



Planning Department

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MEMORANDUM

TO: Cass County Board of

FROM: Commissioners Cole Hansen, Cass

DATE: County Planner April 14th, 2025

SUBJECT: Consent Agenda Topic for the April 21, 2025 Commission Meeting: Schutt Subdivision Application

The Cass County Planning Commission reviewed the application of the proposed subdivision located in Berlin Township, Section 31 at a Public Hearing on February 27, 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 Berlin 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 31, Township 141 North, Range 50 West		
Title:	Schutt Subdivision	Date:	02/27/25
Location:	SE ¼ of Section 31, Township 141 North, Range 50 West (Berlin Township)	Staff Contact:	Ethan Lehmann
Parcel Number:	27-0000-01628-000	Water District:	Rush River Water District
Owner(s)/Applicant:	Patricia Schutt, Owner	Engineer/Surveyor:	Moore Engineering
Status:	Planning Commission Hearing: February 27, 2025 County Commission Hearing: April 14, 2025		

Existing Land Use	Proposed Land Use
Agricultural	Residential
Proposal	

The applicant is seeking approval of a minor subdivision entitled **Schutt Subdivision** to plat a one (1) Lot subdivision of approximately 7.10 acres. According to the applicant, the subdivision is requested to plat a lot to separate the residence from the farm land.

The proposed ownership and maintenance responsibility of the subdivision will be private. The subdivision will use Co Rd 11 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 north sides of the lot and by residential and industrial uses to the north. Co Rd 11 borders the east 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 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

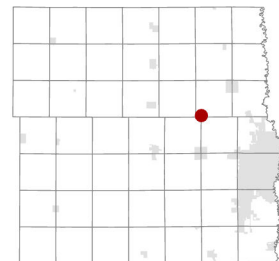
Minor Subdivision

Schutt's Subdivision

Section 31, Berlin Township
Township 141 North - Range 50 West



Cass County Planning Commission
February 27, 2025

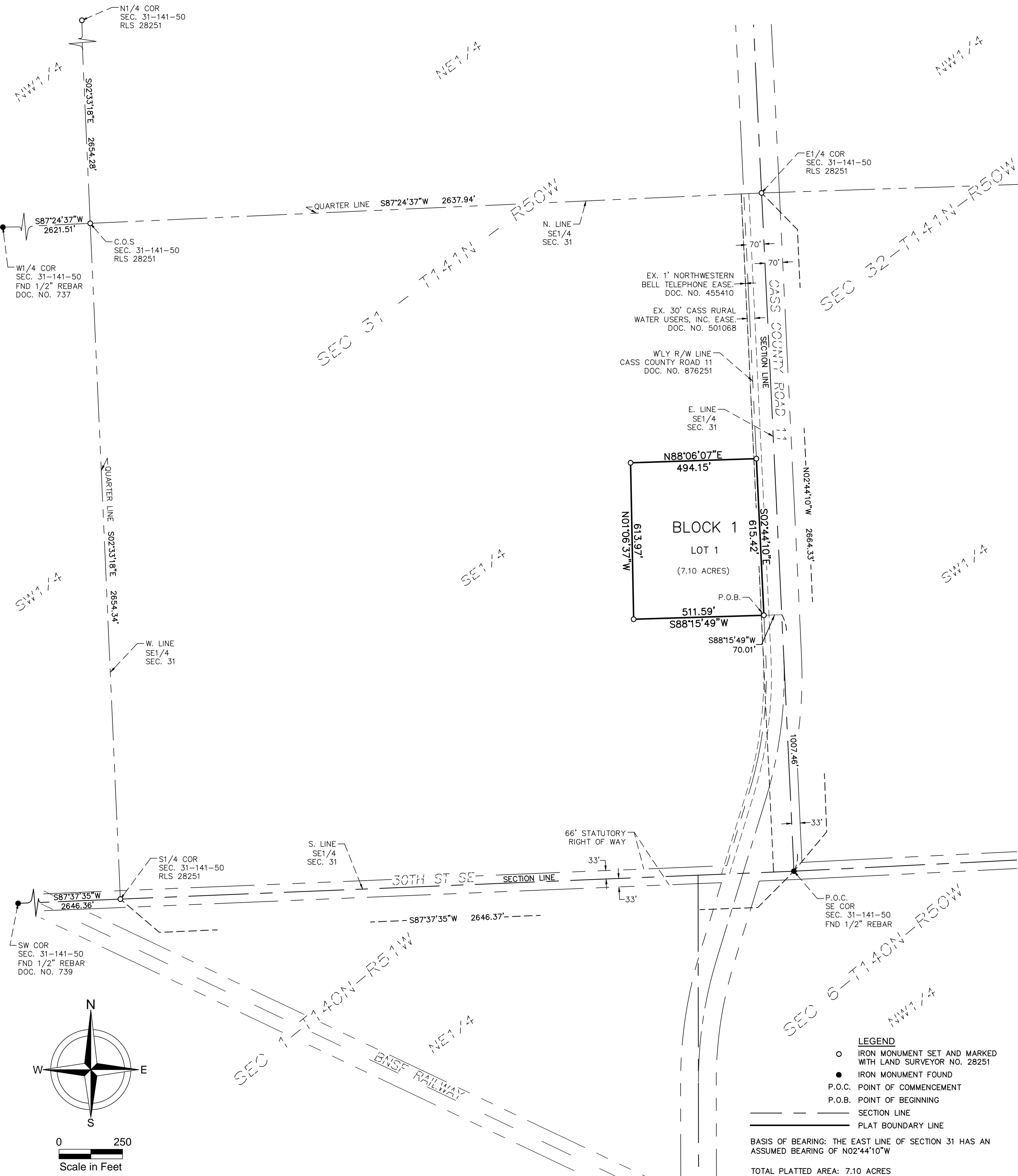


Imagery: NAIP, summer/fall 2023

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.



PLAT OF
SCHUTT SUBDIVISION
A PLAT OF PART OF THE SOUTHEAST QUARTER OF
SECTION 31, TOWNSHIP 141 NORTH, RANGE 50 WEST, CASS COUNTY, NORTH DAKOTA



CERTIFICATE

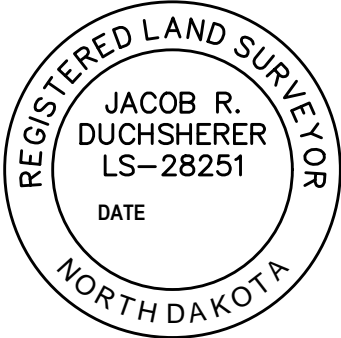
Jacob R. Duchsherer, being duly sworn, deposes and says that he is the registered land surveyor who prepared and made the attached plat of "SCHUTT SUBDIVISION", a plat of part of the Southeast Quarter of Section 31, Township 141 North, Range 50 West, Cass County, North Dakota; that said plat is a true and correct representation of said survey; that all distances are correctly shown on said plat; that monuments have been placed in the ground as indicated for the guidance of future surveys and that said subdivision is described as follows:

Commencing at the southeast corner of said Southeast Quarter; thence North 02 degrees 44 minutes 10 seconds West on an assumed bearing along the east line of said Southeast Quarter for a distance of 1007.46 feet; thence South 88 degrees 15 minutes 49 seconds West for a distance of 70.01 feet to the westerly right of way line of Cass County Road 11 and the point of beginning; thence continuing South 88 degrees 15 minutes 49 seconds West for a distance of 511.59 feet; thence North 01 degree 06 minutes 37 seconds West for a distance of 613.97 feet; thence North 88 degrees 06 minutes 07 seconds East for a distance of 494.15 feet to the westerly right of way line of said Cass County Road 11; thence South 02 degrees 44 minutes 10 seconds East along the westerly right of way line of said Cass County Road 11 for a distance of 615.42 feet to the point of beginning.

Said tract contains 7.10 acres, more or less, and is subject to all easements, restrictions, reservations and rights of way of record, if any.

PRELIMINARY

Jacob R. Duchsherer
Registered Land Surveyor
No. LS-28251
State of North Dakota
County of Cass



On this _____ day of _____, 20____, before me, a Notary Public in and for said County and State, personally appeared Jacob R. Duchsherer, Registered Land Surveyor, known to me to be the person described in and who executed the foregoing instrument and acknowledged to me that he executed the same as his free act and deed.

Notary Public, Cass County, North Dakota

DEDICATION

We, the undersigned, do hereby certify that we are the owners of the land described in the plat of "SCHUTT SUBDIVISION", a plat of part of the Southeast Quarter of Section 31, Township 141 North, Range 50 West, Cass County, North Dakota; that we have caused it to be platted into lots and blocks as shown by said plat and certificate of Jacob R. Duchsherer, Registered Land Surveyor and that the description as shown in the certificate of the registered professional land surveyor is correct.

Owner:

Patricia Joan Schutt

State of _____
County of _____

On this _____ day of _____, 20____, before me, a notary public in and for said county and state, personally appeared Patricia Joan Schutt, known to me to be the person described in and who executed the foregoing dedication and acknowledged to me that she executed the same as her free act and deed.

Notary Public, _____ County, _____

BERLIN TOWNSHIP REVIEW

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

Signed: _____
Karl Langseth, Chairperson

Attest: _____
Scott Verwest, Clerk

COUNTY ENGINEER REVIEW

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

Signed: _____
Tom Soucy, P.E., Cass County Engineer

Attest: _____
Lisa Shasky, Secretary

CASS COUNTY PLANNING COMMISSION REVIEW

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

Signed: _____
Ken Loughheed, Chairperson

Attest: _____
Lisa Shasky, Secretary

CASS COUNTY COMMISSION APPROVAL

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

Signed: _____
Tony Grindberg, Chairperson, Board of County Commissioners

Attest: _____
Brandy Madrigga, Cass County Finance Director

PROJ. NO. 24784



PLAT OF
SCHUTT SUBDIVISION
A PLAT OF PART OF THE SOUTHEAST QUARTER OF
SECTION 31, TOWNSHIP 141 NORTH, RANGE 50 WEST, CASS COUNTY, NORTH DAKOTA



CERTIFICATE

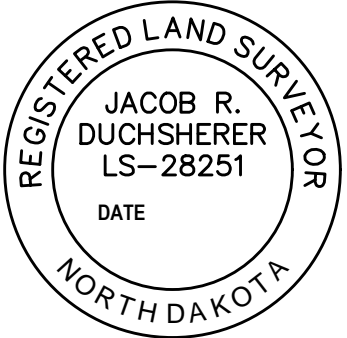
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Signed: _____
Karl Langseth, Chairperson

Attest: _____
Scott Verwest, Clerk

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

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Tom Soucy, P.E., Cass County Engineer

Attest: _____
Lisa Shasky, Secretary

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Lisa Shasky, Secretary

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Signed: _____
Tony Grindberg, Chairperson, Board of County Commissioners

Attest: _____
Brandy Madrigga, Cass County Finance Director

PROJ. NO. 24784

