

1 **Summary of Ordinance**

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3 The purpose of this Ordinance is to amend Section 14.11.00, Lake County Code, Appendix E,
4 Land Development Regulations, entitled *Minor Lot Splits and Family Density Exceptions*, to adjust
5 the requirements for Family Density Exceptions, to reinstate the Agricultural Lot Split process,
6 and make other minor clarifications.

7
8 Changes are shown as follows: ~~Strikethrough~~ for deletions and Underline for additions to existing
9 Code sections. The notation “* * *” shall mean that all preceding or subsequent text remains
10 unchanged (excluding any renumbering or re-lettering that might be needed).

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13 **ORDINANCE NO. 2025-__**

14
15 **AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE**
16 **COUNTY, FLORIDA; AMENDING SECTION 14.11.00, LAKE COUNTY CODE,**
17 **APPENDIX E, LAND DEVELOPMENT REGULATIONS, ENTITLED *MINOR LOT***
18 ***SPLITS AND FAMILY DENSITY EXCEPTIONS*; ADJUSTING THE REQUIREMENTS**
19 **OF THE FAMILY DENSITY EXCEPTION; REINSTATING THE AGRICULTURAL**
20 **LOT SPLIT PROCESS; AMENDING SECTION 14.07.02, ENTITLED *PLATTING***
21 ***REQUIRED*; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN**
22 **THE CODE; PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE; AND**
23 **PROVIDING FOR AN EFFECTIVE DATE.**

24
25 **WHEREAS**, Chapter 14, Lake County Code, Appendix E, Section 14.11.00, Land
26 Development Regulations (LDR), entitled *Minor Lot Splits and Family Density Exception*, sets
27 forth the process for splitting property meeting certain criteria; and

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29 **WHEREAS**, the Board of County Commissioners (Board) previously adjusted the
30 requirements of Section 14.11.00, LDR, through Ordinance 2022-40, adopted October 11, 2022,
31 and through Ordinance 2024-30, adopted August 13, 2024, which repealed the Agricultural Lot
32 Split process among other changes; and

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34 **WHEREAS**, On or about January 15, 2025, the Lake County Farm Bureau submitted a
35 letter requesting that the Agricultural Lot Split process be reinstated for the benefit of its members,
36 asserting that retaining the ability to break agricultural properties into smaller parcels is necessary
37 to ensure agriculture remains viable in Lake County; and

38
39 **WHEREAS**, the Board of County Commissioners has determined that further
40 amendments are necessary to streamline the requirements of Section 14.11.00, LDR; and

41
42 **WHEREAS**, the amendments and modifications contained herein are in the best interests
43 of the residents of Lake County, Florida.

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45 **NOW, THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of
46 Lake County, Florida as follows:

1 **Section 1. Legal Findings of Fact.** The foregoing recitals are hereby adopted as
2 legislative findings of the Board of County Commissioners and are ratified and confirmed as being
3 true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.
4

5 **Section 2. Amendment.** Section 14.11.00, Lake County Code, Appendix E, Land
6 Development Regulations, entitled *Minor Lot Splits and Family Density Exception*, is hereby
7 amended to read as follows:
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9 **14.11.00 Minor Lot Splits and Family Density Exception.**

10 **14.11.01 Minor Lot Splits.**

- 11 A. Generally. A minor lot split of a legally created lot that conforms to the requirements of
12 this Section may be administratively approved by the County Manager or designee. An
13 applicant for a minor lot split must comply with all conditions of approval within six (6)
14 months from the date the application is approved to finalize the lot split. No extensions
15 shall be permitted.
16
17 B. Initial Submittal. The following information must be submitted to initiate a lot split:
18
19 1. A completed application form.
20
21 2. A boundary survey prepared by a professional land surveyor registered in the State
22 of Florida which shows the ~~Legal~~ descriptions, acreage, and square footage of the
23 original and proposed lots together with the legal description of any existing or
24 proposed easements ~~appearing on a title opinion shall be depicted on a boundary~~
25 ~~survey prepared by a professional land surveyor registered in the State of Florida.~~
26 The boundary survey shall additionally show any encumbrances of record
27 identified in the title opinion. Access to the property shall also be depicted on the
28 survey. In the event the proposed lot split contains parcels greater than twenty (20)
29 acres in size, a sketch of description for the land area containing such parcels shall
30 be accepted instead of a boundary survey. However, the boundary survey shall be
31 required for the land area containing parcels twenty (20) acres or less in size.
32 (Example: A fifty (50) acre parcel being split into a twenty (20) acre parcel and a
33 thirty (30) acre parcel would require a boundary survey of the twenty (20) acre
34 parcel and a sketch of the description for the thirty (30) acre parcel.) The survey
35 must show all structures, surface water bodies, flood zones with base flood
36 elevations where defined, wetlands, and amount of acreage inside and outside of
37 the wetland jurisdiction line, along with any encumbrances shown on the title
38 opinion.
39
40 3. A statement indicating how water and sanitary sewer services will be provided to
41 the original lot and newly created lots, if approved.
42
43 4. Current warranty deed for the subject property.
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1 5. A Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map
2 with property boundaries overlain.

3
4 6. A title opinion from an attorney licensed in Florida or a certification by an
5 abstractor or a title company dated through the date of initial application, showing
6 all persons or entities with an interest of record in the property, including, but not
7 limited to, the record fee owners, easement holders, mortgage holders, and lien
8 holders. The report Shall include the tax identification number(s) for the property
9 and copies of all documents referenced in the title opinion.

10
11 7. Any other information as required by the County Manager or designee to fully
12 evaluate the request.

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14 C. Review Procedure.

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16 1. The County Manager or designee Shall transmit a copy of the proposed minor lot
17 split to any other appropriate departments of the County for review and comments.

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19 2. If the proposed minor lot split meets the conditions of these regulations and
20 otherwise complies with all applicable laws and ordinances, the County Manager
21 or designee Shall approve the minor lot split.

22
23 D. Standards. All minor lot splits Shall conform to the following standards:

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25 1. The original legally created lot or lot of record may be subdivided into a total of
26 two (2) parcels under this Section. Each newly created lot must meet the minimum
27 acreage requirements of the applicable Future Land Use Classification and Zoning
28 District assigned to the original legally created lot or lot of record.

29
30 2. Each newly created lot Shall conform to the required minimum lot dimensions for
31 the Future Land Use Classification and Zoning District where the lots are located
32 and either: (1) front on a publicly maintained paved road, OR (2) front on a non-
33 exclusive easement for ingress and egress dedicated to the public for road, utility,
34 and drainage purposes meeting all the following requirements:

35
36 a. If there is a need for a future road corridor, as determined by the County
37 Manager or designee, and the criteria set forth in Section 14.00.08, Land
38 Development Regulations, are satisfied, the easement must be dedicated to
39 the public and accepted by the Board of County Commissioners. However,
40 a private easement may be permitted if it is determined that there is no need
41 for a future road corridor, the easement does not obligate the County to
42 maintain it, and deed restrictions are recorded prior to lot split approval that
43 require the property owners of the newly created lots to maintain the paved
44 private road or easement;

45
46 b. Connect to a publicly maintained road;

- c. Have a minimum width of fifty (50) feet;
 - d. Have a minimum road frontage along the private easement and maintain building setbacks as set forth in Section 3.10.00, Land Development Regulations; and
 - e. Have road name signs installed in accordance with applicable County regulations.
3. If any lot abuts a publicly maintained road that does not conform to the right-of-way specifications provided or adopted by reference in these regulations, the property owner of the newly created lots may be required to dedicate the right-of-way width necessary to meet the minimum design criteria under Section 14.00.08, Land Development Regulations, prior to approval.
4. The newly created lots and any required easements shall comply with the Federal Emergency Management Agency (FEMA) flood regulations and Lake County floodplain management regulations. A flood determination by the Lake County Public Works Department may be required if flood issues exist on either parcel, as determined by County Manager or designee. Where buildable area exists out of the flood-prone area, development shall take place in that area.
5. The creation of a lot wholly within the 100-year flood zone is prohibited. Variances cannot be granted to this requirement.
6. Flag lots are prohibited. Variances cannot be granted to this requirement.
7. A minor lot split Shall not be approved within a platted subdivision when such lot split increases the density beyond the density permitted in the applicable Zoning District or Future Land Use Classification.
8. The approval of an application under this Section is for the sole purpose of recognizing the newly created parcels as legal lots for zoning purposes only. Nothing herein shall vest any newly created lot to any other requirement of the Land Development Regulations. Further, an approval under this Section cannot be relied upon to assert a claim of estoppel against the County if the newly created lots cannot be developed due to the inability to meet other requirements under these Land Development Regulations applicable to the development the property owner is pursuing. Applicants under this Section are solely responsible for performing any necessary due diligence to ensure the newly created lots will appropriately support future development.
9. For lots that were created through the lot split process prior to January 1, 2020, the County Manager or designee will determine whether an additional lot split will create a subdivision as defined in Section 177.031, Florida Statutes. If additional lot splits create a subdivision the lot split application shall be denied. The applicant

may apply for a preliminary plat if they desire to further subdivide the property. Additionally, if a lot split necessitates other infrastructure to accommodate stormwater or utilities, as determined by County Manager or designee, the lot split application shall be denied and the applicant may use the platting process as set forth elsewhere in these regulations.

10. All other Sections of the Land Development Regulations, and all requirements of the Comprehensive Plan Shall apply.

E. Final Submittal. Prior to final approval, in addition to any other requirements an updated title opinion of an attorney licensed in Florida or a certification by an abstractor or a title company dated through the date of final approval, showing all persons or entities with an interest of record in the property, including, but not limited to, the record fee owners, easement holders, mortgage, and lien holders, shall be required. The report Shall include the tax identification number(s) for the property and copies of all documents such as deeds, mortgages, etc. referenced in the title opinion.

F. Recordation. Upon approval of the minor lot split, the County Manager or designee Shall record the minor lot split on the appropriate maps and documents, and Shall, at the applicant's expense, record the minor lot split in the public records of Lake County, Florida. The lot split shall not become effective until recorded in the public records and the applicant must pay the recording fees in advance.

G. No Further Subdivision Permitted. For lot split applications approved after January 1, 2020, once the minor lot split is approved and recorded, neither the original parcel nor the newly created parcels will be eligible for any further minor lot splits under this subsection ~~Section 14.11.00 of the Land Development Regulations~~. Any further subdivision of the properties may be accomplished through submittal of a preliminary plat application or a site plan application as applicable.

14.11.02 Family Density Exception.

A. Generally. The County may approve a family density exception of a legally created lot that conforms to the requirements of this Subsection. An applicant for a family density exception Shall have twelve (12) months from the date the application receives conditional approval to receive final approval by either: (1) obtaining a Certificate of Occupancy for each single-family dwelling unit constructed on the newly created lot(s); or (2) recording of a final approved plat; ~~or (3) sufficient evidence that the Property Appraiser has granted an agricultural tax exemption for the newly created lot(s).~~ The twelve (12) month limitation may be extended if the applicant is granted an extension of time on the building permit.

B. Initial Submittal. The following information must be submitted to initiate a family density exception application:

1. A completed application.

2. A boundary survey prepared by a professional land surveyor registered in the State of Florida which shows the legal descriptions, acreage and square footage of the original and proposed lots together with the legal description of any existing or proposed easements shall be depicted on a boundary survey prepared by a professional land surveyor registered in the State of Florida. The boundary survey shall additionally show any encumbrances of record identified in the title opinion. Access to the property shall also be depicted on the survey. In the event the proposed lot split contains parcels greater than twenty (20) acres in size, a sketch of description for the land area containing such parcels Shall be accepted instead of a boundary survey. However, a boundary survey Shall be required for the land area containing parcels twenty (20) acres or less in size. (Example: A fifty (50) acre parcel being split into a twenty (20) acre parcel and a thirty (30) acre parcel would require a boundary survey of the twenty (20) acre parcel and a sketch of description for the thirty (30) acre parcel.) The survey must show all structures, easements, surface water bodies, flood zones with base elevation, wetlands and amount of acreage inside and outside of the wetland jurisdiction line.
3. A statement indicating how water and sanitary sewer services will be provided to the original lot and newly created lots, if approved.
4. Current warranty deed for the subject property.
5. Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) with property boundaries overlain. A flood determination by the Lake County Public Works Department may be required if flood issues exist on either parcel, as determined by County Manager or designee.
6. A title opinion from an attorney licensed in Florida or a certification by an abstractor or a title company dated through the date of initial application, showing all persons or entities with an interest of record in the property, including, but not limited to, the record fee owners, easement holders, mortgage holders, and lien holders. The report Shall include the tax identification number(s) for the property and copies of all documents referenced in the title opinion.
7. Proof of ascending or descending relationship (e.g., birth certificate, adoption order, marriage certificate) of each family member who will be taking title to a newly created lot. Lots may only be created for the following relations: grandparent, parent, stepparent, adopted parent, sibling, child, stepchild, adopted child, or grandchild of the owner of the parent parcel. Any document in a foreign language must be accompanied by a full English translation certified by a translator. The translator must provide a notarized certification stating they are fluent in both the foreign language and English, and the translation is accurate.
8. Any other information as is required by the County Manager or designee.

C. Review Procedure.

1. The County Manager or designee Shall transmit a copy of the proposed family density exception to any other appropriate departments of the County for review and comments.
2. If the proposed family density exception meets the conditions of this Subsection and otherwise complies with all applicable laws and ordinances, the County Manager or designee Shall approve the family density exception.

D. Standards. The creation of parcels for family members, as provided for in the Comprehensive Plan, need not require adherence to the acreage requirements set forth in the applicable Future Land Use Classification or Zoning District where the original lot is located, but Shall conform to the following standards:

1. Only as many lots may be created as are the number of qualifying family members plus one (1) for the subdividing family member (a/k/a owner of the original lot). To qualify as a family member under this Section, an ascendent or descendant must be eighteen (18) years of age or older and must be a grandparent, parent, stepparent, adopted parent, sibling, child, stepchild, adopted child, or grandchild of the parent parcel owner.
2. Each proposed lot Shall be a minimum of one (1) acre of uplands.
3. The creation of a lot wholly within the 100-year flood zone is prohibited. Variances cannot be granted to this requirement.
4. Parcels created for family members Shall not be allowed ~~only in the Rural, Rural Transition, Wekiva River Protection Area A-1-20 District, and Wekiva River Protection Area Overlay A-1-40~~ within the Green Swamp Area of Critical State Concern (GSACSC) nor allowed within the Urban Future Future Land Use Series (Urban Low, Urban Medium, Urban High, Regional Office, Regional Commercial, Industrial, Bella Collina, South Lake Regional Park, Summer Bay, and Yacht Club at Lake Susan) Categories.
5. If any lot abuts a publicly maintained road that does not conform to the right-of-way specifications provided or adopted by reference in these regulations, the owner may be required to dedicate the right-of-way width necessary to meet the minimum design standards. Such dedication Shall be determined based upon the criteria set forth in subsection 14.00.08, Land Development Regulations.
6. Each proposed lot Shall front on a paved private road, a publicly maintained road, or an easement. Additionally, each proposed lot must have a minimum road frontage as and maintain building setback as set forth in Section 3.10.00, Land Development Regulations.

- 1 7. If an easement is utilized, the easement Shall be a non-exclusive easement for
2 ingress and egress dedicated to the public for road, utility, and drainage purposes
3 meeting the following requirements:
4
5 a. If there is a need for a future road corridor, as determined by the County
6 Manager or designee, and the criteria set forth in Section 14.00.08, Land
7 Development Regulations, are satisfied, the easement must be dedicated to
8 the public and accepted by the Board of County Commissioners. However,
9 a private easement may be permitted if it is determined that there is no need
10 for a future road corridor, the easement does not obligate the County to
11 maintain it, and deed restrictions are recorded prior to lot split approval that
12 require the property owners of the newly created lots to maintain the paved
13 private road or easement;
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15 b. Connect to a publicly maintained road;
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17 c. Have a minimum width of fifty (50) feet;
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19 d. Have a minimum road frontage along the private easement and maintain
20 building setback as set forth in Section 3.10.00, Land Development
21 Regulations;
22
23 e. Have road name signs installed in accordance with applicable County
24 regulations.
25
26 8. Flag lots are prohibited. Variances cannot be granted to this requirement.
27
28 9. Parcels created for family members must be retained by the family members for ten
29 (10) years, pursuant to County approved deed restrictions recorded in the public
30 records. This requirement Shall not apply to institutional lenders who obtain
31 ownership because of foreclosure or deed in lieu of foreclosure.
32
33 10. Only one (1) lot Shall be created for each family member, regardless of where the
34 lot is located or the amount of time that has passed.
35
36 11. If a residence is to be constructed on a parcel created for a family member, such
37 parcel must be intended to be used as a primary residence by the family member.
38 Parcels created for family members Shall be contingent upon the issuance of a
39 building permit and Certificate of Occupancy within twelve (12) months from the
40 date the application receives conditional approval~~or receive an agricultural tax~~
41 ~~exemption by the Property Appraiser, pursuant to Section 193.461, Florida Statutes,~~
42 ~~for each parcel to be created.~~ (For example, if an applicant requests that a five (5)
43 acre, vacant lot, in the Rural land use category, be subdivided into a three (3) acre
44 lot and a two (2) acre lot, then the applicant would have to submit a family density
45 exception application concurrent with two (2) building permit applications ~~or show~~
46 ~~proof of being granted the agricultural classification for one or both lots.)~~

12. The newly created lots and any associated easements shall comply with the Federal Emergency Management Agency (FEMA) regulations and Lake County floodplain management regulations. Where buildable area exists out of the flood-prone area, development shall take place in that area.
 13. A family density exception which authorizes the development of five (5) or more lots or dwelling units Shall not be approved by the County Manager, or designee, unless the School Board has provided a certification in accordance with Section 5-A.01.01 of these regulations.
 14. A family density exception shall not be approved within a platted subdivision when such lot split increases the density beyond the density permitted in the applicable zoning district or future land use category.
 15. The approval of an application under this Section is for the sole purpose of recognizing the newly created parcels as legal lots for zoning purposes. Nothing herein shall vest any newly created lot to any other requirement of the Land Development Regulations. Further, an approval under this Section cannot be relied upon to assert a claim of estoppel against the County if the newly created lots cannot be developed due to the inability to meet other requirements under these Land Development Regulations applicable to the development the property owner is pursuing. Applicants under this Section are solely responsible for performing any necessary due diligence to ensure the newly created lots will appropriately support future development.
 16. If the family density exception lot split will create a subdivision as defined in Section 177.031, Florida Statutes, the applicant ~~will~~ may be required to submit a preliminary plat, proceed through the platting process, and otherwise comply with all requirements of Section 14.07.00 regarding the subdivision of land. ~~Additionally, if a family density exception if the~~ lot split necessitates ~~other construction plan approval for~~ infrastructure to accommodate stormwater, ~~improved road access,~~ or utilities, as determined by County Manager or designee, ~~the application shall be denied and the applicant may use the platting process as set forth elsewhere in these regulations.~~
 17. All other Sections of the Land Development Regulations, and all requirements of the Comprehensive Plan Shall otherwise apply.
- E. Final Submittal.
1. A title opinion of an attorney licensed in Florida or a certification by an abstractor or a title company dated through the date of final approval, showing all persons or entities with an interest of record in the property, including, but not limited to, the record fee owners, easement holders, mortgage holders and lien holders. Mortgage and lien holders must provide a written Joinder and Consent. The report Shall

include the tax identification number(s) for the property and copies of all documents such as deeds, mortgages etc. referenced in the title opinion.

~~2. In the case where a residence will be constructed on a Family Density Exception parcel, an affidavit from the family member indicating that he or she intends that the residence shall be their primary residence shall be required.~~

~~32. In the case where the newly created parcel will have an agricultural tax exemption granted by the Property Appraiser, An affidavit from the property owner or family member who will take title to the newly created lot shall be required attesting that they understanding the agricultural tax exemption must be maintained for a minimum of ten (10) years, or understand a single family dwelling must receive a Certificate of Occupancy within twelve (12) months of conditional approval, and that the property must be used as the property owner or family members primary residence.~~

~~43. The original parcel owner will execute a Notice to Third Parties, sworn to under oath and subject to penalties for perjury, and recorded in the public records, notifying any future purchaser that the lots were created for specified family members only; and that such lots shall not be entitled to receive any development approvals or permits if conveyed to non-specified family members or third parties. The family density exception shall not become effective until the Notice to Third Parties is recorded in the public records. The applicant shall remit the recording fees to the County in advance.~~

F. Exceptions to the Ten-Year Retention Requirement. Upon meeting the requirements of D. and E. of this Section, a variance may be applied for from the requirement that the property be retained by family members for a period of ten (10) years if the following can be demonstrated by the property owner:

1. Circumstances beyond the control of the property owner have caused a need for the property owner to sell the property, including, but not limited to, death, divorce, employment obtained elsewhere, military service, etc.; and
2. Without granting such variance, substantial hardship would be placed on the property owner.

G. Recordation. Upon approval of the family density exception, the County Shall record the family density exception, and easements if required, on the appropriate maps and documents and Shall, at the applicant's expense, record the family density exception, and easement if necessary, in the public records of Lake County, Florida. The family density exception shall not become effective until recorded in the public records and the applicant must pay the recording fees in advance

H. Reserved.

- I. Prohibited Land Uses. Family density exceptions shall not be permitted within the Green Swamp Area of Critical State Concern, as described in Chapter 28-28, Florida Administrative Code, nor shall it be permitted within the Urban Future Land Use Series.
- J. Enforcement. The County Manager or designee reserves the right to pursue all legal remedies against a property owner who obtains a family density exception to create lots for the sole purpose of resale to unrelated parties.
- K. Release of Restrictions and Easements. The County Manager or designee is authorized to execute and record in the public records of Lake County, Florida, a Release of Restrictions or Ingress/Egress Easements in the following circumstances:
 1. The applicant has failed to complete the family density exception by meeting the requirements of Section 14.11.02.A above.
 2. Upon expiration of the ten (10) year retention period identified in Section 14.11.02.F above if requested by the applicant or successors in interest; provided, however, that Ingress/Egress easements may not be released unless the applicant can demonstrate the parcels have legal access by other means.
- L. Family Density Exceptions Approved prior to October 14, 2025. For approvals issued prior to September 23, 2025, where the applicant has opted to maintain an Agricultural Classification rather than build a home for their family member, the Agricultural Classification must remain in effect for the applicable retention period (e.g., 5 or 10 years depending on year of approval). If the Agricultural Classification is removed or denied by the Lake County Property Appraiser's Office, the Family Density Exception shall be voided and any parcel without an approved single-family dwelling used as a family member's primary residence will be unified back with the original parcel.

14.11.03 Agricultural Lot Splits.

- A. Generally. The County Shall approve an agricultural lot split of a legally created lot if it conforms to the requirements of this Subsection. An applicant for an agricultural lot split Shall have six (6) months from the date the application is submitted to the County to finalize the lot split, with no extensions.
- B. Initial Submittal. The County Shall consider a proposed agricultural lot split upon the submittal of the following materials:
 1. A completed application form.
 2. A sketch of description prepared by a professional land surveyor registered in the State of Florida for the land area containing each forty (40) acre parcel shall be provided. The sketch of description must provide a calculation certifying that at least five (5) acres of the parcel is uplands.
 3. One (1) paper copy of the proposed agricultural lot split.

4. A statement indicating how water and sanitary sewer services will be provided to the original lot and any newly created lots.
5. Current warranty deed for the subject property.
6. A Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map with property boundaries overlain.
7. A title opinion from an attorney licensed in Florida or a certification by an abstractor or a title company dated through the date of initial application, showing all persons or entities with an interest of record in the property, including, but not limited to, the record fee owners, easement holders, mortgage holders, and lien holders. The report Shall include the tax identification number(s) for the property and copies of all documents referenced in the title opinion.
8. Any other information as required by the County Manager or designee to fully evaluate the request.

C. Review Procedure.

1. The County Manager or designee Shall transmit a copy of the proposed agricultural lot split to any other appropriate departments of the County for review and comments.
2. If the proposed agricultural lot split meets the conditions of these regulations and otherwise complies with all applicable laws and ordinances, the County Manager or designee Shall approve the agricultural lot split.

D. Standards. All agricultural lot splits Shall conform to the following standards:

1. There is no limit on the number of lots that may be created so long as the minimum acreage requirement is met.
2. Each proposed lot Shall be a minimum of forty (40) gross acres with at least five (5) acres of uplands.
3. The creation of a lot wholly within the 100 year flood zone is prohibited. Variances cannot be granted to this requirement.
4. Each proposed lot Shall have "A" Agricultural zoning.
5. Each newly created lot Shall conform to the required minimum lot dimensions for the Future Land Use Classification and Zoning District where the lots are located and either: (1) front on a publicly maintained paved road, OR (2) front on a non-exclusive easement for ingress and egress dedicated to the public for road, utility, and drainage purposes meeting all the following requirements:

- a. If there is a need for a future road corridor, as determined by the County Manager or designee, and the criteria set forth in Section 14.00.08, Land Development Regulations, are satisfied, the easement must be dedicated to the public and accepted by the Board of County Commissioners. However, a private easement may be permitted if it is determined that there is no need for a future road corridor, the easement does not obligate the County to maintain it, and deed restrictions are recorded prior to lot split approval that require the property owners of the newly created lots to maintain the paved private road or easement;
 - b. Connect to a publicly maintained road;
 - c. Have a minimum width of fifty (50) feet;
 - d. Have a minimum road frontage along the private easement and maintain building setbacks as set forth in Section 3.10.00, Land Development Regulations;
 - e. Have road name signs installed in accordance with applicable County regulations.
6. If any lot abuts a publicly maintained road that does not conform to the right-of-way specifications provided or adopted by reference in these regulations, the property owner of the newly created lots may be required to dedicate the right-of-way width necessary to meet the minimum design criteria under Section 14.00.08, Land Development Regulations, prior to approval.
 7. The newly created lot and any required easements shall comply with the Federal Emergency Management Agency (FEMA) flood regulations and the Lake County Floodplain Management regulations. A flood determination by the Lake County Public Works Department may be required if flood issues exist on either parcel, as determined by the County Manager or designee. Where buildable area exists out of the flood-prone area, development shall take place in that area.
 8. Flag lots are prohibited. Variances cannot be granted to this requirement.
 9. The approval of an application under this Section is for the sole purpose of recognizing the newly created parcels as legal lots for zoning purposes. Nothing herein shall vest any newly created lot to any other requirement of the Land Development Regulations. Further, an approval under this Section cannot be relied upon to assert a claim of estoppel against the County if the newly created lots cannot be developed due to the inability to meet other requirements under these Land Development Regulations applicable to the development the property owner is pursuing. Applicants under this Section are solely responsible for performing any

necessary due diligence to ensure the newly created lots will appropriately support future development.

E. Final Submittal. A title opinion of an attorney licensed in Florida or a certification by an abstractor or a title company dated through the date of final approval, showing all persons or entities with an interest of record in the property, including, but not limited to, the record fee owners, easement holders, mortgage holders and lien holders. Mortgage and lien holders must provide a written Joinder and Consent. The report Shall include the tax identification number(s) for the property and copies of all documents such as deeds, mortgages, etc. referenced in the title opinion.

F. Recordation. Upon approval of the agricultural lot split, the County Shall record the agricultural lot split, and easements if necessary, on the appropriate maps and documents and Shall, at the applicant's expense, record the agricultural lot split, and easement if necessary, in the public records of Lake County, Florida.

Section 3. Amendment. Section 14.07.02, Lake County Code, Appendix E, Land Development Regulations, entitled *Platting Required*, is hereby amended to read as follows:

14.07.02 Platting Required. No application for a single-family building permit for construction in the unincorporated area of Lake County Shall be granted unless a plat including such parcel of land has been approved by the Board of County Commissioners and recorded in the official records of Lake County, Florida. The only exceptions to mandatory platting are as follows:

- A. Lots of Record. Pursuant to Subsection 3.02.01, Land Development Regulations, a building permit Shall be issued for a single-family dwelling unit or duplex on a lot of record.
- B. Lots Created Via Administrative Lot Split. Pursuant to Section 14.11.00, Land Development Regulations, a building permit Shall be issued for a single-family dwelling unit or duplex on a lot created via the minor lot split, ~~or~~ family density exception, or agricultural lot split processes.
- C. Developers Agreements. The County Manager or designee may, by agreement, allow up to six (6) building permits to be issued for a parcel of land prior to plat approval, but while the plat is in the process of approval, such agreement Shall be acceptable to the County Attorney and Shall prohibit the issuance of a Certificate of Occupancy until the plat is recorded.

Section 4. Severability. If any section, sentence, clause, or phrase or word of this Ordinance is for any reason held or declared to be invalid, unconstitutional, inoperative or void by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portion of this Ordinance; and it shall be construed to have been the Commissioners' intent to pass this Ordinance without such unconstitutional, invalid or inoperative part therein; and the remainder of this Ordinance, after the exclusion of such part or parts shall be deemed and held to be valid, as if such parts had not been included herein; or if this Ordinance or any provisions

thereof shall be held inapplicable to any person, groups of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other person, property or circumstances.

Section 5. Inclusion in the Code. It is the intent of the Board of County Commissioners that the provisions of this Ordinance shall become and be made a part of the Lake County Code and that the sections of this Ordinance may be renumbered or re-lettered and the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase in order to accomplish such intentions.

Section 6. Filing with the Department of State. The Clerk shall be and is hereby directed forthwith to send an electronic copy of this Ordinance to the Secretary of State for the State of Florida in accordance with Section 125.66, Florida Statutes.

Section 7. Effective Date. This Ordinance shall become effective as provide for by law.

Enacted this _____ day of _____, 2025.

Filed with the Secretary of State _____, 2025.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF LAKE COUNTY, FLORIDA

Gary J. Cooney, Clerk
Board of County Commissioners
of Lake County, Florida

Leslie Campione, Chairman

This _____ day of _____, 2025.

Approved as to form and legality:

Melanie Marsh
County Attorney