

## Chapter 16.12

### LAND SUITABILITY

#### Sections:

**16.12.010 Determination of land suitability.**

**16.12.020 Soil tests.**

**16.12.010 Determination of land suitability.**

A. No land shall be divided which is unsuitable for use by reason of flooding, inadequate drainage, adverse soil or rock formations, unfavorable topography, or any other feature likely to be harmful to the health, safety or welfare of the future residents of the proposed area. The Town Board may require the developer to conduct and provide the results of tests to determine soil suitability, groundwater and rock conditions. The Town Board shall recite the particular facts upon which it bases its conclusions that the land is not suitable for residential use and afford the subdivider an opportunity to present evidence regarding such unsuitability. Thereafter, the town may affirm, modify or withdraw its determination or unsuitability.

Town Board may require the developer to provide an EPA audit.

B. In addition, the following criteria must be met:

1. All lands to be subdivided shall be at least one foot above the elevation of the one hundred (100) year recurrence interval flood or, where such data is not available, five feet above the elevation of the maximum flood on record.

2. No building sites shall be created which do not meet the standards as established in the Department of Industry, Labor and Human Relations of the Wisconsin Administrative Code, and the Racine County code of ordinances.

3. Any lot must be of sufficient size relative to the topography to permit the location of any building to meet zoning requirements. The average grade must be compatible to the surrounding area. The Town Board may grant an exception where such grant would not be contrary to the spirit or intent of this chapter, providing the proposed building would not be of such character or quality as to depreciate the property values of the surrounding area. (Ord. dated 7/27/95 § 5(5))

**16.12.020 Soil tests.**

All plats and certified surveys which include lands not served by sanitary sewer, shall be accompanied by the results of current pedology tests meeting the standards of the Department of Health, Industry and Human Relations (DIHLR), Racine County Code Administration department and other pertinent agencies, showing that each proposed parcel is suitable for on site sewage treatment. (Ord. dated 7/27/95 § 5(6))