



## The Sentry News Letter

[insideKAPO](#) | Oct. 02, 2011 | [kapo.org](http://kapo.org)

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### KAPO's Mission Statement

1. To free private property from unreasonable government regulation
  2. To work for responsible wildlife habitat protection and for conservation of natural resources
  3. To support those who defend the rights guaranteed to owners of private property by the United States and Washington State Constitutions
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### Coming Events

#### **October 4th, Directors Meeting**

October 4, 2011, 1:00 to 3:00 PM. We have **returned** to the **Home Builders Association of Kitsap County** office, 5251 Auto Center Way, Bremerton, WA., 98312. They are located just off of Kitsap Way. The public is always invited but would you please let us know you are coming. Contact Jackie if you have questions 360-990-1088 [rosswornjr@wavecable.com](mailto:rosswornjr@wavecable.com)

#### **October 27th, Dinner Meeting 5:30 PM**

We are **returning** to #1 Buffet (formally AA China Buffet) at 3583 Wheaton Way E., Bremerton (across the street from McDonalds). We have **two** wonderful guest speakers. **Tim Kelly** is the NEW editor of the Port Orchard Independent News Paper. He will share with us his expectations for the

weekly paper. Tim is from Yakima so is use to a small town like Port Orchard. KAPO is especially proud to see new faces and new talent in our local news papers. Thanks for speaking to us. Our second guest is **Dr Carl Shipley PhD** who will be speaking about science, how to think about science, and how science studies are created. Carl has a wonderful 15-20 minute power point presentation that can't be missed. We are thankful to Carl for creating an understandable science presentation.

Contact Jackie Rossworn [rosswornjr@wavecable.com](mailto:rosswornjr@wavecable.com) or (360) 990-1088

**Special Event Oct. 4th, 5:00PM**

**UN AGENDA 21 - WHAT'S IT ALL ABOUT?**

Rosa Koire, ASA, is a forensic commercial real estate appraiser specializing in EMINENT DOMAIN valuation. Her twenty-eight year career as an expert witness on land use has culminated in exposing the impacts of Sustainable Development on private property rights and individual liberty. Rosa is a founding member of POST SUSTAINABILITY INSTITUTE ([www.postsustainabilityinstitute.org](http://www.postsustainabilityinstitute.org)) and [www.DemocratsAgainstUNAgenda21.com](http://www.DemocratsAgainstUNAgenda21.com) **"The pretty pastel vision of life in a Smart-Growth development is a manipulation, a mask. In fact these plans are designed to restrict your freedom of movement and choice."** Please RSVP to Jackie Rossworn [rosswornjr@wavecable.com](mailto:rosswornjr@wavecable.com) or (360) 990-1088 or (360) 871-4739

Space is Limited. Meet at the Eagles Nest, 1200 NW Fair Grounds Rd. Bremerton, Wa. 98311

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*"When we get piled upon one another in large cities, as in Europe, we shall become as corrupt as Europe".* Thomas Jefferson

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**Letters From The Heart**

Attached to the bottom of this news letter is a Petition. Many people have sent it in to be presented to the County Commissioners. There has been a huge response from the shoreline owners. Property owners have gone to their neighbors, friends, relatives and business associates and spread the word about buffers, set backs, vegetation zones and a designation of non-conforming. (it will be happening on upland properties as well)

Most shoreline property owners are unaware that their property rights are being removed and many **still** are unaware. How much do you know about the Shoreline Master Program? The Commissioners claim there has been plenty of public input.

Here are two letters sent to me that show otherwise. And the third is a tribute to a special shoreline community.

Jackie Rossworn, Executive Director  
Kitsap Alliance of Property Owners  
[rosswornjr@wavecable.com](mailto:rosswornjr@wavecable.com)  
(360) 990-1088

Dear XXXX

Thank you so much for making the effort to get this information to us. It is a very important issue for those of us living where we do.

XXXX

Dear XXXX

I'm finding that the people I've contacted are unaware but very concerned over the implementation of the proposed SMP for Kitsap County. Everyone was grateful for information. Getting KAPO people out with 1st hand information seems very effective.

XXXX

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## **Thank You and Farewell to a Special Beach Community**

*by Jeremy and Terry*

As many of you know the owners of "Nall House" have asked for use of their home again, this forces us to move back to our other home in Silverdale. Nobody likes to leave The Beach, and both of us will sorely miss you, our neighbors for the past five years.

The Beach is perhaps the most friendly and welcoming neighborhood I've ever had the pleasure to live in. If I'd planned my life better, I'd have owned that home, rather than just being a tenant, and then I'd be able to stay. But that's not the case.

I'd like to thank all of you for welcoming me, and then us, to your lives. I'll mention a few, knowing and apologizing in advance for forgetting somebody.

In particular I'd like to thank John and Jennie, for being ever present with help and advice. I'm sure that most of my vehicles would not be running without John's knowledge.

Jim and Helen have become friends; Helen offering cuttings from her lovely garden, and Jim in a dozen different ways. And he is a car guy.

Paul always stopped by with friendly advice, loaned tools, and offered his home as a venue for our musical parties if we found ourselves out of space.

Mark, Claire and their children, always had a friendly smile and a wave, never once made an issue out of the intrusive electric guitar noises that happened late at night and all day during many weekends.

Thank you Sue and Nancy, for trying to find us another rental property on the Beach. Jim's house was nice but just too small, even for us.

Thanks to Pam for her kind consideration, and to Claire for her ideas and suggestions.

Thanks Leslie for the fun and flying talk, and Dwight for the fireworks.

And to all the rest of you remaining unnamed (apologies), who welcomed us into your homes for Christmas, for dinner, or just stopped for a brief chat while you were out walking the dog or driving by, I'd like to say thank you again. It's a very special place you have here, and we'll remember it fondly.

Jeremy and Terry

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## **Taxes, Taxes, Who Pays?**

*by Dr Karl Duff PhD*

If the value of shoreline property is decreased by the non-conforming label, what will be the effect on the county tax base?

One thing that worries shoreline property owners is that the label "non-conforming structure" will inevitably decrease the value of their property. There is good evidence that this may be happening already, as is reflected by the fact that shoreline property is falling in value much faster than inland property. An interesting consequence is that shoreline property taxes are falling while inland property taxes are being forced to rise, to make up the difference.

This write-up is based on research done by a KAPO member who lives in the Manchester area who researched trends in property taxes in various KAPO localities over the last two years. All the information was confirmed in a meeting with the office of the county assessor.

On the Manchester Peninsula, shoreline properties have decreased in their property taxes about 12%. Correspondingly, upland properties have had their property taxes increase by about 2.5%.

Also, there were at least two other areas showed similar trends. In the Silverdale/Poulsbo area, shoreline taxes decreased 17% and upland taxes increased about 3%.

The north end of Kitsap experienced shoreline tax decreases of about 10% and upland increases of

about 2%

These figures confirm what is a logical relationship between shoreline tax decreases (or increases) and upland increases (or decreases). There is a natural and confirmed increase in upland property taxes when shoreline taxes go down. County taxes are all tied together in the fact that the tax assessor must '**re-spread**' annually the total taxes raised against the total values being generated, (calculated through actual sales comparisons. )

Total tax revenue through real estate taxes must remain essentially fixed, increasing by only 1% per year.

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## **Shoreline Vegetation**

### **What does Ecology WAC 173-26-221 really say?**

The Department of Ecology's shoreline master program guidelines explicitly state that vegetation conservation standards do not apply retroactively to existing uses and structures. The relevant section of the Washington Administrative Code (WAC) is quoted below, and it begins with another key phrase, "Like other master program provisions...."

Bainbridge Shoreline Homeowners has been advised by legal council that many elements of the proposed draft of our SMP Update go far beyond the requirements of the WAC and violate state law in a number of key areas. It is our sincere hope that these errors are corrected by the Planning Commission and City Council before new regulations are enacted and costly litigation further drains community resources.

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#### **WAC 173-26-221 General master program provisions.**

(5) Shoreline vegetation conservation.

(a) Applicability.

Vegetation conservation includes activities to protect and restore vegetation along or near marine and freshwater shorelines that contribute to the ecological functions of shoreline areas. Vegetation conservation provisions include the prevention or restriction of plant clearing and earth grading, vegetation restoration, and the control of invasive weeds and nonnative species.

Unless otherwise stated, vegetation conservation does not include those activities covered under the Washington State Forest Practices Act, except for conversion to other uses and those other forest practice activities over which local governments have authority. As with all master program provisions, vegetation conservation provisions apply even to those shoreline uses and developments that are exempt from the requirement to obtain a permit. Like other master program provisions, vegetation conservation standards do not apply retroactively to existing uses and structures, such as existing agricultural practices. [emphasis added]

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Additional reference:

#### **WAC 173-26-191 Master program contents.**

(2) (a) (iii) (A) Statement of applicability.

... While the master program is a comprehensive use regulation applicable to all land and water areas within the jurisdiction described in the act, its effect is generally on future development and changes in land use. Local government may find it necessary to regulate existing uses to avoid severe harm to public health and safety or the environment and in doing so should be cognizant of constitutional and other legal limitations on the regulation of private property. In some circumstances existing uses and properties may become non-conforming with regard to the regulations and master programs should include provisions to address these situations in a manner consistent with achievement of the policy

of the act and consistent with constitutional and other legal limitations. [emphasis added]

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### Web sites for Information:

[www.bainbridgeshorelinehomeowners.wordpress.com](http://www.bainbridgeshorelinehomeowners.wordpress.com) Bainbridge Island

[www.commonsealliance.net](http://www.commonsealliance.net) San Juan Islands

[www.insideKAPO.wordpress.com](http://www.insideKAPO.wordpress.com) Kitsap Alliance of Property Owners

[www.kitsapgov.com](http://www.kitsapgov.com) [www.kitsapshoreline.org](http://www.kitsapshoreline.org)

[www.pacificlegalfoundation.org](http://www.pacificlegalfoundation.org) [www.landrights.org](http://www.landrights.org)

[www.ecy.wa.gov](http://www.ecy.wa.gov) WA. State Dept of Ecology

google **"United Nations Agenda 21"**

Kitsap Alliance of Property Owners always suggests you look for resources to expand your knowledge. We hope some of these will help you in making up your own mind concerning private property.

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### Testimony to County Commissioners

September 26th 2011

Good evening Commissioners,

I am a resident of South Kitsap, a waterfront Property Owner and have been for 33 years. I am also very involved in waterfront issues and conservation areas in my neighborhood.

I am here tonight at the request of Mr. Doug Lyons to present you a petition from 165 waterfront property owners. **(You have now received over 500 signatures)**

**We 500** are very concerned that waterfront property owners are not being notified or included in shoreline issues. Mr Lyons thought a petition would help notify the public and waterfront owners of the proposed changes, and show the Commissioners, Dept of Community Development and the Dept of Ecology that we are slowly becoming aware of what is happening to our property rights, and how they are being eroded with little or no proven, or peer reviewed science. Mr. Lyons, hoping that shoreline property owners would be heard, started the petitions and then brought them to KAPO for help.

**We 500** ask for three simple changes that are within the scope of the SMP and can be controlled by the Board of Commissioners should they choose.

The petition states, "We the undersigned are concerned about three elements of the proposed revision to the Shoreline Master Plan (SMP)."

1. The provision that would designate existing homes as "Non-Conforming Structures".

2. Provisions that would "prevent" construction, repair, or maintenance of existing bulkheads to prevent erosion and protect structures.

3. "Mandating" the replacement of lawns and plantings with native vegetation on existing waterfront.

Waterfront property owners, Kitsap Alliance of Property Owners, upland owners, and other concerned citizens would like to ask you to answer the questions Mr. Lyons has proposed. **We 500** (and growing) are tax payers and voters and have been left out of the process. **We are looking forward to your reply.**

Jackie Rossworn, Executive Director

Kitsap Alliance of Property Owner

P.O. Box 1861

Poulsbo, WA. 98370

(360) 990-1088 cell

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**If you haven't signed the petition take time and do it now. Only you can make a difference. Do it today. We will gather and deliver to the Commissioners.**

**PETITION**

Below you will find a petition that will be submitted to Kitsap County Commissioners. Please copy, sign, pass along and return to:

Return to: Kitsap Alliance of Property Owners  
P.O.Box 1861  
Poulsbo, WA. 98370

You must be a registered voter

We the undersigned are concerned about three elements of the proposed revision to the Shoreline Management Plan (SMP) for Kitsap County.

1. The provision that would designate existing homes as **"Non-Conforming Structures"** if they do not comply with the new setbacks and buffers.

2. Provisions that would **prevent** construction, repair, or maintenance of existing bulkheads to prevent erosion and protect structures.

3. **Mandating** the replacement of lawns and plantings with native plantings on existing waterfront.

**WE WANT TO HAVE LANGUAGE ADDED TO THIS REVISION OF THE SMP TO GRANDFATHER (EXEMPT) EXISTING SINGLE FAMILY HOMES AND PROPERTY ON THE SHORELINE. THIS SHOULD ALSO ALLOW FOR MAINTENANCE, REPAIR, REMODELING, AND ADDITIONS AS NOW ALLOWED BY ZONING CODES.**

Name	Address	Date

**How to Join KAPO**

**Membership in Kitsap Alliance of Property Owners is available at three levels:**

Voting Membership is open to applicants and includes voting rights. Membership dues are \$100 per year.

Associate Membership is also available. Associate Members do not enjoy voting rights. Associate Membership dues are \$25 per year.

Life Membership, voting membership for the life of the member, is available for a single payment of \$1000.

Dues are pro-rated quarterly. Contact Jackie Rossworn for correct amount based on the date of your application.

The list of KAPO members is not released to the public. Individual member information is not used for any other purpose than the specific business of KAPO.

For more information or to receive a membership application visit the KAPO web site at [www.kapo.org](http://www.kapo.org) or contact Executive Director Jackie Rossworn, at 360-990-1088 or via [email](mailto:rosswornjr@wavecable.com).

[rosswornjr@wavecable.com](mailto:rosswornjr@wavecable.com)

