



MEMORANDUM

Highway Department

Jason, Benson, P.E.
County Engineer

Tomas B. Soucy, P.E.
Deputy County Engineer

Blaine Laaveg
Superintendent

TO: Cass County Board of Commissioners
FROM: Grace Puppe, Cass County Planner
DATE: April 10, 2023
SUBJECT: Consent Agenda Topic for the April 17, 2023
Commission Meeting: Jones Second Subdivision
Application

The Cass County Planning Commission reviewed the application of the proposed subdivision located in Berlin Township, Section 23 at a Public Hearing on March 23, 2023. The intended purpose of the subdivision is to replat adjusting the property line so that an existing shop is on lot 2 instead of lot 1.

The Planning Commission is recommending approval of the proposed plat entitlement request and Berlin Township has verified that the proposed subdivision meets township zoning requirements. Therefore, the Planning Commission recommendation is forwarded to the Cass County Board of Commissioners for action.

SUGGESTED MOTION:

To accept the findings and recommendations of the Planning Commission and staff and recommend **approval** of the Final Plat, 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.



Cass County Planning Commission Staff Report

Entitlements Requested:	Minor Subdivision (2 Lots) of a part of the SE 1/4 of Section 23, Township 141 North, Range 50 West		
Title:	Jones Second Subdivision	Date:	02/27/2023
		Update:	04/10/2023
Location:	SE 1/4 of Section 23, Township 141 North, Range 50 West (Berlin Township)	Staff Contact:	Grace Puppe
Parcel Number:	27-0300-00010-000; 27-0300-00020-000	Water District:	Rush River Water District
Owner(s)/Applicant:	Mary Jean Jones	Engineer/Surveyor:	Houston Engineering
Status:	Planning Commission Hearing: March 23, 2023 County Commission Hearing: April 17, 2023		

Existing Land Use	Proposed Land Use
Agriculture	Agriculture
Proposal	

The applicant is seeking approval of a minor subdivision entitled **Jones Second Subdivision** to plat a two (2) Lot subdivision of approximately 9.13 acres. According to the applicant, the subdivision is requested to adjust the property line so that an existing shop is on Lot 2 instead of Lot 1.

The proposed ownership and maintenance responsibility of the subdivision will be private. The subdivision will use an existing 28th St SE road access, ditches for storm sewer conveyance, rural water, and on-site septic systems for wastewater treatment.

Agency Comments	
County Engineer	No issues with lot line adjustment. Subdivision is authorized to use existing access to Cass 32 as previously platted.
Water Resource District	No comments
Cass County Electric Cooperative	No comments were received prior to publishing the staff report.
Century Link	No comments were received prior to publishing the staff report.
Sprint	No comments were received prior to publishing the staff report.
AT&T	No comments were received prior to publishing the staff report.
Xcel Energy	No comments were received prior to publishing the staff report.
Otter Tail Power Company	No comments were received prior to publishing the staff report.

Magellan Pipeline Company	No comments were received prior to publishing the staff report.
NuStar Energy	No comments were received prior to publishing the staff report.
Cass Rural Water	No comments.
North Dakota Department of Transportation	No comments were received prior to publishing the staff report.
County Sanitarian	No issues.
Township Chairman	The proposed subdivision meets township zoning and floodplain requirements.
The City of Fargo	No comments were received prior to publishing the staff report.
The City of West Fargo	No comments were received prior to publishing the staff report.
Public Comment	No comments were received prior to publishing the staff report.

Staff Analysis

Land Use and Surrounding Uses

The subject property is bound by agricultural production land on the north and west. Township road 167th Ave SE borders the east of the property with 28th St SE to the south.

Floodzone

According to the FEMA Flood Map Service Center, this property is currently in Special Hazard Flood Area Zone A. In addition, wetlands are present on the proposed subdivision Lot. The proposed Western Cas FIS map shows the proposed subdivision as Zone X.

Land Development Rights

The subject quarter-quarter section currently is developed as two buildable lots. Since this will be a replat with no new lots being created, no further development rights are required.

Staff Recommendation

To accept the findings and recommendations of the Planning Commission and staff and recommend **approval** to the County Commission of the subdivision 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.

Attachments

1. Location Map
2. Plat Document

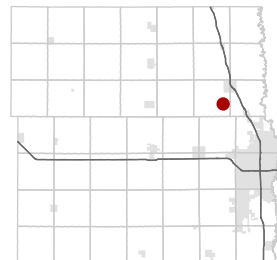
Minor Subdivision

Jones Second Subdivision

Berlin Twp, Section 23 - Township 141 North - Range 50 West



Cass County Planning Commission
March 23, 2023



Maps and data are to be used for reference purposes only and Cass County, ND, is not responsible for any inaccuracies herein contained. No responsibility is assumed for damages or other liabilities due to the accuracy, availability, use or misuse of the information herein provided.





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TO: Cass County Board of Commissioners
FROM: Grace Puppe, Cass County Planner
DATE: April 10, 2023
SUBJECT: Consent Agenda Topic for the April 17, 2023
Commission Meeting: Buhr Erickson Farms
Subdivision Application

The Cass County Planning Commission reviewed the application of the proposed subdivision located in Ayr Township, Section 19 at a Public Hearing on March 23, 2023. The intended purpose of the subdivision is to break out a tract of land to separate the house from the rest of the farm.

The Planning Commission is recommending approval of the proposed plat entitlement request and Ayr Township has verified that the proposed subdivision meets township zoning requirements. Therefore, the Planning Commission recommendation is forwarded to the Cass County Board of Commissioners for action.

SUGGESTED MOTION:

To accept the findings and recommendations of the Planning Commission and staff and recommend **approval** of the Final Plat, 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.



Cass County Planning Commission Staff Report

Entitlements Requested:	Minor Subdivision (2 Lots) of a part of the SE 1/4 of Section 19, Township 141 North, Range 54 West		
Title:	Buhr Erickson Farms Subdivision	Date:	02/27/2023
		Update:	04/10/2023
Location:	SE 1/4 of Section 19, Township 141 North, Range 54 West (Ayr Township)	Staff Contact:	Grace Puppe
Parcel Number:	24-0000-00981-060	Water District:	Maple River Water District
Owner(s)/Applicant:	Reed Erickson	Engineer/Surveyor:	KLJ – Valley City
Status:	Planning Commission Hearing: March 23, 2023 County Commission Hearing: April 17, 2023		

Existing Land Use	Proposed Land Use
Agriculture	Agriculture
Proposal	

The applicant is seeking approval of a minor subdivision entitled **Buhr Erickson Subdivision** to plat a two (2) Lot subdivision of approximately 27.02 acres. According to the applicant, the subdivision is requested to break out a tract of land to separate the house from the rest of the farm.

The proposed ownership and maintenance responsibility of the subdivision will be private. The subdivision will use an existing 28th St SE road access, ditches for storm sewer conveyance, rural water, and on-site septic systems for wastewater treatment.

Agency Comments	
County Engineer	No issues.
Water Resource District	No comments
Cass County Electric Cooperative	No comments were received prior to publishing the staff report.
Century Link	No comments were received prior to publishing the staff report.
Sprint	No comments were received prior to publishing the staff report.
AT&T	No comments were received prior to publishing the staff report.
Xcel Energy	No comments were received prior to publishing the staff report.
Otter Tail Power Company	No comments were received prior to publishing the staff report.
Magellan Pipeline Company	No comments were received prior to publishing the staff report.

NuStar Energy	No comments were received prior to publishing the staff report.
Cass Rural Water	No comments. The site has water service.
North Dakota Department of Transportation	No comments were received prior to publishing the staff report.
County Sanitarian	No issues.
Township Chairman	No comments were received prior to publishing the staff report.
The City of Fargo	No comments were received prior to publishing the staff report.
The City of West Fargo	No comments were received prior to publishing the staff report.
Public Comment	No comments were received prior to publishing the staff report.

Staff Analysis

Land Use and Surrounding Uses
 The subject property is bound by agricultural production land on the north and west. ND Highway 38 (139th Ave SE) borders the east of the property with Township road 28th St SE to the south.

Floodzone
 According to the FEMA Flood Map Service Center, this property is currently unmapped and not Special Hazard Flood Area has been identified. In addition, wetlands are present on the proposed subdivision Lot. The proposed Western Cas FIS map does not show any Special Hazard Flood Area identified.

Land Development Rights
 The subject quarter-quarter section currently is developed and requires the transfer of a development right. Section 5.04 (e) of the Cass County Subdivision Ordinance states that every quarter-quarter section is granted one (1) Development Right to create a buildable lot with a minimum of 40 acres. Because the lot subdivision proposal is less than 40 acres, a transfer of a development right is required along with a deed restriction.

Staff Recommendation

To accept the findings and recommendations of the Planning Commission and staff and recommend **approval** to the County Commission of the subdivision 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.

Attachments

1. Location Map
2. Plat Document

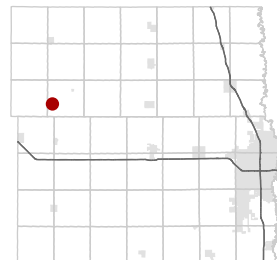
Minor Subdivision

Buhr Erickson Farms Subdivision

Ayr Twp, Section 19 - Township 141 North - Range 54 West



Cass County Planning Commission
March 23, 2023



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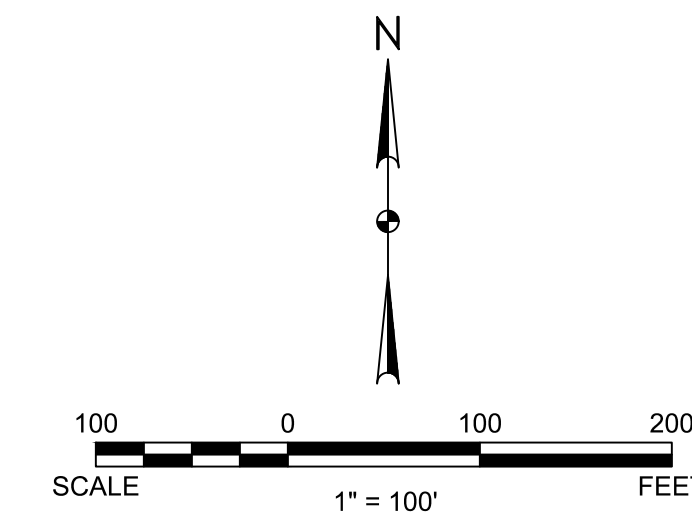
BUHR ERICKSON FARMS SUBDIVISION

(A MINOR SUBDIVISION)

IN THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 19, TOWNSHIP 141 NORTH, RANGE 54 WEST, FIFTH PRINCIPAL MERIDIAN,
AYR TOWNSHIP, CASS COUNTY, NORTH DAKOTA

13	18	17
138TH AVE SE		27TH ST SE
24	19	20
28TH ST SE		ND HWY. 38
SITE LOCATION		139TH AVE SE
25	30	29

VICINITY MAP
NO SCALE



DRAWING COMPLETED: 2-9-23

FLOOD PLAIN STATEMENT:
THERE ARE NO PUBLISHED FEMA FLOOD PLAIN MAPS FOR
AYR TOWNSHIP, CASS COUNTY, NORTH DAKOTA.

ENGINEER:
KLJ
1010 4TH AVE SW
VALLEY CITY, ND 58072

CLIENT:
REED ERICKSON
738 4T ST SW
VALLEY CITY, ND 58072

NOTE:
SURVEY IS BASED ON NORTH DAKOTA STATE PLANE
COORDINATE SYSTEM, NAD83 (2011), SOUTH ZONE, CASS
COUNTY GROUND DISTANCES.

USE CONVERSION FACTOR OF 0.9998875 TO CONVERT
GROUND DISTANCES TO GRID DISTANCES.

SAID TRACT OF LAND IS SUBJECT TO ANY EASEMENT
RESTRICTIONS OR RESERVATIONS, EITHER EXISTING OR
RECORD.

BEARINGS AND DISTANCES MAY VARY FROM PREVIOUS
PLATS DUE TO DIFFERENT METHODS OF MEASUREMENT.

LEGEND

- FOUND MONUMENT - AS DESCRIBED
- SET #5X18" REBAR W/BPC LS 8441

