

ORDINANCE 24-01

AN AMENDMENT TO ARTICLE VI OF THE AMELIA COUNTY SUBDIVISION ORDINANCE TO AMEND THE FAMILY DIVISION PROVISIONS

The following Code does not display images or complicated formatting. Codes should be viewed online. This tool is only meant for editing.

§ 314-6.5 Family divisions.

- A. One division limit. Only one such division shall be allowed during the lifetime of each family member of the donor or grantor without regard for ownership by the donor or grantor of differing tracts or parcels of land, and shall not be for the purpose of circumventing this chapter. Any further division beyond one cut for each family member shall be considered a subdivision subject to the provisions of this chapter. No more than three lots shall be served by a single easement. **[Amended 11-17-1999]**
- B. Immediate family. For the purposes hereof, a member of the immediate family is defined as any person who is natural or legally defined offspring, **stepchild**, spouse, sibling, grandchild, grandparent, or parent of the owner.
- C. Restrictions. **[Amended 5-17-2006]**
- (1) Any lot hereby created other than in a large lot development shall contain a minimum of two acres to qualify as a family division and shall have a reasonable access right-of-way and/or easement **a minimum of 20 feet wide** providing ingress and egress to a publicly maintained street or road. The parcel from which the family division is made shall maintain the minimum lot size of the zoning district in which it is located.
 - (2) No lot in a large lot development may be deeded as a family division unless said lot is 10 acres in size or larger and approved under the provisions of this chapter. The parcel from which the family division is made shall maintain the forty-acre minimum lot size for a large lot development in accordance with § **314-6.4A** above.
 - (3) No family division shall be made unless approved by the County Administrator or his designee. Approval shall be made within five business days of the County Administrator's office receiving all appropriate information to determine the family division.
 - (4) **The land being divided has been owned by the current owner or member of the owner's immediate family, in accordance with § 314-6.5B, above for at least five consecutive years.**
 - (5) During the initial five-year period following the creation of lots by family division, no sale of any such lot shall be made to any person other than an immediate family member as defined in § **314-6.5B** above unless such lots are subject to an involuntary transfer such as by foreclosure, death, judicial sale, condemnation, or bankruptcy and such transfer is approved by the County Administrator. Furthermore, no building permit shall be issued to the recipient of any such lot if such recipient is not an immediate family member as defined in § **314-6.5B** above.
 - (6) No family division shall be made in subdivisions recorded in the office of the Clerk of the Circuit Court after August 8, 1988. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]**
 - (7) The following note shall be added to the deed for a family division: "The grantor desires to divide the parent parcel to create a family division lot under the authority of Amelia County's family division provisions as found in § **314-6.5** of the Amelia County Subdivision Ordinance. The grantee is an eligible 'member of the immediate family' of the grantor as that term is defined in § **314-6.5B** of the

Amelia County Subdivision Ordinance. The grantee shall not sell or convey the family division lot to a person other than an eligible 'member of the immediate family' for a period of five years from the date of recordation of this deed except as authorized by § 314-6.5C of the Amelia County Subdivision Ordinance."

Effective date: March 20, 2024

Attest:



A. Taylor Harvie, III



David M. Felts, Chairman
Amelia County Board of Supervisors