



Planning Department

Telephone: 701-298-2375

Fax: 701-298-2395

planning@casscountynd.gov

MEMORANDUM

TO: Cass County Board of Commissioners

FROM: Cole Hansen, Cass County Planner

DATE: March 31, 2025

SUBJECT: Consent Agenda Topic for the April 7, 2025 Commission Meeting: Finley Subdivision Application

The Cass County Planning Commission reviewed the application of the proposed subdivision located in Erie Township, Section 32 at a Public Hearing on December 12, 2024. The intended purpose of the subdivision is to break out an existing farmstead from the farmland.

The Planning Commission is recommending approval of the proposed plat entitlement request and Davenport Township has verified meets all applicable zoning and flood plain regulations. 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 (1 Lot) of a part of the NE ¼ of Section 32, Township 142 North, Range 53 West		
Title:	Finley Subdivision	Date:	12/12/24
Location:	NE ¼ of Section 32, Township 142 North, Range 53 West (Erie Township)	Staff Contact:	Cole Hansen
Parcel Number:	37-0000-04636-000	Water District:	Maple River Water District
Owner(s)/Applicant:	Johan & Lona Finley Trust, Owner	Engineer/Surveyor:	Neset Survey
Status:	Planning Commission Hearing: December 12, 2024 County Commission Hearing: April 7, 2025		

Existing Land Use	Proposed Land Use
Residential	Residential
Proposal	

The applicant is seeking approval of a minor subdivision entitled **Finley Subdivision** to plat a one (1) Lot subdivision of approximately 16 acres. According to the applicant, the subdivision is requested to plat a lot to break out the farmstead from the farmland.

The proposed ownership and maintenance responsibility of the subdivision will be private. The subdivision will use 23rd St SE for road access, ditches for storm sewer conveyance, rural water. The property currently does not have a licensed on-site septic system for wastewater treatment.

Agency Comments	
County Engineer	No comments were received prior to publishing the staff report.
Water Resource District	No comments were received prior to publishing the staff report.
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/T-Mobile/Congent	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 were received prior to publishing the staff report.
North Dakota Department of Transportation	No comments were received prior to publishing the staff report.
County Sanitarian	No issue with proposal.
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, south, west, and east sides of the lot. 23rd St SE borders the west of the property.

Floodzone

According to the FEMA Flood Map Service Center, this property is currently mapped with no Special Hazard Flood Area being identified. In addition, no wetlands or other notable features are present on the proposed subdivision Lot.

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 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

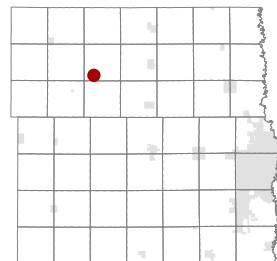
Minor Subdivision

Finley Subdivision

Section 32, Erie Township
Township 142 North - Range 53 West



Cass County Planning Commission
December 12, 2024



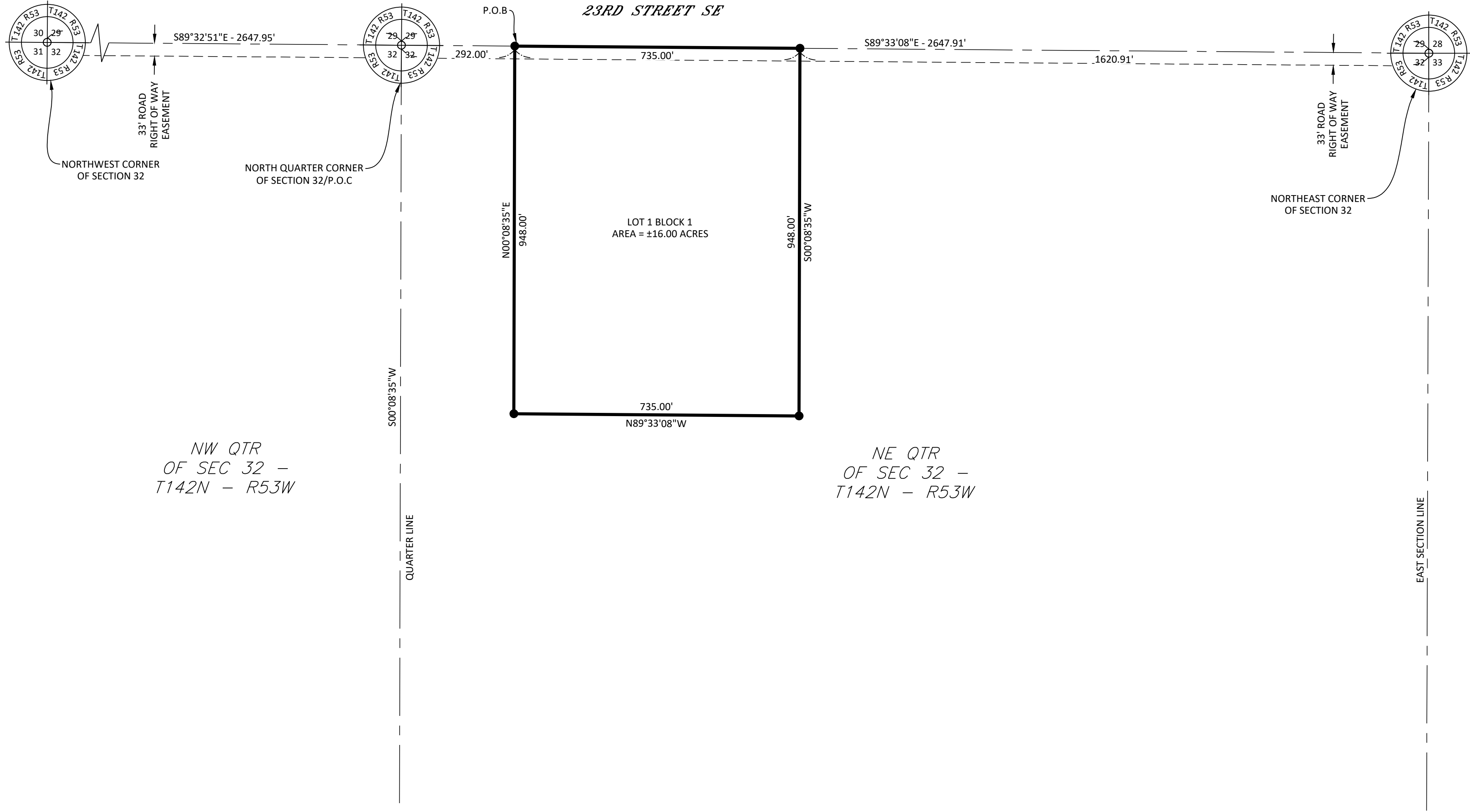
Imagery: NAIP, summer/fall 2023

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.



10/16/24 1:25:47 AM Z:\Neset Shared Files\Cole Projects\2023 Projects\2023000_NORTH DAKOTA PROPERTY SURVEYS\60_Lona Finley Trust_NE 1/4 of section 32-142-53\Finley Subdivision.dwg

FINLEY SUBDIVISION
PART OF THE NORTHEAST QUARTER OF SECTION 32, T142N, R53W
CASS COUNTY, NORTH DAKOTA



OWNERS' CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS, THAT JOHAN FINLEY AND LONA MAE FINLEY, TRUSTEES OF THE JOHAN FINLEY AND LONA FINLEY TRUST ARE THE OWNERS OF THAT PART OF THE NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 142 NORTH, RANGE 53 WEST OF THE 5TH PRINCIPAL MERIDIAN TO THE COUNTY OF CASS, STATE OF NORTH DAKOTA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 32; THENCE S89°33'08"E ON AN ASSUMED BEARING ALONG THE NORTH LINE OF SAID SECTION 32 A DISTANCE OF 292.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S89°33'08"E A DISTANCE OF 735.00 FEET; THENCE S00°08'35"W PARALLEL WITH THE NORTH/SOUTH QUARTER LINE OF SAID SECTION 32 A DISTANCE OF 948.00 FEET; THENCE N89°33'08"W PARALLEL WITH THE NORTH LINE OF SAID SECTION 32 A DISTANCE OF 735.00 FEET; THENCE N00°08'35"E PARALLEL WITH THE NORTH/SOUTH QUARTER LINE A DISTANCE OF 948.00 FEET TO THE POINT OF BEGINNING.

SAID OWNERS HAVE CAUSED THE ABOVE DESCRIBED TRACT OF LAND SHOWN ON THIS PLAT TO BE SURVEYED AND PLATTED AS FINLEY SUBDIVISION TO THE COUNTY OF CASS. SAID OWNERS ALSO HEREBY DEDICATES AND CONVEYS TO THE PUBLIC, FOR PUBLIC USE, ALL STREET RIGHT OF WAYS AND UTILITY EASEMENTS SHOWN ON SAID PLAT. SAID FINLEY SUBDIVISION, CONSISTS OF ONE LOT AND ONE BLOCK, AND CONTAINS 16.00 ACRES, MORE OR LESS TOGETHER WITH EASEMENTS AND RIGHT OF WAYS OF RECORD.

BY: _____
LONA MAE FINLEY-TRUSTEE

BY: _____
JOHAN FINLEY-TRUSTEE

STATE OF _____)
COUNTY OF _____)SS

ON THIS _____ DAY OF _____, 2024, BEFORE ME, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED LONA MAE FINLEY AND JOHAN FINLEY, TO ME KNOWN TO BE THE PERSONS DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT HE EXECUTED SAME AS THEIR FREE ACT AND DEED.

NOTARY PUBLIC, COUNTY: _____ STATE: _____
MY COMMISSION EXPIRES: _____

SURVEYORS CERTIFICATE

I, COLE A. NESET, REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF NORTH DAKOTA, DO HEREBY CERTIFY THAT I HAVE SURVEYED AND PLATTED THE PROPERTY DESCRIBED ON THIS PLAT AS FINLEY SUBDIVISION; THAT THIS PLAT IS A CORRECT REPRESENTATION OF SAID SURVEY; THAT ALL DISTANCES ARE SHOWN CORRECTLY ON SAID PLAT IN FEET AND HUNDREDTHS OF A FOOT; THAT ALL MONUMENTS ARE OR WILL BE INSTALLED CORRECTLY IN THE GROUND AS SHOWN; AND THAT THE EXTERIOR BOUNDARY LINES ARE CORRECTLY DESIGNATED. DATED THIS _____ DAY OF _____, 2024.

COLE A. NESET,
REGISTERED LAND SURVEYOR
LS-7513

STATE OF NORTH DAKOTA)
COUNTY OF CASS)SS

ON THIS _____ DAY OF _____, 2024, BEFORE ME, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED COLE A. NESET, TO ME KNOWN TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT HE EXECUTED SAME AS THEIR FREE ACT AND DEED.

NOTARY PUBLIC, COUNTY: CASS STATE: NORTH DAKOTA

CASS COUNTY ENGINEER'S APPROVAL
REVIEWED BY THE CASS COUNTY ENGINEER THIS _____ DAY OF _____ 2024.

TOM SOUCY, INTERIM COUNTY ENGINEER

CASS COUNTY PLANNING COMMISSION
REVIEWED BY THE CASS COUNTY PLANNING COMMISSION THIS _____ DAY OF _____ 2024.

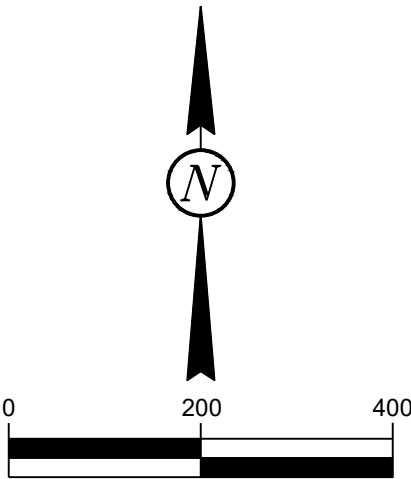
KEN LOUGHEED, CHAIRMAN
ATTEST: _____
SECRETARY

CASS COUNTY BOARD OF COMMISSION'S APPROVAL
REVIEWED BY CASS COUNTY, NORTH DAKOTA THIS _____ DAY OF _____ 2024.

CHAD PETERSON
ATTEST: _____
BRANDY MADRIGGA, CASS COUNTY FINANCIAL DIRECTOR

ERIE TOWNSHIP
REVIEWED BY ERIE TOWNSHIP, CASS COUNTY, NORTH DAKOTA THIS _____ DAY OF _____ 2024.

ROBERT KYSER, CHAIRMAN
ATTEST: _____
ALAN IDSO, CLERK/ TREASURER



LEGEND	
●	MONUMENT SET
○	MONUMENT FOUND
P.O.C.	POINT OF COMMENCEMENT
P.O.B.	POINT OF BEGINNING
- - - - -	EX. EASEMENT
- - - - -	EX. SECTION LINE
—————	PROPERTY BOUNDARY LINE

SURVEY INFORMATION
DATE OF SURVEY: 09/27/2023
BASIS OF BEARING: ASSUMED BEARING OF S89°33'08"E ALONG
THE NORTH LINE OF SECTION 32

FOR RECORDING PURPOSES ONLY





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MEMORANDUM

TO: Cass County Board of Commissioners

FROM: Cole Hansen, Cass County Planner

DATE: March 31, 2025

SUBJECT: Consent Agenda Topic for the April 7, 2025 Commission Meeting: Dows Subdivision Application

The Cass County Planning Commission reviewed the application of the proposed subdivision located in Dows Township, Section 34 at a Public Hearing on December 12, 2024. The intended purpose of the subdivision is to break out an existing farmstead from the farmland.

The Planning Commission is recommending approval of the proposed plat entitlement request and Davenport Township has verified meets all applicable zoning and flood plain regulations. 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 (1 Lot) of a part of the SE ¼ of Section 34, Township 143 North, Range 53 West		
Title:	Finley Subdivision	Date:	12/12/24
Location:	SE ¼ of Section 34, Township 143 North, Range 53 West (Dows Township)	Staff Contact:	Cole Hansen
Parcel Number:	33-0000-03442-010	Water District:	Maple River Water District
Owner(s)/Applicant:	Dows Family LLLP, Owner	Engineer/Surveyor:	Houston Engineering
Status:	Planning Commission Hearing: December 12, 2024 County Commission Hearing: April 7, 2025		

Existing Land Use	Proposed Land Use
Residential	Residential
Proposal	

The applicant is seeking approval of a minor subdivision entitled **Dows Subdivision** to plat a one (1) Lot subdivision of approximately 6 acres. According to the applicant, the subdivision is requested to plat a lot to break out the farmstead from the farmland.

The proposed ownership and maintenance responsibility of the subdivision will be private. The subdivision will use 148th Ave SE for road access, ditches for storm sewer conveyance, rural water. The property currently does have a licensed on-site septic system for wastewater treatment.

Agency Comments	
County Engineer	No comments were received prior to publishing the staff report.
Water Resource District	No comments were received prior to publishing the staff report.
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/T-Mobile/Congent	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 were received prior to publishing the staff report.
North Dakota Department of Transportation	No comments were received prior to publishing the staff report.
County Sanitarian	No issue with proposal.
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, south, west, and east sides of the lot. 148th Ave SE borders the west of the property.

Floodzone

According to the FEMA Flood Map Service Center, this property is currently mapped with no Special Hazard Flood Area being identified. In addition, no wetlands or other notable features are present on the proposed subdivision Lot.

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 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

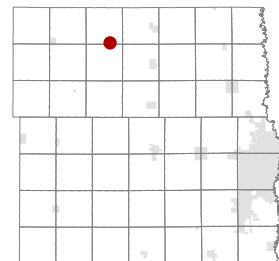
Minor Subdivision

Dows Subdivision

Section 34, Dows Township
Township 143 North - Range 53 West



Cass County Planning Commission
December 12, 2024



Imagery: NAIP, summer/fall 2023

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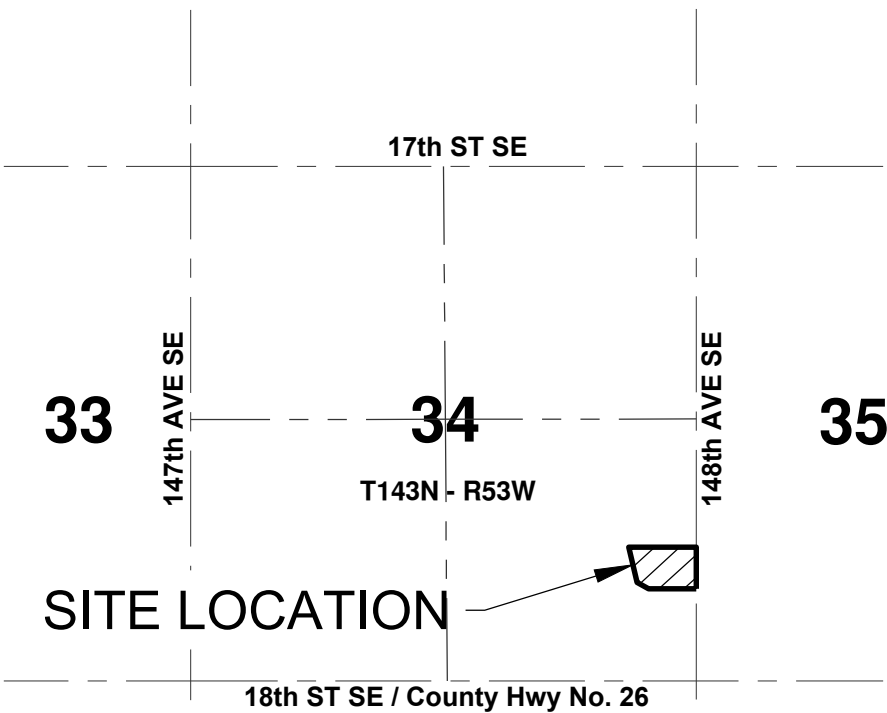


DOWS SUBDIVISION

BEING A PLAT OF PART OF THE EAST HALF OF THE SOUTHEAST QUARTER

SECTION 34, T143N, R53W, 5th P.M.

CASS COUNTY, NORTH DAKOTA



VICINITY MAP

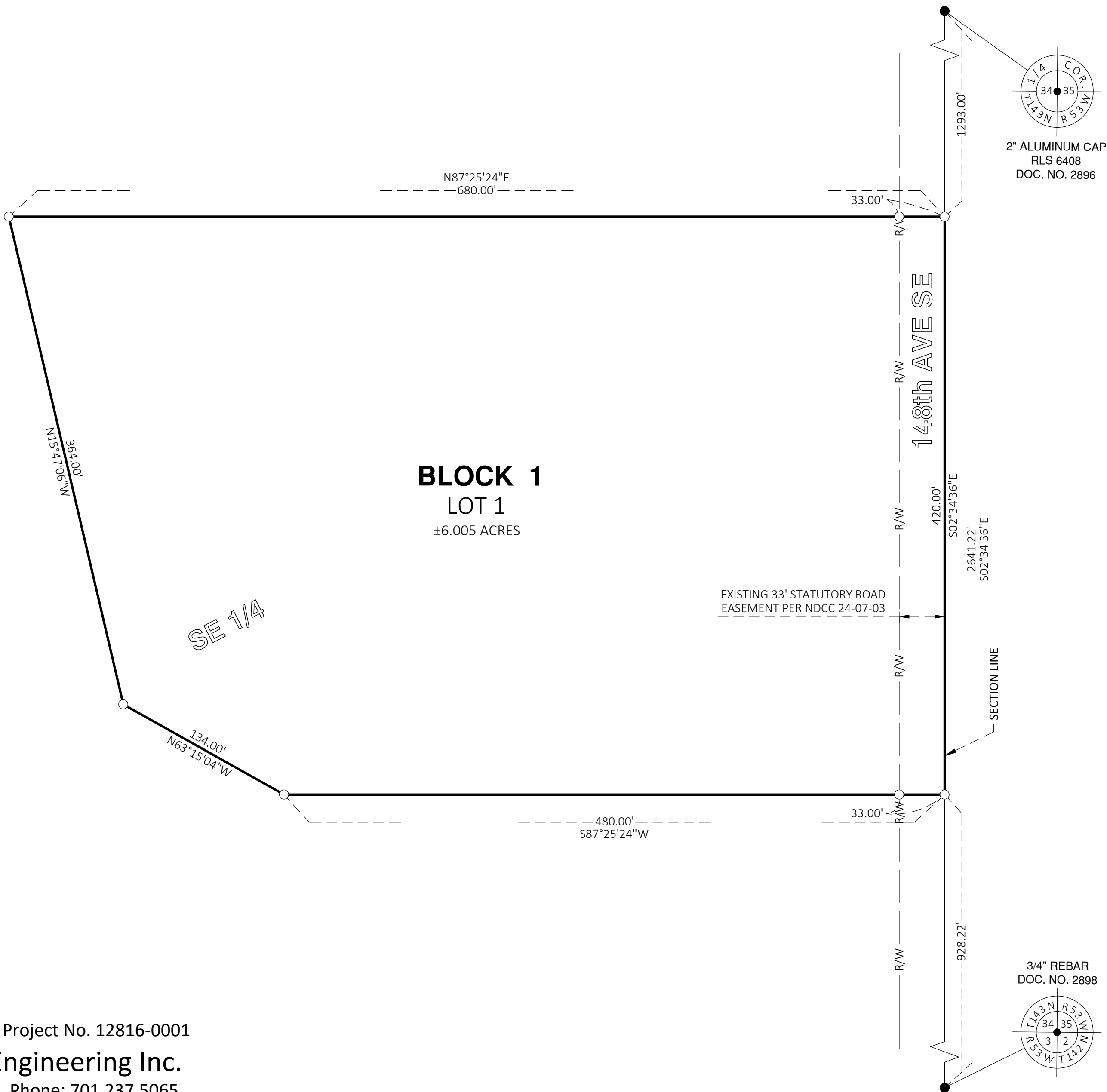
NOT TO SCALE

LEGEND

IRON MONUMENT FOUND	●
1/2" I.D. IRON PIPE SET	○
MEASURED BEARING	N00°00'00"E
MEASURED DISTANCE	100.00'
PLAT BOUNDARY	—————
EXISTING UTILITY EASEMENT	- - - - -
SECTION LINE	—————
EXISTING RIGHT-OF-WAY LINE	—— R/W ———

BEARINGS SHOWN ARE BASED ON THE NORTH DAKOTA STATE PLANE COORDINATE SYSTEM (NAD83) - SOUTH ZONE

MEASURED DISTANCES SHOWN ARE GROUND DISTANCES IN TERMS OF U.S. SURVEY FEET. USE COMBINATION FACTOR OF 1.000125127 TO CONVERT STATE PLANE DISTANCES TO GROUND DISTANCES.



OWNER'S CERTIFICATE AND DEDICATION:

NOW ALL PERSONS BY THESE PRESENTS: That John Dows and Marcella Dows, husband and wife, are the owners and proprietors of that part of the East Half of the Southeast Quarter of Section 34, Township 143 North, Range 53 West of the Fifth Principal Meridian, Cass County, North Dakota, described as follows:

Commencing at the northeast corner of said Southeast Quarter; thence South 02°34'36" East, along the easterly line of said Southeast Quarter, for a distance of 1293.00 feet to the True Point of Beginning; thence continue South 02°34'36" East, along the easterly line of said Southeast Quarter, for a distance of 420.00 feet; thence South 87°25'24" West for a distance of 480.00 feet; thence North 63°15'04" West a distance of 134.00 feet; thence North 15°47'06" West for a distance of 364.00 feet; thence North 87°25'24" East for a distance of 680.00 feet to the True Point of Beginning.

Said tract contains 6.005 acres, more or less.

And that said party has caused the same to be surveyed and platted as **DOWS SUBDIVISION**.
In witness whereof we have set our hands and seals.

Owners:

John Dows _____ Marcella Dows _____

State of _____)
County of _____) ss

On this ____ day of _____, 20____, before me, a notary public within and for said county and state, personally appeared John Dows and Marcella Dows, husband and wife, known to me 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 AND ACKNOWLEDGEMENT:

I, Curtis A. Skarphol, Professional 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 the monuments for the guidance of future surveys have been located or placed in the ground as shown.

Dated this ____ day of _____, 20____.

Curtis A. Skarphol, Professional Land Surveyor No. 4723

State of North Dakota)
County of Cass) ss

On this ____ day of _____, 20____ before me personally appeared Curtis A. Skarphol, Professional Land Surveyor, 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 as his free act and deed.

Notary Public: _____

Cass County Engineer:

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

Tom Soucy, Interim Cass County Engineer

Cass County Planning Commission:

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

Ken Lougheed, Chairman

Attest: _____
Secretary

Dows Township:

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

Ed Judisch, Chair

Attest: _____
Henry Burchill, Clerk

Cass County Board of Commissioners' Approval:

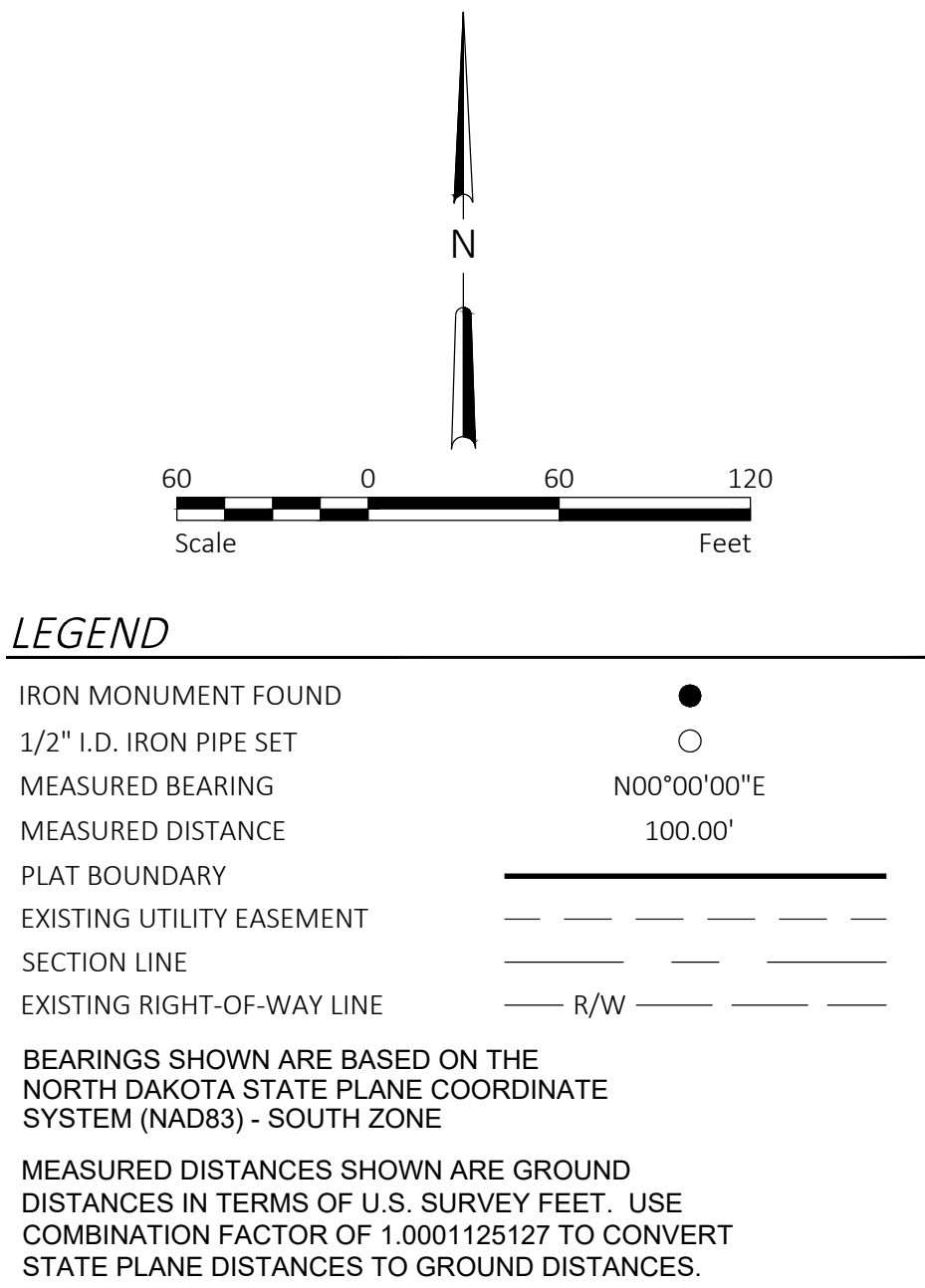
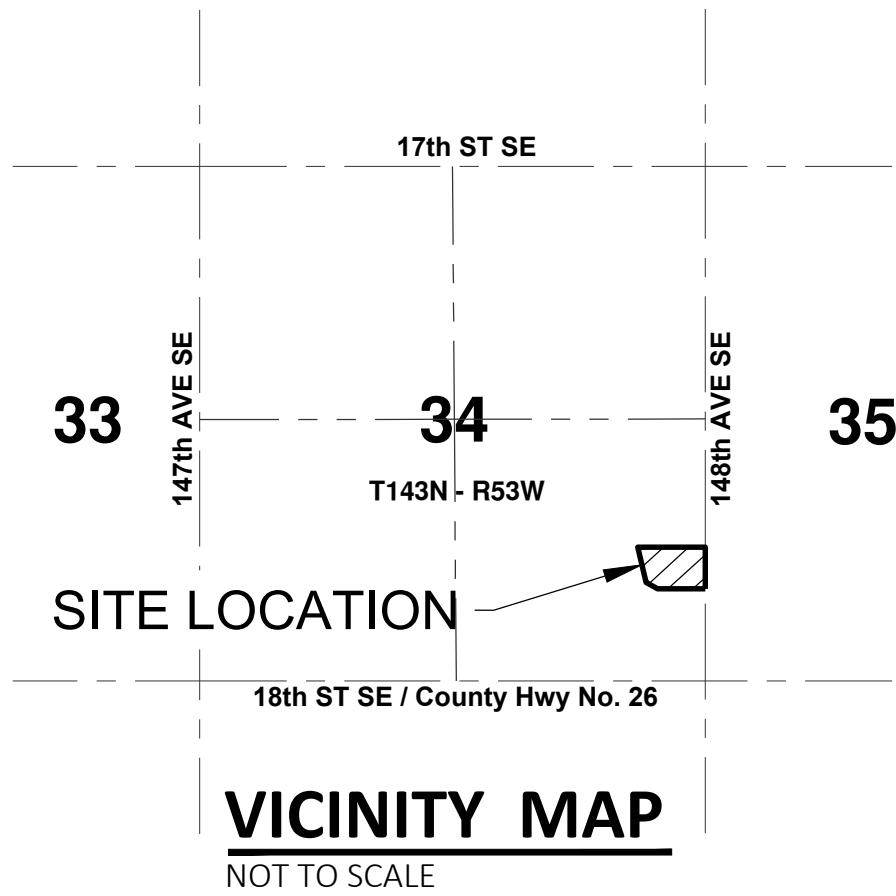
Approved by Cass County, North Dakota, this ____ day of _____, 20____.

Chad M. Peterson, Chair

Attest: _____
Brandy Madrigga, Cass County Finance Director

DOWS SUBDIVISION

BEING A PLAT OF PART OF THE EAST HALF OF THE
SOUTHEAST QUARTER
SECTION 34, T143N, R53W, 5th P.M.
CASS COUNTY, NORTH DAKOTA



OWNER'S CERTIFICATE AND DEDICATION:

NOW ALL PERSONS BY THESE PRESENTS: That John Dows and Marcella Dows, husband and wife, are the owners and proprietors of that part of the East Half of the Southeast Quarter of Section 34, Township 143 North, Range 53 West of the Fifth Principal Meridian, Cass County, North Dakota, described as follows:

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Said tract contains 6.005 acres, more or less.

And that said party has caused the same to be surveyed and platted as **DOWS SUBDIVISION**.
In witness whereof we have set our hands and seals.

Owners:

John Dows Marcella Dows

State of _____)
County of _____) ss

On this ____ day of _____, 20____, before me, a notary public within and for said county and state, personally appeared John Dows and Marcella Dows, husband and wife, known to me 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 AND ACKNOWLEDGEMENT:

I, Curtis A. Skarphol, Professional 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 the monuments for the guidance of future surveys have been located or placed in the ground as shown.

Dated this ____ day of _____, 20____.

Curtis A. Skarphol, Professional Land Surveyor No. 4723

State of North Dakota)
County of Cass) ss

On this ____ day of _____, 20____ before me personally appeared Curtis A. Skarphol, Professional Land Surveyor, 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 as his free act and deed.

Notary Public: _____

Cass County Engineer:

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

Tom Soucy, Interim Cass County Engineer

Cass County Planning Commission:

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

Ken Lougheed, Chairman

Attest: _____
Secretary

Dows Township:

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

Ed Judisch, Chair

Attest: _____
Henry Burchill, Clerk

Cass County Board of Commissioners' Approval:

Approved by Cass County, North Dakota, this ____ day of _____, 20____.

Chad M. Peterson, Chair

Attest: _____
Brandy Madrigga, Cass County Finance Director





Planning Department

Telephone: 701-298-2375

Fax: 701-298-2395

planning@casscountynd.gov

MEMORANDUM

TO: Cass County Board of Commissioners

FROM: Cole Hansen, Cass County Planner

DATE: March 31, 2025

SUBJECT: Consent Agenda Topic for the April 7, 2025 Commission Meeting: Bernard Ohnstad Subdivision Application

The Cass County Planning Commission reviewed the application of the proposed subdivision located in Wiser Township, Section 12 at a Public Hearing on January 23, 2025. The intended purpose of the subdivision is to break out an existing farmstead from the farmland.

The Planning Commission is recommending approval of the proposed plat entitlement request and Davenport Township has verified meets all applicable zoning and flood plain regulations. 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 (1 Lot) of a part of the N ½ of Section 12, Township 142 North, Range 49 West		
Title:	Bernard Ohnstad Subdivision	Date:	01/23/25
Location:	N ½ of Section 12, Township 142 North, Range 49 West (Wiser Township)	Staff Contact:	Cole Hansen
Parcel Number:	70-0000-13546-000	Water District:	North Cass Water District
Owner(s)/Applicant:	Julie K. Scoville, Owner	Engineer/Surveyor:	Houston Engineering
Status:	Planning Commission Hearing: January 23, 2025 County Commission Hearing: April 7, 2025		

Existing Land Use	Proposed Land Use
Residential	Residential
Proposal	

The applicant is seeking approval of a minor subdivision entitled **Bernard Ohnstad Subdivision** to plat a one (1) Lot subdivision of approximately 16 acres. According to the applicant, the subdivision is requested to plat a lot to break out the farmstead from the farmland.

The proposed ownership and maintenance responsibility of the subdivision will be private. The subdivision will use County Road 31 for road access, ditches for storm sewer conveyance, rural water. The property currently does have a licensed on-site septic system for wastewater treatment.

Agency Comments	
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Water Resource District	No comments were received prior to publishing the staff report.
Cass County Electric Cooperative	No comments were received prior to publishing the staff report.
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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, south, west, and east sides of the lot. County Road 31 borders the south of the property and the Red River borders the east of the property.

Floodzone

According to the FEMA Flood Map Service Center, this property is currently mapped with no Special Hazard Flood Area being identified. In addition, no wetlands or other notable features are present on the proposed subdivision Lot.

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.

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Attachments

1. Location Map
2. Plat Document

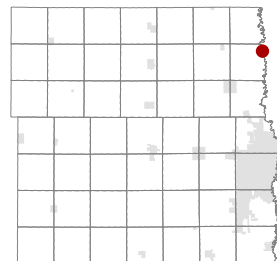
Minor Subdivision

Bernard Ohnstad Subdivision

Section 12, Wiser Township
Township 142 North - Range 49 West



Cass County Planning Commission
January 23, 2025



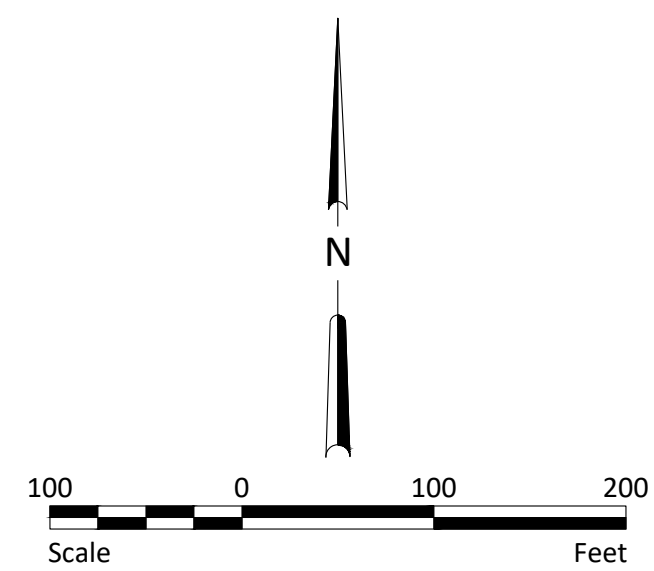
Imagery: NAIP, summer/fall 2023

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.



BERNARD OHNSTAD SUBDIVISION

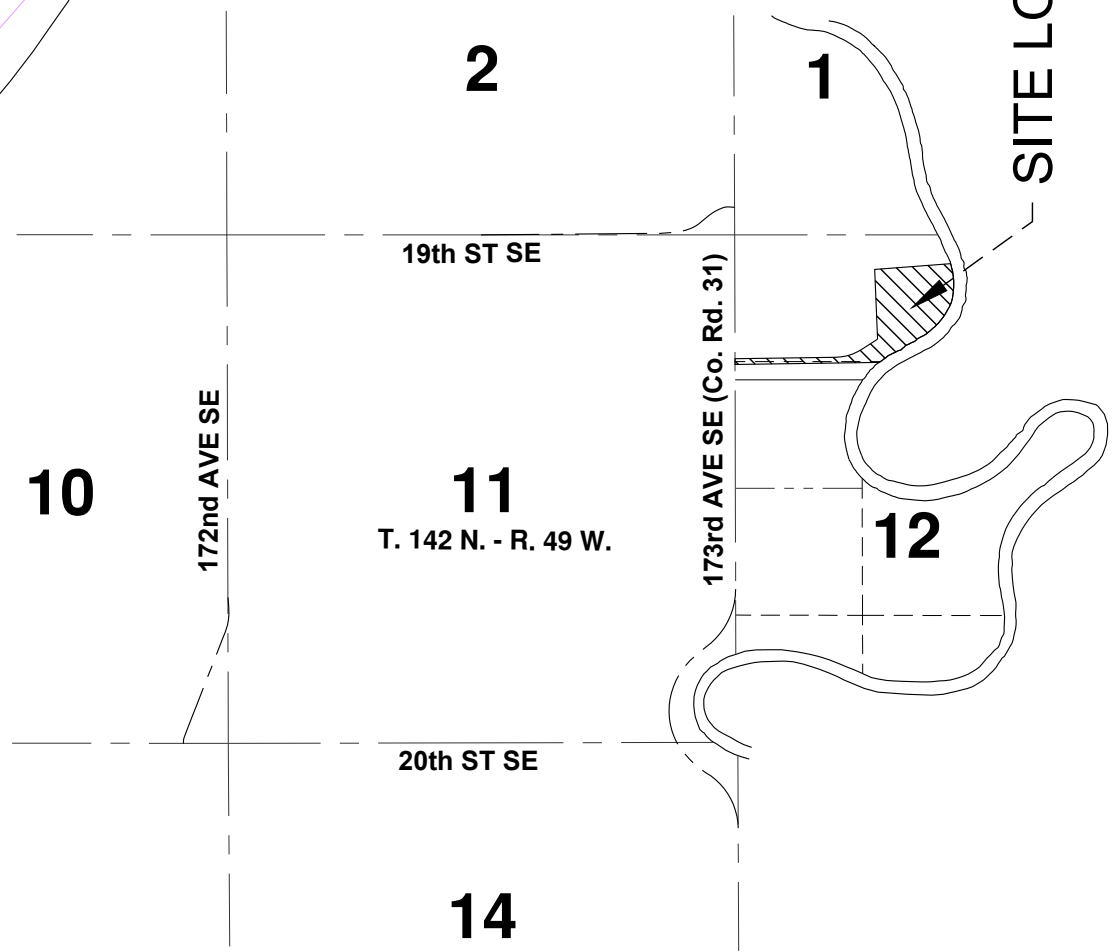
BEING A PLAT OF PART OF GOV'T. LOTS 1 & 2,
SECTION 12, T. 142 N., R. 49 W., 5th P.M.
CASS COUNTY, NORTH DAKOTA



LEGEND

IRON MONUMENT FOUND	●
1/2" I.D. IRON PIPE SET	○
TELEPHONE RISER	△
POWER POLE	⊙
MINIMAL DISTURBANCE ZONE SETBACK	MDZS
LIMITED DISTURBANCE ZONE SETBACK	LDZS
FLOODWAY AS DEPICTED ON EFFECTIVE FEMA FLOOD INSURANCE RATE MAP	
PLAT BOUNDARY	—
EXISTING RIGHT OF WAY LINE	— R/W —
LDZS BOUNDARY LINE	— LDZS —
MDZS BOUNDARY LINE	— MDZS —
ZONE AE BOUNDARY	— ZONE AE —
FLOODWAY BOUNDARY	— FLOODWAY —
OVERHEAD POWER LINE	— OHP —
ELEVATION CONTOUR LINE	— 864 —

BEARINGS SHOWN ARE BASED ON THE NORTH DAKOTA STATE PLANE COORDINATE SYSTEM (NAD83) - SOUTH ZONE
MEASURED DISTANCES SHOWN ARE GROUND DISTANCES IN TERMS OF U.S. SURVEY FEET. USE COMBINATION FACTOR OF 1.0001125127 TO CONVERT STATE PLANE DISTANCES TO GROUND DISTANCES.



VICINITY MAP

1" = 2000'

- NOTES:
- THIS PROPERTY IS SITUATED IN ZONE A10 AS DEPICTED ON FEMA FIRM PANEL 380267 0005 B, DATED DECEMBER 18, 1984
 - BASE FLOOD ELEVATION - 878.8' (NAVD88)
 - NAVD 88 ELEVATION CONTOURS SHOWN ARE FROM 2023 FARGO-MOORHEAD METRO AREA LIDAR COLLECT.

PRELIMINARY PLAT

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BERNARD OHNSTAD SUBDIVISION
BEING A PLAT OF PART OF GOV'T. LOTS 1 & 2,
SECTION 12, T. 142 N., R. 49 W., 5th P.M.
CASS COUNTY, NORTH DAKOTA

OWNER'S CERTIFICATE AND DEDICATION:

NOW ALL PERSONS BY THESE PRESENTS: That Jennifer G. Ohnstad, a single person; Julie K. Scoville and Harvey James Scoville, wife and husband; and Kevin J. Ohnstad and Teresa Marie Ohnstad, husband and wife; are the owners and proprietors of that part of Government Lots 1 and 2 of Section 12, Township 142 North, Range 49 West of the Fifth Principal Meridian, Cass County, North Dakota, described as follows:

Commencing at the northwest corner of said Section 12; thence South 01°47'03" East, along the westerly line of said Section 12, for a distance of 1350.10 feet to the True Point of Beginning; thence North 01°47'03" West, along the westerly line of said Section 12, for a distance of 60.00 feet; thence North 87°33'11" East for a distance of 1060.95 feet to a point of tangential curve, concave northerly, radius 470.00 feet; thence easterly, along said curve to the left, for a distance of 262.02 feet, central angle 31°56'32", chord bearing North 71°34'55" East; thence North 55°36'39" East for a distance of 209.59 feet; thence North 04°00'00" West for a distance of 728.36 feet; thence North 84°00'00" East for a distance of 794 feet, more or less, to the West Bank of the Red River of the North; thence southerly and southwesterly, along the West Bank of said Red River, for a distance of 1415 feet, more or less, to a point of intersection with a line bearing South 87°33'11" West from the True Point of Beginning; thence South 87°33'11" West for a distance of 1502 feet, more or less, to the True Point of Beginning.

Said tract contains 16.4 acres, more or less.

And that said party has caused the same to be surveyed and platted as **BERNARD OHNSTAD SUBDIVISION**.

In witness whereof we have set our hands and seals.

Owners:

Jennifer G. Ohnstad

State of)
) ss
County of)

On this ____ day of ____, 20 ____, before me, a notary public within and for said county and state, personally appeared Jennifer G. Ohnstad, a single person, known to me to be the person described in and who executed the foregoing instrument and acknowledged that she executed same as her free act and deed.

Notary Public: _____

Julie K. Scoville

Harvey James Scoville

State of)
) ss
County of)

On this ____ day of ____, 20 ____, before me, a notary public within and for said county and state, personally appeared Julie K. Scoville and Harvey James Scoville, wife and husband, known to me 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: _____

Kevin J. Ohnstad

Teresa Marie Ohnstad

State of)
) ss
County of)

On this ____ day of ____, 20 ____, before me, a notary public within and for said county and state, personally appeared Kevin J. Ohnstad and Teresa Marie Ohnstad, husband and wife, known to me 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 AND ACKNOWLEDGEMENT:

I, Curtis A. Skarphol, Professional 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 the monuments for the guidance of future surveys have been located or placed in the ground as shown.

Dated this ____ day of ____, 20 ____.

Curtis A. Skarphol, Professional Land Surveyor No. 4723

State of North Dakota)
) ss
County of Cass)

On this ____ day of ____, 20 ____ before me personally appeared Curtis A. Skarphol, Professional Land Surveyor, 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 as his free act and deed.

Notary Public: _____

Cass County Engineer:

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

Tom Soucy, Interim Cass County Engineer

Cass County Planning Commission:

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

Ken Lougheed, Chairman

Attest: _____
Secretary

Wiser Township:

Reviewed by Wiser Township, Cass County, North Dakota, this ____ day of ____, 20 ____.

Scott Walden, Chair

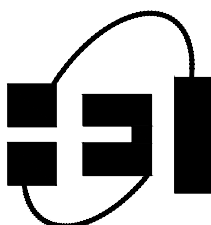
Attest: _____
Dawn Walden, Clerk

Cass County Board of Commissioners' Approval:

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

Tony Grindberg, Chair

Attest: _____
Brandy Madrigga, Cass County Finance Director



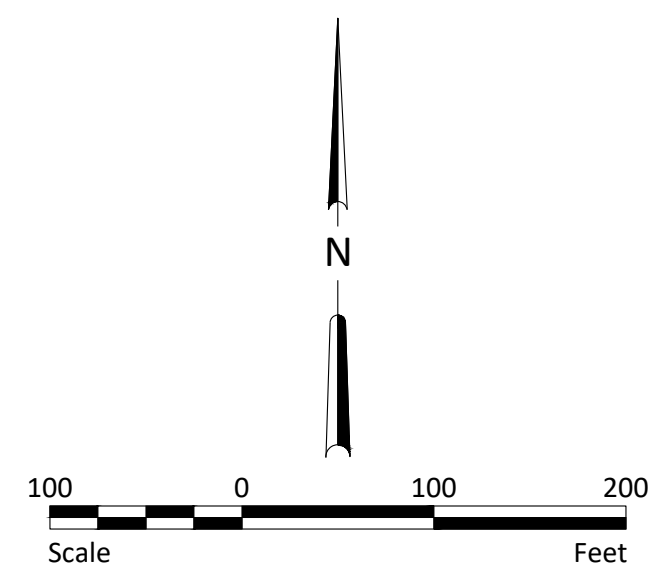
Project No. 7060-0029
Sheet 2 of 2
Houston Engineering Inc.
Phone: 701.237.5065

PRELIMINARY PLAT

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BERNARD OHNSTAD SUBDIVISION

BEING A PLAT OF PART OF GOV'T. LOTS 1 & 2,
SECTION 12, T. 142 N., R. 49 W., 5th P.M.
CASS COUNTY, NORTH DAKOTA

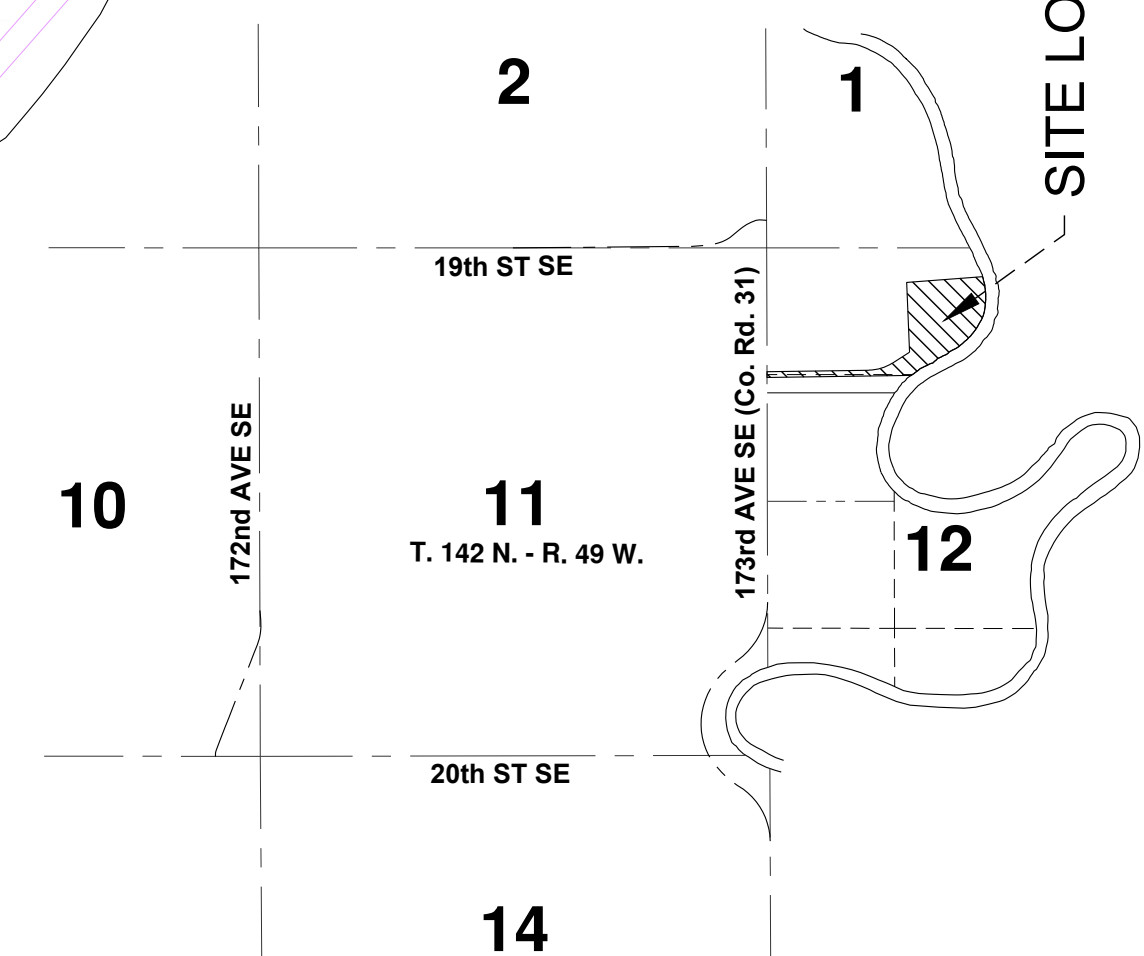


LEGEND

IRON MONUMENT FOUND	●
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TELEPHONE RISER	△
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BEARINGS SHOWN ARE BASED ON THE
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SYSTEM (NAD83) - SOUTH ZONE

MEASURED DISTANCES SHOWN ARE GROUND
DISTANCES IN TERMS OF U.S. SURVEY FEET. USE
COMBINATION FACTOR OF 1.0001125127 TO CONVERT
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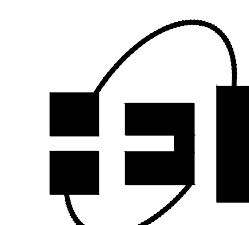
VICINITY MAP

1" = 2000'

NOTES:

- 1) THIS PROPERTY IS SITUATED IN ZONE A10 AS DEPICTED ON FEMA FIRM PANEL 380267 0005 B, DATED DECEMBER 18, 1984
- 2) BASE FLOOD ELEVATION - 878.8' (NAVD88)
- 3) NAVD 88 ELEVATION CONTOURS SHOWN ARE FROM 2023 FARGO-MOORHEAD METRO AREA LIDAR COLLECT.

PRELIMINARY PLAT



Houston Engineering Inc.
Phone: 701.237.5065

Project No. 7060-0029
Sheet 1 of 2

BERNARD OHNSTAD SUBDIVISION
BEING A PLAT OF PART OF GOV'T. LOTS 1 & 2,
SECTION 12, T. 142 N., R. 49 W., 5th P.M.
CASS COUNTY, NORTH DAKOTA

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Said tract contains 16.4 acres, more or less.

And that said party has caused the same to be surveyed and platted as **BERNARD OHNSTAD SUBDIVISION**.

In witness whereof we have set our hands and seals.

Owners:

Jennifer G. Ohnstad

State of)
) ss
County of)

On this ____ day of ____, 20 ____, before me, a notary public within and for said county and state, personally appeared Jennifer G. Ohnstad, a single person, known to me to be the person described in and who executed the foregoing instrument and acknowledged that she executed same as her free act and deed.

Notary Public: _____

Julie K. Scoville

Harvey James Scoville

State of)
) ss
County of)

On this ____ day of ____, 20 ____, before me, a notary public within and for said county and state, personally appeared Julie K. Scoville and Harvey James Scoville, wife and husband, known to me 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: _____

Kevin J. Ohnstad

Teresa Marie Ohnstad

State of)
) ss
County of)

On this ____ day of ____, 20 ____, before me, a notary public within and for said county and state, personally appeared Kevin J. Ohnstad and Teresa Marie Ohnstad, husband and wife, known to me 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 AND ACKNOWLEDGEMENT:

I, Curtis A. Skarphol, Professional 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 the monuments for the guidance of future surveys have been located or placed in the ground as shown.

Dated this ____ day of ____, 20 ____.

Curtis A. Skarphol, Professional Land Surveyor No. 4723

State of North Dakota)
) ss
County of Cass)

On this ____ day of ____, 20 ____ before me personally appeared Curtis A. Skarphol, Professional Land Surveyor, 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 as his free act and deed.

Notary Public: _____

Cass County Engineer:

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

Tom Soucy, Interim Cass County Engineer

Cass County Planning Commission:

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

Ken Lougheed, Chairman

Attest: _____
Secretary

Wiser Township:

Reviewed by Wiser Township, Cass County, North Dakota, this ____ day of ____, 20 ____.

Scott Walden, Chair

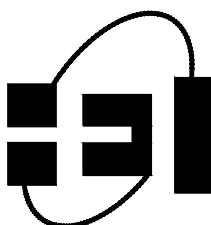
Attest: _____
Dawn Walden, Clerk

Cass County Board of Commissioners' Approval:

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

Tony Grindberg, Chair

Attest: _____
Brandy Madrigga, Cass County Finance Director



Project No. 7060-0029
Sheet 2 of 2
Houston Engineering Inc.
Phone: 701.237.5065

PRELIMINARY PLAT

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