

RECEIVED  
CASS COUNTY COMMISSION

**MAY 19 2016**

**MEMORANDUM**

**Highway  
Department**

Jason Benson, P.E.  
County Engineer

Richard S. Sieg  
Superintendent

Thomas B. Soucy, P.E.  
Assistant County Engineer

TO: Cass County Board of Commissioners  
FROM: Hali A. Durand, Cass County Planner  
DATE: May 16, 2016  
SUBJECT: Consent Agenda Topic for the June 6, 2016  
Commission Meeting: Lindemann Subdivision

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The Cass County Planning Commission reviewed the subject subdivision located in Gill Township, Section 14 at a Public Hearing on March 24, 2016. The intended use of the subdivision is to create one lot for residential development.

The Planning Commission is recommending approval of the new proposed plat. Gill Township has indicated the plat has met their zoning requirement. Therefore, the Planning Commission recommendation is being forwarded to the Cass County Board of Commissioners for action.

**SUGGESTED MOTION:** To grant Final Plat approval for Lindemann Subdivision, Section 14, Township 139N, Range 53W, of the 5th Principal Meridian, Cass County, North Dakota.

1201 Main Avenue West  
West Fargo, North Dakota  
58078-1301

701-298-2370  
Fax: 701-298-2395

## Subdivision (Plat) Application

Cass County Planning Office  
1201 Main Avenue West  
West Fargo, ND 58078



Phone: 701-298-2375  
Fax: 701-298-2395  
<http://www.casscountynd.gov>

We, the undersigned, do hereby submit an application to the Cass County Planning Office, to take such action as may be required to establish a Subdivision on the described subject property pursuant to the Subdivision Ordinance of Cass County, North Dakota.

The following must accompany this application:

1. Preliminary Plat (one 22" x 34" copy and twenty-five 11" x 17" copies)
2. Clear Title Opinion reflecting ownership by applicant(s)
3. A filing fee consisting of a check made payable to the Cass County Highway Department

Property Owner Information
Name (printed): <u>JARROD HINDEMANN</u>
Address: <u>803 7th ST NW VALLEY CITY</u>
Primary Phone: <u>701-793-0626</u> <u>58072</u>
Alternative Phone: <u>701-845-2100</u>
Email: <u>jarrod@northvalleyaircraft.com</u>

Representative Information (primary contact)
Name (printed): <u>SAME</u>
Address: _____
Primary Phone: _____
Alternative Phone: _____
Email: _____

Proposed Subdivision Name: HINDEMANN

Quarter, Section, Township, Range NE 1/4 SECTION 14 G126 139N 53W

Roads:	<input checked="" type="checkbox"/> Public	<input type="checkbox"/> Private	<input type="checkbox"/> Paved	<input checked="" type="checkbox"/> Gravel
Water Supply:	<input type="checkbox"/> Public	<input type="checkbox"/> Private	<input checked="" type="checkbox"/> Rural Water	<input type="checkbox"/> Shared Wells
Waste Water Treatment:	<input type="checkbox"/> Public	<input checked="" type="checkbox"/> On-Site Septic		
Storm Sewer:	<input checked="" type="checkbox"/> Ditches	<input type="checkbox"/> Storm Sewer System		
Ownership and maintenance responsibility of the subdivision:	<input type="checkbox"/> Public		<input checked="" type="checkbox"/> Private	

**Acknowledgement:** We hereby acknowledge that that the above information is true and complete to the best of our knowledge and that the primary contact named above will be contacted if any questions arise and when the plat has been approved and appropriate copies are ready for recording.

Owner Signature: \_\_\_\_\_

2-29-2016  
Date: \_\_\_\_\_

Representative Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Subdivision Fee Schedule	
<input checked="" type="checkbox"/>	Minor Subdivision (1-4 lots): \$100.00 base fee + \$35 per lot
<input type="checkbox"/>	Major Subdivision (5-12 lots): \$500.00
<input type="checkbox"/>	Major Subdivision (13+ lots): \$650.00

**Note:** A nonrefundable filing fee must be accompanied with the application at time of submittal made payable to the Cass County Highway Department.

## Final Plat Report

**Title:** Lindemann Subdivision  
**Owner(s):** Jarrod & Danielle Lindemann  
**Applicant:** Jarrod Lindemann  
**Type of Request:** Minor Subdivision

**Status:** Final Hearing at the March 24, 2016 Planning Commission Meeting

### Proposal:

An application for a Minor Subdivision (plat) has been received by the Cass County Planning Office for approval of a tract of land located in part of the Northeast Quarter of Section 14 in Gill Township to plat one lot for residential development. The said tract contains 25.00 acres of land, more or less. The subdivision (plat) will use public gravel roads, on-site septic sewer systems, ditches for storm sewer, and public rural water. The proposed plat is currently within an unmapped area, therefore no flood determination has been made. However, based upon the preliminary western cass floodplain maps, which are not officially adopted, the proposed plat is shown in Zone X. There are no waterbodies (rivers or wetlands) within a mile boundary. Two accesses are being requested, one will be created where the existing field access exists along the half section line and another is requested off of 38th Street SE to the east side of the parcel.

**Existing and Proposed Land Use:** The land is and will remain Agricultural.

### Design Standards:

A permit for access to the township road (38th Street SE) is required by the Board of Township Supervisors. In granting the access permit to the township road, the Board of Supervisors may adopt rules and regulations as to the width, construction, and other features of the access to the adjoining property. The Board of Township Supervisors may place conditions when granting a road access permit.

All driveways shall, at a minimum, be designed so as to not interfere with the normal traffic movement nor be inconsistent with the design, maintenance, and drainage.

All buildings, structures, and trees shall be placed at least 150 feet from all section lines and the centerlines of township roads.

All structures or buildings shall conform to the requirements of the Uniform Building Code and National Electrical Code. All individual water supply and sewage disposal systems shall conform to the requirements of the ND Plumbing and Sanitary Code.

The minimum front yard, measured from the front lot line shall not be less than 75 feet for properties abutting township roads and 100 feet for properties fronting on other rights-of-ways.

The minimum rear yard, measured from the rear lot line shall not be less than 50 feet.

The minimum side yard, measured from the side lot line shall not be less than 25 feet.

The building height for residential buildings shall not exceed 2½ stories or 35 feet except for farm buildings and structures.

Construction of shoulders and drainage ditches is required.

Access into the subdivision shall be built with an elevation at or above the base flood elevation (BFE). If the BFE has not been established the applicant may use the best available information to determine this elevation.

Private utility easements shall have a minimum width of ten (10) feet and shall be required along the lot frontage and may be required along the back of lots.

All subdivision applications which involve grading or excavation disturbing one (1) or more acres of land shall conform to the following requirements and those requirements established by the North Dakota Department of Health.

The adjacent parcel (41-0000-05758-050) containing 120.86 acres more or less shall be Deed Restricted to adhere to the density requirement.

**Agency Comments:**

<i>Cass County Engineer</i>	The plat has been reviewed and everything looks good.
<i>Water Resource District</i>	The Maple River WRD has no comment.
<i>Cass County Electric</i>	CCEC does not have any comment in general. The closest line to the site is under a half mile away from the very NE corner of the section. The individual requesting service would be required to pay a contribution in aid for service per the internal line extension policy which may require additional easements with adjoining landowners.
<i>Century Link</i>	The plat has been reviewed and everything looks good.
<i>Gas Company</i>	No comments have been received.
<i>Cass Rural Water</i>	The plat has been reviewed. There is a water line running east to west along 38th Street SE. No request for service has been received to date. Consequently, there is no hydraulic analysis to show regarding capacity.
<i>County Sanitarian</i>	No comments have been received.
<i>Township Chairman</i>	The Township is in approval and supports the proposed plat.
<i>Public Comment</i>	No public comments have been received.

**Staff Analysis:**

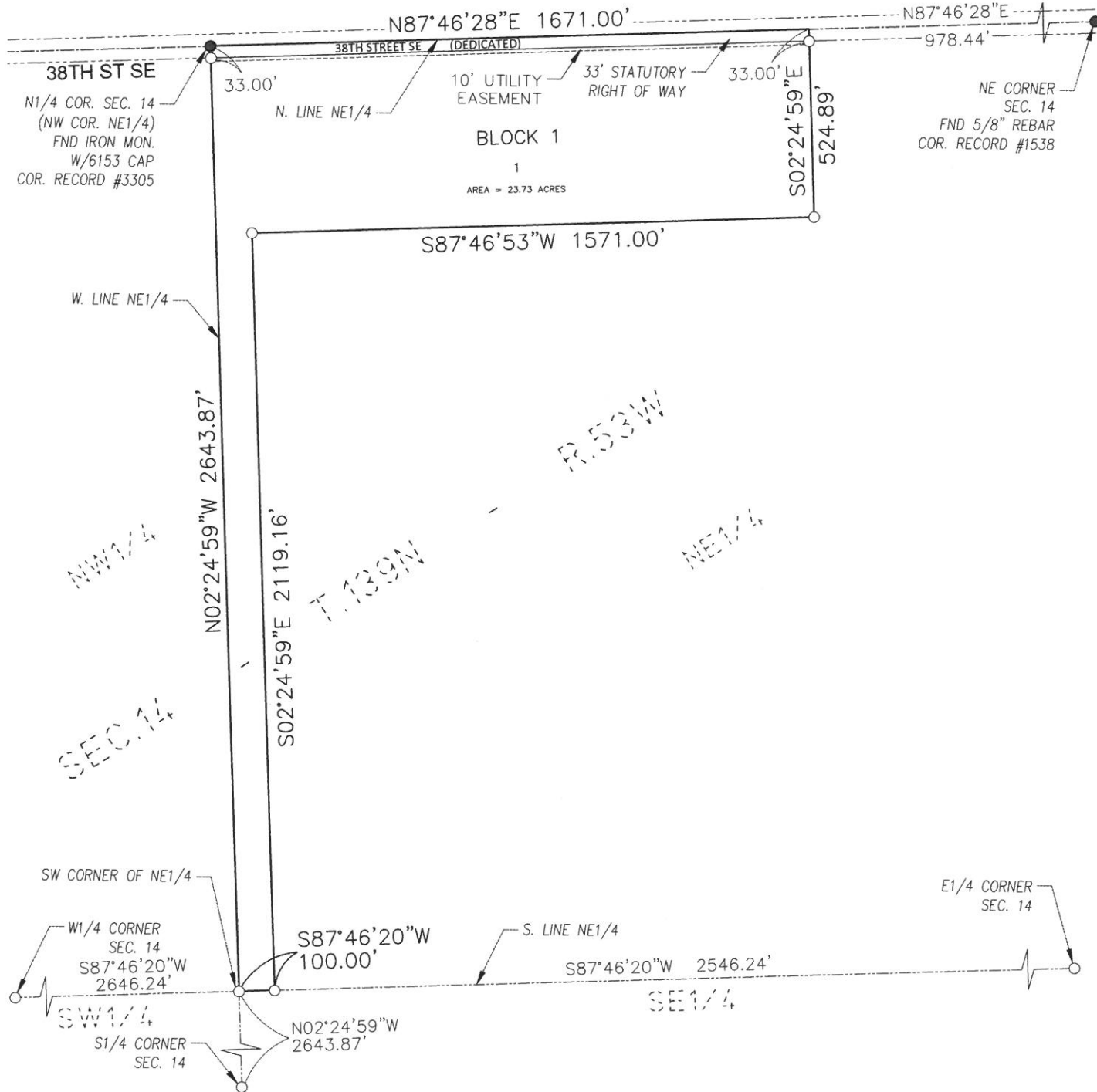
The proposed subdivision is located south of 38th Street SE and west of 150th Avenue SE. The subject property is bound on all sides by agricultural land. The proposal will be a non-farm residential unit which is permitted in the A-1 Agricultural District. No more than 2 non-farm residential units are allowed per 160 acres. Currently, there is one other residence in the quarter section which meets this requirement. Both accesses into the subdivision are allowed and the township will provide the culvert.

**Recommendation:**

To approve the Final Plat as presented as it meets the goals and objectives of the Cass County Comprehensive Plan, Cass County Highway Access Plan, Flood Damage Prevention Ordinance, Cass County Subdivision Ordinance, and Gill Township Zoning Ordinance.

# PLAT OF LINDEMANN SUBDIVISION

(A MINOR SUBDIVISION)  
A PART OF THE NORTHEAST 1/4 OF SECTION 14, TOWNSHIP 139  
NORTH, RANGE 53 WEST OF THE 5TH PRINCIPAL MERIDIAN  
CASS COUNTY, NORTH DAKOTA.



### CERTIFICATE

STEVEN W. HOLM, BEING DULY SWORN, DEPOSES AND SAYS THAT HE IS THE REGISTERED LAND SURVEYOR WHO PREPARED AND MADE THE ATTACHED PLAT OF "LINDEMANN SUBDIVISION", A PART OF THE NORTHEAST QUARTER OF SECTION 14, TOWNSHIP 139 NORTH, RANGE 53 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CASS COUNTY, NORTH DAKOTA; THAT SAID PLAT IS A TRUE AND CORRECT REPRESENTATION OF SAID SURVEY; THAT ALL DISTANCES ARE CORRECTLY SHOWN ON SAID PLAT; THAT MONUMENTS HAVE BEEN PLACED IN THE GROUND AS INDICATED FOR THE GUIDANCE OF FUTURE SURVEYS AND THAT SAID SUBDIVISION IS DESCRIBED AS FOLLOWS:

THAT PART OF THE NORTHEAST QUARTER IN SECTION 14, TOWNSHIP 139 NORTH, RANGE 53 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CASS COUNTY, NORTH DAKOTA, DESCRIBED AS FOLLOWS:

BEGINNING AT A FOUND IRON MONUMENT WHICH DESIGNATES THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 14: THENCE NORTH 87 DEGREES 46 MINUTES 28 SECONDS EAST ON AN ASSUMED BEARING ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER FOR A DISTANCE OF 1671.00 FEET; THENCE SOUTH 02 DEGREES 24 MINUTES 59 SECONDS EAST FOR A DISTANCE OF 524.89 FEET TO AN IRON MONUMENT; THENCE SOUTH 87 DEGREES 46 MINUTES 53 SECONDS WEST FOR A DISTANCE OF 1571.00 FEET TO AN IRON MONUMENT; THENCE SOUTH 02 DEGREES 24 MINUTES 59 SECONDS EAST FOR A DISTANCE OF 2119.16 FEET TO AN IRON MONUMENT ON THE SOUTH LINE OF SAID NORTHEAST QUARTER; THENCE SOUTH 87 DEGREES 46 MINUTES 20 SECONDS WEST ALONG SAID SOUTH LINE FOR A DISTANCE OF 100.00 FEET TO AN IRON MONUMENT AT THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE NORTH 02 DEGREES 24 MINUTES 59 SECONDS WEST ALONG THE WEST LINE OF SAID NORTHEAST QUARTER FOR A DISTANCE OF 2643.87 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 25.00 ACRES, MORE OR LESS, SUBJECT TO ALL EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS OF WAY OF RECORD, IF ANY.

STEVEN W. HOLM  
REGISTERED LAND SURVEYOR  
REG. NO. LS-6571

STATE OF NORTH DAKOTA )  
COUNTY OF CASS )  
ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE PERSONALLY APPEARED STEVEN W. HOLM, REGISTERED LAND SURVEYOR, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING CERTIFICATE AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE ACT AND DEED.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA  
MY COMMISSION EXPIRES: \_\_\_\_\_

### DEDICATION

WE, THE UNDERSIGNED, DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE LAND DESCRIBED IN THE PLAT OF "LINDEMANN SUBDIVISION", A PART OF THE NORTHEAST QUARTER OF SECTION 14, TOWNSHIP 139 NORTH, RANGE 53 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CASS COUNTY, NORTH DAKOTA; THAT WE HAVE CAUSED IT TO BE PLATTED INTO LOTS AND BLOCKS AS SHOWN BY SAID PLAT AND CERTIFICATE OF STEVEN W. HOLM, REGISTERED LAND SURVEYOR AND THAT THE DESCRIPTION AS SHOWN IN THE CERTIFICATE OF THE REGISTERED PROFESSIONAL LAND SURVEYOR IS CORRECT. WE HEREBY DEDICATE ALL STREETS AND UTILITY EASEMENTS SHOWN ON SAID PLAT TO THE USE OF THE PUBLIC.

OWNERS:  
\_\_\_\_\_  
\_\_\_\_\_

STATE OF NORTH DAKOTA )  
COUNTY OF CASS )  
ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED \_\_\_\_\_ AND \_\_\_\_\_, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING DEDICATION AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME AS THEIR FREE ACT AND DEED.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA  
MY COMMISSION EXPIRES: \_\_\_\_\_

REVIEWED BY GILL TOWNSHIP, CASS COUNTY, NORTH DAKOTA, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.

SIGNED: \_\_\_\_\_  
ATTEST: \_\_\_\_\_  
KEITH SCHATZKE, CHAIRMAN  
KIM NELSON, CLERK

REVIEWED BY THE CASS COUNTY ENGINEER THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.

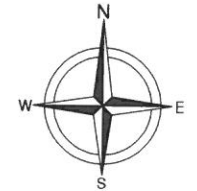
SIGNED: \_\_\_\_\_  
JASON BENSON, CASS COUNTY ENGINEER

REVIEWED BY THE CASS COUNTY PLANNING COMMISSION THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.

SIGNED: \_\_\_\_\_  
ATTEST: \_\_\_\_\_  
KEN LOUGHEED, CHAIRMAN  
DEANN BUCKHOUSE, SECRETARY

APPROVED BY CASS COUNTY, NORTH DAKOTA, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.

SIGNED: \_\_\_\_\_  
ATTEST: \_\_\_\_\_  
MARY SCHERLING, CHAIRWOMAN, BOARD OF COUNTY COMMISSIONERS  
MICHAEL MONTPLASIR, CASS COUNTY AUDITOR



0 200  
Scale in Feet

BASIS OF BEARING: THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 14 HAS AN ASSUMED BEARING OF S87°46'28\"/>

- LEGEND**
- IRON MONUMENT FOUND
  - SET 5/8"x18" REBAR WITH YELLOW PLASTIC CAP #6571
  - P.O.C. POINT OF COMMENCEMENT
  - P.O.B. POINT OF BEGINNING
- 10' UTILITY EASEMENTS SHOWN THUS: \_\_\_\_\_





RECEIVED  
CASS COUNTY COMMISSION

**MAY 27 2016**

**MEMORANDUM**

**Highway  
Department**

Jason Benson, P.E.  
County Engineer

Richard S. Sieg  
Superintendent

Thomas B. Soucy, P.E.  
Assistant County Engineer

TO: Cass County Board of Commissioners  
FROM: Hali A. Durand, Cass County Planner  
DATE: May 27, 2016  
SUBJECT: Consent Agenda Topic for the June 6, 2016  
Commission Meeting: Kellerman Subdivision

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The Cass County Planning Commission reviewed the subject subdivision located in Watson Township, Section 22 at a Public Hearing on May 26, 2016. The intended use of the subdivision is to create an additional lot for residential development.

The Planning Commission is recommending approval of the new proposed plat. Watson Township has indicated the plat has met their zoning requirement. Therefore, the Planning Commission recommendation is being forwarded to the Cass County Board of Commissioners for action.

**SUGGESTED MOTION:** To grant Final Plat approval for Kellerman Subdivision, Section 22, Township 137N, Range 53W, of the 5th Principal Meridian, Cass County, North Dakota.

1201 Main Avenue West  
West Fargo, North Dakota  
58078-1301

701-298-2370  
Fax: 701-298-2395

## Final Plat Report

**Title:** Kellerman First Subdivision  
**Owner(s):** Larry D & Merry A Kellerman  
**Applicant:** Larry D & Merry A Kellerman  
**Type of Request:** Minor Subdivision  
**Status:** Final Hearing at the May 26, 2016 Planning Commission Meeting

### Proposal:

An application for a Minor Subdivision (plat) has been received by the Cass County Planning Office for approval of a tract of land located in part of the Southwest Quarter of Section 22 in Watson Township to plat 1 additional lot for residential development. The said tract contains 2.50 acres of land, more or less. The subdivision (plat) will use private gravel roads, ditches for storm sewer conveyance, rural water, and an on-site septic sewer system. The proposed ownership and maintenance responsibility of the subdivision will be private.

**Existing and Proposed Land Use:** The existing land is and will remain Agricultural.

### Staff Analysis:

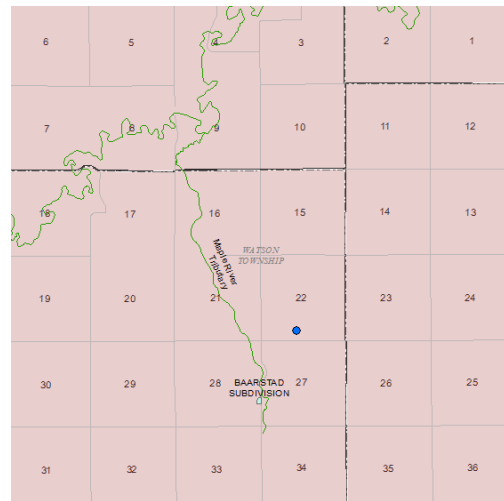
The proposed subdivision (plat) is located north of 52nd Street SE and west of County Road 5. The property is bound by agricultural land and is adjacent to another developed lot.

The proposed subdivision (plat) is currently in an unmapped flood area and preliminary Western Cass Floodplain maps show the area within a low risk, non-floodplain zone. No wetland are within a 500 foot boundary.

The proposed use is consistent with the Goals, Objectives, and Policies of the Cass County Comprehensive Plan, specifically Goal One: To achieve orderly, balanced, and sensible development; Goal Two: To provide the citizens of Cass County with essential public facilities, services, and infrastructure; Goal Three: To provide an efficient, safe, environmentally sensitive, and cost effective county transportation system to effectively meet citizen's current and future needs for personal mobility and movement of goods; Goal Four: To use and preserve natural resources in an environmentally sound manner; and Goal Five: To preserve and maintain Cass County's rural heritage.

The Watson Township Ordinance permits non-farm dwellings with a two acre minimum.

### Vicinity Map:



**Agency Comments**

Cass County Engineer	There are no issues with the proposal.
Water Resource District	The subdivision is on the north side of 52nd Street SE. Drain #54 runs on the south side of that road. If any new culverts or drainage are added through the roadway into Drain #54, they may need permission from the Maple River Water Resource District.
Cass County Electric Cooperative	No comments have been received.
Century Link	The subdivision looks good to Centurylink.
Xcel Energy (Gas Company)	No comments have been received.
Cass Rural Water	The application has been reviewed. Water service has been requested at the site. Utility easements appear to be adequate.
County Sanitarian	According to Cass Public Health records, a soil test has not been conducted. A soil test would be required before a septic system could be designed, permitted, and installed.
Township Chairman	No comments have been received.
Public Comment	No comments have been submitted.

**Additional Requirements:**

1. Deed Restriction

**Recommendation:**

To recommend approval of the Final Plat to the Board of County Commissioners as presented as it meets the goals and objectives of the Cass County Comprehensive Plan, the Cass County Highway Access Plan, the Flood Damage Prevention Ordinance, the Cass County Subdivision Ordinance, and applicable Township Ordinances.



# KELLERMAN FIRST SUBDIVISION

BEING A PLAT OF PART OF THE SOUTHWEST QUARTER, SECTION 22,  
T. 137 N., R. 53 W., 5th P.M.

CASS COUNTY, NORTH DAKOTA

**Owners' Certificate:**

Know All Persons By These Presents: Larry D. Kellerman and Merry A. Kellerman, husband and wife, are the Owners and Proprietors of the Southwest Quarter of Section 22, Township 137 North, Range 53 West of the Fifth Principal Meridian, Cass County, North Dakota.

Beginning at the southeast corner of the Southwest Quarter of said Section 22; thence North 89°48'47" West (assumed bearing), along the southerly line of the Southwest Quarter of said Section 22, for a distance of 644.02 feet; thence North 00°07'14" West, parallel with the easterly line of the Southwest Quarter of said Section 22, for a distance of 1,160.65 feet; thence South 87°31'57" East for a distance of 644.67 feet to a point of intersection with the easterly line of the Southwest Quarter of said Section 22; thence South 00°07'14" East, along the easterly line of the Southwest Quarter of Section 22, for a distance of 1,135.00 feet to the point of beginning.

Said tract contains 16.970 acres, more or less.

And that said parties have caused the same to be surveyed and platted as **KELLERMAN FIRST SUBDIVISION**, and do hereby dedicate to the public for public use the 33.00 foot wide Public Street and the 10.00 foot wide utility easement as shown on this plat, and do hereby dedicate to the present and future owners of Lot 1 and Lot 3, the 30.00 foot wide Access and Utility Easement as shown on this plat.

In witness whereof we have set our hand and seals

Owners:

Cass County Engineer:

Reviewed by the Cass County Engineer this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Jason Benson, Cass County Engineer

\_\_\_\_\_  
Larry D. Kellerman

\_\_\_\_\_  
Merry A. Kellerman

Cass County Planning Commission:

Reviewed by the Cass County Planning Commission this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Ken Lougheed, Chairman

State of North Dakota )  
  ) ss  
County of Cass            )

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, a notary public within and for said county and state, personally appeared Larry D. Kellerman and Merry A. Kellerman, Husband and Wife, known to be the persons described in and who executed the foregoing instrument and acknowledged that they executed same as their free act and deed.

Attest: \_\_\_\_\_  
Secretary

Notary Public: \_\_\_\_\_

Watson Township:

Reviewed by Watson Township, Cass County, North Dakota, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Clayton Brown, Chairman

**Surveyor's Certificate:**

I, Shawn M. Thomasson, Professional Land Surveyor under the laws of the State of North Dakota, do hereby certify on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, that the plat hereon is a true and correct representation of the survey thereof, that all distances are correctly shown on said plat in feet and decimals of a foot, and that the monuments for the guidance of future surveys have been placed in the ground as shown.

Attest: \_\_\_\_\_  
Lori Hegvick Torgerson, Clerk

\_\_\_\_\_  
Shawn M. Thomasson  
North Dakota PLS No. 5900

Cass County Board Of Commissioners' Approval:

Approved by Cass County, North Dakota, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

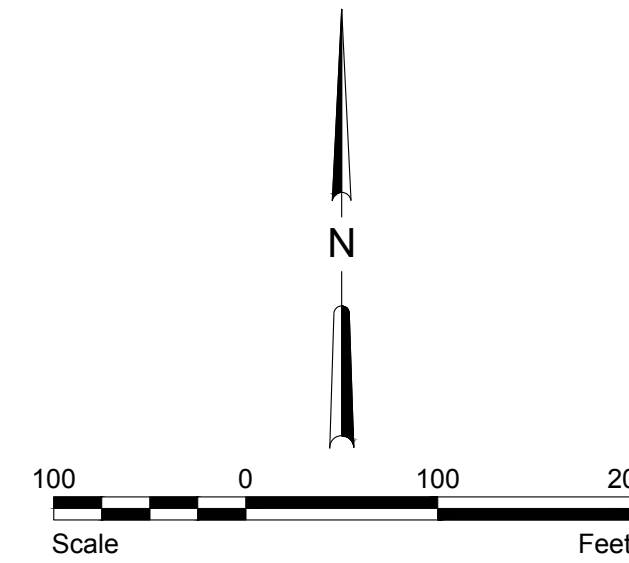
Chad M. Peterson, Chairman

State of North Dakota )  
  ) ss  
County of Cass            )

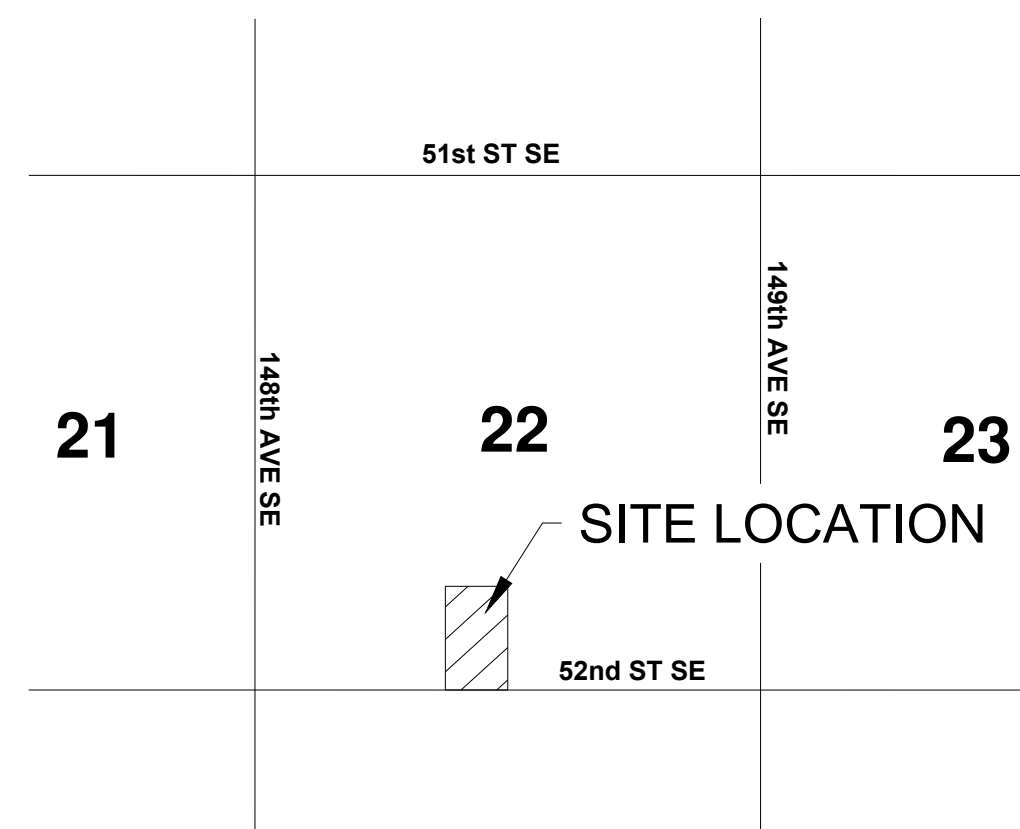
On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, a notary public within and for said county and state, personally appeared Shawn M. Thomasson, known to be the person described in and who executed the foregoing instrument and acknowledged that he executed same as his free act and deed.

Attest: \_\_\_\_\_  
Michael Montplaisir, Cass County Auditor

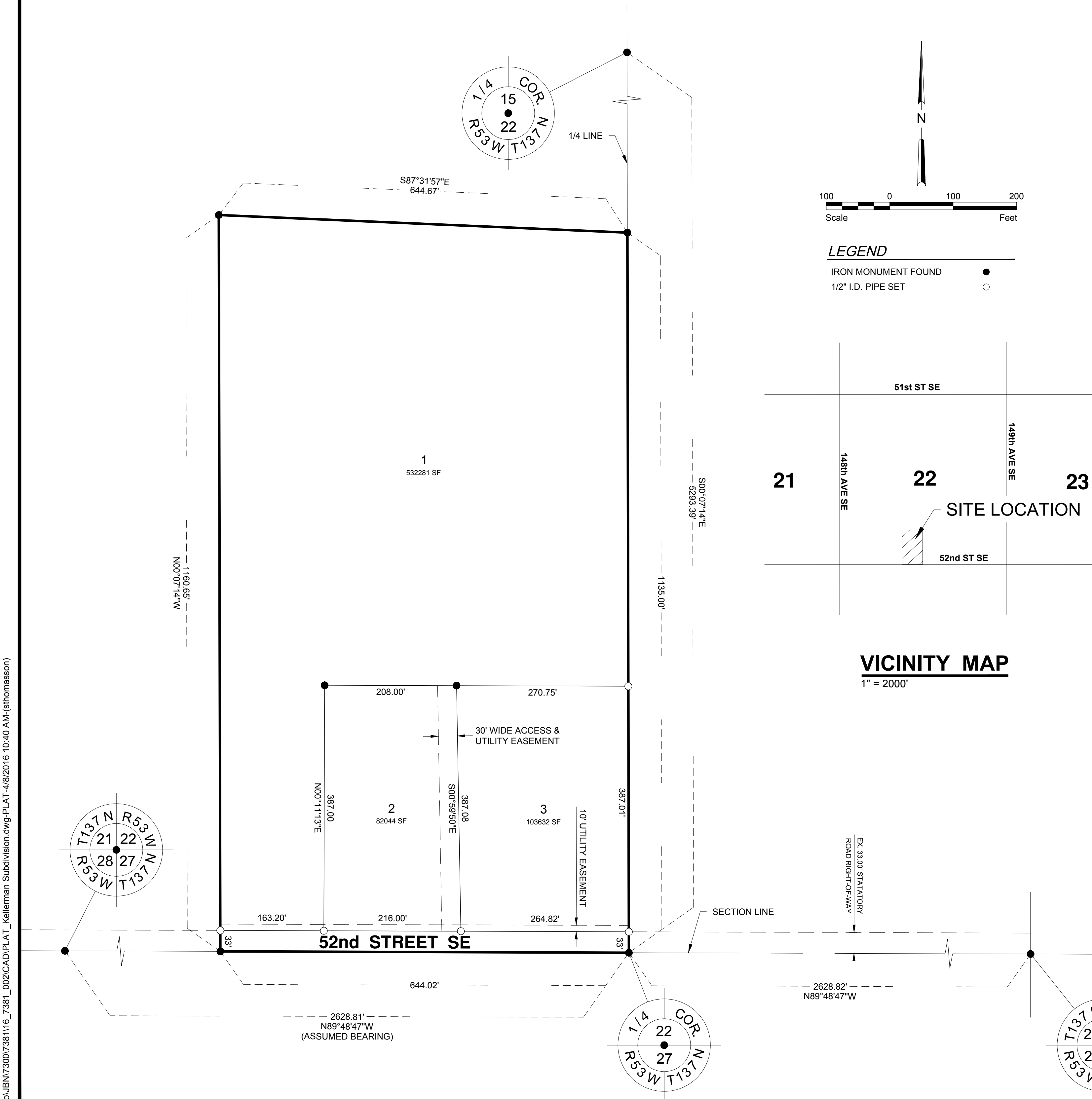
Notary Public: \_\_\_\_\_



**LEGEND**  
IRON MONUMENT FOUND   ●  
1/2" I.D. PIPE SET         ○



**VICINITY MAP**  
1" = 2000'



H:\Fargo\UBN\300\7381\16\_7381\_02\CAD\PLAT\_Kellerman Subdivision.dwg+PLAT\_4/8/2016 10:40 AM-(stthomasson)



RECEIVED  
CASS COUNTY COMMISSION

**MAY 27 2016**

**MEMORANDUM**

**Highway  
Department**

Jason Benson, P.E.  
County Engineer

Richard S. Sieg  
Superintendent

Thomas B. Soucy, P.E.  
Assistant County Engineer

TO: Cass County Board of Commissioners  
FROM: Hali A. Durand, Cass County Planner  
DATE: May 27, 2016  
SUBJECT: Consent Agenda Topic for the June 6, 2016  
Commission Meeting: Sproul Subdivision

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The Cass County Planning Commission reviewed the subject subdivision located in Buffalo Township, Section 8 at a Public Hearing on May 26, 2016. The intended use of the subdivision is to expand a current substation.

The Planning Commission is recommending approval of the new proposed plat. Buffalo Township has indicated the plat has met their zoning requirement. Therefore, the Planning Commission recommendation is being forwarded to the Cass County Board of Commissioners for action.

**SUGGESTED MOTION:** To grant Final Plat approval for Sproul Subdivision, Section 8, Township 140N, Range 54W, of the 5th Principal Meridian, Cass County, North Dakota.

1201 Main Avenue West  
West Fargo, North Dakota  
58078-1301

701-298-2370  
Fax: 701-298-2395

## Final Plat Report

**Title:** Sproul Subdivision  
**Owner(s):** Sproul Family Farm LLLP  
**Applicant:** Otter Tail Power Company  
**Type of Request:** Minor Subdivision  
**Status:** Final Hearing at the May 26, 2016 Planning Commission Meeting

### Proposal:

An application for a Minor Subdivision (plat) has been received by the Cass County Planning Office for approval of a tract of land located in part of the Northeast Quarter of Section 8 in Buffalo Township to expand an existing lot to add a substation for electrical equipment. The said tract contains 14.61 acres of land, more or less. The subdivision (plat) will use public gravel roads, utilize no water supply or on-site septic sewer system, and will utilize ditches for storm sewer conveyance. The ownership and maintenance responsibility of the subdivision will be private.

**Existing and Proposed Land Use:** The existing land is and will remain Agricultural.

### Staff Analysis:

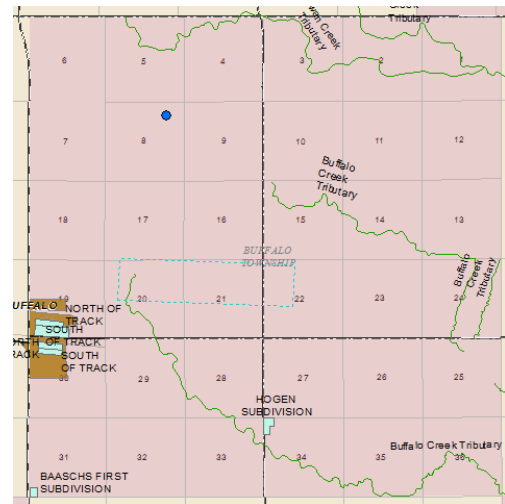
The proposed subdivision (plat) is located south of 31st Street SE and west of 141st Avenue SE. The subject property is bound by agricultural land and will be adjacent to an existing substation.

The proposed subdivision (plat) is currently within an unmapped area therefore no flood determination has been made. Wetland areas exist to the south approximately 700 feet and will not impact the proposal.

The proposed use is consistent with the Goals, Objectives, and Policies of the Cass County Comprehensive Plan, specifically Goal One: To achieve orderly, balanced, and sensible development; Goal Two: To provide the citizens of Cass County with essential public facilities, services, and infrastructure; Goal Three: To provide an efficient, safe, environmentally sensitive, and cost effective county transportation system to effectively meet citizen's current and future needs for personal mobility and movement of goods; Goal Four: To use and preserve natural resources in an environmentally sound manner; and Goal Five: To preserve and maintain Cass County's rural heritage.

The Buffalo Township Ordinance states that this will be permitted by use.

### Vicinity Map:



**Agency Comments**

Cass County Engineer	There are no issues with the proposal.
Water Resource District	There is no comment on the application.
Cass County Electric Cooperative	No comment has been received.
Century Link	No comment has been received.
Xcel Energy (Gas Company)	No comment has been received.
Cass Rural Water	The application has been reviewed. No water source has been indicated. There is no water line in the quarter, consequently, there should be no conflict with the distribution system.
County Sanitarian	According to Cass Public Health records, a soil test has not been conducted. A soil test would be required before a septic system could be designed, permitted, and installed.
Township Chairman	The applicant has met with the township to discuss the proposal and there are no concerns.
Public Comment	No comments have been submitted.

**Additional Requirements:**

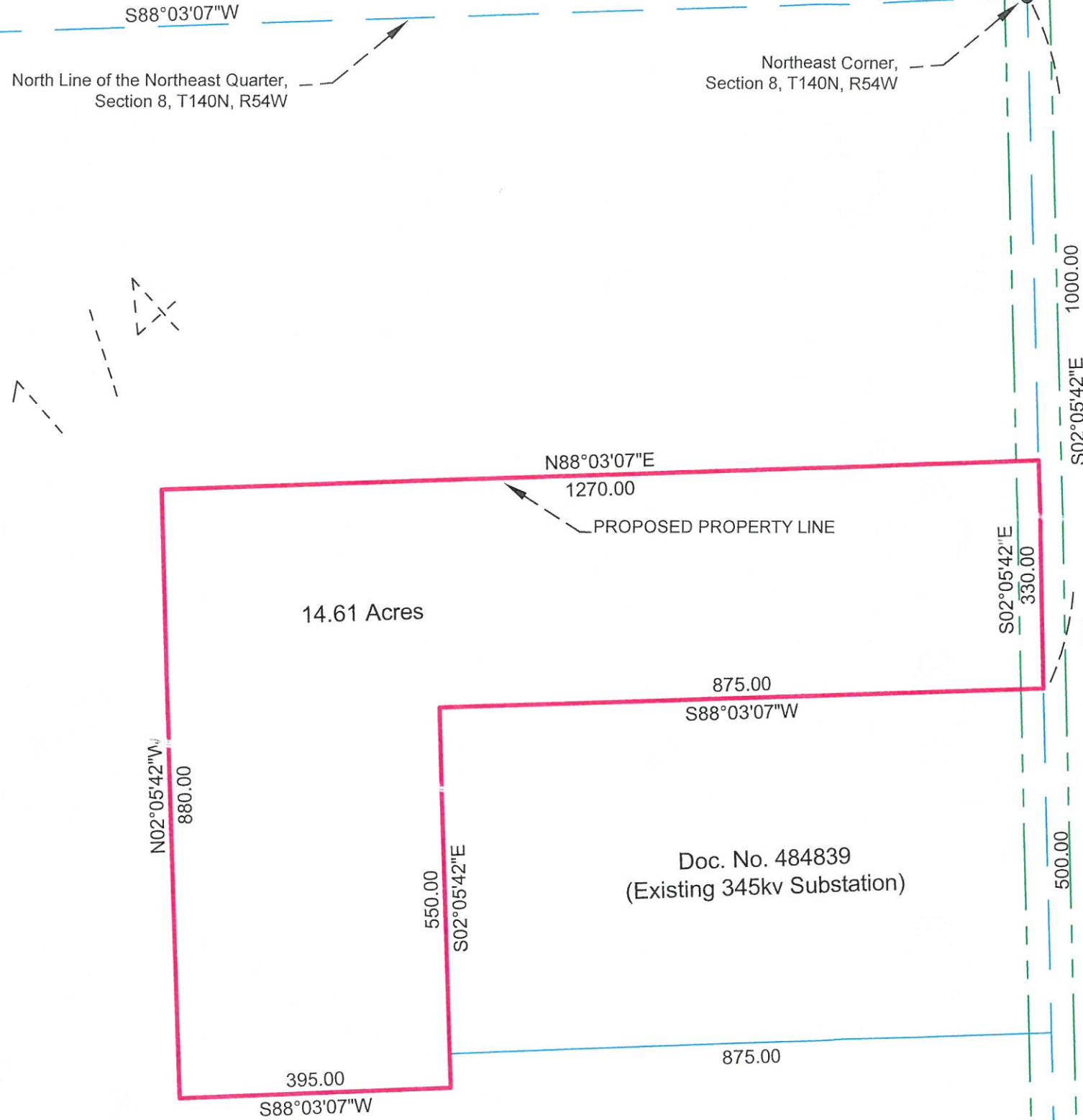
1. Deed Restriction

**Recommendation:**

To recommend approval of the Final Plat to the Board of County Commissioners as presented as it meets the goals and objectives of the Cass County Comprehensive Plan, the Cass County Highway Access Plan, the Flood Damage Prevention Ordinance, the Cass County Subdivision Ordinance, and applicable Township Ordinances.



# Preliminary Plat: BUFFALO 345KV SUB EXPANSION

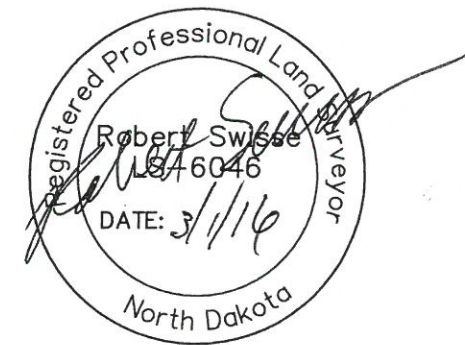


## PROPOSED PROPERTY DESCRIPTION

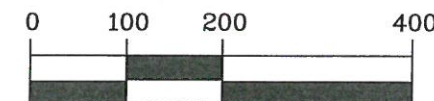
Part of the Northeast Quarter of Section 8, Township 140 North, Range 54 West, Cass County, North Dakota, more particularly described as follows:

Commencing at the northeast corner of the Northeast Quarter of said Section 8; thence South 02 degrees 05 minutes 42 seconds East, assumed bearing, along the east line of said Northeast Quarter a distance of 1000.00 feet to the Point of Beginning of the property to be described; thence South 88 degrees 03 minutes 07 seconds West a distance of 875.00 feet along the north line of the property described in Document Number 484839, of record and on file with the County Recorder for said Cass County; thence South 02 degrees 05 minutes 42 seconds East a distance of 550.00 feet along the west line and extension thereof, of the property described in said Document Number 484839; thence South 88 degrees 03 minutes 07 seconds West a distance of 395.00 feet; thence North 02 degrees 05 minutes 42 seconds West a distance of 880.00 feet; thence North 88 degrees 03 minutes 07 seconds East a distance of 1270.00 feet to the east line of the Northeast Quarter of said Section 8; thence South 02 degrees 05 minutes 42 seconds East a distance of 330.00 feet to the Point of Beginning.

Containing 14.61 acres more or less.



- DENOTES FOUND IRON MONUMENT
- DENOTES IRON MONUMENT SET AND MARKED WITH RLS 6046 CAP



1 inch = 200 ft.

## VICINITY MAP

