailto:kellerjp@msn.com)>, Kenneth Wirthlin <[kwken10@gmail.com](mailto:kwken10@gmail.com)>, Marjorie Worsley <[worsleym@upstate.edu](mailto:worsleym@upstate.edu)>, Bill Gilbert <[oneka23@gmail.com](mailto:oneka23@gmail.com)>, B.I.WA

Patricia Adair <[piadair1@aol.com](mailto:piadair1@aol.com)>, Evan and Char Campbell <[grandscale@yahoo.com](mailto:grandscale@yahoo.com)>, Stella Ley <[webbsgal@msn.com](mailto:webbsgal@msn.com)>, John and Marjorie Jones <[marjoriesheldon@aol.com](mailto:marjoriesheldon@aol.com)>, Charles and Rosemary Hall <[basicdhall@aol.com](mailto:basicdhall@aol.com)>, Don and Judy Kragerud <[djkragerud@bainbridge.net](mailto:djkragerud@bainbridge.net)>, Tom & Heather Perilstein <[tperilstein@msn.com](mailto:tperilstein@msn.com)>, James Robertson <[jimannrobertson@juno.com](mailto:jimannrobertson@juno.com)>, Todd and Deana Lyon <[baylyon@yahoo.com](mailto:baylyon@yahoo.com)>,

Richard Helm <[cpitinga@comcast.net](mailto:cpitinga@comcast.net)>, Jay Abbott <[abbott.jay1@gmail.com](mailto:abbott.jay1@gmail.com)>, Melanie Cohn <[melsch@seanet.com](mailto:melsch@seanet.com)>, Flora and Otto Thompson <[flotsie@gmail.com](mailto:flotsie@gmail.com)>, David Benson <[david@benson.bz](mailto:david@benson.bz)>, Bill Beirut <[billpat4190@hotmail.com](mailto:billpat4190@hotmail.com)>, Albert & Jola Greiner <[algr@msn.com](mailto:algr@msn.com)>, Andrea and James Bleecker <[bleecker@ix.netcom.com](mailto:bleecker@ix.netcom.com)>, "Dr. Jared Hendler" <[gdhjmh@gmail.com](mailto:gdhimh@gmail.com)>, Michael and Sally Sebastian <[msebian@comcast.net](mailto:msebian@comcast.net)>, Beverly Gimlin & Scott Glendinning <[amot45@aol.com](mailto:amot45@aol.com)>, Charles and Rosemary Hawk <[tochawk@aol.com](mailto:tochawk@aol.com)>, Pete & Patti Wiedemann <[pfwiedeman@msn.com](mailto:pfwiedeman@msn.com)>, Lisa and Robert Wise <[bwise@wisefamily.net](mailto:bwise@wisefamily.net)>, Christine and Will Quinn <[islandcooking@mac.com](mailto:islandcooking@mac.com)>, Peggy Fogliano <[pmfogliano@aol.com](mailto:pmfogliano@aol.com)>, Daniel and Patricia Brotherton <[patdanbro@gmail.com](mailto:patdanbro@gmail.com)>, Fred & Johnna Kleisner <[fredkleisner@mac.com](mailto:fredkleisner@mac.com)>, Keith & Michelle Batts <[erdoc57@yahoo.com](mailto:erdoc57@yahoo.com)>, Irena and Dan Brown <[irenabrown427@yahoo.com](mailto:irenabrown427@yahoo.com)>, Tom Aydelotte <[toma@docsgrill.com](mailto:toma@docsgrill.com)>, Len Beil <[lenbeil@msn.com](mailto:lenbeil@msn.com)>, Linda Hayes <[hayes5032@gmail.com](mailto:hayes5032@gmail.com)>, Don and Denise Linrothe <[rockaway5@msn.com](mailto:rockaway5@msn.com)>, Richard Thomas <[richardgthomas@yahoo.com](mailto:richardgthomas@yahoo.com)>, Dorothea Williams <[nonnalee@aol.com](mailto:nonnalee@aol.com)>, Stella Levy <[webbsgal@msn.com](mailto:webbsgal@msn.com)>, Sue and Dave Lindsey <[slind1@aol.com](mailto:slind1@aol.com)>

An excellent letter from our neighbor. I hope you will all let your voice be heard on this issue.  
Dear Council,

For a while now I have been mulling over how to approach you with my view regarding the SMP. As a waterfront property owner, I have been attending some of the SMP meetings and viewing the various web inputs from persons much more knowledgeable than I about the various related subjects. The following email just received pretty well sums up the views that I have developed so there is no point in my redoing it in other words. I have a little background in keeping nature natural as a holder of a degree in forestry from the UW. Most of the things I read from the people who want change just don't make sense. They are not based on fact or studies. In fact, most conflict with the few study results I have come across. And, I resent being told that I may have to change existing buffers and plant "native" shrubs and trees in-between my residence and the water. I currently have a perfectly beautiful and functional landscaping that suits me and the land animals who are plentiful. The deer, squirrels and birds all feast on what we grow which would not be true of shrubs and trees. Overall sea life is plentiful in front of my house and any shade that may be provided by new trees will not benefit fish which do not come that close to shore in our rough waters. I currently eat limu sea weed from the shore which would suffer in shade and am preparing to establish a small clam "farm" which also needs as much sun as possible for best growth.

I am also concerned about the possibility of one day having to rebuild my house because of living very close to a known earthquake fault line. The stipulations as presented in the revised SMP would probably mean that I couldn't rebuild and would lose everything. Not a wonderful prospect.

I see no reason at this time for Bainbridge to significantly change the SMP from what other communities on the Sound will be operating under. Instead we should demand that state and federal studies be developed which show what direction all communities on Puget Sound must take as a whole to "clean it up" for the future. Bainbridge cannot hope to make a significant change alone. Please carefully consider the wording below for our SMP.

David Benson  
4170 Rockaway Beach Road  
206 861 3675

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**From:** Mark Levine [<mailto:klmarkl@me.com>]  
**Sent:** Tuesday, August 14, 2012 6:42 AM

**To:** Pearl and John Keller; Kenneth Wirthlin; Marjorie Worsley; Bill Gilbert; Patricia Adair; Evan and Char Campbell; Stella Ley; John and Marjorie Jones; Charles and Rosemary Hall; Don and Judy Kragerud; Tom & Heather Perilstein; James Robertson; Todd and Deana Lyon; Richard Helm; Jay Abbott; Melanie Cohn; Flora and Otto Thompson; David Benson; Bill Beirut; Albert & Jola Greiner; Andrea and James Bleecker; Dr. Jared Hendler; Michael and Sally Sebastian; Beverly Gimlin & Scott Glendinning; Charles and Rosemary Hawk; Pete & Patti Wiedemann; Lisa and Robert Wise; Christine and Will Quinn; Peggy Fogliano; Daniel and Patricia Brotherton; Fred & Johnna Kleisner; Keith & Michelle Batts; Irena and Dan Brown; Tom Aydelotte; Len Bell; Linda Hayes; Don and Denise Linrothe; Richard Thomas; Dorothea Williams; Stella Levy; Sue and Dave Lindsey  
**Subject:** Conforming

Some of you have inquired about what language we would like the council to adopt.

## **SMP - Make all existing homes, appurtenant structures, and uses CONFORMING**

From: Bainbridge Citizens <gary@tripp.net>

To: \*Bainbridge Citizens <gary@tripp.net>

Date: Mon, Aug 13, 2012 9:04 pm

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The City Council should adopt the following resolution to protect existing homes and uses.

All Residential structures, their appurtenant structures, and **uses** that were legally established and are used for a conforming use, but that do not meet standards for the following to be considered a conforming structure: Setbacks, buffers, or yards; area; bulk; height; or density shall be conforming; and they may be redevelopment, expansion, change with the class of occupancy, or replacement of the residential structure, its appurtenant structures, and uses if the redevelopment or expansion meets the no net loss provisions of this SMP.

You may notice the suggested language includes the term “uses”. This is to assure that future planning departments don’t start nitpicking as to what is conforming and what is not. I could see some planner deciding that the house may be conforming but swing set is not and swing sets are not an appurtenant structures or that a rack for kayaks is not an appurtenant structure and they are therefore nonconforming.

Kitsap County Draft SMP avoids any confusion by only referring to “uses” and not to Residential structures and appurtenant structures.

### **Existing Uses**

A. Lawfully established uses occurring as of the effective date of this Program shall be considered conforming, with the exception of existing over-water residences and non-water-oriented commercial or industrial uses, which shall be considered nonconforming.

B. All lawfully established uses, both conforming and nonconforming may continue, and may be repaired, maintained, expanded or modified consistent with the Act and this Program.

**Note:** BI Draft SMP separates appurtenant structures into *Primary Appurtenant Structures* (a new term not found in the DOE Guidelines), which can be rebuilt and Non-Primary Appurtenant Structures which can’t be rebuilt, like a gazebo. That’s why it is important to make all Appurtenant Structures and Uses conforming.

Please tell the City Council to protect our homes and uses by making them conforming. City Council [Council@bainbridgewa.gov](mailto:Council@bainbridgewa.gov)