
Sec. 50-601. – Types of lot splits.

- (a) *One time split of a parent parcel.* Through the process in [section 50-600](#), a parent parcel may be split one time to create two lots that meet all lot requirements, such as minimum lot size, width, depth and setbacks and lot coverage (as to any existing improvements). Any parent parcel that was previously split one time may reconfigure that split upon application made by the current owners of both parcels.
- (b) *Lot split for utilities.* Through the process in [section 50-600](#), any lot of record (legal or unlawful) may be split to create a new lot for any utilities that are allowed in that zoning district. The utilities lot is not required to meet all lot requirements, such as minimum lot size, width, depth, setbacks and lot coverage; however, such a lot will be deemed a legal lot of record solely for utilities use and may not be used or developed for any other use
- (c) *Lot split for right-of-way.* Any lot of record (legal or unlawful) may be split by recorded deed (it is not required to follow the process set forth in [section 50-600](#)) that conveys land for public right-of-way to the federal, state, county or municipal government. If the remnant lot does not meet all lot requirements, the property owner may request a variance as set forth in [section 50-851](#) to allow reasonable use of the lot.
- (d) *Lot split for a family homestead.* As authorized by F.S. §163.3179, the following standards implement policy 1.13 of the future land use element in the comprehensive plan. These standards authorize the creation of a family homestead lot by deed to an eligible family member who is ready to establish their homestead residence on the lot within ten years.

(1) Eligibility standards

- a. *Eligible lot* means a legal lot of record that is not within a platted subdivision, is not within a municipal service district, and has a zoning designation of F/RR, A/RR or RR.
- b. *Eligible grantor* means a natural person who has owned the eligible lot for three consecutive years or more.
- c. *Eligible grantee* means the eligible grantors grandparent, parent, stepparent, adopted parent, sibling, child, stepchild, adopted child, or grandchild who has not previously received a family homestead lot or (or formerly a lineal heir homestead density exemption parcel) within the county.

(2) Family homestead lot; conditions and limitations; transfer certificate.

- a. The family homestead lot is not required to meet the minimum lot size (density) required within that zoning district; however, the family homestead lot must be a minimum of two acres in a flood hazard area and one acre in a non-flood hazard area, meet the setback requirements for its zoning designation, and must have sufficient area for a permitted onsite sewage treatment and disposal system and potable water well, unless connected to a central water and wastewater system.
- b. Notwithstanding [section 50-712](#), an accessory dwelling unit is not allowed on a family homestead lot that does not meet the minimum lot size (density) required within its zoning district.
- c. The family homestead lot is created solely for use as the homestead residence of the eligible grantee. As such, the grantee must establish a permanent residence on the lot, obtain homestead exemption from the property appraiser within ten years from the recording date of the lot split certificate, and maintain homestead exemption for a period of five consecutive ye

consecutive years. Upon satisfying the foregoing conditions, the lot will be deemed a legal lot of record.

d. If the grantee does not satisfy the conditions in c, the lot will be deemed an unlawful lot of record. The unlawful status may be remedied by obtaining a transfer certificate. A request for a transfer certificate must be made on the application form provided by the county and accompanied by the applicable fee in appendix B. If approved, the zoning official or designee will issue a transfer certificate and, upon property owner signature, will record the transfer certificate in the public records of the county. The zoning official or designee is authorized to issue transfer certificates that allow:

1. Conveyance of the lot back to the original grantor, provided they still own the remnant lot. Upon such conveyance, the family homestead lot previously created is extinguished;
2. Conveyance of the lot to an eligible grantee (of either the grantee or the original grantor) who then satisfies the conditions in c above; or
3. Conveyance of the lot to a third party (not the original grantor or another eligible grantee), but only when the grantee established a residence on the family homestead lot and is unable to complete the homestead requirement due to documented circumstances beyond their control, such as divorce, death, or relocation due to job change.

(3) Remnant lot; conditions and limitations.

a. If the remnant lot meets all lot requirements, such as minimum lot size, width, depth and setbacks and lot coverage (as to existing improvements), it will be deemed a legal lot of record.

b. If the remnant lot does not meet all lot requirements, it may be:

1. Occupied as the homestead (as evidenced by homestead exemption) of the eligible grantor for a period of five consecutive years after the family homestead lot split, upon which it will be deemed a legal lot of record; or
2. Conveyed (in whole or in part) as additional family homestead lots through the process in [section 50-600](#).

(e) *Boundary Line adjustment.* Through the process in [section 50-600](#) the boundary line adjustment will allow for the relocation of common lot lines without the requirement to plat for land that has not previously been platted. If the land is platted, a re-plat is required.

(1)The total number of lots or parcels shall not be increased and the resultant lots shall comply with density limitations of the Comprehensive Plan and the dimensional standards of the Land Development Code.

(2)The reconfigured or adjusted area shall not prevent access to an improved right of way.

(3) New boundary lines shall not create noncompliance with LDC setback requirements.

(4) Application to be made by owners of both parcels.