

CASS COUNTY PLANNING COMMISSION AGENDA
Thursday, January 25, 2018 at 7:00 a.m.

1. Call to Order
2. Roll Call
3. Determination of a Quorum
4. Approve Meeting Minutes of December 7, 2017
5. New Business
6. Public Hearing Items:
 - a. **Sunny Valley Acres Second Subdivision** – a Minor Subdivision in Section 35 of Stanley Township
 - b. **Torgerson Third Subdivision** – a Minor Subdivision in Section 16 of Normanna Township
 - c. **Hodgson Farm Subdivision** – a Minor Subdivision in Section 28 of Gardner Township
7. Old Business
8. Adjournment

**CASS COUNTY PLANNING COMMISSION
DECEMBER 7, 2017**

1. MEETING TO ORDER

A meeting of the Cass County Planning Commission was called to order on December 7, 2017, at 7:00 AM in the Vector Control Conference Room with members present as follows: Todd Ellig, David Gust, Mark Wentz, and Kevin Fisher. Keith Monson and Dr. Mahoney were present via conference call. Arland Rasmussen and Ken Lougheed were absent. Also present were Cass County Planner Hali Durand, applicant Timothy Wadeson and Adam LaPlante from Benjamin Custom Homes.

2. MINUTES, APPROVED

MOTION, passed

Mr. Gust moved and Mr. Fisher seconded to approve the minutes of the October 26, 2017, meeting as presented. Motion carried.

3. WADESON ACRES SUBDIVISION (MINOR SUBDIVISION), Final plat approved

Mr. Ellig opened the public hearing.

An application for a Minor Subdivision (plat) was received by the Cass County Planning Office for approval of a tract of land located in the northwest quarter of Section 5, Walburg Township, to plat one lot for residential development. The said tract contains approximately 8.00 acres of land, more or less. The proposed ownership and maintenance responsibility of the subdivision will be private. The subdivision will use private gravel roads, ditches for storm sewer conveyance, rural water, and an on-site septic sewer system for waste water treatment. The existing land is and will remain Agricultural.

Ms. Durand recommends approval of the Final Plat 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 all other applicable regulations, with conditions for approval to include a Deed Restriction of land up to 40 acres and a copy of the soil test once completed.

In answer to Mr. Ellig's question, Ms. Durand stated a site plan for the construction of the home was included in the packet. She recommended updating the Subdivision Ordinance to include site plans as a requirement for applications. Discussion followed.

The public hearing was closed.

MOTION, passed

Mr. Gust moved and Mr. Wentz seconded to recommend approval to the Cass County Commission of the Final Plat for Wadeson Acres Subdivision (Minor Subdivision) as presented. Motion carried.

4. OLD BUSINESS

Ms. Durand informed the commissioners that final plats for the Teegarden Subdivision and Jordan Subdivision are ready for recording.

5. NEW BUSINESS

Ms. Durand stated that a meeting will be held this week to begin discussion and planning of the transportation component for the Comprehensive Plan update.

In response to a request from Warren Township, Ms. Durand has developed and updated ordinances relating to crew camps, adult entertainment, wind energy systems, and solar energy systems, and has begun creating an ordinance for medical marijuana for townships to use.

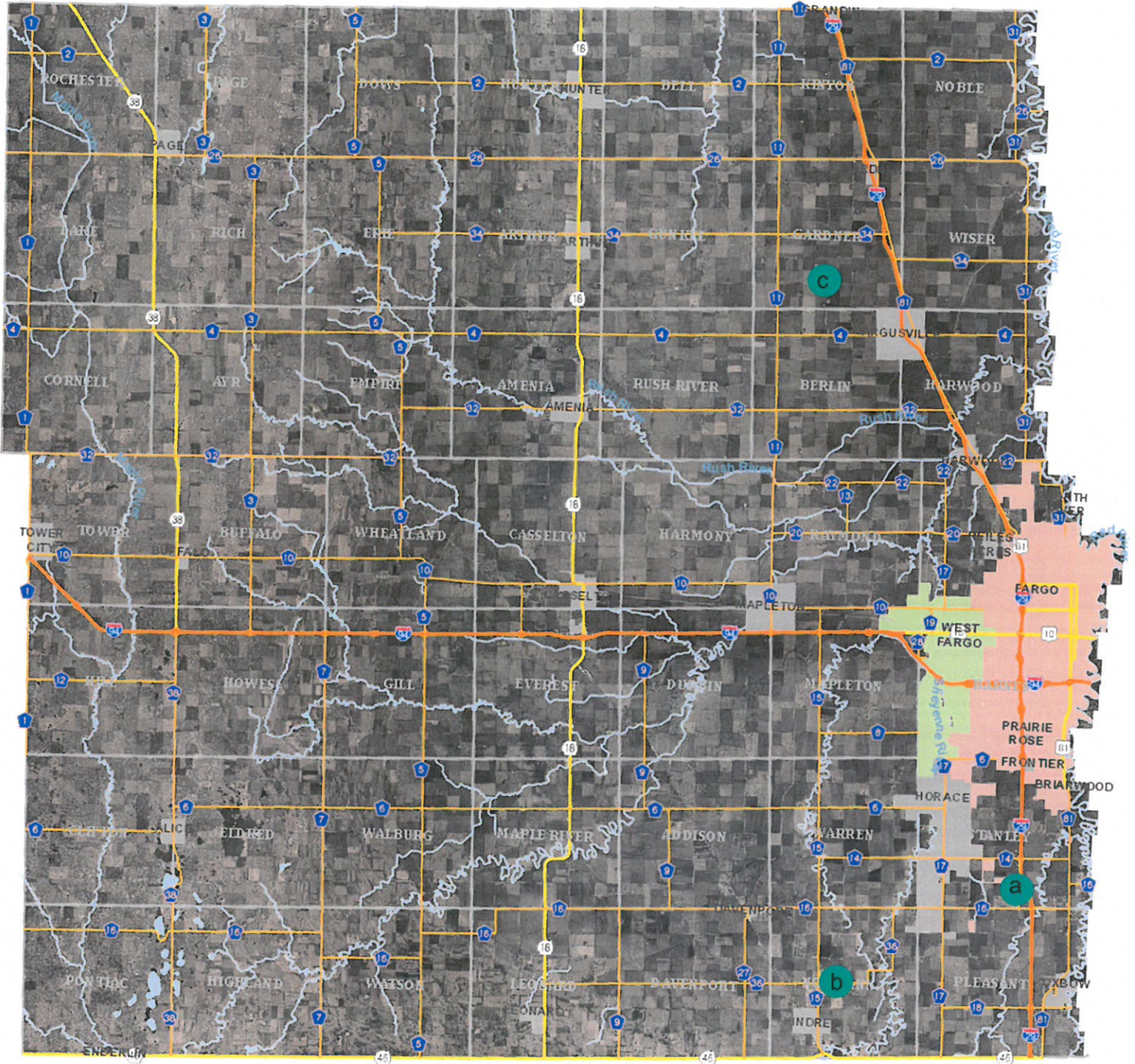
Ms. Durand attended Warren Township's zoning commission meeting where there was discussion on construction plans for Jordan Subdivision and a proposal of an asphalt plant in the township.

6. ADJOURNMENT

On motion by Mr. Gust, seconded by Mr. Fisher, and all voting in favor, the meeting was adjourned at 7:20 AM.



Public Hearing Items Map
Cass County Planning Commission
Thursday, January 25, 2018 at 7:00 a.m.



- a. Sunny Valley Acres Second Subdivision
- b. Torgerson Third Subdivision
- c. Hodgson Farm Subdivision

Cass County Staff Report

Title: Sunny Valley Acres Second Subdivision
Owner(s): Brian & Teresa Sonsthagen
Type of Request: Minor Subdivision (2 lots)
Status: Planning Commission Public Hearing: January 25, 2018

Existing and Proposed Land Use:

The existing land is and will remain R-1, Single and Two Family Residential District.

Proposal:

The applicant is seeking approval of a Minor Subdivision to replat the current original plat of Sunny Valley Acres Subdivision, vacate the unneeded street, combine the four existing lots and vacated street into two lots that fit the existing use better.

The said tract contains 3.233 acres of land, more or less. The ownership and maintenance responsibility of the subdivision will remain private. The subdivision will use private gravel roads, ditches for storm sewer conveyance, rural water, and remain connected to the St. Benedict's on-site septic sewer system for waste water treatment.

Location:

11428 38 St S and 11518 38 St S, Horace, ND.

Legal Description:

Lots 1 & 2, Block 1 and Lots 1 & 2, Block 2, and the adjacent unnamed Avenue, all in Sunny Valley Acres Subdivision.

Agency Comments

<i>County Engineer</i>	There are no issues with the proposal.
<i>Cass County Electric Cooperative</i>	There is an overhead line serving the property crossing 38 Street South.
<i>Century Link</i>	Century Link has no comment on the proposal.
<i>North Dakota Department of Transportation</i>	Since this proposed subdivision has no direct drainage or access to a state highway or interstate, there are no issues.
<i>County Sanitarian</i>	It appears that they will have enough room to the south in the case that a new septic system is necessary, and so the sizing of less than an acre should be allowed. We would recommend that they at least look at re-platting Lot 2 to an acre or more to comply with code, but the current proposal of 36,646 square feet will be allowed by the department.
<i>Township Chairman</i>	
<i>The City of Fargo</i>	The proposed Sunny Valley Acres Second Subdivision, located in NW1/4 Sec. 35, T138N, R49W, in Stanley Township, is outside of city limits of Fargo and outside of Fargo's extraterritorial jurisdiction. We have no comment.

Staff Analysis:

The subject property is bound by residentially zoned land and commercial land. The proposed use is consistent with Township Ordinances.

According to FEMA's National Flood Hazard Layer the proposed plat is within a Zone AE special flood hazard area and has had standing water in past events.

There will be no new development or access to the properties. No deed restriction is required.

Staff Recommendation:

To accept the findings and recommendations of staff and recommend approval to the County Commission of the proposed application as the proposal 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 all other applicable regulations.



Sunny Valley Acres-Zone AE

Date: 1/17/2018

CASS COUNTY
GOVERNMENT



These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

This map is not a substitute for accurate field surveys or for locating actual property lines and any adjacent features.



These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

Sunny Valley Acres

Date: 1/17/2018

This map is not a substitute for accurate field surveys or for locating actual property lines and any adjacent features.

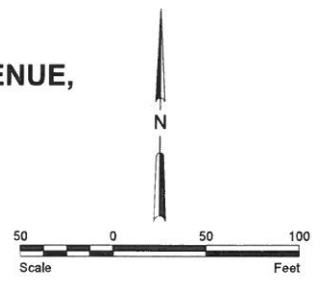
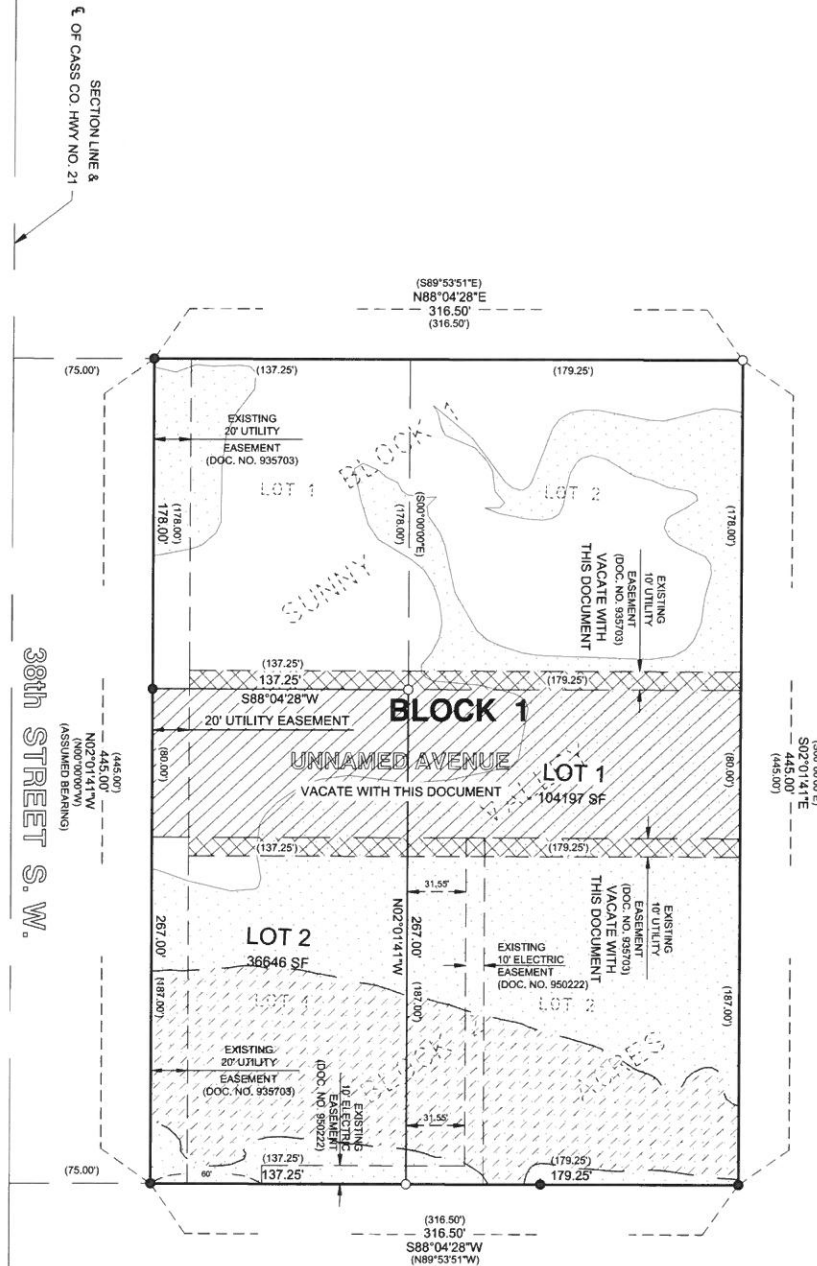


Sunny Valley Acres Second Subdivision



SUNNY VALLEY ACRES SECOND SUBDIVISION

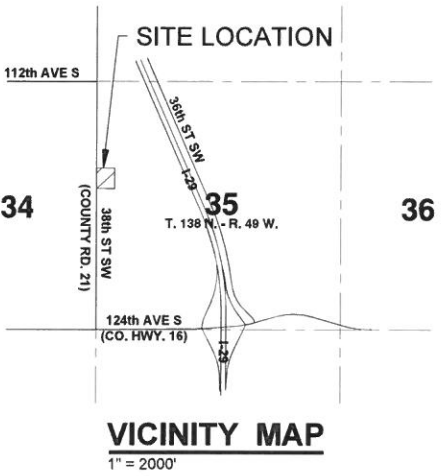
BEING A VACATION PLAT AND A REPLAT OF ALL OF LOTS 1 & 2,
BLOCK 1, LOTS 1 & 2, BLOCK 2, AND THE ADJACENT UNNAMED AVENUE,
ALL IN SUNNY VALLEY ACRES
CASS COUNTY, NORTH DAKOTA



LEGEND

IRON MONUMENT FOUND	●
1/2" I.D. PIPE SET	○
MEASURED BEARING	N88°04'28"E
PLAT BEARING	(S89°53'51"E)
MEASURED DISTANCE	316.50'
PLAT DISTANCE	(316.50')
UNNAMED AVENUE TO BE VACATED WITH THIS DOCUMENT	
UTILITY EASEMENT TO BE VACATED WITH THIS DOCUMENT	
ZONE AE - SPECIAL FLOOD HAZARD AREA AS PER FEMA FIRM PANEL 38017C0980G	
WETLAND	

- NOTES**
- Wetland information shown is based on National Wetlands Inventory mapping which has been adjusted to fit the existing topography using a Digital Elevation Model obtained from the F-M Metro Area LiDAR elevation data collected in the spring of 2014. Wetland has not been field delineated.
 - Portions of this property are located in Zone AE (100-year floodplain) as shown on FEMA FIRM Panel 38017C0980G, dated January 16, 2016, and are depicted on this plat.
 - Base Flood Elevation per FEMA FIRM Panel 38017C0980G is 910.9' (NAVD 1988).
 - Bearings shown are based on assumed datum.



Owners' Certificate:

Know All Persons By These Presents: That Brian J. Sonsthagen and Teresa F. Sonsthagen, husband and wife; and James P. Erdmann and Toni L. Erdmann, husband and wife; are the Owners and Proprietors of that part of Sunny Valley Acres, Cass County, North Dakota, described as follows:

BEGINNING at the northwest corner of Lot 1, Block 1, said Sunny Valley Acres; thence North 88°04'28" East (Assumed Bearing), along the north line of said Sunny Valley Acres, for a distance of 316.50 feet to the northeast corner of said Sunny Valley Acres; thence South 02°01'41" East, along the east line of said Sunny Valley Acres, for a distance of 445.00 feet to the southeast corner of said Sunny Valley Acres; thence South 88°04'28" West, along the south line of said Sunny Valley Acres, for a distance of 316.50 feet to the southwest corner of Lot 1, Block 2, said Sunny Valley Acres; thence North 02°01'41" West, along the west line of said Lot 1, Block 2, for a distance of 187.00 feet to the northwest corner of said Lot 1, Block 2; thence continue North 02°01'41" West, along the west line as extended north of said Lot 1, Block 2, for a distance of 80.00 feet to the southwest corner of said Lot 1, Block 1; thence continue North 02°01'41" West, along the west line of said Lot 1, Block 1, for a distance of 178.00 feet to the POINT OF BEGINNING.

Said tract contains 3.233 acres, more or less.

And that said parties have caused the same to be surveyed and replatted as **SUNNY VALLEY ACRES SECOND SUBDIVISION**, do hereby vacate the unnamed public avenue as designated for vacation on this plat, do hereby vacate the utility easements as designated for vacation on this plat, and do hereby dedicate to the public for public use the utility easement shown on the plat.

In witness whereof we have set our hands and seals:

Owners:
Brian J. Sonsthagen and Teresa F. Sonsthagen, husband and wife

Brian J. Sonsthagen

Teresa F. Sonsthagen

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 Brian J. Sonsthagen and Teresa F. Sonsthagen, 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.

Notary Public: _____

Cass County Engineer:
Reviewed by the Cass County Engineer this _____ day of _____, 20____.

Jason Benson, Cass County Engineer

Cass County Planning Commission:
Reviewed by the Cass County Planning Commission this _____ day of _____, 20____.

Ken Lougheed, Chairman

Attest: _____
Secretary

Stanley Township:
Reviewed by Stanley Township, Cass County, North Dakota, this _____ day of _____, 20____.

Todd Ellig, Chairman

Attest: _____
Heather Budge, Clerk

Cass County Board of Commissioners' Approval:
Approved by Cass County, North Dakota, this _____ day of _____, 20____.

Rick Steen, Chairman

Attest: _____
Michael Montplaisir, Cass County Auditor

James P. Erdmann and Toni L. Erdmann, husband and wife

James P. Erdmann

Toni L. Erdmann

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 James P. Erdmann and Toni L. Erdmann, 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.

Notary Public: _____

Surveyor's Certificate:

I, Curtis A. Skarphol, 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.

Curtis A. Skarphol
North Dakota PLS No. 4723

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 Curtis A. Skarphol, 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.

Notary Public: _____

H:\Fargo\BNN\9700973917_9739_001\CAD\Plat\PRE PLAT Sunny Valley Replat.dwg

Cass County Staff Report

Title: Torgerson Third Subdivision
Owner(s): Dale Torgerson
Type of Request: Minor Subdivision (2 lots)
Status: Planning Commission Public Hearing: January 25, 2018

Existing and Proposed Land Use:

The existing land is and will remain AG, Agricultural.

Proposal:

The applicant is seeking approval of a Minor Subdivision to plat two lots for residential development.

The said tract contains 10.25 acres of land, more or less. The ownership and maintenance responsibility of the subdivision will be private. The subdivision will use private gravel roads, ditches for storm sewer conveyance, rural water, and an on-site septic sewer system for waste water treatment.

Location:

16567 51 Street SE, Kindred, ND.

Legal Description:

A part of the Southeast Quarter of Section 16, Normanna Township.

Agency Comments

<i>County Engineer</i>	The proposal is ok as long as they move the existing west field approach each 150' to the new 25 foot access easement.
<i>Cass County Electric Cooperative</i>	CCEC has no issues with the plat. The property is served by an underground cable.
<i>Century Link</i>	Century Link has no comment on the proposal.
<i>North Dakota Department of Transportation</i>	Since this proposed subdivision has no direct drainage or access to a state highway or interstate, there are no issues.
<i>County Sanitarian</i>	The proposal is approved by the department.
<i>The City of Fargo</i>	The proposed Torgerson Third Subdivision, located in SW1/4 Sec. 16, T137N, R50W, in Normanna Township, is outside of city limits of Fargo and outside of Fargo's extraterritorial jurisdiction. We have no comment.

Staff Analysis:

The subject property is bound by agricultural land and a farmstead to the East with no adjacent subdivisions. The proposed use is consistent with Township Ordinances.

According to FEMA's National Flood Hazard Layer the proposed plat is in Zone X, not in a special flood hazard area. The access will be constructed on the County Road 36 according to the County Engineer's request as stated above. An access permit will be required.

A deed restriction will also be required up to 80 acres.

Staff Recommendation:

To accept the findings and recommendations of staff and recommend approval to the County Commission of the proposed application as the proposal 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 all other applicable regulations.

Torgerson Third Subdivision





15 SOUTH 21st STREET, STE 101
FARGO, NORTH DAKOTA 58103
(701) 237-6542
survey@selandservices.com
Project No. 1709-03

TORGERSON THIRD SUBDIVISION

BEING A PART OF THE SOUTHEAST QUARTER OF SECTION 16,
TOWNSHIP 137 NORTH, RANGE 50 WEST,
CASS COUNTY, NORTH DAKOTA.

OWNERS DESCRIPTION AND DEDICATION:

KNOW ALL MEN BY THESE PRESENTS: DALE V. TORGERSON AND TRUDY A. TORGERSON, HUSBAND AND WIFE, ARE THE OWNERS OF THAT PART OF THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 137 NORTH, RANGE 50 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CASS COUNTY, NORTH DAKOTA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND IRON MONUMENT WHICH DESIGNATES THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER OF SECTION 16; THENCE SOUTH 87° 07' 24" WEST, ON AND ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF SECTION 16, 2178.00 FEET TO AN IRON MONUMENT, SAID IRON MONUMENT BEING THE SOUTHWEST CORNER OF A PREVIOUSLY DESCRIBED TRACT PER CASS COUNTY DEEDS BOOK 472 PAGE 115; THENCE NORTH 02° 52' 46" WEST, PERPENDICULAR TO THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF SECTION 16, ON AND ALONG THE WEST LINE OF SAID PREVIOUSLY DESCRIBED TRACT PER CASS COUNTY DEEDS BOOK 472 PAGE 115, 50.00 FEET TO AN IRON MONUMENT, SAID IRON MONUMENT BEING THE POINT OF BEGINNING. THENCE CONTINUING NORTH 02° 52' 46" WEST, PERPENDICULAR TO THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF SECTION 16, ON AND ALONG THE NORTH LINE OF SAID PREVIOUSLY DESCRIBED TRACT PER CASS COUNTY DEEDS BOOK 472 PAGE 115, 725.50 FEET TO AN IRON MONUMENT; THENCE NORTH 87° 07' 24" EAST, PARALLEL WITH THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF SECTION 16, 269.00 FEET TO AN IRON MONUMENT; THENCE SOUTH 87° 07' 24" WEST, PARALLEL WITH THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF SECTION 16, 1056.00 FEET TO AN IRON MONUMENT; THENCE SOUTH 02° 52' 46" EAST, PERPENDICULAR TO THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF SECTION 16, 234.50 FEET TO AN IRON MONUMENT; THENCE SOUTH 87° 07' 24" WEST PARALLEL WITH THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF SECTION 16, 25.00 FEET TO AN IRON MONUMENT; THENCE SOUTH 02° 52' 46" EAST, PERPENDICULAR TO THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF SECTION 16, 760.00 FEET TO AN IRON MONUMENT, SAID IRON MONUMENT BEING ON THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF SECTION 16; THENCE NORTH 87° 07' 24" EAST, ON AND ALONG THE SOUTH LINE

SAID TRACT OF LAND CONTAINS 10.25 ACRES, MORE OR LESS.

AND THAT SAID OWNERS HAVE CAUSED THE SAME TO BE SURVEYED AND PLATTED AS TORGERSON THIRD SUBDIVISION, AND DO HEREBY DEDICATE AND CONVEY TO THE PUBLIC, FOR PUBLIC USE, THE EASEMENTS FOR INSTALLATION AND MAINTENANCE OF UTILITIES OVER, UNDER, AND ALONG THE STRIPS MARKED "UTILITY EASEMENT," AND DEDICATE TO THE PUBLIC FOR PUBLIC USE, THE PUBLIC ROADS AS SHOWN ON THE ANNEXED PLAT.

OWNERS:
DALE V. TORGERSON AND TRUDY A. TORGERSON

DALE V. TORGERSON

TRUDY A. TORGERSON

STATE OF NORTH DAKOTA)
) SS.
COUNTY OF CASS)

ON THIS ____ DAY OF _____ IN THE YEAR OF 20____ BEFORE ME, A NOTARY PUBLIC WITH AND FOR SAID COUNTY, PERSONALLY APPEARED DALE V. TORGERSON AND TRUDY A. TORGERSON HUSBAND AND WIFE, TO ME KNOWN TO BE THE PERSONS DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT THEY EXECUTED SAME AS A FREE ACT AND DEED.

NOTARY PUBLIC

SURVEYOR'S CERTIFICATE AND ACKNOWLEDGMENT:

I, DURHAM SNIDER, REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF NORTH DAKOTA, DO HEREBY CERTIFY THAT THIS PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE SURVEY OF SAID SUBDIVISION, THAT ALL DISTANCES SHOWN ON SAID PLAT ARE CORRECT; THAT THE MONUMENTS FOR THE GUIDANCE OF FUTURE SURVEYS HAVE BEEN LOCATED OR PLACED IN THE GROUND AS SHOWN;

DATED THIS ____ DAY OF _____, 20__.

DURHAM SNIDER
NORTH DAKOTA REGISTRATION NUMBER 8426

CASS COUNTY ENGINEER:

REVIEWED BY THE CASS COUNTY ENGINEER

DATED THIS ____ DAY OF _____, 20__.

JASON BENSON, CASS COUNTY ENGINEER

CASS COUNTY PLANNING COMMISSION:

REVIEWED BY THE CASS COUNTY PLANNING COMMISSION

DATED THIS ____ DAY OF _____, 20__.

CHAIRMAN

ATTEST:
SECRETARY

AUDITOR'S TAX RECORD:

DELINQUENT TAXES AND SPECIAL ASSESSMENTS OR INSTALLMENTS OF SPECIAL ASSESSMENTS PAID AND TRANSFERRED.

MICHAEL MONTPLAISIR, CASS COUNTY AUDITOR

STATE OF NORTH DAKOTA)
) SS.
COUNTY OF CASS)

ON THIS ____ DAY OF _____ IN THE YEAR OF 20____ BEFORE ME, A NOTARY PUBLIC WITH AND FOR SAID COUNTY, PERSONALLY APPEARED DURHAM SNIDER, TO ME KNOWN TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE SAME AS A FREE ACT AND DEED.

NOTARY PUBLIC

NORMANNA TOWNSHIP:

REVIEWED BY THE NORMANNA TOWNSHIP, CASS COUNTY, NORTH DAKOTA

DATED THIS ____ DAY OF _____, 20__.

CHAIRMAN

ATTEST:
CLERK

CASS COUNTY BOARD OF COMMISSIONERS' APPROVAL:

APPROVED BY CASS COUNTY, NORTH DAKOTA

DATED THIS ____ DAY OF _____, 20__.

CHAIRMAN, BOARD OF COMMISSIONERS

ATTEST:
MICHAEL MONTPLAISIR, CASS COUNTY AUDITOR

T137N-R50W
Section 16
SE 1/4



- LEGEND**
- = FOUND MONUMENT
 - = SET MONUMENT: 5/8\"x20\" REBAR WITH BLUE PLASTIC CAP MARKED 'D SNIDER LS-8426'
 - = SURVEYED TRACT LINE
 - - - = PREVIOUSLY SURVEYED TRACT LINE
 - - - = UTILITY EASEMENT LINE
 - - - = SECTION LINE
 - - - = ND HWY #36 RIGHT OF WAY LINE
 - - - = TELEPHONE EASEMENT CENTER LINE
 - 100.00' = MEASURED
 - (100.00') = RECORD
 - CR# = CERTIFICATE OF GOVERNMENT CORNER LOCATION



NOTE:
BEARINGS ARE BASED
ON AN ASSUMED DATUM

Cass County Staff Report

Title: Hodgson Farm Subdivision
Owner(s): Juanita V Hodgson
Type of Request: Minor Subdivision (2 lots)
Status: Planning Commission Public Hearing: January 25, 2018

Existing and Proposed Land Use:

The existing land is and will remain AG, Agricultural.

Proposal:

The applicant is seeking approval of a Minor Subdivision to plat one lot for sale.

The said tract contains 3.167 acres of land, more or less. The ownership and maintenance responsibility of the subdivision will be private. The subdivision will use private gravel roads, ditches for storm sewer conveyance, rural water, and an on-site septic sewer system for waste water treatment.

Location:

16493 23 Street SE, Argusville, ND.

Legal Description:

Part of the Southeast Quarter, Section 28, Gardner Township.

Agency Comments

<i>County Engineer</i>	There are no issues with the proposal.
<i>Cass County Electric Cooperative</i>	CCEC has no issues with the plat. The property is served by an overhead line running east and west on the north side of 23 Street SE.
<i>Century Link</i>	Century Link has no comment on the proposal.
<i>North Dakota Department of Transportation</i>	Since this proposed subdivision has no direct drainage or access to a state highway or interstate, there are no issues.
<i>County Sanitarian</i>	It appears that they will have enough room to the south in the case that a new septic system is necessary, and so the sizing of less than an acre should be allowed. We would recommend that they at least look at re-platting Lot 2 to an acre or more to comply with code, but the current proposal of 36,646 square feet will be allowed by the department.
<i>The City of Fargo</i>	The proposed Hodgson Farm Subdivision, located in SE1/4 Sec. 28, T142N, R50W, in Gardner Township, is outside of city limits of Fargo and outside of Fargo's extraterritorial jurisdiction. We have no comment.

Staff Analysis:

The subject property is bound by agricultural land and a farmstead to the West with no adjacent subdivisions. The remaining portion of the quarter section will remain tillable. The proposed use is consistent with Township Ordinances.

According to FEMA's National Flood Hazard Layer the proposed plat is currently within Zone X and is not in a special flood hazard area. The access will be constructed on the township gravel road.

A deed restriction will be required up to 40 acres.

Staff Recommendation:

To accept the findings and recommendations of staff and recommend approval to the County Commission of the proposed application as the proposal 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 all other applicable regulations.

Hodgson Farm Subdivision

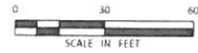


HODGSON FARM SUBDIVISION

PART OF THE SOUTHEAST QUARTER, SECTION 28, TOWNSHIP 142 NORTH,
RANGE 50 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CASS COUNTY,
GARDNER TOWNSHIP, CASS COUNTY, NORTH DAKOTA

LEGEND

- 3/4" IRON PIPE MONUMENT SET MARKED BY L.C. NO. 15-4251
- MONUMENT FOUND
- SUBJECT PROPERTY LINE
- - - SECTION LINE
- - - EASEMENT LINE



ORIENTATION OF THIS BEARING SYSTEM IS PER NORTH DAKOTA STATE PLAIN SOUTH ZONE INTERNATIONAL FOOT



SOUTHEAST QUARTER
SECTION 28
T142N, R50W



OWNERS DESCRIPTION AND DEDICATION

KNOWN ALL MEN BY THESE PRESENTS, That Juanita V. Hodgson, an individual as owner of a parcel of land located in the Southeast Quarter of Section 28, Township 142 North, Range 50 West of the Fifth Principal Meridian, Cass County, North Dakota and more particularly described as follows:

The South 275.14 feet of the East 501.45 feet of the Southeast Quarter of Section 28, Township 142 North, Range 50 West of the Fifth Principal Meridian, Cass County, North Dakota.

Containing 3.167 acres of land, more or less and is subject to existing easements of record.

Said owner has caused the above described parcel of land to be surveyed and platted as "HODGSON FARM SUBDIVISION" to Cass County, North Dakota and do hereby dedicate to the public for public use all Streets and Utility Easements as shown on the plat except those easements and streets as shown hereon as "Existing", and do hereby dedicate to the Southeast Quarter of the Southeast Quarter of the Southeast Quarter, the 15 foot wide ingress/egress easement in Block 1 as shown on this plat for the purposes so stated.

OWNER:

By: Juanita V. Hodgson, an individual

State of North Dakota }
County of Cass }SS

On this ___ day of _____, in the year 2018 before me personally appeared Juanita V. Hodgson, an individual, known to me to be the person who is described in and who executed the within instrument, and acknowledged to me that she executed the same as her free act and deed.

Notary Public

SURVEYOR'S CERTIFICATE AND ACKNOWLEDGEMENT

I, Bruce W. Skipton, Registered Professional Land Surveyor under the laws of the State of North Dakota do hereby certify that this plat is a correct representation of the survey, that all distances shown are correct and that the monuments for the guidance of future surveys have been located or placed in the ground as shown and that the outside boundary lines are correctly designated on the plat.

Bruce W. Skipton, Professional Land Surveyor
North Dakota License Number LS-8251

State of North Dakota }
County of Cass }SS

On this ___ day of _____, in the year 2018 before me personally appeared Bruce W. Skipton, known to me to be the person who is described in and who executed the within instrument, and acknowledged to me that he executed the same.

Notary Public

CASS COUNTY ENGINEER

Reviewed by the Cass County Engineer this ___ day of _____, 2018.

Jason Benson, Cass County Engineer

CASS COUNTY PLANNING COMMISSION

Reviewed by the Cass County Planning Commission this ___ day of _____, 2018.

Ken Lougheed, Chairman

Attest: _____
Secretary

GARDNER TOWNSHIP

Reviewed by Gardner Township, Cass County, North Dakota this ___ day of _____, 2018.

Brent Sitzer, Chairman

Attest: _____
Secretary

CASS COUNTY BOARD OF COMMISSIONERS APPROVAL

Approved by Cass County, North Dakota this ___ day of _____, 2018.

Rick Steen, Chairman

Attest: _____
Michael Montplaisir, Cass County Auditor



PREPARED BY:
BOLTON & MENK

preliminary
1/8/18