

CASS COUNTY PLANNING COMMISSION AGENDA

Thursday, December 14, 2023 at 7:00 a.m.

West Fargo Public Works, 810 12th Ave NW, West Fargo, ND 58078

A. Call to Order

B. Roll Call

C. Determination of a Quorum

D. Approve Meeting Minutes of October 26, 2023

E. Public Hearing Items

1. Hearing on an application requesting a Minor Subdivision Plat of **Richard Farm Site Subdivision** located in Section 3, Township 137 North, Range 49 West of the 5th Principal Meridian, Pleasant Township, Cass County, North Dakota.
2. Hearing on an application requesting a Minor Subdivision Plat of **Davis Trust Subdivision** located in Section 6, Township 142 North, Range 55 West of the 5th Principal Meridian, Lake Township, Cass County, North Dakota.
3. Hearing on an application requesting a Minor Subdivision Plat of **Dullum Subdivision** located in Section 33, Township 143 North, Range 50 West of the 5th Principal Meridian, Kinyon Township, Cass County, North Dakota.
4. Hearing on an application requesting a Minor Subdivision Plat of **Rich Satrom Subdivision** located in Section 10, Township 143 North, Range 55 West of the 5th Principal Meridian, Rochester Township, Cass County, North Dakota.

F. New Business

1. Road Advisory Board Appointment
2. 2024 Meetings and Information

G. Old Business

H. Adjournment

**CASS COUNTY PLANNING COMMISSION
October 26, 2023**

A. CALL TO ORDER

A meeting of the Cass County Planning Commission was called to order on October 26, 2023 at 7:00 am in the West Fargo Public Works conference room.

B. ROLL CALL

Planning Commissioners attending in person were Rocky Bertsch, David Gust, Ken Lougheed, Dr. Tim Mahoney, Keith Monson, Brad Olson, Commissioner Duane Breitling and Hugh Veit. Keith Gohdes was absent.

Attending in person were Cole Hansen, Cass County Planner, Jason Benson, Cass County Engineer, Tom Soucy, Assistant Cass County Engineer. Katherine Naumann, Senior Attorney attended via Teams.

C. DETERMINATION OF A QUORUM

It was determined that there was a quorum based on the roll call.

D. MINUTES, APPROVED

MOTION, *passed*

Mr. Gust moved and Mr. Olson seconded to approve the minutes of the September 28, 2023 meeting as presented.

Motion carried.

E. PUBLIC HEARING

1. Hearing on an application requesting a Minor Subdivision Plat of Lehman Subdivision located in Section 14, Township 141 North, Range 51 West of the 5th Principal Meridian, Rush River Township, Cass County, North Dakota.

Mr. Lougheed opened the public hearing.

The applicant is seeking approval of a minor subdivision entitled Lehman Subdivision to plat a one (1) Lot subdivision of approximately 3.5 acres. According to the applicant, the subdivision is requested to sell the existing farmstead and separate it from the balance of the parcel.

The proposed ownership and maintenance responsibility of the subdivision will be private. The subdivision will use an existing 27th St SE road access, ditches for storm sewer conveyance, rural water. The property currently does have an on-site septic system for wastewater treatment.

Upon hearing no public comment, the public hearing was closed.

MOTION, *passed*

Commissioner Breitling moved, Mr. Bertsch seconded 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.

2. Hearing on an application requesting a Minor Subdivision Plat of Pfaff Subdivision located in Section 17, Township 138 North, Range 55 West of the 5th Principal Meridian, Clifton Township, Cass County, North Dakota.

Mr. Lougheed opened the public hearing.

The applicant is seeking approval of a minor subdivision entitled Pfaff Subdivision to plat a one (1) Lot subdivision of approximately 2 acres. According to the applicant, the subdivision is requested to build a new residential building and/or shop.

The proposed ownership and maintenance responsibility of the subdivision will be private. The subdivision will use 44th St SE for road access, ditches for storm sewer conveyance, rural water. The property currently does not have an on-site septic system for wastewater treatment.

Upon hearing no public comment, the public hearing was closed.

MOTION, *passed*

Mr. Olson moved, Mr. Gust seconded 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.

3. Hearing on an application requesting a Minor Subdivision Plat of Arthur Punton Subdivision located in Section 22, Township 141 North, Range 54 West of the 5th Principal Meridian, Ayr Township, Cass County, North Dakota.

Mr. Lougheed opened the public hearing.

The applicant is seeking approval of a minor subdivision entitled Arthur Punton Subdivision to plat a one (1) Lot subdivision of approximately 2 acres. According to the applicant, the subdivision is requested to construct a residential building.

The proposed ownership and maintenance responsibility of the subdivision will be private. The subdivision will use an existing County Road 3 road access, ditches for storm sewer conveyance, rural water. The property currently does not have an on-site septic system for wastewater treatment.

Mr. Olson asked about access to the property. The current access is at the $\frac{1}{4}$ line. The applicants will have to upgrade the access and only have one access; they cannot keep both accesses. Mr. Veit asked what happens if the applicants refuse to update the access or want both accesses. Mr. Benson said the county has a policy in place where the county has the authority to remove the access. Mr. Benson also went on to explain that the right of way of the access can be widened. The county would not allow much more than 30' wide; it is allowed to add additional length for a culvert. Depending on the age of the culvert, the county would pay for the replacement of the existing culvert, the owner would pay for any additional length that may be required.

Mr. Soucy said that this area also has good water drainage and the field where the new residential home will be built is on a high spot of the property.

Upon hearing no further public comments, the public hearing was closed.

MOTION, *passed*

Mr. Gust moved, Commissioner Breitling seconded to accept the findings and recommendations of staff and recommend approval to the County Commission of the subdivision application, including updating the access to only one, 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.

F. NEW BUSINESS

Mr. Hansen noted that the December 14, 2023 meeting will have approximately seven applications to go through. He would like to only send a hard copy to the Planning Commissioners as emailing could be difficult due to the size of the documents. Planning Commissioners indicated only a hard copy is acceptable.

Mr. Benson also gave an update that he and Mr. Hansen have been attending Fargo Growth Plan meetings. These meetings are to prepare areas such as Harwood and Reiles Acres for future growth,

G. OLD BUSINESS

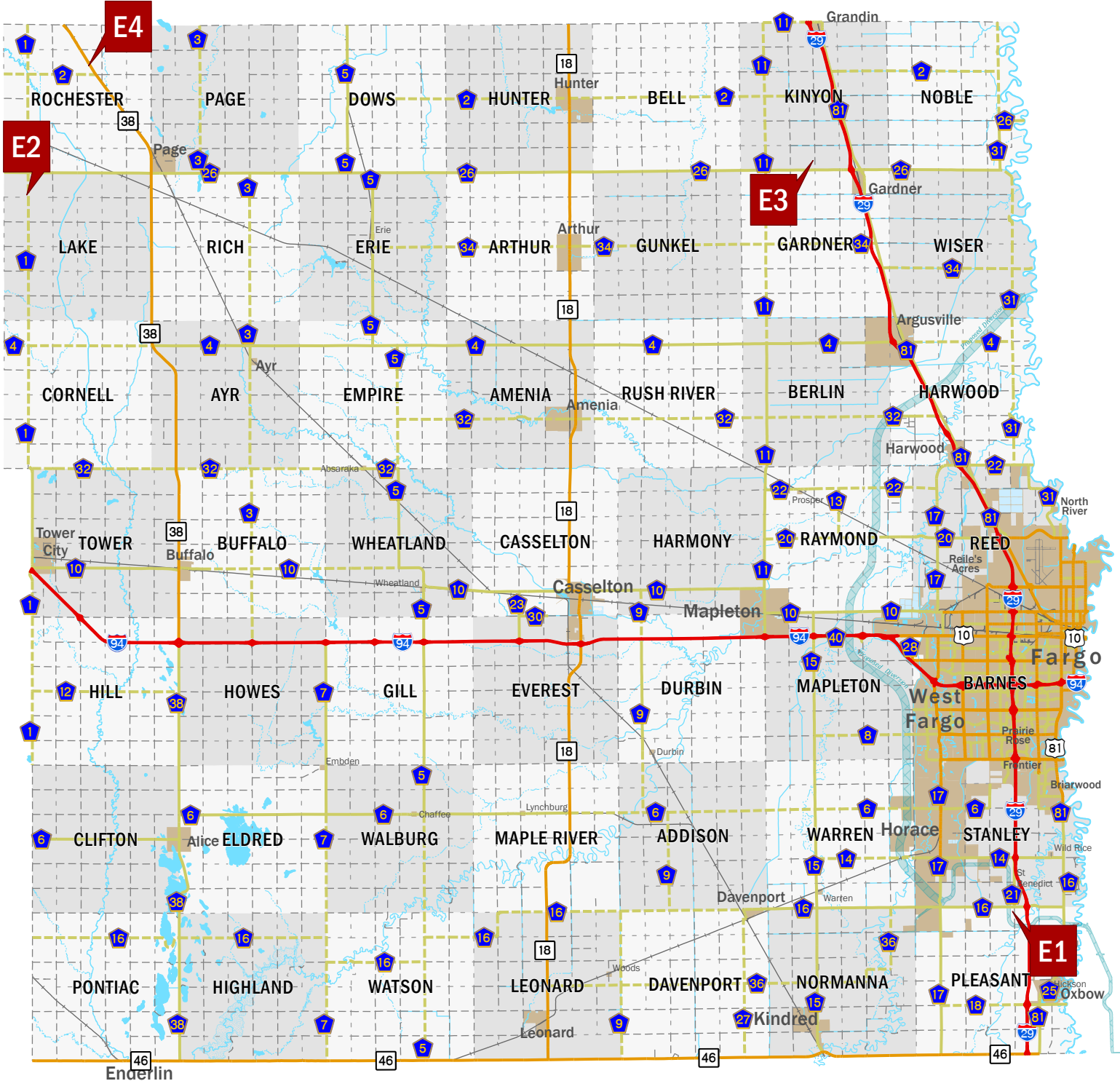
There was no old business to discuss.

H. ADJOURNMENT On motion by Mr. Bertsch seconded by Mr. Gust and all voting in favor, the meeting was adjourned at 7:30 am.

Agenda Items

Cass County Planning Commission

December 14, 2023



Agenda Items:

- E1 - Richard Farm Site Subdivision
- E2 - Davis Trust Subdivision
- E3 - Dullum Subdivision
- E4 - Rich Satrom Subdivision

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 3, Township 137 North, Range 49 West		
Title:	Richard Farm Site Subdivision	Date:	12/14/23
Location:	NE ¼ of Section 3, Township 139 North, Range 49 West (Pleasant Township)	Staff Contact:	Cole Hansen
Parcel Number:	57-0000-10235-000	Water District:	Southeast Cass Water District
Owner(s)/Applicant:	Larry Richards	Engineer/Surveyor:	Houston Engineering
Status:	Planning Commission Hearing: December 14, 2023		

Existing Land Use	Proposed Land Use
Agricultural	Agricultural
Proposal	

The applicant is seeking approval of a minor subdivision entitled **Richard Farm Site Subdivision** to plat a one (1) Lot subdivision of approximately 23 acres. According to the applicant, the subdivision is requested to create a parcel for the purpose of developing a new farm site.

The proposed ownership and maintenance responsibility of the subdivision will be private. The subdivision will use 173rd Ave SE for road access, ditches for storm sewer conveyance, rural water. The property currently does not have an 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 comment to submit.
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	Water service was recently installed at this site. We have no other comments.
North Dakota Department of Transportation	No comments were received prior to publishing the staff report.
County Sanitarian	No issues with proposed subdivision.
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 all sides of the lot. Township road 173rd Ave SE borders the east of the property.

Floodzone

According to the FEMA Flood Map Service Center, this property is currently unmapped and no Special Hazard Flood Area has been 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

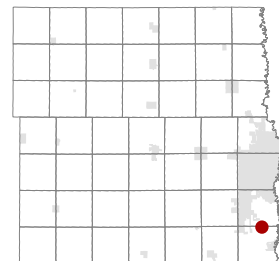
Minor Subdivision

Richard Farm Site Subdivision

Section 3, Pleasant Township
Township 137 North - Range 49 West



Cass County Planning Commission
December 14, 2023

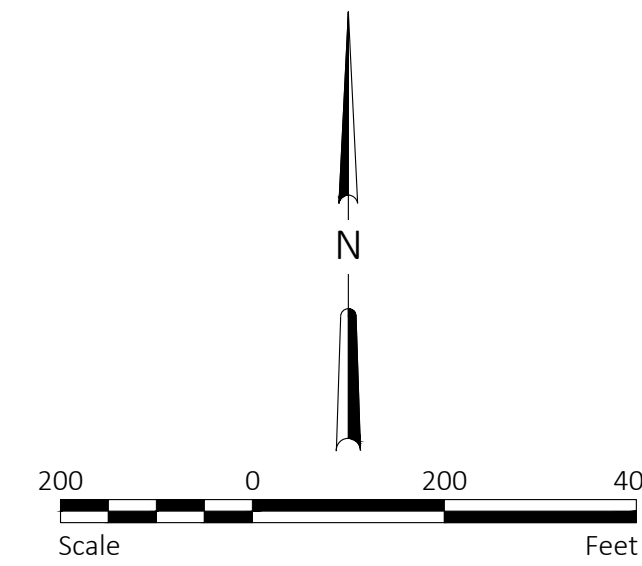
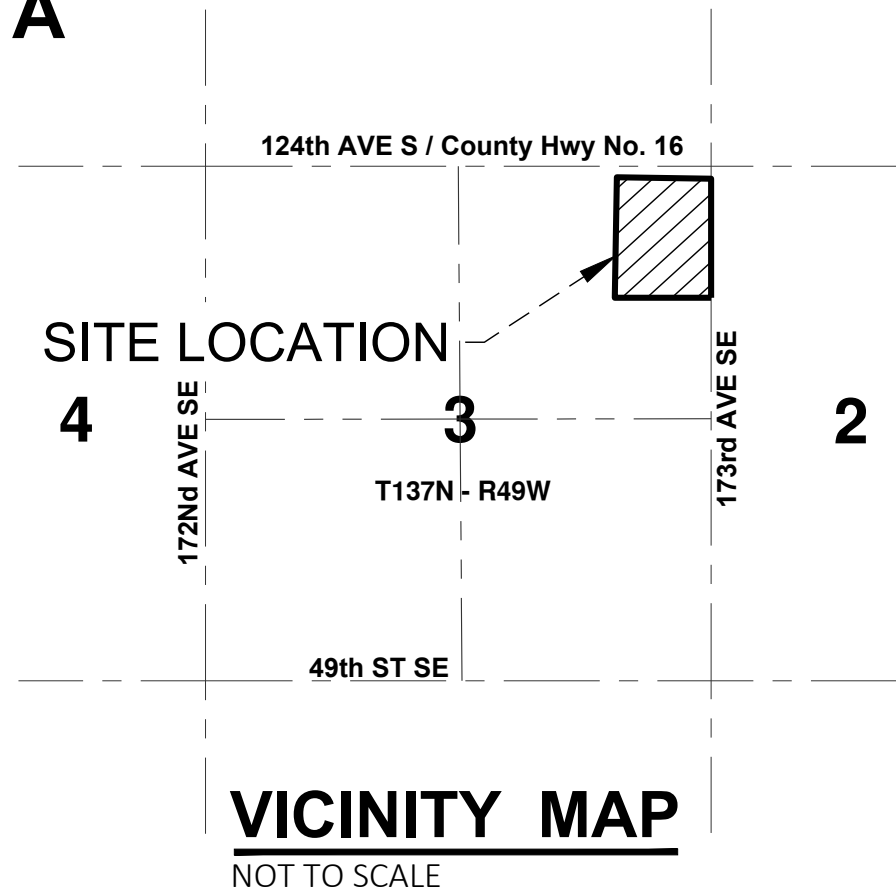


Imagery: spring 2021
Maps and data are to be used for reference purposes only and Cass County, ND, is not responsible for any inaccuracies herein contained. No responsibility is assumed for damages or other liabilities due to the accuracy, availability, use or misuse of the information herein provided.



RICHARD FARM SITE SUBDIVISION

BEING A PLAT OF PART OF THE SOUTHEAST QUARTER OF THE
NORTHEAST QUARTER AND GOVERNMENT LOT 1,
SECTION 3, T137N, R49W, 5th P.M.
CASS COUNTY, NORTH DAKOTA



LEGEND

- IRON MONUMENT FOUND
 - 1/2" I.D. IRON PIPE SET
 - MEASURED BEARING
 - MEASURED DISTANCE
 - 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 1.0001125127 TO CONVERT STATE PLANE DISTANCES TO GROUND DISTANCES.

Owners' Certificate and Dedication:

Know all persons by these presents: That Lawrence G. Richard and Susan E. Richard, Trustees under the Lawrence & Susan Richard Living Trust, dated May 20, 2015, are the owners and proprietors of that part of the Southeast Quarter of the Northeast Quarter and Government Lot 1, Section 3, Township 137 North, Range 49 West of the Fifth Principal Meridian, Cass County, North Dakota, described as follows:

Commencing at the northeast corner of the Northeast Quarter of said Section 3; thence South 03°00'51" East, along the easterly line of said Northeast Quarter, for a distance of 120.01 feet to a point of intersection with the southerly line of the North 120.00 feet of said Northeast Quarter and the true point of beginning; thence South 87°51'33" West, along the southerly line of the North 120.00 feet of said Northeast Quarter, for a distance of 900.25 feet; thence South 02°03'31" East for a distance of 1150.52 feet to a point of intersection with the southerly line of the North 200.00 feet of the Southeast Quarter of said Northeast Quarter; thence North 86°57'42" East, along the southerly line of the North 200.00 feet of the Southeast Quarter of said Northeast Quarter, for a distance of 919.33 feet to a point of intersection with the easterly line of said Northeast Quarter; thence North 03°00'51" West, along the easterly line of said Northeast Quarter, for a distance of 1136.25 feet to the true point of beginning.

Said tract contains 23.879 acres, more or less.

And that said parties have caused the same to be surveyed and platted as **RICHARD FARM SITE SUBDIVISION**.

In witness whereof we have set our hands and seals.

Trustees:

Lawrence G. Richard

Susan E. Richard

State of _____)
County of _____) ss

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

On this _____ day of _____, 20____, before me, a notary public within and for said county and state, personally appeared Lawrence G. Richard and Susan E. Richard, Trustees under the Lawrence & Susan Richard Living Trust, dated May 20, 2015, known to me to be the persons described in and who executed the foregoing instrument and acknowledged that they executed same on behalf of said trust.

Notary Public: _____

SURVEYOR'S CERTIFICATE AND ACKNOWLEDGEMENT:

I, James A. Schlieman, 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.

James A. Schlieman, Professional Land Surveyor No. 6086

State of North Dakota)
County of Cass) ss

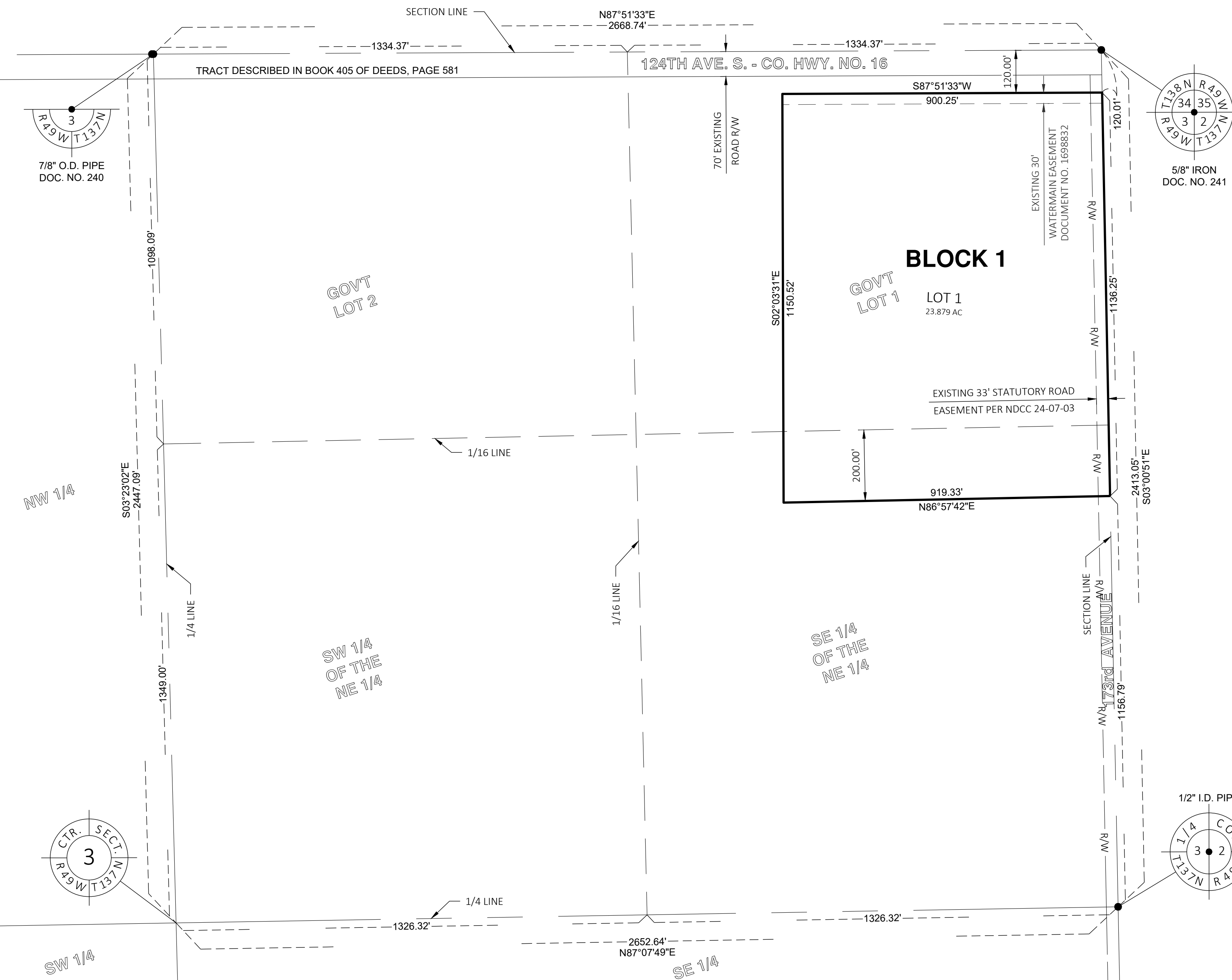
On this _____ day of _____, 20____ before me personally appeared James A. Schlieman, Professional Land Surveyor, known to me to be the person who is described in and who executed the within instrument and acknowledged to me that he executed the same as his free act and deed.

Notary Public: _____

Cass County Engineer:

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

Jason Benson, Cass County Engineer



H:\BNA\121100\12162\12162_0001\CAD\Preliminary Richard Farm Site Subdivision.dwg



Cass County Planning Commission Staff Report

Entitlements Requested:	Minor Subdivision (1 Lot) of a part of the SE ¼ of Section 6, Township 142 North, Range 55 West		
Title:	Davis Trust Subdivision	Date:	12/14/23
Location:	SE ¼ of Section 6, Township 142 North, Range 55 West (Lake Township)	Staff Contact:	Cole Hansen
Parcel Number:	50-0000-08127-000	Water District:	Maple River Water District
Owner(s)/Applicant:	Davis Family Trust	Engineer/Surveyor:	Houston Engineering
Status:	Planning Commission Hearing: December 14, 2023		

Existing Land Use	Proposed Land Use
Residential	Residential
Proposal	

The applicant is seeking approval of a minor subdivision entitled **Davis Trust Subdivision** to plat a one (1) Lot subdivision of approximately 14 acres. According to the applicant, the subdivision is requested to separate the existing farmstead from the farmland.

The proposed ownership and maintenance responsibility of the subdivision will be private. The subdivision will use County Highway 1 for road access, ditches for storm sewer conveyance, rural water. The property currently does have an 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 comment to submit.
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 problems with septic code, no record of a licensed septic system on the property. Cannot give verification of a working system at this time.
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 all sides of the lot. County Highway 1 borders the east of the property.

Floodzone

According to the FEMA Flood Map Service Center, this property is currently unmapped and no Special Hazard Flood Area has been 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

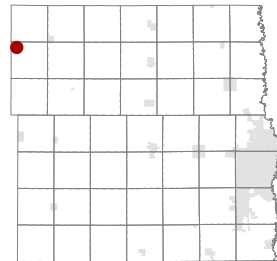
Minor Subdivision

Davis Trust Subdivision

Section 6, Lake Township
Township 142 North - Range 55 West



Cass County Planning Commission
December 14, 2023

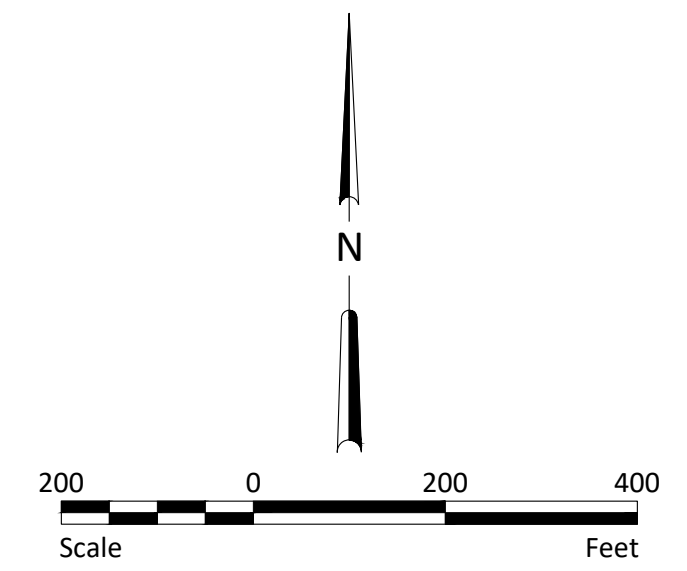


Imagery: spring 2021
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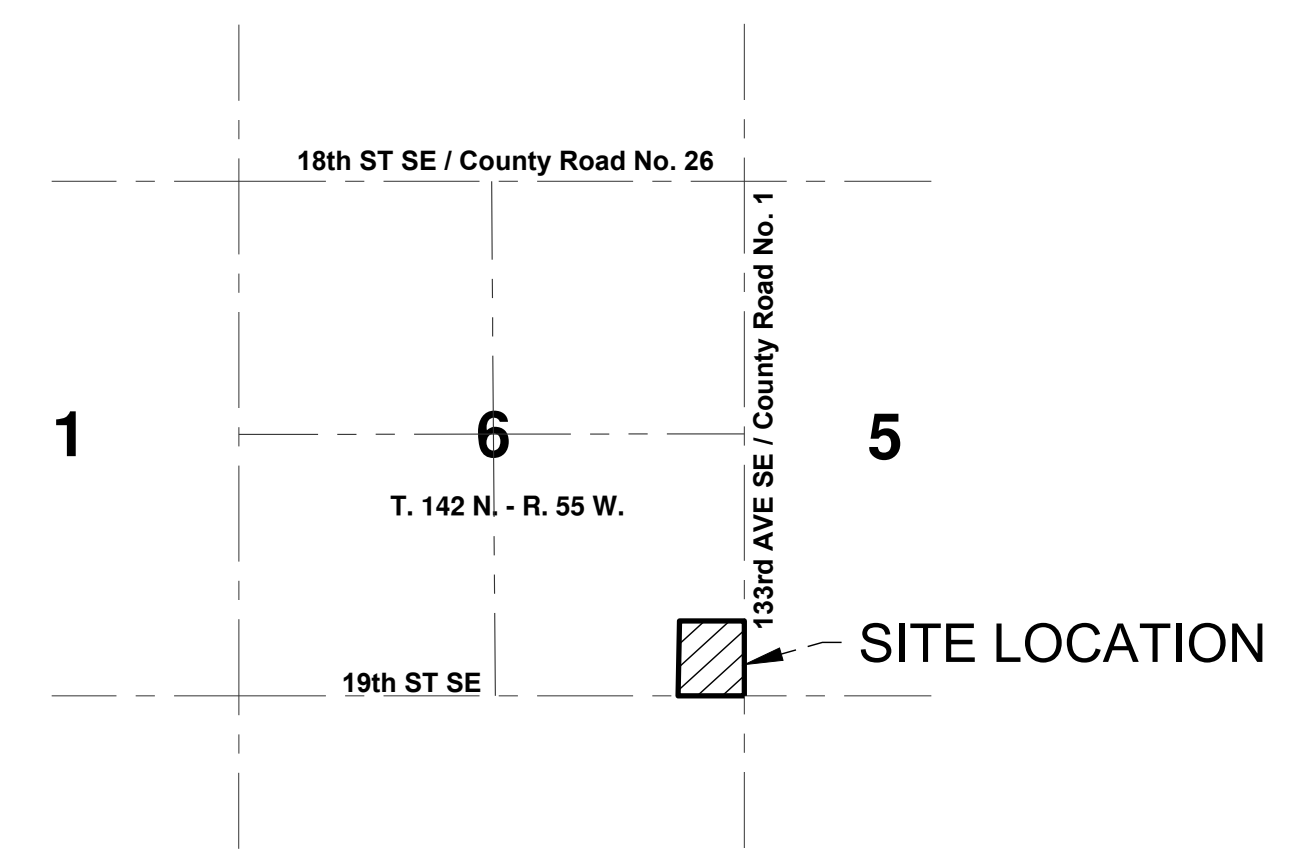
DAVIS TRUST SUBDIVISION

BEING A PLAT OF PART OF THE SOUTHEAST QUARTER OF SECTION 6, T. 142 N., R. 55 W., 5th P.M.
CASS COUNTY, NORTH DAKOTA

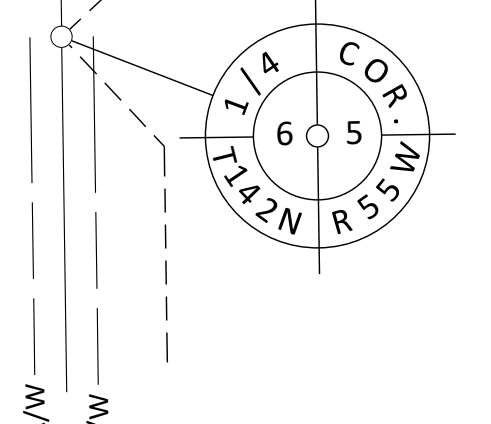
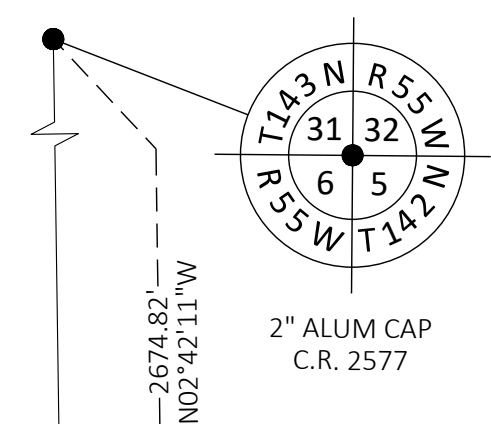
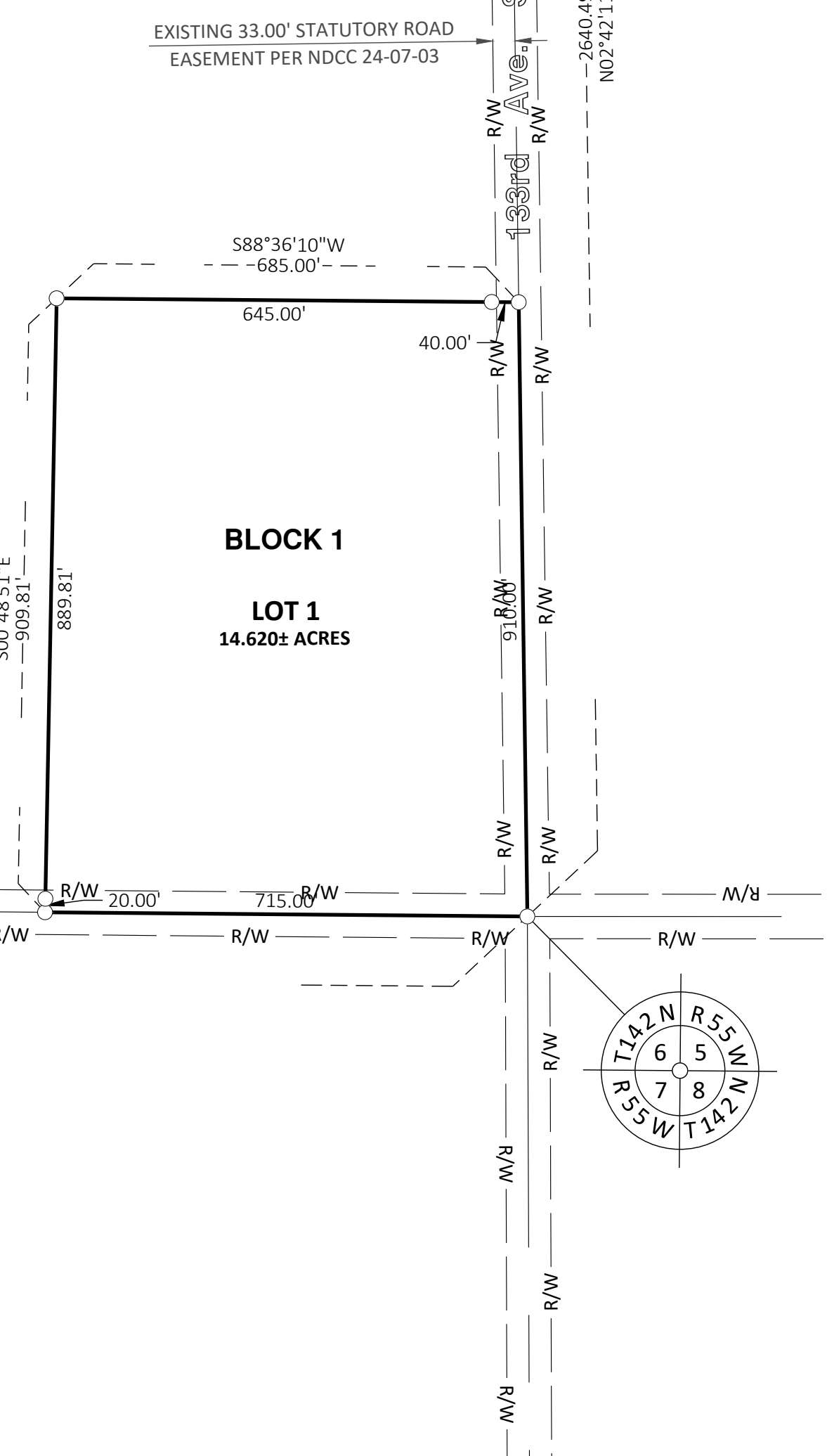


LEGEND

- IRON MONUMENT FOUND
 - 1/2" I.D. IRON PIPE SET
 - MEASURED BEARING N00°00'00"E
 - MEASURED DISTANCE 100.00'
 - PLAT BOUNDARY
 - 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 1.0001125127 TO CONVERT STATE PLANE DISTANCES TO GROUND DISTANCES.



SE 1/4



Owners' Certificate and Dedication:

Know all persons by these presents: That Terence Davis and Rosemary Davis as Trustees of the Terence Davis and Rosemary Davis Family Trust Under Agreement dated July 13, 2018, are the owners and proprietors of that part of the Southeast Quarter of Section 6, Township 142 North, Range 55 West of the Fifth Principal Meridian, Cass County, North Dakota, described as follows:

BEGINNING at the southeast corner of said Section 6; thence North 02°42'11" West, along the easterly line of said Section 6, for a distance of 910.00 feet; thence South 88°36'10" West, parallel to the southerly line of said Section 6, for a distance of 685.00 feet; thence South 00°48'51" East for a distance of 909.81 feet to a point of intersection with the southerly line of said Section 6; thence North 88°36'10" East, along the southerly line of said Section 6, for a distance of 715.00 feet to the POINT OF BEGINNING.

Said tract contains 14.620 acres, more or less.

And that said parties have caused the same to be surveyed and platted as **DAVIS TRUST SUBDIVISION**.

In witness whereof we have set our hands and seals.

Trustees:

Terence Davis _____ Rosemary Davis _____

State of _____)
County of _____) ss

On this _____ day of _____, 20____, before me, a notary public within and for said county and state, personally appeared Terence Davis and Rosemary Davis as Trustees of the Terence Davis and Rosemary Davis Family Trust Under Agreement dated July 13, 2018, known to me to be the persons described in and who executed the foregoing instrument and acknowledged that they executed same on behalf of said trust.

Notary Public: _____

Cass County Planning Commission:

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

Ken Lougheed, Chairman

Attest: _____
Secretary

Lake Township:

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

Kevin Baasch, Chair

Attest: _____
Anthony Lindseth, Clerk

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)
County of Cass) ss

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____.

Jason Benson, Cass County Engineer

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

H:\JBN\11800\11844\11844_0001\CAD\11844-0001.Davis Subdivision Plat.dwg



Cass County Planning Commission Staff Report

Entitlements Requested:	Minor Subdivision (1 Lot) of a part of the SE ¼ of Section 33, Township 143 North, Range 50 West		
Title:	Dullum Subdivision	Date:	12/14/23
Location:	SE ¼ of Section 33, Township 143 North, Range 50 West (Kinyon Township)	Staff Contact:	Cole Hansen
Parcel Number:	49-0000-07947-00, 49-0000-7946-010	Water District:	Northern Cass Water District
Owner(s)/Applicant:	Estate of Beverly Dullum	Engineer/Surveyor:	Houston Engineering
Status:	Planning Commission Hearing: December 14, 2023		

Existing Land Use	Proposed Land Use
Residential	Residential
Proposal	

The applicant is seeking approval of a minor subdivision entitled **Dullum Subdivision** to plat a one (1) Lot subdivision of approximately 4 acres. According to the applicant, the subdivision is requested to modify an existing residential parcel to expand it in size as part of the settlement of an estate.

The proposed ownership and maintenance responsibility of the subdivision will be private. The subdivision will use 165th Ave SE for road access, ditches for storm sewer conveyance, rural water. The property currently does have an 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 comment to submit.
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	The site is currently served by CRWD. No other comment.
North Dakota Department of Transportation	No comments were received prior to publishing the staff report.
County Sanitarian	No problems with septic code, there is no record of a licensed septic system on the property. No verification of a working system can be given at this time.
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 all sides of the lot. Township road 165th Ave SE borders the east of the property.

Floodzone

According to the FEMA Flood Map Service Center, this property is currently unmapped and no Special Hazard Flood Area has been 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

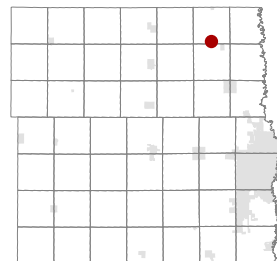
Minor Subdivision

Dullum Subdivision

Section 33, Kinyon Township
Township 143 North - Range 50 West



Cass County Planning Commission
December 14, 2023

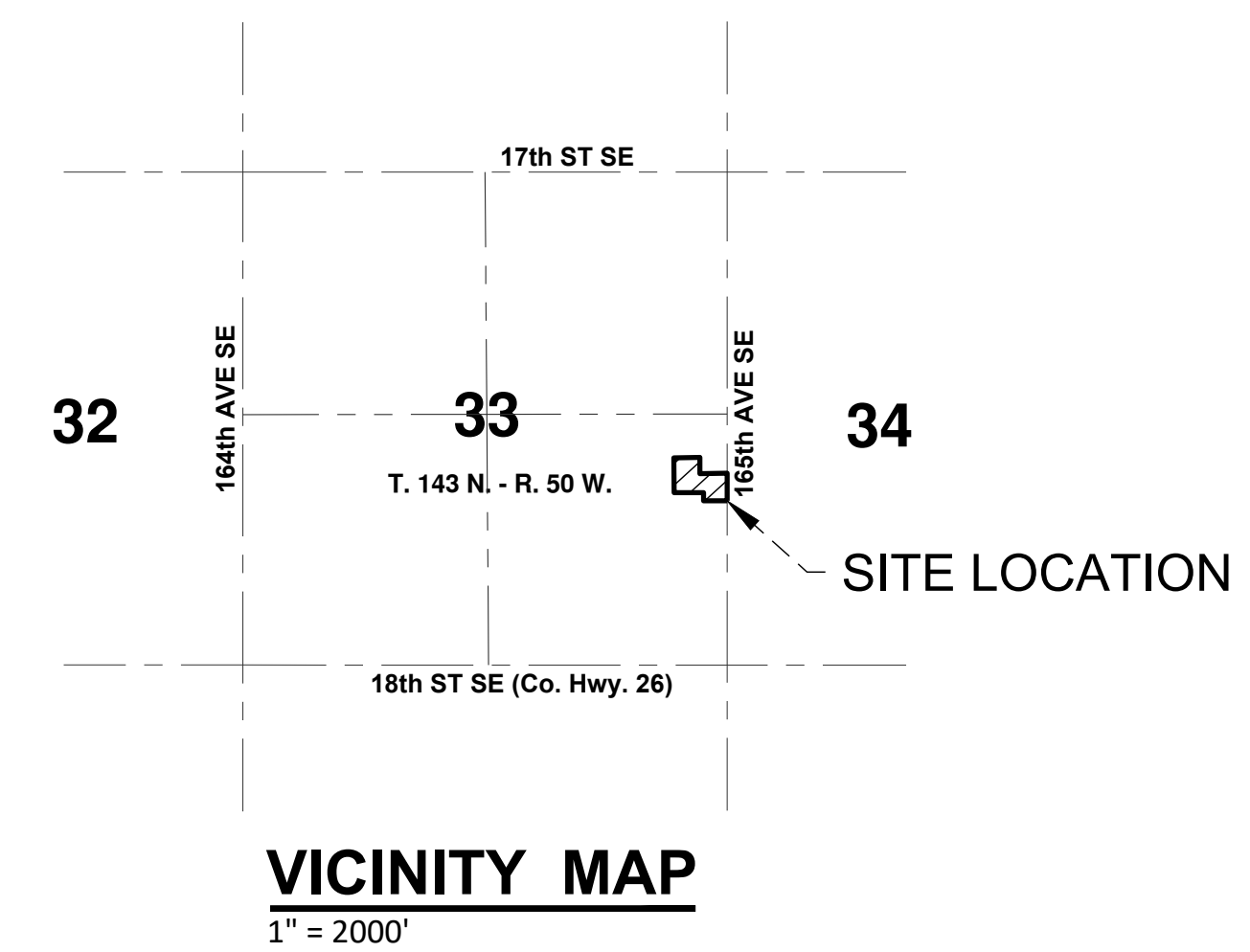


Imagery: spring 2021
Maps and data are to be used for reference purposes only and Cass County, ND, is not responsible for any inaccuracies herein contained. No responsibility is assumed for damages or other liabilities due to the accuracy, availability, use or misuse of the information herein provided.



DULLUM SUBDIVISION

BEING A PLAT OF PART OF THE SOUTHEAST QUARTER OF SECTION 33, T. 143 N., R. 50 W., 5th P.M.
CASS COUNTY, NORTH DAKOTA



SITE LOCATION

LEGEND

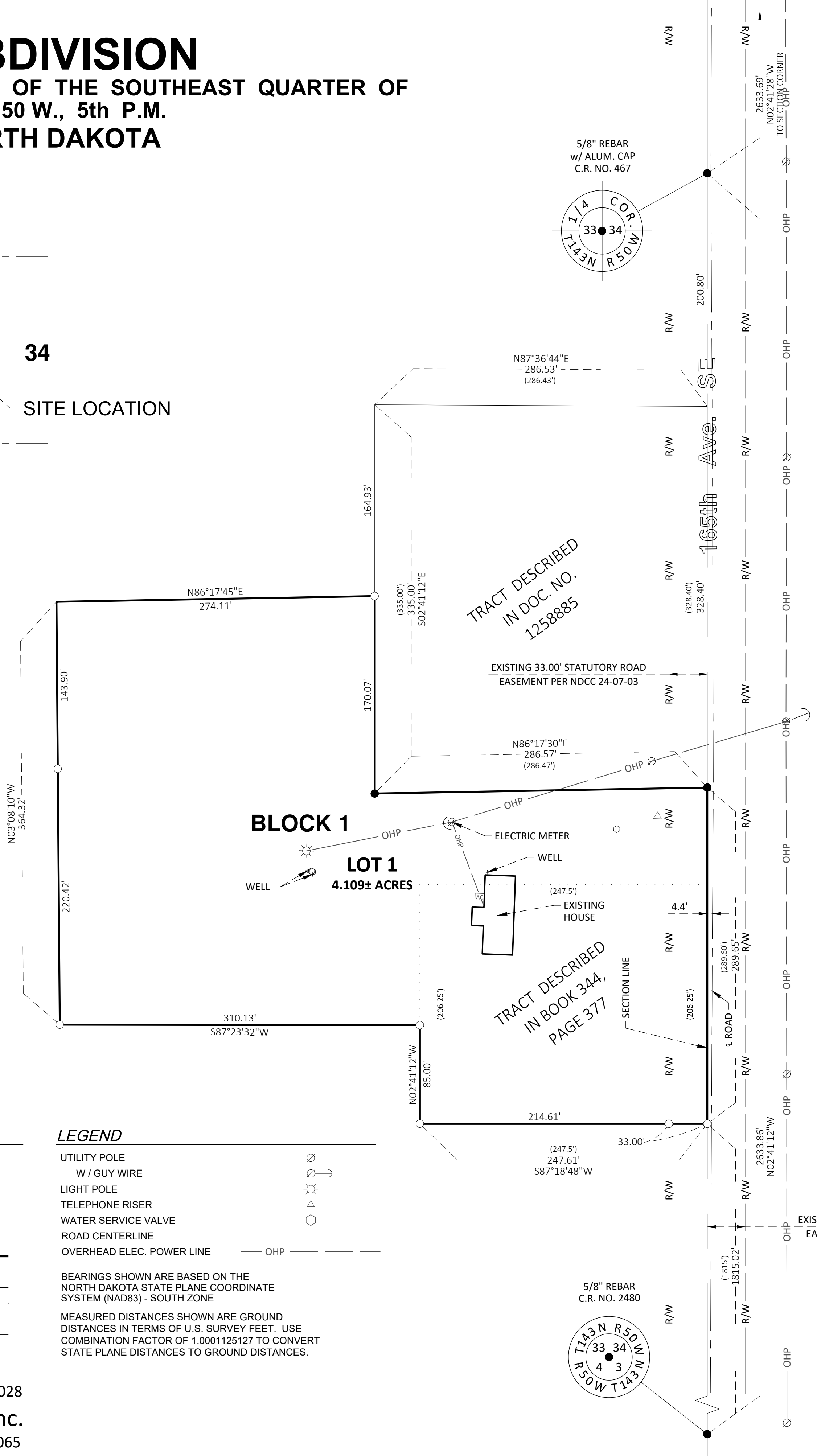
IRON MONUMENT FOUND	●
1/2" I.D. IRON PIPE SET	○
MEASURED BEARING	N00°00'00"E
PLAT OR RECORD BEARING	(N00°00'00"E)
MEASURED DISTANCE	100.00'
PLAT OR RECORD DISTANCE	(100.00')
PLAT BOUNDARY	—————
EXISTING PARCEL LINE	—————
NEW UTILITY EASEMENT	-----
EXISTING PARCEL LINE
EXISTING UTILITY EASEMENT	-----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

LEGEND

UTILITY POLE	⊙
W / GUY WIRE	○—○
LIGHT POLE	⊙
TELEPHONE RISER	⊙
WATER SERVICE VALVE	⊙
ROAD CENTERLINE	—
OVERHEAD ELEC. POWER LINE	— OHP —

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.



Owners' Certificate and Dedication:

Know all persons by these presents: That the Estate of Beverly Dullum is the owner and proprietor of that part of the Southeast Quarter of Section 33, Township 143 North, Range 50 West of the Fifth Principal Meridian, Cass County, North Dakota, described as follows:

COMMENCING at the Southeast Corner of said Section 35; thence North 02°41'12" West, along the easterly line of the Southeast Quarter of said Section 35, for a distance of 1815.02 feet to the southeast corner of a tract described in Book 344 of Deeds, Page 377, on file at the Cass County Recorder's Office, and the TRUE POINT OF BEGINNING; thence South 87°18'48" West, along the southerly line of said tract described in Book 344 of Deeds, Page 377, for a distance of 247.61 feet to the southwest corner of said tract described in Book 344 of Deeds, Page 377; thence North 02°41'12" West, along the westerly line of said tract described in Book 344 of Deeds, Page 377, for a distance of 85.00 feet; thence South 87°23'32" West for a distance of 310.13 feet; thence North 03°08'10" West for a distance of 364.32 feet; thence North 86°17'45" East for a distance of 274.11 feet to a point of intersection with the westerly line of a tract of land described in Document No. 1258885, on file at said Recorder's Office; thence South 02°41'12" East, along the westerly line of a tract of land described in said Document No. 1258885, for a distance of 170.07 feet to the southwest corner of a tract of land described in said Document No. 1258885; thence North 86°17'30" East, along the southerly line of a tract of land described in said Document No. 1258885, for a distance of 286.57 feet to a point of intersection with the easterly line of the Southeast Quarter of said Section 35; thence South 02°41'12" East, along the easterly line of the Southeast Quarter of said Section 35, for a distance of 289.65 feet to the TRUE POINT OF BEGINNING.

Said tract contains 4.109 acres, more or less.

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

In witness whereof I have set my hand and seal.

Owner:

Derek Dullum, Personal Representative
Estate of Beverly Dullum

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 Derek Dullum, Personal Representative for the Estate of Beverly Dullum, known to me to be the person described in and who executed the foregoing instrument and acknowledged that he executed same on behalf of said Estate.

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____.

Jason Benson, Cass County Engineer

Cass County Planning Commission:

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

Ken Lougheed, Chairman

Attest: _____
Secretary

Kinyon Township:

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

Robert Stirling, Chair

Attest: _____
Louis Rosenau, 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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Cass County Planning Commission Staff Report

Entitlements Requested:	Minor Subdivision (1 Lot) of a part of the SW ¼ of Section 10, Township 143 North, Range 55 West		
Title:	Rich Satrom Subdivision	Date:	12/14/23
Location:	SW ¼ of Section 10, Township 143 North, Range 55 West (Rochester Township)	Staff Contact:	Cole Hansen
Parcel Number:	62-0000-11441-00	Water District:	Maple River Water District
Owner(s)/Applicant:	Rich and Gwen Satrom	Engineer/Surveyor:	Houston Engineering
Status:	Planning Commission Hearing: December 14, 2023		

Existing Land Use	Proposed Land Use
Residential	Residential
Proposal	

The applicant is seeking approval of a minor subdivision entitled **Rich Satrom Subdivision** to plat a one (1) Lot subdivision of approximately 8 acres. According to the applicant, the subdivision is requested to separate the farmstead from the farmland to sell the farmstead.

The proposed ownership and maintenance responsibility of the subdivision will be private. The subdivision will use ND Highway 38 for road access, ditches for storm sewer conveyance, rural water. The property currently does have an 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 comment to submit.
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 issues with proposed subdivision.
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 all sides of the lot. North Dakota Highway 38 borders the east of the property.

Floodzone
 According to the FEMA Flood Map Service Center, this property is currently unmapped and no Special Hazard Flood Area has been 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

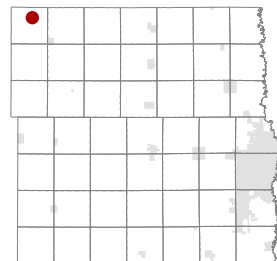
Minor Subdivision

Rich Satrom Subdivision

Section 10, Rochester Township
Township 143 North - Range 55 West



Cass County Planning Commission
December 14, 2023



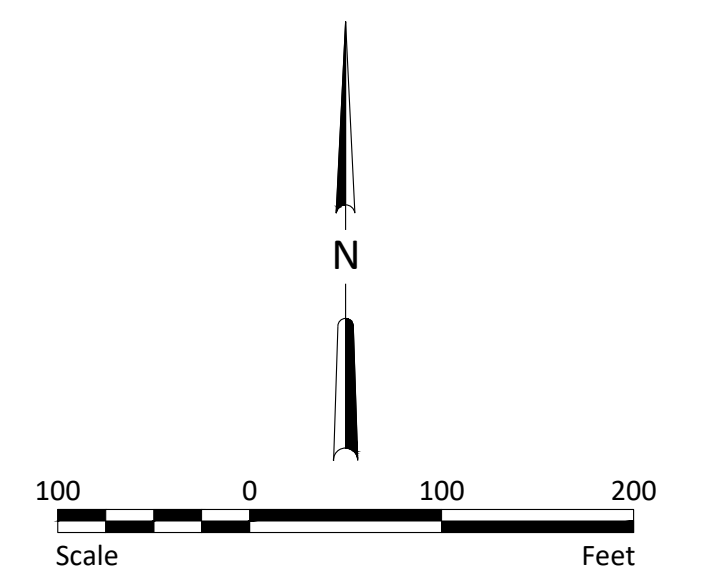
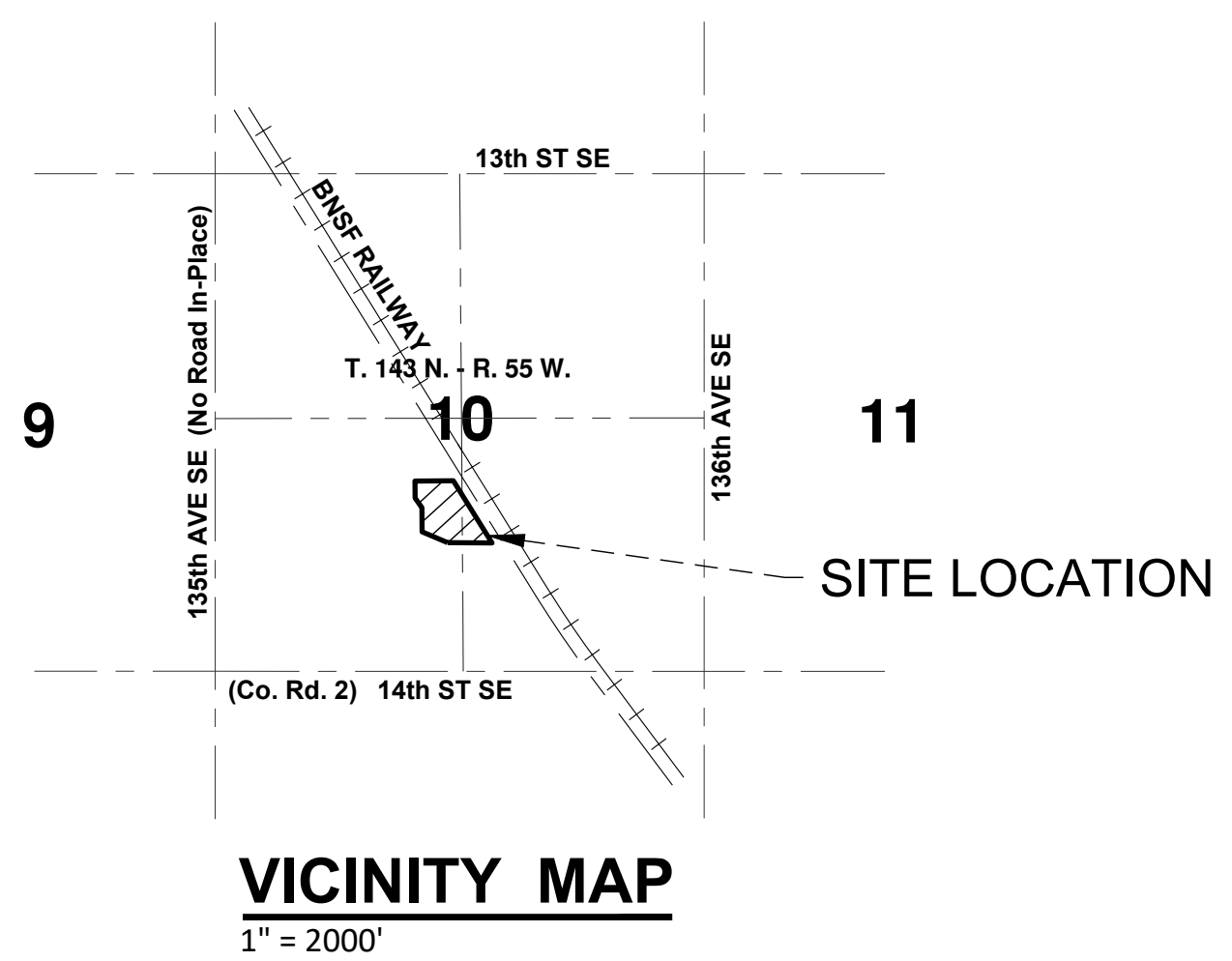
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RICH SATROM SUBDIVISION

BEING A PLAT OF PART OF THE NORTH HALF OF THE SOUTH HALF OF SECTION 10, T. 143 N., R. 55 W., 5th P.M. CASS COUNTY, NORTH DAKOTA

PRELIMINARY PLAT



LEGEND

IRON MONUMENT FOUND	●
1/2" I.D. IRON PIPE SET	○
MEASURED BEARING	N00°00'00"E
PLAT OR RECORD BEARING	(N00°00'00"E)
MEASURED DISTANCE	100.00'
PLAT OR RECORD DISTANCE	(100.00')
PLAT BOUNDARY	—————
NEW LOT LINE	—————
UTILITY EASEMENT	-----
EXISTING LOT LINE	-----
EXISTING UTILITY EASEMENT	-----
EXISTING RIGHT-OF-WAY LINE	R/W
UTILITY POLE	⊗
W / GUY WIRE	⊗→
LIGHT POLE	⊙
TELEPHONE RISER	⊕
WATER SERVICE VALVE	⊖
ROAD CENTERLINE	—————
OVERHEAD ELEC. POWER LINE	— OHP —

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.

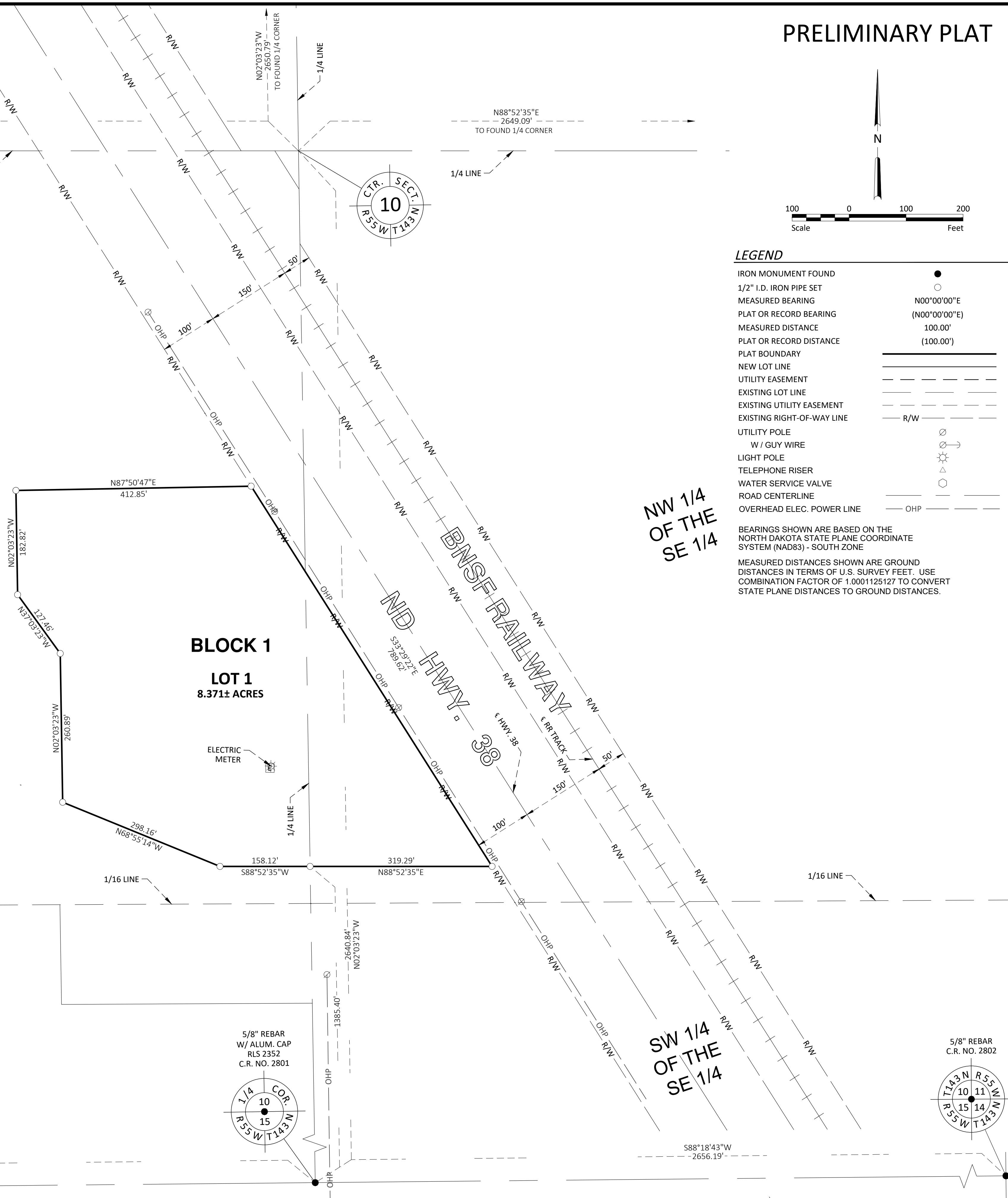
NW 1/4 OF THE SW 1/4

NE 1/4 OF THE SW 1/4

NW 1/4 OF THE SE 1/4

SE 1/4 OF THE SW 1/4

SW 1/4 OF THE SE 1/4



BLOCK 1
LOT 1
8.371± ACRES

ELECTRIC METER

5/8" REBAR
W/ ALUM. CAP
RLS 2352
C.R. NO. 2801

5/8" REBAR
C.R. NO. 2802

5/8" REBAR
C.R. NO. 2800

SW 1/4 OF THE SW 1/4

Project No. 12067-0001
Sheet 1 of 2
Houston Engineering Inc.
Phone: 701.237.5065

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RICH SATROM SUBDIVISION

BEING A PLAT OF PART OF THE NORTH HALF OF THE
SOUTH HALF OF SECTION 10, T. 143 N., R. 55 W., 5th P.M.
CASS COUNTY, NORTH DAKOTA

Owners' Certificate and Dedication:

Know all persons by these presents: That Richard E. Satrom and Gwendolen L. Satrom, husband and wife, are the owners and proprietors of that part of the North Half of the South Half of Section 10, Township 143 North, Range 55 West of the Fifth Principal Meridian, Cass County, North Dakota, described as follows:

COMMENCING at the Southeast Corner of said Section 10; thence South 88°18'43" West, along the southerly line of the Southeast Quarter of said Section 10, for a distance of 2656.19 feet to the Southwest Corner of the Southeast Quarter of said Section 10; thence North 02°03'23" West, along the westerly line of the Southeast Quarter of said Section 10, for a distance of 1385.40 feet to the TRUE POINT OF BEGINNING; thence South 88°52'35" West for a distance of 158.12 feet; thence North 68°55'14" West for a distance of 298.16 feet; thence North 02°03'23" West for a distance of 260.89 feet; thence North 37°03'23" West for a distance of 127.46 feet; thence North 02°03'23" West for a distance of 182.82 feet; thence North 87°50'47" East for a distance of 412.85 feet to a point of intersection with the westerly line of the ND Highway No. 38 right-of-way; thence South 33°29'22" East, along the westerly line of said right-of-way; for a distance of 789.62 feet; thence South 88°52'35" West for a distance of 319.29 feet to the TRUE POINT OF BEGINNING.

Said tract contains 8.371 acres, more or less.

And that said parties have caused the same to be surveyed and platted as **RICH SATROM SUBDIVISION**.

In witness whereof we have set our hands and seals.

Owners:

Richard E. Satrom

Gwendolen L. Satrom

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 Richard E. Satrom and Gwendolen L. Satrom, 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:

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____.

Jason Benson, Cass County Engineer

Cass County Planning Commission:

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

Ken Lougheed, Chairman

Attest: _____
Secretary

Rochester Township:

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

Mike Whitmore, Chair

Attest: _____
Marvin Thorson, 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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