

LOUISA COUNTY COMMUNITY DEVELOPMENT INSTRUCTIONS FOR FAMILY DIVISION

1. Submit a sketch to the Community Development Department showing what you would like to do and who the lot is being deeded to (relationship). Leave your name and telephone number for someone to contact you about the division. Please allow a couple of days for a response.

Once Reviewed:

2. Contact VDOT for information on existing and proposed entrances.
3. Have a title search completed to ensure that all owners of record have been identified.
4. Contact a surveyor to do the survey for the Family Division. The plat needs to show state and county code sections for Family Division. (See Below)

“This is a Family Division pursuant to the Code of Virginia Sec. 15.2-2244(c) & Louisa County Code Sec. 86-13 & 86-531.”

5. Deeds and plats of such divisions shall include the language required under section 86-567(10)g of the Louisa Code.
6. Have a new Deed drawn up from current owner to qualifying family member.
7. Complete the Family Division Certification Form. This form must be signed by all persons listed and notarized (owner and recipient).
8. A complete submittal to the Community Development Department for final review must include the following:
 - New family subdivision plat, (must be originals), (minimum of 5 copies),
 - The new deed to the qualifying family member (1 copy),
 - The completed Certificate of Qualification for Family Subdivision; and
 - A copy of the title search or other documentation which provides evidence that all property owners of record have signed the appropriate documents.

Leave your name, email address and telephone number to be contacted when the review has been completed.
SUBMISSIONS WILL NOT BE ACCEPTED UNLESS ALL PAPERWORK IS COMPLETED.

9. All plats will be forwarded to VDOT for review and/or approval. As a state agency, review can take up to 45 days.
10. Upon approval by VDOT, final staff review and approval can take approximately one week.
11. The Family Division Plat Review Fee is \$200.00, plus \$25.00/GIS Fee per parcel created which needs to be paid at the time of pick up.
12. Once signed off by Community Development, you must take the plats, deed and Certificate of Qualification Form to the Circuit Court Clerk’s Office to have the family division recorded.
13. A copy of the recordation receipt must be returned to the Community Development Department once all documents have been recorded.

**COUNTY OF LOUISA
 CERTIFICATE OF QUALIFICATION
 FAMILY DIVISION**

I, _____, whose current address is _____
 _____ do hereby certify that the subdivision of property under my ownership identified as Tax Map Parcel
 _____ in the _____ Magisterial District is a Family Division as defined by Section 86-13 of the
 Louisa Code and Section 15.2-2244(c) of the Code of Virginia for the purpose of exemption from the Louisa County
 Subdivision Ordinance and must be recorded in the name of a member of the immediate family to qualify (natural or legally
 defined offspring, spouse, grandchild, parent, grandparent, sibling, niece, nephew, aunt, or uncle). Those family members
 identified to receive the lots subdivided in this manner are:

| Immediate Family Member | Relation to Owner |
|--------------------------------|--------------------------|
| Lot 1 _____ | _____ |
| Lot 2 _____ | _____ |
| Lot 3 _____ | _____ |
| Lot 4 _____ | _____ |
| Lot 5 _____ | _____ |

I further certify that the property owner and the recipients of the family division lots have not given or received any other divisions created in this manner (if so, please file a separate form for each such division) and that this division is not for the purpose of circumventing the subdivision ordinance and is subject to the following requirements:

- (1) An access way consisting of a 10-foot wide right-of-way or easement providing ingress and egress to a dedicated recorded public street or thoroughfare; provided that, if such access way serves more than 3 lots it shall be no less than 50 feet in width.**

- (2) Unless otherwise constructed to meet standards eligible for addition to the secondary system of highways, access to such lots created by family subdivision shall be deemed to be privately maintained roads and the deeds and plats of such divisions shall include the language required under section 86-567 (10)g of the Louisa Code.**

- (3) Only one such division in the County shall be allowed per immediate family member, and shall not be for the purpose of circumventing the Subdivision Ordinance of Louisa County.**

- (4) Each such division shall remain in the name of the qualified family member for a minimum of five (5) years from the date of recordation, unless the lot is the subject of an involuntary transfer such as foreclosure, death, divorce, judicial sale, condemnation or bankruptcy.**

- (5) Similar to the requirements of Louisa Code Section 86-587, any lot created by family subdivision shall be required to include provisions for the dedication of right-of-way when the property is adjacent to a state road that is less than 50 feet in width; provided that, this requirement does not apply to a residual portion of the parent tract that is five or more acres and has a minimum of 400 feet of existing state road frontage.**

- (6) For the purpose of a family subdivision, a member of the immediate family is defined as any person who is a natural or legally defined offspring, spouse, stepchild, grandchild, grandparent, sibling, aunt, uncle, niece, nephew or parent of the owner.**

(7) Such sale or gift may be made to include the immediate family member as defined in paragraph (6) above and the immediate family member's spouse but not the immediate family member's spouse alone.

(8) Lots created by family subdivision would not count against the total number of lots allowed outside of a family division.

Attested to the _____ Day of _____, 20____.

| | |
|-------|-----------|
| _____ | _____ |
| Owner | Recipient |
| _____ | _____ |
| Owner | Recipient |
| _____ | _____ |
| Owner | Recipient |
| | _____ |
| | Recipient |
| | _____ |
| | Recipient |

City/County of _____
Commonwealth/State of _____

Sworn to and subscribed before me this _____ day of _____, 20____, by

Witness my hand and official seal.

_____) _____
My Commission Expires Notary Public

Notary Registration Number

City/County of _____
Commonwealth/State of _____

Sworn to and subscribed before me this _____ day of _____, 20____, by

Witness my hand and official seal.

_____) _____
My Commission Expires Notary Public

Notary Registration Number