

## Chapter H 65

## SUBDIVISIONS NOT SERVED BY PUBLIC SEWERS

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**H 65.01 Applicability.** These regulations governing lot size and lot elevation shall be applicable to any subdivision, as defined in section 236.02 (7), Wis. Stats., not served by a public sewer, where provision for such service has not been made. Provision for such service shall be considered to have been made only if the subdivision will be served by a public sewer at the time of occupancy of the first 2 buildings constructed therein, or the municipality, town or town sanitary district has by resolution or other official action provided that public sewers will be extended to buildings within the subdivision as they are occupied.

**History:** 1-2-56; am. Register, July, 1956, No. 7, eff. 8-1-56.

**H 65.02 Definitions.** For the purposes of these regulations the following terms mean:

- (1) **BOARD**, the state board of health.
- (2) **MINIMUM LOT AREA**, the area established in section H 65.03 as the minimum area for a given situation.
- (3) **PRIMARY PLAT APPROVING AUTHORITY**, the plat approving authority of the municipality or town in which the plat is located.
- (4) **PUBLIC SEWERS**, sewers, and treatment facilities used in connection therewith, which are maintained and operated by a municipality, town, or town sanitary district.
- (5) **PUBLIC WATER SUPPLY SYSTEMS**, a water system serving 10 or more premises of mixed ownership when such system is maintained and operated by a municipality, town, town sanitary district, privately owned utility, or duly constituted cooperative association.
- (6) **SUBDIVISION PLAN**, a map showing the numbers and the boundary lines of all lots and blocks. Such map may be a copy of the plat.

**History:** 1-2-56; am. Register, July, 1956, No. 7, eff. 8-1-56.

**H 65.03 Lot area.** (1) The area of any lot shall be sufficient to permit the use of a sewage absorption system of a shallow or deep type and be based upon the results of soil percolation tests conducted in accordance with the procedure given in section H 65.06. Shallow absorption systems shall be construed as those located within a depth of 36 inches while deep absorption systems shall be those developed at depths of more than 36 inches below the surface of the ground. To be considered for area reduction, plans of a public water supply system to serve a subdivision shall be approved by the board.

(2) The minimum lot areas shall be as follows:

Class	Minutes required for water to fall one inch		Minimum Lot Area— Square Ft.	
	Shallow absorption system	Deep absorption system	Private water supply system	Public water supply system
1.....	Under 3	Under 2	10,000	9,000
2.....	3 to 15	2 to 10	14,400	12,000
3.....	16 to 60	11 to 30	18,000	14,400
4.....	61 to 90	31 to 60	36,000	28,800
5.....	Over 90	Over 60	60,000	60,000

(3) The minimum lot areas specified in classes 1, 2 and 3 may be decreased by 20% when the feasibility of maintaining adequate separation of wells and sewage system units on lots of such smaller size throughout the subdivision has been demonstrated on a subdivision plan by means of one-foot contour lines and pre-planned locations for wells and sewage system units, and provided building and occupancy ordinances of the primary plat approving authority make it possible to require adherence to the location of wells and sewage system units shown on the plan. Pending installation of public sewers, the minimum lot areas shown in the table may also be provided through use of 2 or more lots, if suitable combinations are designated on a subdivision plan and the primary plat approving authority has an ordinance which will permit it to control the erection of buildings on such combination of lots. Two copies of any subdivision plan concerning aforesaid pre-planning arrangements or lot combinations shall be supplied to the board, one copy of which, appropriately marked, shall be returned to the primary plat approving authority if the plan is acceptable to the board.

**History:** 1-2-56; am. Register, July, 1956, No. 7, eff. 8-1-56; am. (2), Register, November, 1962, No. 83, eff. 12-1-62.

**H 65.04 Lot width and length.** Where not inconsistent with section 236.16 (1), Wis. Stats., lots of class 1, 2 or 3 shall have a minimum width in feet at the building site of not less than the number obtained by dividing the minimum lot area by 200. Lots of class 4 or 5 shall have a minimum width of 100 feet.

**History:** 1-2-56; am. Register, July, 1956, No. 7, eff. 8-1-56.

**H 65.05 Elevation.** (1) **FLOOD WATER.** Ninety per cent of the minimum lot area shall be at least 2 feet above the approximate high water elevation of any lake or stream affecting the plat. Where this is a factor, the plat shall show a contour line 2 feet above the high water level.

(2) **GROUND WATER.** Eighty per cent of the minimum lot area shall be at least 3 feet above the highest ground water level as estimated by the subdivider or his agent from soil boring test data. Estimates shall be subject to verification by a plat approving authority and the board. Any part of a lot having an elevation less than 24 inches above such highest ground water level shall not be considered in determining minimum lot areas.

**History:** 1-2-56; am. Register, July, 1956, No. 7, eff. 8-1-56.