



Washington County  
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## BUYERS - BEWARE

### HOW TO PROTECT YOURSELF WHEN PURCHASING LAND IN WASHINGTON COUNTY, FLORIDA

SOURCE: Florida Attorney General's Office and Washington County Land Development Code

#### **Before purchasing land, take the following steps:**

- Visit the property.
- Do not buy over the phone, mail, or internet.
- Do not buy based on a friend's recommendation.
- Research fee amounts required for purchase and development (real estate taxes, community or homeowners' assessment fees, building permit fees, deposits with electric companies, and septic tank permit fees).
- Talk to neighbors or residents that live in the area.
- Talk to other real estate agents in the area and ask how long it took to sell similar property
- Check with the County Planning Department regarding any new development planned for an area that may affect property values.
- If the land is undeveloped, find out who will be responsible for the costs of building roads, utilities, or sewer. Talk to the utility companies to find out what the cost will be to place power poles and lines on undeveloped land.
- Ask what percentage of the property is within environmentally-protected areas. These areas are designated by the Florida Department of Environmental Protection (FDEP) and Northwest Florida Water Management District (NFWMD) as well as county-level government and may require FDEP or county government development approval. State permits may be required for any clearing, road building, or placement of structures.
- Know the County Future Land Use Map categories assigned to the property. Do not purchase property assigned to the Agriculture/Silviculture Future Land Use Map category and expect to open a drive-thru restaurant. Likewise, do not buy residential property with plans of opening a car dealership.
- Inquire as to the process taken to divide property into smaller parcels. County Code requires that parcels **less than 4.5 acres** in size must complete the subdivision review and approval process. A Future Land Use Map Amendment application may be necessary with any property divisions.
- Ask the seller to provide you with **DEED RESTRICTIONS OR COVENANTS**. These may be available from a seller, realtor, or recorded at the Clerk of Court's Office at the courthouse. The Washington County Planning Department **does not** maintain or enforce deed restrictions or covenants. It is the **property owner's responsibility** to be aware of any deed restrictions, as any development that contrary to these community standards may result in a civil lawsuit.

- Ask the seller whether there is a homeowner's association or architectural review committee that will have final approval for any development. The Washington County Planning Department does not maintain or enforce deed restrictions or covenants. It is the property owner's responsibility to be aware of any deed restrictions, as any development that contrary to these community standards may result in a civil lawsuit.
- Always ensure that your deed is recorded as soon as possible. If someone else files it for you, it is your responsibility to ensure that it is recorded with the Clerk of Court.
- Do not begin any development without prior approval from the County Planning Department. Accessory structures or homes cannot be placed on a property without prior approval.

**Roads and Legal Ingress/Egress in Washington County:**

- It is the responsibility of the developer to construct new roads servicing any new development. Washington County taxpayers are not obligated to build roads for new development.
- Never buy property located off of a newly constructed dirt road without asking about the background of the road.
- **All** roads built after February 1999, must be paved.
- All newly constructed roads must have a development plan filed and approved at the County Planning Office.
- Generally, property to be developed **must** abut an existing county road, paved, or unpaved or a state road. A deeded access easement included in a deed, or as a separate document, is required for property without road frontage.
- In some cases, an exclusive easement into property may be obtained, but may serve only one parcel of land and may not be used to provide an ingress/egress to additional parcels that result from subsequent subdivision.
- Beware of easements placed adjacent to each other in an attempt to circumvent building a road into a new development.
- There are some existing subdivisions where the owner has failed to bring the roads up to county standards or has chosen to continue maintenance themselves. The responsibility for maintaining these roads rests with the developer. If the developer fails to maintain the roads, it then becomes the residents' responsibility to maintain them. The county will not assume maintenance on these roads, until such time as they are brought up to county standards, approved by the county engineer, and approved by the Board of County Commissioners.
- Beware of promises from the seller that the roads will be paved in the near future. Budget shortfalls at local and state levels preclude paving of the majority of roads in Washington County.

**Questions? Call the Washington County Planning Department:**

- If possible, email your questions along with a description of the property, including the road location to [jenck@washingtonfl.com](mailto:jenck@washingtonfl.com) or [dmcDonald@washingtonfl.com](mailto:dmcDonald@washingtonfl.com).
- Or, phone the Washington County Planning Department at (850) 415-5093. Your questions will be researched or you will be referred to another agency that will provide the information.