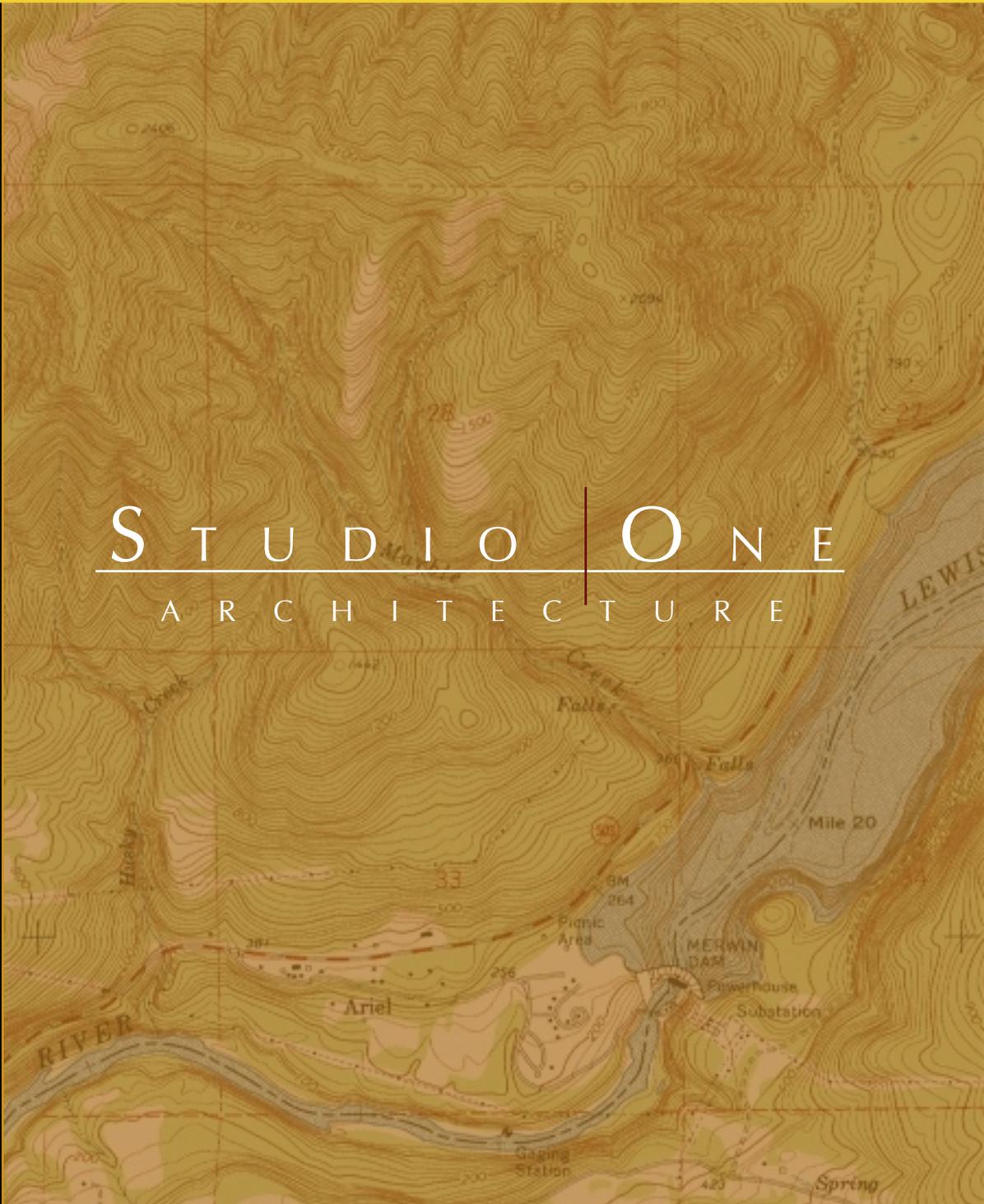


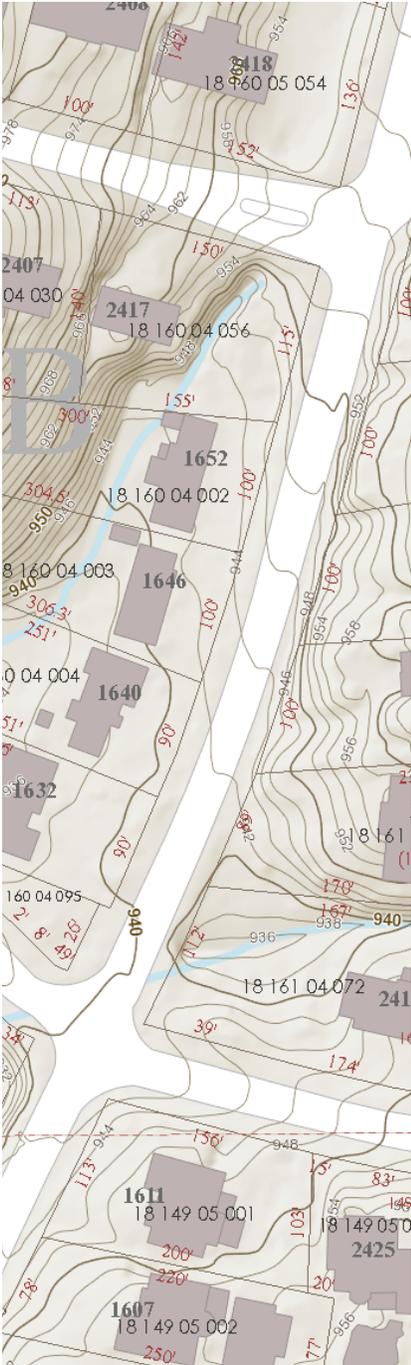
GUIDE TO SELECTING PROPERTY

STUDIO ONE
ARCHITECTURE



SELECTING THE RIGHT PROPERTY FOR BUILDING

7 Crucial Things You Need To Know When Buying Land



Everyone knows the adage:

Location, Location, Location, but there's actually a lot more to consider when finding the right property if you plan to build on it. Nature, the legal system, and the physical limitations of manmade components have tremendous impact on the suitability of any property. Making the wrong choice can cause irreparable damage. Here are the key things you need to know before you pull the trigger:

1. Zoning: Know your Ordinance

In nearly every jurisdiction across the country, land is simply not allowed to be used for anything and everything your heart desires. To avoid the potential problem of having a chemical plant built next to a school, a hazardous waste site set into a neighborhood, or your next door neighbor building a 10 story addition, land is separated into categories or uses that limit what can and cannot be built on each parcel. Your local zoning ordinance is what

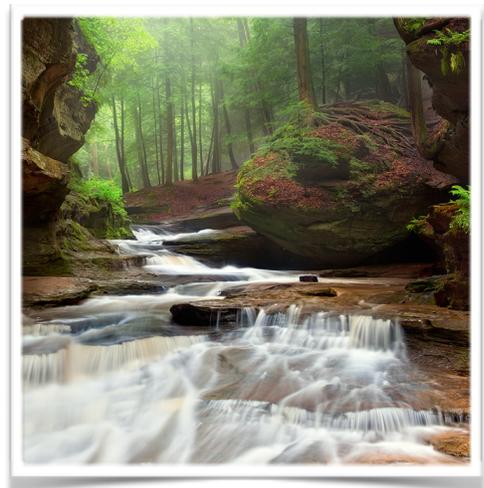
defines how land is used. Not knowing the zoning classification and what it allows can turn into serious trouble fast when you decide to build. Even when it's physically possible and nearby lots already have what you would like, if your lot's zoning doesn't allow it, you don't get to build it. Before you buy, make sure the property's current zoning allows you to build what you want and understand the restrictions that come with it. For example, most property not only comes with front, side and rear yard setbacks that reduce the actual footprint of your future structure, but they vary based on classification. Zoning is also what sets your maximum building height restrictions, maximum percentage of lot coverage, minimum open space requirements, minimum and/or maximum sized home, the ability to sub-divide, size and type of fencing, and a multitude of other requirements covering everything from whether you're allowed to have a separate guest suite, to where you can place a tool shed. Even the zoning classification of your next door neighbor can affect your setbacks or your building's future orientation. Finally, in addition to typical zoning, many developed areas have land use overlay districts, neighborhood covenants, or other restrictions on what can and cannot be built. Knowing these will help you understand your limitations.

2. Read the Deed: Easements & Rights of Way

Often, a property deed may have an existing easement or right of way on it even if it is raw land. By itself, an easement can completely incapacitate a property from being developed, regardless of size. An easement is an agreed upon use of land by a party other than the land owner. For example, a utility company may have an easement on or through a property it does not own that allows it legal access to natural resources. Easements limit where you can build as they are essentially legal (although often physically invisible) areas or pathways that can go right in or through a lot in just about any configuration. Knowing the type, size, location, and use of an easement is essential when determining where, how and even if you can build on land. A Right of Way differs from an easement in that it does not allow a 3rd party use of the land, but simply allows them to encroach on or through for the purpose of travel. A common right of way is for a local government to have a public road or walkway through private property, allowing travel or access to property not owned by you. Both of these legal conditions must be defined and documented to assess their impact on any lot.

3. Waters of the State

For building, the most dangerous waters are not shark infested, they're state owned. Any private property with natural water that is not entirely contained within the boundaries of that property is considered State Waters. This kind of amenity has a built in liability because it can prevent you from building on or potentially even entering a lot. Almost every spring, creek, river, or lake comes with restrictions in terms of how close you can construct near it, how much vegetation can be removed next to it, what can be built over it, through it, or be put on it. Normally, this is not decided at the local level but through a State's Department of Natural



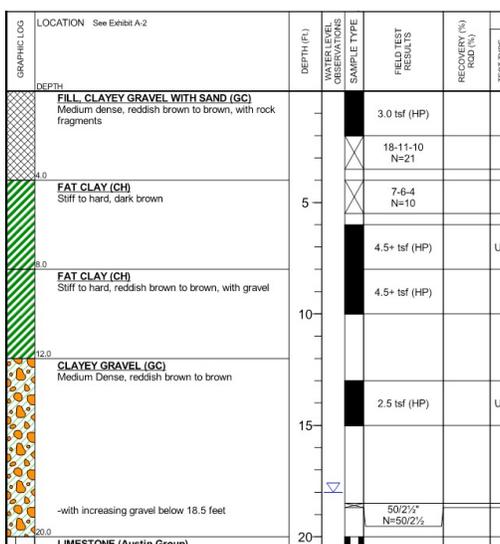
Resources, the Army Corp. of Engineers, a Utility company, or other governing body. Not surprisingly, these organizations are very strict in adhering to regulations. Also, any wetlands can carry multiple restrictions even if they are entirely contained within your property. In addition to special undisturbed buffers, local governments can place additional set backs and restrictions in excess of the state requirements with regard to encroachment and use. These restrictions can sometimes be overcome, but only through a successful variance process.

4. The Lay of the Land: A Surveyor's Guide

Before you purchase, acquire a boundary and topographic survey of the property. Boundary surveys define the property lines and legal description of a parcel whereas a topographic survey describes the slope and physical orientation of the land. These are critical elements in determining what can be built and where. Even when a lot has been very carefully staked and marked so you can see all of the property boundaries at once, land has a way of misleading you in terms of scale and limitations and these misperceptions can be devastating. Surveyors will also document if all or part of a property is in a flood plain as well as define where all above ground man made structures are located. However, depending on the jurisdiction, it may be essential to also document the size and type of trees on the property (if there is a tree ordinance in effect) location of adjacent property conditions for set back purposes, protected areas, any legal limitations noted in a deed, or any natural features such as rock faces, streams, or similar items.

5. What's happening Underground: Getting Geotechnical

While a survey gives detail of what's happening on the surface of a property, a geotechnical report helps to explain what's going on underneath. Geotechnical engineers provide this by boring into the earth



twenty or more feet in depth and running an analysis on the core samples they collect in terms of the type of soil, the proximity to rock, sub surface water conditions, and other information. This is used to determine the suitability of a parcel for building. In some areas, the information revealed in a geotech report can make an otherwise stellar property worthless. Knowing that the soil is not suitable for building or that blasting would be required if rock is found too close to the surface is exceptionally valuable information before purchase. A geotechnical report is common, relatively inexpensive, and can save you money on everything from the size of the foundations required for building, to acquiring leverage in negotiating a sale, to the expense of buying the entirely wrong property.

6. *Get a sense from your Senses*

Most people pay attention to views when deciding on location. However, you need to look at land with more than your eyes and you need to imagine it over time. When seriously considering a lot, close your eyes and pay attention to what you hear, smell, and touch and don't presume that whatever you want to change can be changed. Also, look at projected growth or changes that are anticipated in the region. Will known or predicted vehicular and air traffic patterns, population density or nearby land use changes affect you in terms of your quality of life and/or sensory perception in the near future? Will your views change based on activity on adjacent property? What is the path of the sun? Where do the prevailing winds come from? Can normal inclement weather in the area have a significant adverse affect on the property? What natural changes take place during each of the four seasons? Thinking about these questions helps you to ground yourself to the land and better equips you to understand the context of where the property is located.

BECOME
A SIGHT,
SOUND,
& SCENT
SEER

7. *Utilities & You:*

Most lots in urban areas are easily accessed and have all major utilities already on site (normally consisting of water, power, gas, telephone/data, cable, and sewer). However, that's not the case in most rural areas and the number of suburban lots missing one or more seemingly standard utility occurs more often than you might expect. In the vast majority of land parcels around the country, if you don't have utilities, you don't have a building site. There are ways to compensate for missing utilities but they often create complications and it's important that you work into your budget what the cost is of connecting to or replicating a missing utility. One of the most dangerous assumptions people make is to presume that this can all work out. For example, many rural and suburban lots are not connected to sewer. On-site septic systems are the most common alternative. However, the soil must be suitable and approved for a septic system (requiring a soils engineer analysis and report as well as approval from the local Health Department). In addition, there must be a minimum lot size to allow for the septic drain field who's overall size is dictated by the number of bathrooms or bedrooms. That allowable number of bedrooms or baths may be entirely inadequate for your purposes, rendering the property useless. In addition, most jurisdictions require enough space for a secondary or reserve drain field in case the first one fails and neither can be located under a building, road, pool, driveway, or other hardscape and requires minimum distances from natural springs, streams or other ecologically sensitive areas. If the property does not have access to municipal water, often a well can be dug but some jurisdictions set limits on drilling rights and



there is a minimum distance it must be located from septic systems or other man made areas. As a result, property that seems more than adequate in terms of overall size, can actually be insufficient in terms of accommodating necessary utilities if they are not readily available. Factoring the expense to install on-site utilities, particularly for larger or more remote land parcels, can be significant. Finally, it should be determined as to whether a municipality has certain requirements over and above the property owner's such as fire department access or installing a fire hydrant on private roads.



Conclusion

When looking at a potential property for the purpose of building, change your mantra from Location, Location, Location, to Legal, Natural, & Manmade. It is these three aspects that will have the largest effect on not only what you build, and how you build it, but even whether you can build anything at all.

Congratulations! You now have the key information needed to analyze a potential land parcel for building. Unfortunately, we can't include every important piece of information in this guide. In fact, it would be impossible to convey all the information associated with land acquisition simply due to the fact that every lot is unique. However, the seven steps outlined here define the most critical components for most properties. If you are in the process of deciding to purchase land, let's talk. We can help you wade through the options, provide critical analysis, help you to see a property's potential, and discuss alternatives if changes are required. We offer a custom feasibility analysis where we identify the specific requirements pertaining to your project, a site's limitations, and your available options.

Typically, the feasibility analysis saves our clients thousands of dollars and weeks of lost time, not to mention the stress and extreme potential loss of purchasing an unbuildable lot. To learn more about this service and why it is crucially important to your project's success, or if you need any assistance in making the final decision, would like to discuss the suitability of a particular lot, the possibility of rezoning or filing for a variance, please give us a call.

Best wishes for the success of your project!



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