



Planning Department

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MEMORANDUM

TO: Cass County Board of Commissioners

FROM: Cole Hansen, Cass County Planner

DATE: April 14, 2025

SUBJECT: Regular Agenda Topic for the April 21, 2025 Commission Meeting: Sheyenne Valley Farm 2nd Subdivision Application

The Cass County Planning Commission reviewed the application of the proposed subdivision located in Reed Township, Section 2 at a Public Hearing on January 23, 2025. The intended purpose of the subdivision is to separate an existing cold storage building from nearby tilled agricultural land. This application is seeking a variance due to not having the required amount of deed restricted land, however the applicant is deed restricting approximately 30 acres of land, a total that was approved by both planning commission and Reed Township. As this plat lies within the Extra Territorial Jurisdiction of West Fargo they were notified and after 30 days no response regarding this plat was heard and as such has been granted automatic approval.

The Planning Commission is recommending approval of the proposed plat entitlement request and Reed 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.

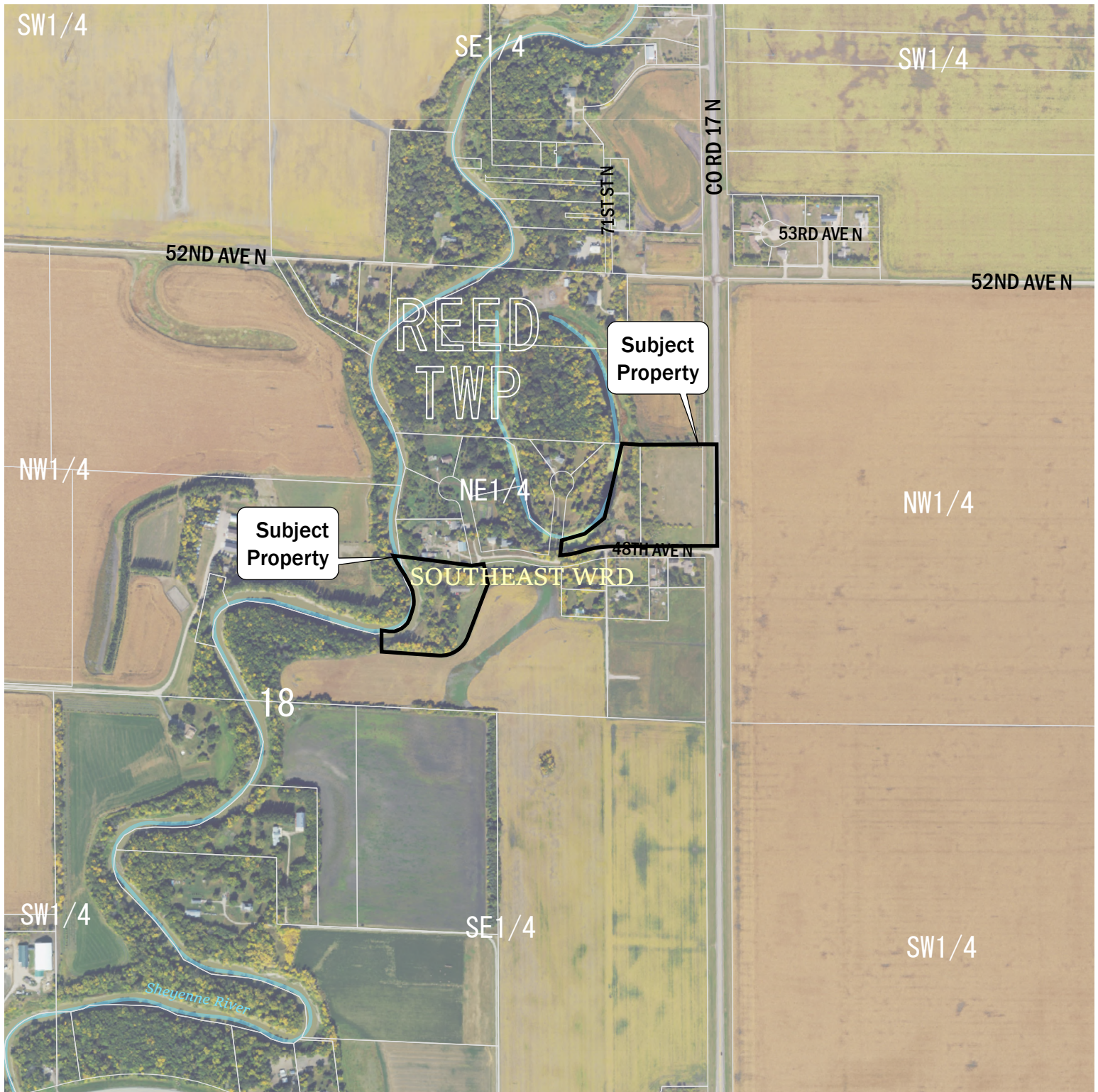
SUGGESTED MOTION:

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.

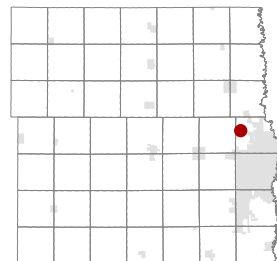
Minor Subdivision

Sheyenne Valley Farm Second Subdivision

Section 18, Reed Township
Township 140 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.





Cass County Planning Commission Staff Report

Entitlements Requested:	Minor Subdivision (1 Lot) of a part of the NE ¼ of Section 18, Township 140 North, Range 49 West		
Title:	Sheyenne Valley Farm Second Subdivision	Date:	01/23/25
Location:	NE ¼ of Section 18, Township 140 North, Range 49 West (Reed Township)	Staff Contact:	Cole Hansen
Parcel Number:	60-1410-00010-000, 60-0000-01210-000, 60-0000-01190-000	Water District:	Southeast Water District
Owner(s)/Applicant:	David & Michelle Sherman, Owner	Engineer/Surveyor:	Moore Engineering
Status:	Planning Commission Hearing: January 23, 2025 County Commission Haring: April 21, 2025		

Existing Land Use	Proposed Land Use
Agricultural	Agricultural
Proposal	

The applicant is seeking approval of a minor subdivision entitled **Sheyenne Valley Farm Second Subdivision** to plat a one (1) Lot subdivision of approximately 5 acres. According to the applicant, the subdivision is requested to plat a lot to break out a yard from the farmland.

The proposed ownership and maintenance responsibility of the subdivision will be private. The subdivision will use 48th Ave N 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 and by residential land on the north side of the lot. 48th Ave N 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.

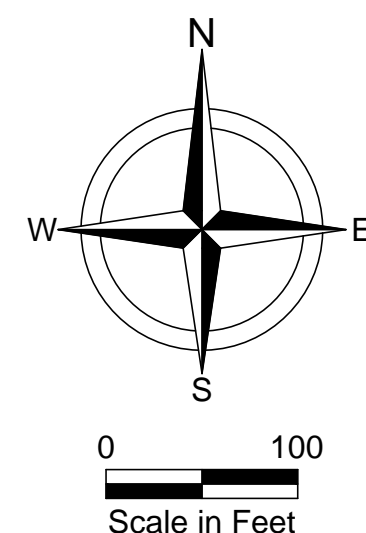
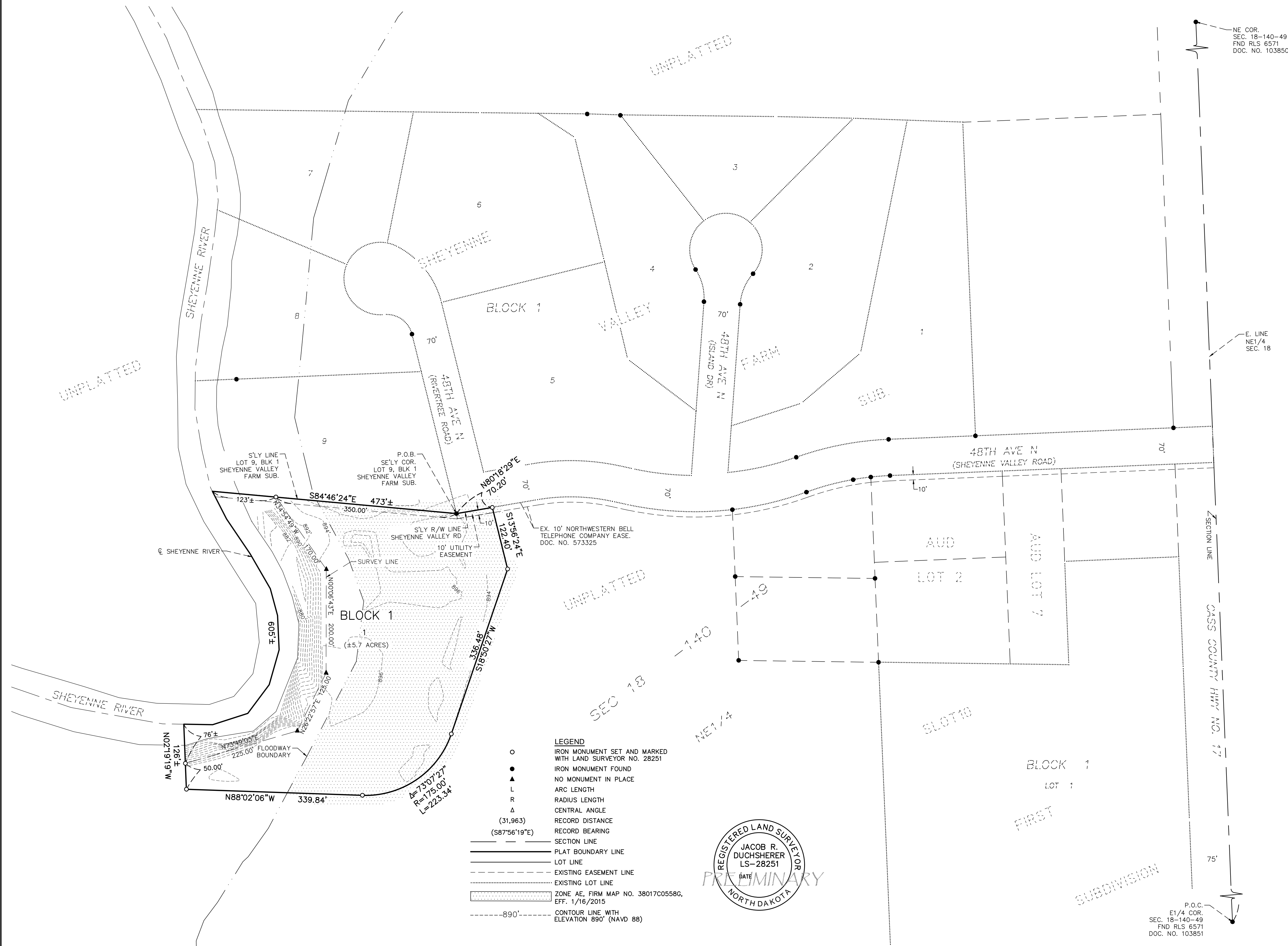
Staff Recommendation

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

PLAT OF
SHEYENNE VALLEY FARM SECOND SUBDIVISION
A PLAT OF PART OF THE NORTHEAST QUARTER OF
SECTION 18, TOWNSHIP 140 NORTH, RANGE 49 WEST,
CASS COUNTY, NORTH DAKOTA



BASIS OF BEARINGS:
THE SOUTHERLY RIGHT OF
WAY LINE OF SHEYENNE
VALLEY ROAD (48TH AVE N)
HAS AN ASSIGNED BEARING
OF N80°18'29"E

- NOTES**
- TOTAL PLATTED AREA: ±5.7 ACRES
 - CONTOURS SHOWN ARE FROM FIELD DATA COLLECTED ON 11/07/2024 AND ARE ON NAVD 88 DATUM.
 - THIS PLAT LIES IN DESIGNATED ZONE "AE" AS INDICATED IN FIRM MAP NUMBER 38017C05586, EFFECTIVE JANUARY 16, 2015. BASE FLOOD ELEVATION OF 897.3 FEET (NAVD 88 DATUM).
 - PROJECT BENCHMARK: NGS MONUMENT DESIGNATION "FMM 21" - ALUMINUM ALLOY ROD W/O SLEEVE, IN THE NORTHWEST QUADRANT OF THE INTERSECTION OF CASS COUNTY HWY NO. 17 AND 40TH AVE NW. ELEVATION = 894.73' (NAVD 88 DATUM).

- EASEMENTS OF RECORD (not plottable)**
- NORTHWESTERN BELL TELEPHONE COMPANY EASEMENT RECORDED MARCH 19, 1962, DOC. NO. 375028
 - CASS COUNTY ELECTRIC COOPERATIVE, INC EASEMENT RECORDED OCTOBER 18, 1973, DOC. NO. 474852

- LEGEND**
- IRON MONUMENT SET AND MARKED WITH LAND SURVEYOR NO. 28251
 - IRON MONUMENT FOUND
 - ▲ NO MONUMENT IN PLACE
 - L ARC LENGTH
 - R RADIUS LENGTH
 - Δ CENTRAL ANGLE
 - (31,963) RECORD DISTANCE
 - (S87°56'19"E) RECORD BEARING
 - SECTION LINE
 - PLAT BOUNDARY LINE
 - LOT LINE
 - - - EXISTING EASEMENT LINE
 - · · EXISTING LOT LINE
 - ZONE AE, FIRM MAP NO. 38017C05586, EFF. 1/16/2015
 - - - - -890'--- CONTOUR LINE WITH ELEVATION 890' (NAVD 88)



P.O.C.
E1/4 COR.
SEC. 18-140-49
FND RLS 6571
DOC. NO. 103851

PLAT OF
SHEYENNE VALLEY FARM SECOND SUBDIVISION
A PLAT OF PART OF THE NORTHEAST QUARTER OF
SECTION 18, TOWNSHIP 140 NORTH, RANGE 49 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 "SHEYENNE VALLEY FARM SECOND SUBDIVISION", a plat of part of the Northeast Quarter of Section 18, Township 140 North, Range 49 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:

That part of the Northeast Quarter of Section 18, Township 140 North, Range 49 West, Cass County, North Dakota, described as follows:

Beginning at the southeasterly corner of Lot 9, Block 1, SHEYENNE VALLEY FARM SUBDIVISION; thence North 80 degrees 18 minutes 29 seconds East along the southerly right of way line of Sheyenne Valley Road (48th Ave N) for a distance of 70.20 feet; thence South 13 degrees 56 minutes 24 seconds East for a distance of 122.40 feet; thence South 18 degrees 50 minutes 27 seconds West for a distance of 336.48 feet; thence westerly for a distance of 223.34 along a curve, concave to the north, with a radius of 175.00 feet and a central angle of 73 degrees 07 minutes 27 seconds; thence North 88 degrees 02 minutes 06 seconds West for a distance of 339.84 feet; thence North 02 degrees 19 minutes 19 seconds West for a distance of 126, more or less, to the centerline of the Sheyenne River; thence northeasterly, northerly and northwesterly along the centerline of said Sheyenne River for a distance of 605 feet, more or less, to the southerly line of said Lot 9 said line bears North 84 degrees 46 minutes 24 seconds West from the point of beginning; thence South 84 degrees 46 minutes 24 seconds East along the southerly line of said Lot 9 for a distance of 473 feet, more or less, to the point of beginning.

Said tracts combined contain 5.7 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 "SHEYENNE VALLEY FARM SECOND SUBDIVISION", a plat of part of the Northeast Quarter of Section 18, Township 140 North, Range 49 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. We hereby dedicate all highways and utility easements shown on said plat to the use of the public.

Owners:

David A. Sherman Michelle Sherman

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 David A. Sherman and Michelle Sherman, known to me to be the person described in and who executed the foregoing dedication and acknowledged to me that they executed the same as their free act and deed.

Notary Public, Cass County, North Dakota

REED TOWNSHIP REVIEW

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

Signed: Mark McAllister, Chairperson

Attest: Melissa Quern, Clerk

COUNTY ENGINEER REVIEW

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

Signed: Tom Soucy, Interim Cass County Engineer

CASS COUNTY PLANNING COMMISSION REVIEW

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

Signed: Ken Lougheed, 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