

John (Jack) R. Venrick

From: "John (Jack) R. Venrick" <jacksranch@skynetbb.com>
To: "AJack R. Venrick" <jacksranch@skynetbb.com>
Sent: Wednesday, April 28, 2010 6:54 PM
Subject: 4-28-10 Fort Discovery - New Videos Uploaded!

----- Original Message -----

Sent: Wednesday, April 28, 2010 6:24 PM
Subject: Fort Discovery - New Videos Uploaded!

Dear family, friends, citizens and business associates:

Non-Conforming Uses are Disfavored in Washington State...Will You Be Able to Use/Sell/Insure Your Waterfront Property?

This includes properties next to; rivers, streams, creeks, ponds, wetlands and large mud puddles.

*In Washington, **nonconforming uses are disfavored.** [Rhod-A-Zalea v. Snohomish County, 136 Wn.2d 1, 959 P.2d 1024 \(1998\).](#) Therefore, it is the landowner's burden when confronted with an enforcement action to prove a lawful nonconforming use which existed prior to the adoption of the land use regulation. [State v. County of Pierce, 65 Wn. App. 614, 623-24, 829 P.2d 217 \(1992\).](#)*

February 17, 2009 - [Public Comment - Mr. Joe D'Amico - Regarding non-conforming](#) - Watch...did the Commissioners listen to a word I said 14 months ago?

For those that would like to understand non-conforming in more detail read the following Jefferson County Definitions:

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Nonconforming Use – Jefferson County (UDC as of 04/28/10)

Definitions:

18.10.010

"Alteration, nonconforming structures" means any change or rearrangement in the supporting members of existing buildings, such as bearing walls, columns, beams, girders, or interior partitions, as well as any changes in doors, windows, means of egress or ingress or any enlargement to or diminution of a building or structure, horizontally or vertically, or the moving of a building from one location to another. This definition excludes normal repair and maintenance, such as painting or roof replacement, but includes more substantial changes.

"Alteration, nonconforming use" means the expansion, modification or intensification of a use that does not conform to the land use regulations of the UDC.

18.10.050

"Existing use" means the use of a lot or structure or improvements at the time of the enactment of the Unified Development Code (this code), unless otherwise specified.

Expansion, Nonconforming Use. (See "Intensification, nonconforming use.")

18.10.090

"Intensification of nonconforming use" means any increase or expansion in the quality or quantity of products, goods, services, structures or adverse impacts upon parcels within the vicinity of the nonconforming use produced, generated, served, created or performed at the site of the legal nonconforming use by the owner or occupant of that legal nonconforming use.

This section is a loose cannon...if you own a business/house in a nonconforming area, you can't even alter, add goods or services without violating the current code. At that point, you become a illegal non-conforming. An illegal- non-conforming business/property owner, because you had an increase in sales. My goodness gracious, who made this stuff up? So under this definition, if you started using your restroom more frequently it would be classified as an intensification. This gives the commercial "going more frequently" a new perspective. - Joe D'Amico

18.10.140

"Nonconforming" means a use, structure, site, or lot which conformed to the applicable codes in effect on the date of its creation but which no longer complies because of changes in code requirements. Nonconformity is different than and not to be confused with illegality (see "Illegal use"). Legal nonconforming lots, structures, and uses are commonly referred to as "grandfathered."

"Nonconforming lot" means a lot of record in existence prior to the effective date of the

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ordinance codified in this Unified Development Code and any amendments thereto, which does not meet the minimum lot size and other requirements as set forth in this code.

"Nonconforming structure" means a structure which does not conform to the dimensional regulations, including but not limited to setback, height, lot coverage, density, and building configuration regulations of the land use district in which it is located due to changes in code requirements. (See also "Alteration, nonconforming structures.")

"Nonconforming use" means a use of a structure or of land which does not conform to the regulations of the land use district in which the use exists due to changes in code requirements. (See also "Alteration, nonconforming use.")

Other News:

- May 11, 2010, DOE Shoreline Master Program written comment deadline...send your comments to Mr. Jeffree Stewart, Regional Planner for DOE **Email:** jeff.stewart@ecy.wa.gov
- Al Scalf, Director of Community Development said it could take 30 - 45 days to review SMP comments (video coming soon)
- Commissioner John Austin touring SSNW Wednesday
- Need ammunition? SSNW is an approved **WINCHESTER** dealer info@ssnwhq.com "*SSNW helping citizens shoot more for less*"
- Interested in learning how to do Public Records Request? Contact Jeffco101 at Jeffco101@yahoo.com

What's going on in Jefferson County? Watch [Jeffco101](#) and find out.

New Videos Uploaded:

April 26, 2010, Jefferson County Board of County Commissioners - Public Comment (click on link below)

- [Robert Knutson](#) - Shoreline Master Program
- [Jim Tracy](#) - Public Comment
- [Bill Miller](#) - Public Comment
- [Diane Johnson](#) - Watershed Resource Center
- [Joe D'Amico](#) - Shoreline Master Program - Cost
- [Craig Durgan](#) - Shoreline Master Program
- [George Yount](#) - Chief Sealth
- [Mike Belenski](#) - Public Comment

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➤ [Larry Carter - The Good Lord - Video of the Week!](#)

Shoreline Master Program Update during Monday mornings Commissioners Briefing

- April 26, 2010 - [Commissioners Briefing - Shoreline Master Program Part - 1 "WOW"](#) - *Commissioners now would like to consider changing the word non-conforming... Watch Commission Sullivan explain. Will that be for SSNW too or will that be only for those wealthy shoreline owners?*
- April 26, 2010 - [Commissioners Briefing - Shoreline Master Program Part - 2](#) "That's a good comment" Al Scalf

Upcoming Meetings/Events:

May 1, 2010, 0900 hrs, **JeffCo HomeShow**, "Building, remodeling and landscaping focused" Jefferson County Fairgrounds

May 2, 2010, 0900 hrs, **JeffCo HomeShow**, "Building, remodeling and landscaping focused" Jefferson County Fairgrounds

May 3, 2010, 0900 hrs, **Jefferson County Board of County Commissioners (BOCC) Meeting;**

- ✓ 0901 - Public Comment (up to 30 minutes);
- ✓ - Commissioners Briefing (time and duration indeterminate);
- ✓ - Regular Agenda (time and duration indeterminate);
- ✓ - Recess to lunch;
- ✓ 1330 - County Administrator Briefing (duration indeterminate).

May 28, 2010, **Juan de Fuca Festival of the Arts**, Port Angeles;

August 14, 2010, **Fort Discovery Picnic**, 1200 hrs, USN SAR Helicopter, 56th US Army Band, Airlift NW, USN EOD Bangor, US Border Patrol, SSNW ATFP Boat, Jefferson County Fire District #5, Clallam County Fire Dist #3, Jefferson County Sheriff's Department and Costco.

Over 13,759 [Jeffco101](#) channel views from concerned citizens!

Listen to citizens speak about the real issues in Jefferson County. Watch for yourself and see what actually happens with your own eyes and ears. **Forward this email to your family and friends.**

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Respectfully,

Joe D'Amico, Editor
Jeffco101

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