

BOARD OF COUNTY COMMISSIONERS
LEON COUNTY, FLORIDA
CONTINUATION OF THE JULY 10, 2007 WORKSHOP
REGARDING OPTIONS FOR AMENDING THE REGULATIONS
GOVERNING POLICY 2.1.9 AND LIMITED PARTITION SUBDIVISIONS
September 18, 2007
Draft

The Board of County Commissioners met for a Workshop on the Continuation of the July 10, 2007 Workshop Regarding Options for Amending the Regulations Governing Policy 2.1.9 and limited partition subdivisions in the County Commission Chambers on Tuesday, September 18, 2007 with Chairman DePuy presiding.

Present were: Commissioners Rackleff, Desloge, Thael, DePuy, Sauls, Dailey. Also present were County Administrator Parwez Alam; County Attorney Herb Thiele; Assistant County Administrator Alan Rosenzweig; Deputy County Administrator Vince Long; Director of Finance David Reid, and Board Secretary Dionte Gavin.

The meeting was called to order at 12:02 p.m.

Facilitators: Wayne Tedder, Planning Department Director
David McDevitt, Growth and Environmental Management (GEM)
Tony Biblo, Growth and Environmental Management (GEM)

The Board approved the following alternatives relating to code clarification on the use of 2.1.9 Family Heir subdivisions.

Issue A: Date of Creation: Commissioner Sauls moved, duly seconded Commissioner Desloge, carried 6-0 (Commissioner Proctor was absent) to approve Alternative 1 as recommended by staff: Add that eligible (original) parcels must have been in existence at the time of the Comprehensive Plan adoption (February, 1990).

Issue B: Eligibility

Alternative 2

Commissioner Sauls gives staff direction on Issue B which is to maintain ½ acre size through generations. Staff will clarify that someone who has benefited from a 2.1.9 subdivision can use the process on a parcel unrelated to the original parcel; clarify that trusts, etc., are not eligible.

Commissioner Sauls moved, seconded by Commissioner Desloge and carried unanimously 6-0 (Commissioner Proctor was absent), approve Issue B, Alternative 2 as described.

Issue C: Applicability: Commissioner Thaeil moved, duly seconded by Commissioner Desloge and carried unanimously, 6/0 (Commissioner Proctor was absent), to approve Issue C, Alternative 2: Prevent usage in recorded subdivision, allow in unrecorded subdivisions as long as the lots created are no smaller than the smaller slot in the subdivision.

Issue D: Lot size:

Commissioner Desloge moved, seconded by Commissioner Sauls and carried unanimously, 6/0 (Commissioner Proctor was absent), to approve Alternative 1: no lot created shall have less than ½ acre buildable land.

Issue E: Environmental Requirements

Alternative 1: Each lot must have a ½ acre buildable land and be consistent with all environmental and other Code provisions. Commissioner Sauls moved, duly seconded by Commissioner Thaeil and carried unanimously, 6/0 (Commissioner Proctor was absent), to approve Issue 3, Alternative 1.

Issue F – Compatibility

Alternative 2: Each lot created in an unrecorded subdivision must be smaller than the smallest lot in the subdivision.

Commissioner Sauls moved, duly seconded by Commissioner Desloge and carried unanimously, 6/0 (Commissioner Proctor was absent), to approve Issue F, Alternative 2.

Issue G: Limitation of Sale:

Alternative 1: Restrict deed or record affidavit so that lots created using the family heir 2.1.9 process cannot be sold to an unrelated individual for a specified time period, e.g. five years. Commissioner Desloge moved, seconded by Commissioner Thaeil, and carried unanimously, 5/0 (Commissioners Proctor and Dailey were absent), to approve Issue G, Alternative 1.

Limited Partition

Commissioner Thaeil moved, duly seconded by Commissioner Rackleff and carried unanimously, 6/0 (Commissioners Proctor was absent), to approve the following Options 1, 2, 3, and 4 relating to modifying the Limited Partition process to better address improper subdivisions:

Option 1: Draft ordinance revising regulations pertaining to limited partition that would enhance the ability to use this process to resolve improper subdivisions.

Option 2: Create a low-cost version of the Permitted Use Verification certificate to verify whether a parcel of property had been created through improper subdivision or whether the recording would constitute improper subdivision.

Option 3: The recording of a new "notice" document, for every parcel of property created through improper subdivision, to increase the potential of discovering this defect in title searches and the recording of another "notice", to affirm that property has been properly subdivided.

Option 4: Establish continuing educational training opportunities for real estate and land development professionals, to communicate how to avoid problems related to improper subdivision.

There being no further business to come before the Board, the meeting adjourned at 1:00 p.m.

APPROVED: _____
C. E. DePuy, Jr.
Chairman

ATTEST:

Bob Inzer
Clerk of the Circuit Court