

**Cass County Planning Commission Meeting**  
**Thursday, May 25, 2017 at 7:00 a.m.**  
**Cass County Highway Department Vector Conference Room**  
**1201 West Main Avenue in West Fargo**  
**Agenda**

Business Items:

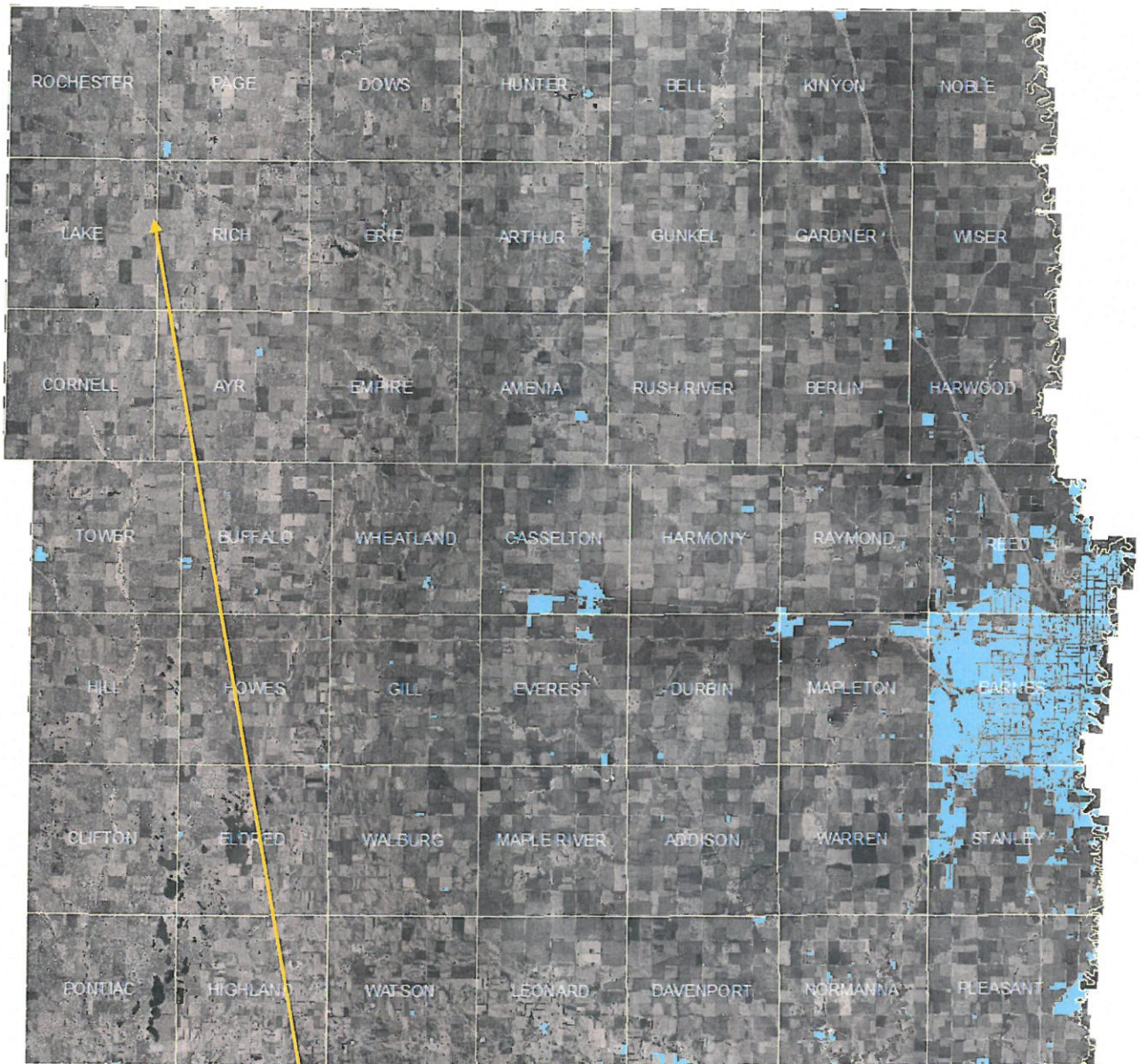
1. Call to Order
2. Roll Call
3. Determination of a Quorum
4. Approve Meeting Minutes of March 23, 2017
5. New Business

A. Public Hearing Items:

DJ Meester Subdivision – a Minor Subdivision in Section 16 of Lake Township

6. Old Business
7. Adjournment

A. Public Hearing Items:



DJ Meester  
Subdivision

**CASS COUNTY PLANNING COMMISSION  
MARCH 23, 2017**

**1. MEETING TO ORDER**

A meeting of the Cass County Planning Commission was called to order on March 23, 2017, at 7:00 AM in the Vector Control Conference Room with members present as follows: Todd Ellig, Kevin Fisher, David Gust, Ken Lougheed, Tim Mahoney, Keith Monson, and Mark Wentz. Arland Rasmussen was absent. Also present was County Planner Hali Durand.

**2. MINUTES, APPROVED**

*MOTION, passed*

**Mr. Gust moved and Mr. Wentz seconded to approve the minutes of the February 23, 2017, meeting as presented.  
Motion carried.**

**3. GLASOW'S FIRST SUBDIVISION (Minor Subdivision), Final plat approved**

Mr. Lougheed opened the public hearing.

An application for a Minor Subdivision (plat) was received by the Cass County Planning Office for approval of a tract of land located in part of the south half of the southeast quarter of Section 16, Leonard Township, to plat one lot for sale and residential development. The said tract contains 1.5 acres of land, more or less. A mobile home on the lot will be removed and a new dwelling will be built on the foundation. The existing land is and will remain agricultural.

Ms. Durand recommends approval of the Final Plat as it meets all required regulations, with conditions for approval to include a Deed Restriction of land up to 40 acres.

Ms. Durand said the proposed lot would split the house from the rest of the yard and outbuildings, which will require an easement on the deed to allow driveway access in order to reach the outbuildings.

Non-adjacent land will be deed restricted for the purpose of allowing the purchaser of the lot to purchase the adjacent land in the future.

Mr. Ellig asked why adjacent land is normally deed restricted. Mr. Gust said the Subdivision Ordinance does not require the deed restriction to be placed on adjacent land, but typically the landowner only owns a small enough area to restrict adjacent land.

Mr. Ellig asked who dictates where the deed restriction will be placed. Ms. Durand said she typically suggests where to deed restrict the land but the owner ultimately decides.

The public hearing was closed.

*MOTION, passed*

**Mr. Ellig moved and Dr. Mahoney seconded to recommend approval to the Cass County Commission of the Final Plat**

**for Glasow's First Subdivision (Minor Subdivision) as presented. Discussion: Ms. Durand asked if the placement of deed restrictions should be studied more closely. Mr. Monson said they should continue to be assessed and approved on a case-by-case basis. Motion carried.**

**4. OLD BUSINESS**

Ms. Durand said DM Subdivision and Barker's First Subdivision have been approved by the County Commission, and Wood Subdivision has been recorded.

**5. ADJOURNMENT**

**On motion by Mr. Gust, seconded by Mr. Monson, and all voting in favor, the meeting was adjourned at 7:48 AM.**

Minutes prepared by Brielle Edwards, HR Assistant



## Final Plat Report

**Title:** DJ Meester Subdivision  
**Owner(s):** Dallas & Jessica Meester  
**Type of Request:** Minor Subdivision (1 lot)  
**Status:** Final Hearing at the May 25, 2017 Planning Commission Meeting

### Existing and Proposed Land Use:

The existing land is and will remain Agricultural.

### Proposal:

The applicant is seeking approval of a Minor Subdivision to plat 1 lot for residential development.

The said tract contains 2.70 acres of land, more or less. The proposed ownership and maintenance responsibility of the subdivision will be private. The subdivision will use private gravel roads, ditches for storm sewer conveyance, rural water, and an on-site septic sewer system for waste water treatment.

### Location:

The tract is located in an unplatted portion of land in the Southeast Quarter of Section 13, Township 142 North, Range 55 West in Lake Township. The plat is North of 21<sup>st</sup> Street SE and West of State 38.

### Agency Comments

<i>Water Resource District</i>	Drain 56 right of way should be verified. If there is an overlap with the lot boundary, the drain right of way should be shown on the plat. The Maple River Water Resource District may want to consider requesting additional right of way be dedicated on the plat as well. This will be determined at the next Water Resource District Board meeting on June 1, 2017.
<i>Cass County Electric Cooperative</i>	There is an underground line that serves the existing site (Doc# 471746) This runs on the east side of Block 1 Lot 1.
<i>Century Link</i>	No comment.
<i>Cass Rural Water</i>	No comment.
<i>North Dakota Department of Transportation</i>	Unless an access is being requested from ND 38, there are no comments.
<i>County Sanitarian</i>	A soil report has not been completed for this property and would be required before an onsite sewage treatment system can be installed.
<i>Township Chairman</i>	There are no issues with the proposal.
<i>The City of Fargo</i>	The proposed subdivision is outside of Fargo City limits and there are no comments.

### Staff Analysis:

The proposed subdivision is located North of 21st Street SE and West of State Highway 38. The subject property is bound by agricultural land and a homestead to the North and Drain 56 to the West. The proposed use is consistent with Township Ordinances.

The proposed plat is currently within an unmapped area therefore no flood determination has

been made. No wetlands are present within the subject tract.

A deed restriction will be required to be recorded for land up to forty acres.

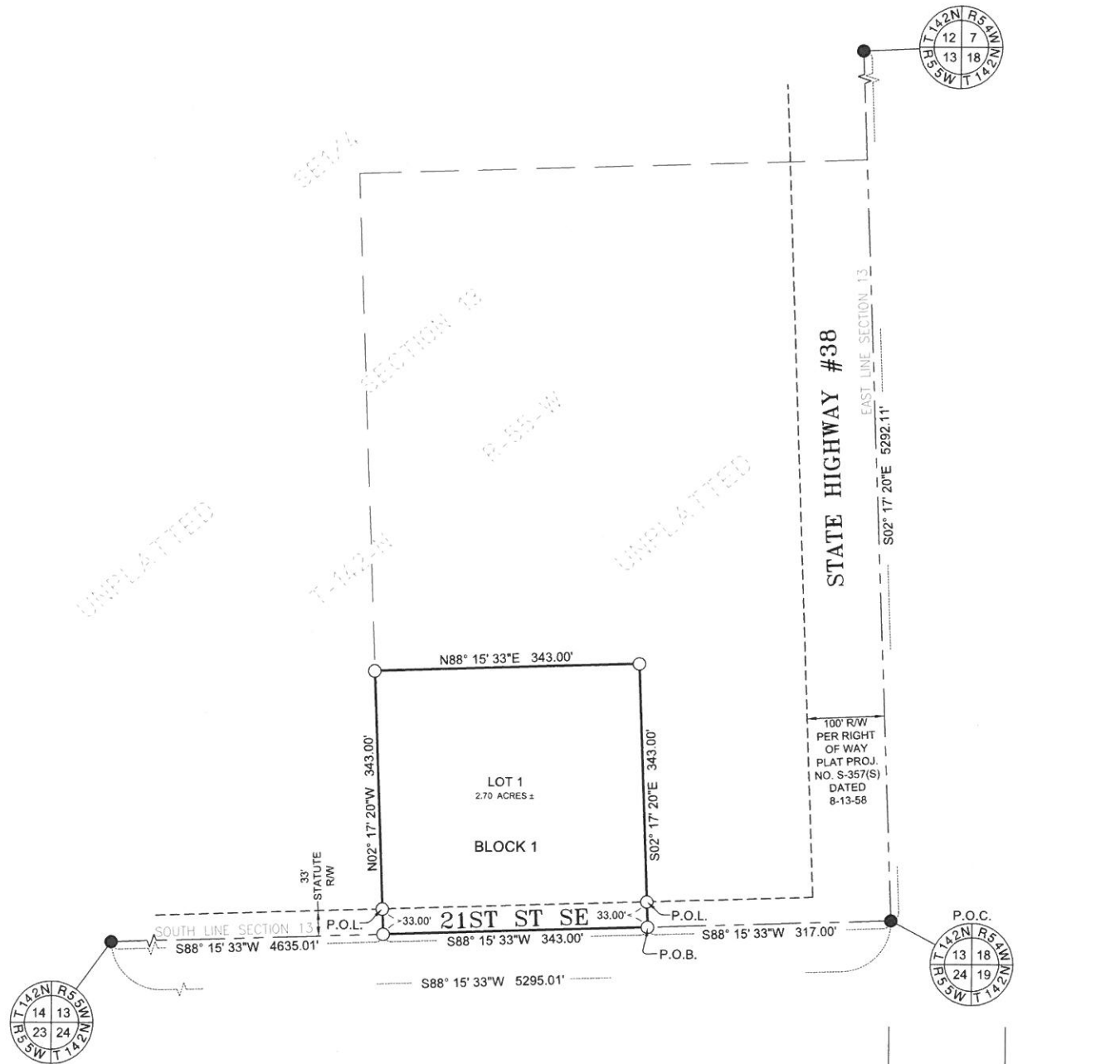
**Staff Recommendation:**

To accept the findings and recommendations of staff and recommend approval to the County Commission of the proposed 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.

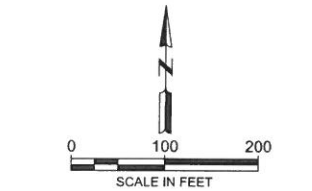


# DJ MEESTER SUBDIVISION

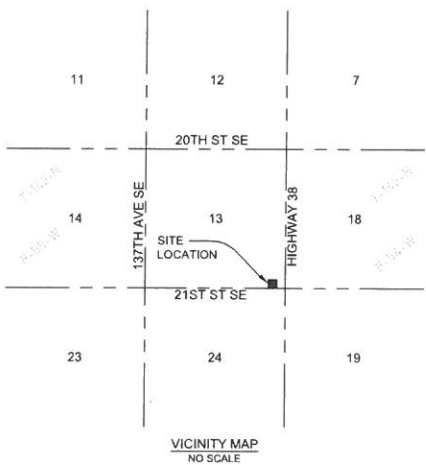
(A MINOR SUBDIVISION)  
 AN UNPLATTED PORTION OF LAND LOCATED IN THE SOUTHEAST QUARTER OF  
 SECTION 13, TOWNSHIP 142 NORTH, RANGE 55 WEST, FIFTH PRINCIPAL MERIDIAN,  
 LAKE TOWNSHIP, CASS COUNTY, NORTH DAKOTA



- SYMBOL LEGEND**
- MONUMENT IN PLACE
  - MONUMENT SET (½\"/>



**NOTE:**  
 ORIENTATION OF THIS BEARING SYSTEM IS  
 NORTH DAKOTA STATE PLANE (SOUTH ZONE).  
 MEASURED DISTANCES SHOWN ARE GROUND  
 DISTANCES IN INTERNATIONAL FEET.



**OWNER'S CERTIFICATE & DEDICATION:**

KNOW ALL MEN BY THESE PRESENTS, THAT JIM D. LINDSETH AND CAROL B. LINDSETH, HUSBAND AND WIFE, WHOSE ADDRESS IS 2088 138TH AVE. SE, PAGE, NORTH DAKOTA, ARE THE OWNER OF THAT PART OF THE SOUTHEAST QUARTER OF SECTION 13, TOWNSHIP 142 NORTH, RANGE 55 WEST OF THE PRINCIPAL MERIDIAN, LAKE TOWNSHIP, CASS COUNTY, NORTH DAKOTA DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER; THENCE SOUTH 88 DEGREES 15 MINUTES 33 SECONDS WEST, AN ASSUMED BEARING, ON THE SOUTH LINE OF SAID SOUTHEAST QUARTER, 317.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 88 DEGREES 15 MINUTES 33 SECONDS WEST, ON SAID SOUTH LINE, 343.00 FEET; THENCE NORTH 02 DEGREES 17 MINUTES 20 SECONDS WEST, PARALLEL WITH THE EAST LINE OF SAID SOUTHEAST QUARTER, 343.00 FEET; THENCE NORTH 88 DEGREES 15 MINUTES 33 SECONDS EAST, PARALLEL WITH SAID SOUTH LINE, 343.00 FEET; THENCE SOUTH 02 DEGREES 17 MINUTES 20 SECONDS EAST, PARALLEL WITH SAID EAST LINE, 343.00 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 2.70 ACRES, MORE OR LESS AND IS SUBJECT TO EASEMENTS AND RIGHTS OF WAY OF SIGHT AND RECORD.

SAID OWNERS HAVE CAUSED THE ABOVE DESCRIBED TRACT OF LAND SHOWN ON THIS PLAT TO BE SURVEYED AND PLATTED AS DJ MEESTER SUBDIVISION TO THE COUNTY OF CASS, STATE OF NORTH DAKOTA.

BY: \_\_\_\_\_  
 JIM D. LINDSETH

BY: \_\_\_\_\_  
 CAROL B. LINDSETH

STATE OF NORTH DAKOTA )  
 COUNTY OF CASS ) JSS

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED, JIM D. LINDSETH AND CAROL B. LINDSETH, HUSBAND AND WIFE, KNOWN TO ME TO BE THE PERSONS DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT THEY EXECUTED THE SAME AS A FREE ACT AND DEED.

NOTARY PUBLIC  
 CASS COUNTY, NORTH DAKOTA  
 MY COMMISSION EXPIRES \_\_\_\_\_

**SURVEYOR'S CERTIFICATE AND ACKNOWLEDGEMENT:**  
 I, GARY A. NESS, 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 ALL DISTANCES SHOWN ON SAID PLAT ARE CORRECT; THAT THE MONUMENTS FOR THE GUIDANCE OF FUTURE SURVEYS HAVE BEEN LOCATED OR PLACED IN THE GROUND AS SHOWN.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017.

GARY A. NESS, PROFESSIONAL LAND SURVEYOR NO. LS-3461

STATE OF NORTH DAKOTA )  
 COUNTY OF CASS ) JSS

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED, GARY A. NESS, PROFESSIONAL LAND SURVEYOR, KNOWN TO ME TO BE THE PERSON DESCRIBED IN THE FOREGOING SURVEYOR'S CERTIFICATE, WHO EXECUTED THE SAME AND ACKNOWLEDGED THAT HE EXECUTED THE SAME.

NOTARY PUBLIC  
 CASS COUNTY, NORTH DAKOTA  
 MY COMMISSION EXPIRES \_\_\_\_\_

**CASS COUNTY ENGINEER:**

REVIEWED BY THE CASS COUNTY ENGINEER THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017.

\_\_\_\_\_  
 JASON BENSON, CASS COUNTY ENGINEER

ATTEST: \_\_\_\_\_  
 SECRETARY

**CASS COUNTY PLANNING COMMISSION:**

REVIEWED BY THE CASS COUNTY PLANNING COMMISSION THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017.

\_\_\_\_\_  
 KEN LOUGHEED, CHAIRMAN

ATTEST: \_\_\_\_\_  
 SECRETARY

**LAKE TOWNSHIP:**

REVIEWED BY LAKE TOWNSHIP, CASS COUNTY, NORTH DAKOTA, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017.

\_\_\_\_\_  
 JURGEN SUHR, CHAIRMAN

ATTEST: \_\_\_\_\_  
 CLERK

**CASS COUNTY BOARD OF COMMISSIONERS' APPROVAL:**

APPROVED BY CASS COUNTY, NORTH DAKOTA, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017.

\_\_\_\_\_  
 CHAD PETERSON, CHAIRMAN

ATTEST: \_\_\_\_\_  
 MICHAEL MONTPLAISIR, CASS COUNTY AUDITOR



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Project No.  
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