

## **DRAFT Exception - Background Information**

### **AUGUST 2018**

In the years after the September 2013 Flood, the Jamestown LUHAC (Land Use and Housing Advisory Committee) has explored options to help the Town and its residents through the recovery process. One area of particular interest has been replacement of building lots irreversibly destroyed as a result of the flood.

Eighteen homes in Jamestown were ultimately lost as a result of the flood, and to date, eight homes have been rebuilt or replaced. Ten of the lots with damaged or destroyed homes are no longer buildable. These lots must be managed as open space.

There are approximately eight potential residential building sites in Jamestown with access to the municipal water system, and a similar number of potential residential building sites that do not currently have access to the municipal water system.

In order to facilitate replacement of homes lost due to the flood, one option discussed was allowing property owners to seek an exception to the 2.3-acre minimum lot size resulting from a property subdivision, currently in effect in the 2009 Subdivision Ordinance.

Exploring an exception to the minimum lot size is supported in Jamestown's 2015 Long Term Recovery Plan.

In August 2016, LUHAC conducted a survey of Town residents (via Jamestown Speaks) asking the question:

**Do you support the opportunity for the Board of Trustees to grant a variance to subdivide a lot into two lots less than 2.3 acres each (provided certain) basic conditions are met?**

Basic conditions:

No more than 2 lots can be created

Resulting buildable lots must be 20,000 sq. ft. or larger (Proposed DRAFT Exception allows for 15,000 square feet, consistent with the current minimum buildable lot size.)

The August 2016 Survey results were: 53% in favor, 37% against and 10% undecided.

Based on the August 2016 survey and direction from the Jamestown Board of Trustees, LUHAC started to craft a DRAFT Exception. This has been a two-year thoughtful process that included a focused review/discussion with the Town Attorney and incorporation of the Attorney's written comments.

The intent of the DRAFT Exception to the 2009 Subdivision Ordinance is to define a process. It also provides a list of considerations for the Board to apply when considering an application for an exception by a property owner.

Since the 2016 survey, and while crafting the DRAFT Exception, LUHAC realizes recovery conditions may have evolved and people's current perspectives may have changed.

Still, after much deliberation, LUHAC believes the Board of Trustees and the Community should have an opportunity to review and comment on the DRAFT Exception in order to determine how/if LUHAC should proceed with this issue.

LUHAC will present the DRAFT Exception to the Board of Trustees for a Board/Community Discussion at the Monday, September 10<sup>th</sup> Board meeting at the Town Hall at 7 p.m. At this meeting, the Community will have an opportunity to comment and voice views to the Board on this issue.

Please review the attached DRAFT Exception and attend the September 10<sup>th</sup> Board meeting to voice your views in-person to the Trustees. Your input is absolutely crucial to this process.

If you are unable to attend the September 10<sup>th</sup> meeting, please e-mail comments to: [luhac@jamestownco.org](mailto:luhac@jamestownco.org) by September 1. LUHAC will relay the e-mailed comments to the Town Clerk for inclusion in the September 10<sup>th</sup> Board Packet.

LUHAC encourages and appreciates your participation and looks forward to seeing you September 10<sup>th</sup> at the Town Board Meeting!

Sincerely,

Jamestown Land Use and Housing Advisory Committee (LUHAC)