



Planning Department

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MEMORANDUM

TO: Cass County Board of Commissioners

FROM: Cole Hansen, Cass County Planner

DATE: March 31, 2025

SUBJECT: Regular Agenda Topic for the April 7, 2025 Commission Meeting:
Freeman Subdivision Application

The Cass County Planning Commission reviewed the application of the proposed subdivision located in Pleasant Township, Section 2 at a Public Hearing on October 24, 2024. The intended purpose of the subdivision is to plat a new lot for the construction of a new house.

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 2, Township 137 North, Range 49 West		
Title:	Freeman Subdivision	Date:	10/24/24
Location:	NE ¼ of Section 2, Township 137 North, Range 49 West (Pleasant Township)	Staff Contact:	Cole Hansen
Parcel Number:	57-0000-10229-002	Water District:	Southeast Water District
Owner(s)/Applicant:	Carol Freeman, Owner Eric Johnson, Applicant	Engineer/Surveyor:	Houston Engineering
Status:	Planning Commission Hearing: October 24, 2024 County Commission Hearing: April 7, 2025		

Existing Land Use	Proposed Land Use
Agricultural	Residential
Proposal	

The applicant is seeking approval of a minor subdivision entitled **Freeman Subdivision** to plat a one (1) Lot subdivision of approximately 11.3 acres. According to the applicant, the subdivision is requested to plat a lot to plat a lot for construction of a residential home.

The proposed ownership and maintenance responsibility of the subdivision will be private. The subdivision will use 174th Ave 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 south, west, and east sides of the lot and by residential and industrial uses to the north. 174th Ave SE borders the west of the property and County Road 16 borders the north of the property.

Floodzone

According to the FEMA Flood Map Service Center, this property is currently mapped with Zone AE Special Hazard Flood Area being identified with a Base Flood Elevation of 912'. 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

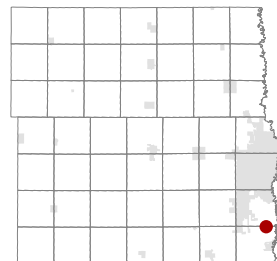
Minor Subdivision

Freeman Subdivision

Section 2, Pleasant Township
Township 137 North - Range 49 West



Cass County Planning Commission
October 24, 2024

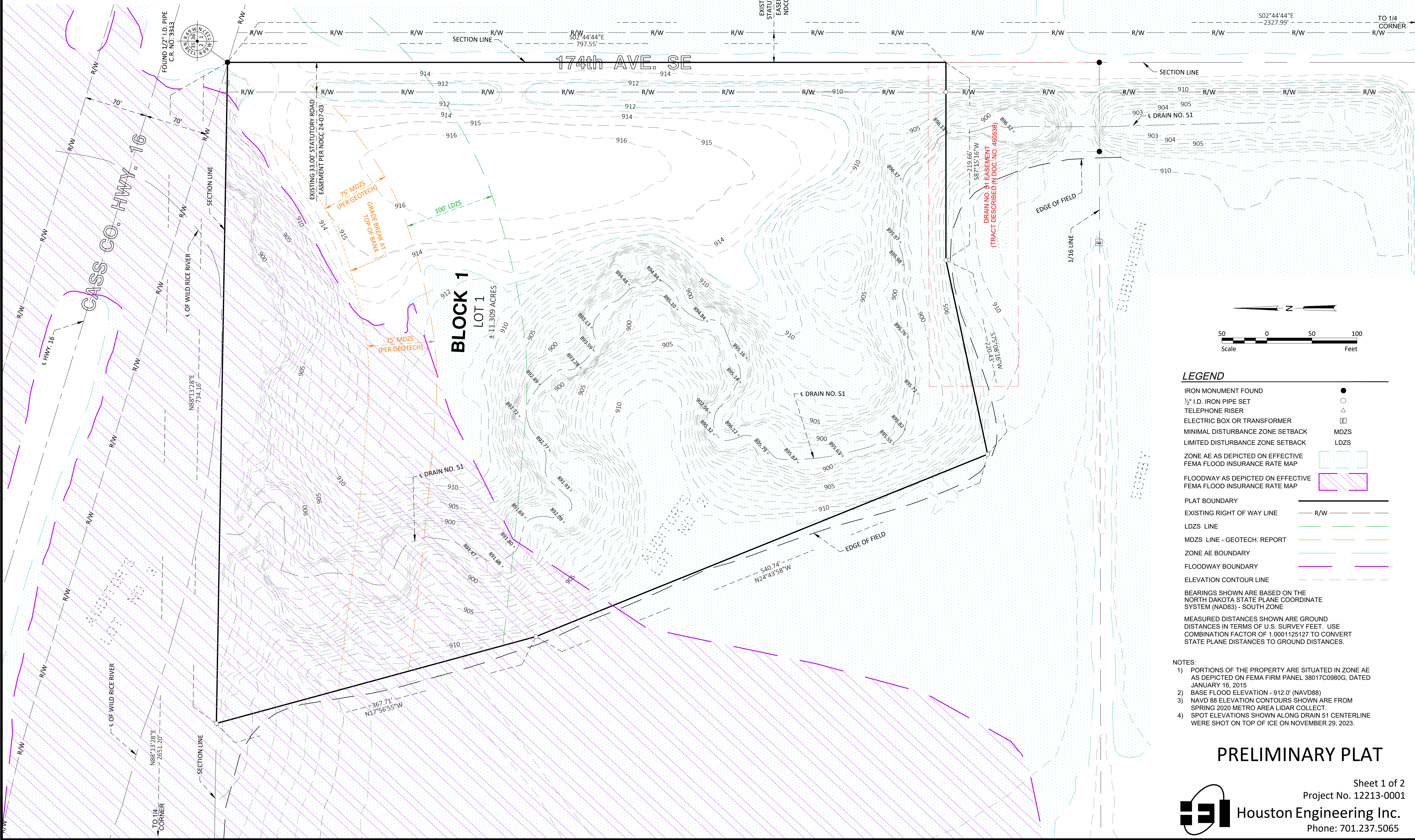


Imagery: NAIP, summer/fall 2023

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.



FREEMAN SUBDIVISION
BEING A PLAT OF PART OF AUDITOR'S LOT NO. 2,
NORTHEAST QUARTER OF SECTION 2, T. 137 N., R. 49 W., 5th P.M.
CASS COUNTY, NORTH DAKOTA



LEGEND

IRON MONUMENT FOUND	●
1/2" I.D. IRON PIPE SET	○
TELEPHONE RISER	△
ELECTRIC BOX OR TRANSFORMER	⊞
MINIMAL DISTURBANCE ZONE SETBACK	MDZS
LIMITED DISTURBANCE ZONE SETBACK	LDZS
ZONE AE AS DEPICTED ON EFFECTIVE FEMA FLOOD INSURANCE RATE MAP	
FLOODWAY AS DEPICTED ON EFFECTIVE FEMA FLOOD INSURANCE RATE MAP	
PLAT BOUNDARY	—
EXISTING RIGHT OF WAY LINE	R/W
LDZS LINE	—
MDZS LINE - GEOTECH. REPORT	—
ZONE AE BOUNDARY	—
FLOODWAY BOUNDARY	—
ELEVATION CONTOUR LINE	—

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.

- NOTES:
- PORTIONS OF THE PROPERTY ARE SITUATED IN ZONE AE
AS DEPICTED ON FEMA FIRM PANEL 38017C0980G, DATED
JANUARY 16, 2015
 - BASE FLOOD ELEVATION - 912.0' (NAVD88)
 - NAVD 88 ELEVATION CONTOURS SHOWN ARE FROM
SPRING 2020 METRO AREA LIDAR COLLECT.
 - SPOT ELEVATIONS SHOWN ALONG DRAIN 51 CENTERLINE
WERE SHOT ON TOP OF ICE ON NOVEMBER 29, 2023.

PRELIMINARY PLAT

FREEMAN SUBDIVISION
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CASS COUNTY, NORTH DAKOTA

Owners' Certificate and Dedication:

Know all persons by these presents: That Carol Freeman, a single person, is the owner and proprietor of that part of Auditor's Lot No. 2 of the Northeast Quarter of Section 2, Township 137 North, Range 49 West of the Fifth Principal Meridian, Cass County, North Dakota, described as follows:

BEGINNING at the Northeast Corner of said Section 2; thence South 02°44'44" East, along the easterly line of said Section 2, for a distance of 797.55 feet; thence South 87°15'16" West for a distance of 219.66 feet; thence South 75°08'16" West for a distance of 220.43 feet; thence North 24°43'58" West for a distance of 540.74 feet; thence North 17°56'55" West for a distance of 367.71 feet to a point of intersection with the northerly line of said Section 2; thence North 88°13'28" East, along the northerly line of said Section 2, for a distance of 734.16 feet to the POINT OF BEGINNING.

Said tract contains 11.309 acres, more or less.

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

In witness whereof I have set my hand and seal.

Owner:

Carol Freeman

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 Carol Freeman, 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:_____

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:_____

Cass County Engineer:

Reviewed by the 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

Pleasant Township:

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

Mark Hiatt, Chair

Attest:
Nicole Bice, Clerk

Cass County Board of Commissioners' Approval:

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

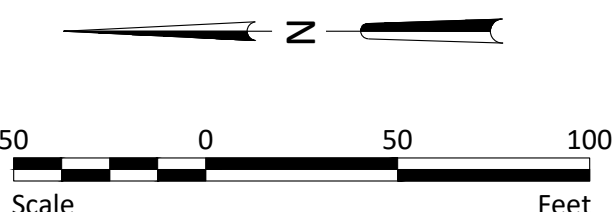
Chad M. Peterson, Chair

Attest:
Brandy Madrigga, Cass County Finance Director

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Tom Soucy, Interim Cass County Engineer

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Ken Lougheed, Chairman

Attest:
Secretary

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Nicole Bice, Clerk

Cass County Board of Commissioners' Approval:

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

Chad M. Peterson, Chair

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Brandy Madrigga, Cass County Finance Director

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