

# What you need to know when building on Esmann Island

## Clayton County Info:

All permits are available on line at <https://www.claytoncountyia.gov/213/Health-Zoning>

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- **Keep in mind this *is in addition to* the Esmann Island Assoc. by-laws & setbacks for building.**

## For all construction no matter what (additions, sheds, porches, new construction, bank stabilization

1. Contact the Flood Plain Section of the DNR (866-849-0321) to determine if a state flood plain and/or Corp of Engineers permit is required. The state will determine what needs to be submitted for review

**2. IMPORTANT: If required apply for a State/Corp permit. Expect a 3 - 4 months wait before a permit is issued from the state. \*Plan well ahead of your expected timeline.**

### 3. Apply for Esmann Permit.

- Submit Permit Fee and Road Deposit.
- Must receive Association approval before building can start.
- Need sign off from Building Committee member(s) and present at a monthly Board meeting.
- Board cannot approve permit before DNR & County permits are received. *See Building Permit Form Link on site.*

4. Once the state has issued their permit or sent a letter saying one is not needed, apply for county building permit and flood plain permit.

- To build a residence of any sort 5,625 sq ft is required
- Accessory buildings (garage or shed) requires a minimum of 4,000 sq ft in a lot.
  - If the lot is less than 5,625 sq. ft. a variance needs to be applied for before a building permit can be issued.
  - If the setback requirements cannot be met (5 ft from the side and rear lines, 25ft from the normal high water level, 15 ft from the front line) a variance must be applied for. This distance is from the farthest overhang or steps on the building.

5. All construction on the island that is new, or is an addition to an existing building requires a county building permit. Because screened in porches will require walls for support they too need a building permit.

- The only exceptions are:
  - Decks
  - Movable Car ports (roof and 4 posts, no walls)
  - Small sheds under 10' x 10'
- However these may require a state flood plain permit and/or a county flood plain permit

## **BUILDING ON AN UNDERSIZED LOT OR TOO CLOSE TO A PROPERTY LINE:**

- If you are building on an undersized lot or need to build closer to a property line than allowed you must apply for a variance from the Board of Adjustments and be approved before a building permit will be issued.
- The Board of Adjustments meets on the third Tuesday of the month if there is something on the agenda.
- Contact the Health and Zoning Office
- Submit a Board of Adjustments variance request along with the fee of \$100 and all pertinent paper work at least 3 -4 weeks prior to the regular meeting date.
- Attend the public hearing in person
- If approved apply for a building permit

## **SEPTIC SYSTEM:**

- The size of the septic system is based on the number of bedrooms in a home. If a bedroom(s) are added to a home and the septic is not big enough the increased number of rooms a larger system will need to be installed.
- Ideally septic tanks are to be 50' from wells and the filter field is to be 100' from a well. As this usually can't happen on these lots, they are put as far away from the wells as possible.
- When a property is sold the septic system must be inspected.
  - If it has a cement or plastic/fiberglass tank, a distribution box or manifold and a filter field, and all of the parts are functional (taking water) the system will pass even if it is not sized by today's standards.
  - If the tank is metal or if the wastewater goes into a seepage pit or discharges to the surface or river, it will not pass and a new system must be installed.

### **WELL RULES:**

- All wells including sandpoint, whether installed by the owner or a pump installer require a permit before they are installed.
- Contact the Clayton County Health and Zoning office so that the location of the well can be approved and the permit issued before the well is installed.
- Fee is \$100\* (call county to confirm)

### **Frequently Asked Questions**

- 1) **Do all homeowners on Esmann need to contact the county/state before building? YES**, they should first contact the DNR floodplain section to see if a DNR permit will be needed and get that process started first. The number they can call is 1-866-849-0321
- 2) **Does the county require a county flood permit for all development? For any structure? Any size of structure? If not, what development does not require a county flood permit?**
  - The county will require a flood plain permit if the state says one is required.
  - There is no fee for this permit, just the paper work.
  - Again check with the DNR first. This also includes riprapping of the shoreline, or seawall work.
- 3) **Does the county require a county building permit for all development? For any structure? Any size of structure? If not, what development does not require a county building permit?** The only things that do not require county building permit are decks, movable car ports (roof and four posts, no walls), and sheds under 10'x10'. We've have had a couple calls about screened in porches. Screened in porches will require a permit too.
- 4) **Is a county flood and/ or building permit required for elevating a property by bringing fill onto the property?** We do not believe elevating a building requires a permit as long as the footprint is not increased, but again double check with the DNR. However bringing in fill probably will require a permit as you are raising the elevation of the land, not just the building.
- 5) **Is a homeowner required to obtain a DNR/ Army Corps flood permit in addition to the county flood permit?** YES DNR is always first and foremost.

**WHEN IN DOUBT, PLEASE CONTACT A BOARD MEMBER OR A BUILDING COMMITTEE MEMBER.  
CONTACT INFO ON ESMANN WEBSITE.**