

A Guide to Rural Living in Jackson County, Iowa

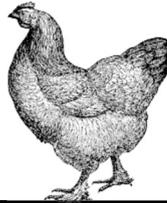


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This informational pamphlet has been prepared by the Jackson County Zoning Department. It is free for distribution to anyone interested in learning more about Jackson County and living in rural areas. This pamphlet may be freely reproduced and distributed as long as the manual is reproduced in whole without editing by any party distributing copies not generated by Jackson County. All information printed in this guide is current at the date of publication listed below. Information contained herein is subject to change. Questions on information should be directed to the appropriate county official.

Introduction

It is important for you to know that rural life is different from city life. County governments are not able to provide the same level of service that city governments provide. To that end, we are providing you with the following information to help you make an informed decision when considering purchasing rural land.

Access



The fact that you can drive to your property does not guarantee that you, your guests, and emergency services can always achieve that same level of access. Please consider:

- Emergency response times cannot be guaranteed. Under some extreme conditions, you may find that emergency response takes longer than you might expect.
- There can be problems with legal aspects of access, especially if you gain access across property belonging to others. It is wise to obtain legal advice and understand the easements that may be necessary when these types of questions arise.
- Jackson County maintains 841 miles of roadway. Located within the county are also private roadways. These roadways are not maintained by county staff; this includes grading and snowplowing. The maintenance of the private roads is provided by private entities. Verify whether the road is privately owned, or county owned to understand who is responsible for maintenance.
- A “desirable” gravel road would contain no mud, ruts, potholes, washboards, excessive dust, etc. The condition of gravel roads is dependent on many variables outside of the county’s control. This may include things such as rain, snow, moisture content, temperatures, and traffic. These, and other, variables collectively affect the condition of gravel roads.
- Many large construction vehicles cannot navigate small, narrow roads. If you plan to build, it is prudent to check out construction access.
- In extreme winter weather conditions, county roads may become impassable. When this happens, county staff may not be able to resolve the roadway issue until the weather and/or road conditions improve. It is important for citizens and their employers to understand this and plan for accommodations when these events occur. Jackson County does not send excuses to employers for such situations.
- Natural disasters, especially floods, can damage roads. A small streambed can become a raging torrent and wash out roads, bridges, and culverts. Jackson County will repair and maintain county roads. However, private subdivision roads are the responsibility of the landowners that use those roads.

- During freeze/thaw cycles, gravel roads can become unstable and can fail upon heavy traffic loads. It is during these times that schools may elect to run buses on hard surfaced roads only. This means that it may be necessary for you to take your children to the nearest paved roads to meet their bus for pickup and drop off. These conditions are strictly weather dependent and may exist for several days at a time and possibly multiple times a year.



- School buses may not travel on some private roads in subdivisions. You may need to drive your children to the nearest county road so they can get to school.
- Gravel roads generate dust. To help reduce the amount of dust generated, you may apply to have dust control materials applied to the road. Dependent on weather conditions, dust may still be generated on dust controlled applied portions of roadway.
- Approximately 25% of the county's secondary road system is hard surfaced. There are no plans of hard surfacing existing gravel roads in the foreseeable future. When buying a property, if the seller indicates that the gravel road will be paved, it is recommended to contact the Jackson County Engineer's Office to verify the validity of those statements.
- Mail delivery may not be available to all areas of the county. Ask the postmaster to describe the system for your area.
- Newspaper delivery is similarly not always available to all rural areas. Check with the newspaper of your choice before assuming you can get delivery.
- Standard mail and overnight package delivery can be a problem for those who live in rural areas. Confirm with the mail service providers as to your status.

Utility Services



Water, sewer, electric, telephone, and other services may be unavailable or not operate at urban standards. Repairs can often take longer than in towns and cities. Please review your options from the non-exhaustive list below.

- Cellular phones may not work in all areas of the county and not all properties will have access to high-speed internet.
- If sewer service is available to your property, it may be costly to hook into the system. It may also be expensive to maintain the system you use.
- If sewer service is not available, you will need to use an approved septic system or another approved treatment system. The type of soil you have available for a leach field will be very important in determining the cost and function of your system. Contact the Jackson County Environmental Health Department to obtain a permit.
- If you have access to a supply of treated domestic water, the tap fees can be expensive. You may also find that your monthly cost of service can be costly when compared to municipal systems.

- If you do not have access to a supply of treated domestic water, you will have to locate an alternative supply. The most common method is the use of well water. The Jackson County Environmental Health Department issues permits for wells. The cost for drilling the well can be considerable. The quality and quantity of well water can vary considerably from location to location and from season to season. It is strongly advised that you research this issue carefully.



- Electrical service may not be available to every area of Jackson County. It is important to determine the proximity of electrical power, as well as special power needs. It can be very expensive to extend power lines to remote areas.
- It may be necessary to cross property owned by others to extend electric service to your property in the most cost-efficient manner. It is important to make sure that the proper easements are in place to allow lines to be built to your property.
- Electrical power may not be available in single phase and three phase service configurations. If you have special power requirements, it is important to know what level of service can be provided to your property.
- If you are purchasing land with the plan to build at a future date, there is a possibility that electric lines (and other utilities) may not be large enough to accommodate you if others connect during the time you want to build.
- The cost of electric service is usually divided into a fee to hook into the system and then a monthly charge for energy consumed. It is important to know both costs before deciding to purchase a specific piece of property.
- Power outages can occur in outlying areas with more frequency than in more developed areas. A loss of electric power can also interrupt your supply of water from a well. You may also lose food in freezers or refrigerators and power outages can cause problems with computers as well. It is advised to be able to survive for up to a week in severe cold with no utilities if you live in rural areas.
- Trash removal can be more expensive in a rural area than in a city. It is illegal to create your own trash dump, even on your own land. It is good to know the cost for trash removal as you make the decision to move into the country. In some cases, your only option may be to haul your trash to the landfill yourself. Recycling is more difficult because pick-up is not available in all rural areas.

The Property



There are many issues that can affect your property. It is important to research these items before purchasing land.

- Not all lots can be built on. You must check with the Jackson County Zoning Department to know if a piece of land can be built on.
- All of Jackson County is zoned and zoning permits are required for all buildings. Check with the Jackson County Zoning Department for more information.
- Easements may require you to allow construction of roads, power lines, water lines, etc. across your land. There may be easements that are not of record. Check these issues carefully.
- You may be provided a plat of your property, but unless the land has been surveyed and pins placed by a licensed surveyor, you cannot assume that the plat is accurate.
- Fences that separate properties are often misaligned with the property lines. A survey of the land is the only way to confirm the location of your property lines. Iowa fence custom uses the right-hand rule. When you face your fence line, you are responsible for the right-hand half of the fence, and you are required to keep it in repair if the adjoining landowner has livestock. It is recommended that you record all fence agreements in writing.
- Please check with the County Engineer's Office before building a fence to ensure that it is not located within the roadway Right-of-Way. It is in violation of Iowa Code to install fences within the Right-Of-Way. You are also not allowed to park vehicles within the roadway Right-of-Way.
- Many subdivisions have covenants that limit the use of the property. It is important to obtain a copy of the covenants (or to confirm there are none) and make sure that you can live with those rules. Also, a lack of covenants can cause difficulties between neighbors.
- Homeowner's associations (H.O.A.'s) are required to take care of common elements, roads, open space, etc. A dysfunctional H.O.A. or even poor covenants can cause problems for you and even involve you in expensive litigation.
- Dues are almost always a requirement for those areas with an H.O.A. The bylaws of the H.O.A. will tell you how the organization operates and how the dues are set.
- The surrounding properties will probably not remain as they are indefinitely. You can check with the Jackson County Zoning Department to find out how the properties are zoned and to see what future developments may be in the planning stages. The view from your property may change.
- If you have a drainage ditch running across your property there is a good possibility that the owners of the ditch have the right to come onto your property with heavy equipment to maintain the ditch or tile. Check with the Jackson County Engineer to review drainage district maps. It is important not to build or plant trees over drain tiles. The right of way (including both ditches) is controlled by the county, mowing is the only thing permitted in the right of way.

Weather and Nature



The weather in Iowa can change very quickly and country life includes wild animals native to the area. Here are some things to consider when moving to a rural area.

- The topography of the land can tell you where the water will go in the case of heavy precipitation. When property owners fill in ravines, they have found that the water that drained through the ravine now drains through their house.
- A flash flood can occur, especially in the summer months, and turn a dry waterway into a river. It is wise to take this possibility into consideration when building.
- Spring run-off can cause a very small creek to become a major river. Some residents use sandbags to protect their homes. The county does not provide sandbags, equipment, or people to protect private property from flooding.



- Nature can provide you with some wonderful neighbors. Most, such as deer, are positive additions to the environment. However, even “harmless” animals like deer can cross the road unexpectedly and cause traffic accidents. Rural development encroaches on the traditional habitat of coyotes, mosquitos, and other animals that can be dangerous, and you need to know how to deal with them. In general, it is best to enjoy wildlife from a distance and know that if you do not handle your pets and trash properly, it could cause problems for you and the wildlife.

Agriculture



Owning rural land means knowing how to care for it. There are a few things that you need to know.

- Farmers often work around the clock, especially during planting and harvesting time. Grain dryers may also operate around the clock during harvest time. This operation may last for several weeks to a few months. It is possible that adjoining agriculture uses can disturb your peace and quiet.
- Land preparation and harvest operations can cause dust, especially during windy and dry weather.
- Farmers occasionally burn their ditches to keep them clean of debris, weeds, and other obstructions. This burning creates smoke that you may find objectionable.
- Farm equipment and airplanes apply chemicals (mainly fertilizers and herbicides) used in growing crops. You may be sensitive to these substances.



- Animals and their manure can cause objectionable odors.
- Agriculture is an important business in Jackson County. If you choose to live among the farms of our rural countryside, do not expect county government to intervene in normal day-to-day operations of your agribusiness neighbors.
- Before buying land, you should know if it has noxious weeds that may be expensive to control and that you may be required to control.
- Farm equipment traveling down a road is slow moving and often covers a large portion of the roadway. Other drivers need to be aware of the slow-moving equipment. Be aware of equipment when on the road as some tractors are not equipped with turn signals and can suddenly turn into a field driveway or farm lane.

Conclusion

This information is by no means exhaustive. There are other issues that you may encounter that we have overlooked, and we encourage you to be vigilant in your duties to explore and examine those things that could cause your move to be less than you expect.

We do not want to discourage anyone from purchasing acreage, but we do want to help those who are fortunate enough to live in the country to understand some of the circumstances involved in country living. Country life is a wonderful way of living and everyone that lives in a rural area should have the opportunity to have that experience be enjoyable. Please see the appendix for more specific information regarding Jackson County.

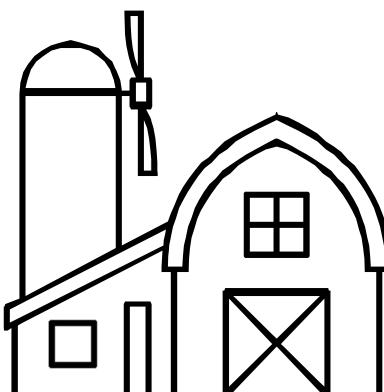


Appendix

Setting up a new Residence in Jackson County

Building a Home in Jackson County, Iowa

When do you need a Zoning Permit?



Setting up a new Residence in Jackson County



You should fully inquire about the items on this list prior to building a home in rural areas

- Property boundaries, easements, covenants: Call (563) 652-2506**

Check plat for survey, deed, and abstract of title to determine limitations on the use of the property. Determine this before advancing to other steps.

- Zoning Questions: Call (563) 652-4512**

Jackson County has zoning regulations and districts which apply to all unincorporated areas. Determine which districts and regulations will apply before advancing to other steps. City regulations may extend two miles beyond corporate limits and may also apply.

- Permits for wells and septic systems: Call (563) 652-1729**

Problems may occur due to soil types and distances from the house and other features.

- Entrance Permits and 911 addressing: Call (563) 652-4782**

Entrance permits are required to access a public road and to receive an address.

- Homestead, Farm and Military Tax Credits: Call (563) 652-4935**

Property tax credits are available to qualifying individuals.

- Mail, newspaper, and package delivery: Check with appropriate service provider.**

- Utilities: Call appropriate utility to set up service and billing.**

*This checklist is just a starting point. Inform yourself fully of your rights and responsibilities so that you are not surprised by unforeseen circumstances as you develop your new home.

Building a Home in Jackson County



Here's what you need from Jackson County

An entrance permit to access the public road. Entrance permits are required to access a public road and to receive an address. Call the Jackson County Engineer's Office at 563-652-4782 for further information.

Well and Wastewater Permits. The Jackson County Health Department requires permits for all new wells and for all onsite wastewater treatment systems (septic systems). Contact them at 563-652-1729 or etownsend@jacksoncounty.iowa.gov.

A Zoning Permit. All non-exempt farmhouses will need a zoning permit certifying that the project as represented in the application will comply with the zoning ordinance; the application fee for the permit is \$150. The most basic requirement is to have a buildable parcel. Nearly all undeveloped land in rural Jackson County outside of platted subdivisions is zoned A-1 Agricultural. Houses are permitted in this zone, without rezoning, on parcels of two acres or more with widths of at least 200 feet as measured at the front of the house. If your parcel isn't square or rectangular, contact the Zoning Administrator for details on parcel configuration. If the land is owned to the center of the road, the area of the road right-of-way may be included within the two acres.

If the land you're developing is being divided from a larger tract, the seller will usually have to have the land surveyed to create a legal description. Surveying is done by licensed private survey contractors. Getting land surveyed and ownership transferred into your name usually takes several months, so plan accordingly. Occasionally the creation of even a single additional lot will create the need for a minor subdivision plat. The Zoning Administrator will be able to tell you if a subdivision plat will be required and if so, what that entails.

If your building site is in a platted residential subdivision, the lots have already been surveyed. If the subdivision has been platted since 1976, each individual lot is buildable. For developments older than 1976, check with the Zoning Administrator to see if your lot or group of lots is a buildable parcel.

In addition to the land size and width requirements discussed above, a house in the A-1 zoning district will be subject to yard (setback) minimums of 40 feet front, 30 feet rear, 15 feet side, and 30 feet on the street side of a corner lot. The setbacks are measured from the property boundaries to the house wall, except that where your property fronts a road, setback is measured from the edge of the road's right-of-way. The right-of-way includes not only the road but also the ditches, if any, and it is all of the land that the public owns or has an easement over for the purpose of maintaining its road. If it is unclear to you where the edge of the right-of-way is, contact the County Engineer for county roads or

Iowa DOT at 652-2885. Porches and decks should be discussed with the Zoning Administrator. There is also a maximum height of 2.5 stories.

Zoning requirements are the same for factory-built housing as for site-built structures, but mobile and manufactured homes have special foundation requirements.

If you are replacing an existing residence using the same driveway, it will already be on a buildable parcel, have an approved residential road entrance, and have an official address. A zoning permit and Health Department approval of the well and wastewater system will still be required.

If you consider that your building site is a farm, check with the Zoning Administrator to discuss a possible exemption from the need for a zoning permit. All other requirements will pertain regardless.

The time to apply for a zoning permit, is generally after you have acquired title to the land, have a definite house plan, a definite house site, and have made application to the Health Department for well and septic permits, if needed. Permits are typically processed within two weeks of the time you have a completed application filed indicating compliance with the zoning ordinance, permit fee paid, and the application has been approved by the Health Administrator.

For forms and information, contact the Zoning Administrator at 563-652-4512 or visit the Jackson County Website at www.jacksoncounty.iowa.gov



When do you need to apply for a Zoning Permit?

In unincorporated Jackson County, you need a Zoning Permit before:

- Building or rebuilding a new non-farmhouse, barn, shed, garage, fence or other structure.
- Remodeling or altering any existing non-farm structure to increase its exterior dimensions, height, floor area, or number of dwelling units or to accommodate a change of use.
- Changing the use of structures or land (for instance, from agricultural or residential to commercial or industrial).
- Taking over occupancy of land or structures, except for farms or single-family residences.

Farm activity on farms is exempt from zoning requirements, including the need for a permit.

In accordance with section 335.2 of the Iowa Code, section 1.6 of the Jackson County Zoning Ordinance states that “No regulation or requirement adopted under the provisions of this ordinance shall....apply to land, farmhouses, farm barns, farm outbuildings, structures or erections which are primarily adapted, by reason or nature and area, for use for agricultural purposes while so used. ”

What is a farm?

- The tract includes at least 40 acres in active agricultural use (for instance planted cropland, improved pasture-grazing by owner’s livestock, or actively managed timber); or
- The assets of the farm operation it supports exceed the value of residential and non-farm commercial and industrial assets on the tract; or
- The farm operation it supports provides a majority of the gross household income for its owners.
If none of these are true, the farm exemption does not apply.

Non-farm activity on farms are not exempt.

Activities which are essentially commercial or industrial, not involving production, storage, or necessary processing of products raised on the premises, are not exempt, even on a farm, and they need zoning permits. This includes such common on-farm businesses as beauty shops, vehicle or equipment repair or sales, and antique sales.

Special rules for activity in flood plains and for tall structures near airports apply equally to farms and other lands.

If you have questions, contact the Zoning Administrator at 563-652-4512 or visit the Jackson County Website at www.jacksoncounty.iowa.gov