

ORDINANCE NO. 75-1

AN ORDINANCE AMENDING ORDINANCE NO.
68-1, ENTITLED "THE SUBDIVISION CONTROL
ORDINANCE OF FLOYD COUNTY, INDIANA" AS
PREVIOUSLY AMENDED

BE IT ORDAINED by the Board of County Commissioners of Floyd County, Indiana, under Authority of Chapter 174, Acts of 1947, and all acts amendatory thereto, of the General Assembly of the State of Indiana, that Ordinance No. 68-1, dated the 25th day of August, 1968, as thereafter amended, is further amended by deleting therefrom Section III, Paragraph E, subparagraph 2, and by substituting therefor the following:

2. Lot Dimensions and the issuance of Improvement Location Permits therefor shall conform to the requirements of the Floyd County Zoning Ordinance, to the extent that the same are consistent herewith. The minimum lot size with respect to land subject to the provisions of this Ordinance shall be governed, however, by the existing soil type, topography, and suitability thereof for the containment and disposal of sewage and waste water. As a guide thereto, a Soil Composition and Topography Map and Table of Soil Type and Analysis, based upon United States Department of Agriculture, Soil and Conservation studies, depicting, by means of color codes, soil type, topography and the suitability of particular land for the containment and disposal of sewage and waste water are hereby incorporated by reference into this ordinance. Copies of said Map, Table, and Studies shall be maintained in the offices of the Floyd County Plan Commission and shall be made available for Public Inspection.


As determined by its location upon the Soil Composition and Topography Map, and by reference to the Table of Soil Type and Analysis, with respect to the soil type included therein, no proposed subdivision being thereby assigned a particular color code shall be hereafter finally approved in accordance with the provisions of this Ordinance if there shall be located therein one or more lots having a total area less than that prescribed by the following table:

- (a) Green: 20,000 square feet;
- (b) Yellow: 30,000 square feet;
- (c) Orange: 40,000 square feet;
- (d) Red: Subject to approval only if each lot is serviced by an approved Sanitary Sewage System and each lot has a minimum area of 9,600 square feet;
- (e) Black: Due to the presence of flood plains and/or slopes in excess of 18%, no subdivision having been assigned this color code will be given approval in accordance with this ordinance.

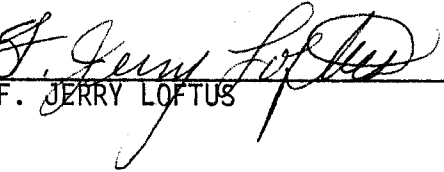
In the event of a variance between the Soil Composition and Topography Map and the Table of Soil Type and Analysis, with respect to the assignment of a color code to a proposed subdivision, the latter shall prevail. Persons

desiring the approval of a subdivision with lots smaller than those determined as hereinbefore provided, may appear before the Commission and show cause therefor, and such person shall on all issues bear the burden of proof.

Duly passed and adopted by the Board of Commissioners of the County of Floyd, Indiana, this 15 day of November, 1975.


RAYMOND LIBS


VINCENT H. FREIBERGER


F. JERRY LOFTUS

ATTEST:


AUDITOR, FLOYD COUNTY, INDIANA