



## Planning Department

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### **MEMORANDUM**

**TO:** Cass County Board of Commissioners

**FROM:** Cole Hansen, Cass County Planner

**DATE:** January 29, 2024

**SUBJECT:** Consent Agenda Topic for the February 5, 2024 Commission Meeting:  
Grothmann Subdivision Application

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The Cass County Planning Commission reviewed the application of the proposed subdivision located in Wisner Township, Section 7 at a Public Hearing on January 25, 2024. The intended purpose of the subdivision is to increase to size of the parcel to extend shelterbelt around the east and south sides of the property.

The Planning Commission is recommending approval of the proposed plat entitlement request and Wisner 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 on the condition that access to the existing property is modified to comply with the Cass County Highway Access Ordinance, 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

<b>Entitlements Requested:</b>	<b>Minor Subdivision (1 Lot)</b> of a part of the NW ¼ of Section 7, Township 142 North, Range 49 West		
<b>Title:</b>	<b>Grothmann Subdivision</b>	<b>Date:</b>	01/25/24
<b>Location:</b>	NE ¼ of Section 7, Township 142 North, Range 49 West (Mapleton Township)	<b>Staff Contact:</b>	Cole Hansen
<b>Parcel Number:</b>	70-0000-13527-020	<b>Water District:</b>	Northern Cass Water District
<b>Owner(s)/Applicant:</b>	Adam Grothmann	<b>Engineer/Surveyor:</b>	Houston Engineering
<b>Status:</b>	Planning Commission Hearing: January 25, 2024 County Commission Hearing: February 5, 2024		

Existing Land Use	Proposed Land Use
Residential	Residential
Proposal	

The applicant is seeking approval of a minor subdivision entitled **Grothmann Subdivision** to plat a one (1) Lot subdivision of approximately 13 acres. According to the applicant, the subdivision is requested to increase the size of the parcel.

The proposed ownership and maintenance responsibility of the subdivision will be private. The subdivision will use 168<sup>th</sup> St 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	
<b>County Engineer</b>	No comment.
<b>Water Resource District</b>	No comment to submit.
<b>Cass County Electric Cooperative</b>	No comments were received prior to publishing the staff report.
<b>Century Link</b>	No comments were received prior to publishing the staff report.
<b>Sprint/T-Mobile/Congent</b>	No comments were received prior to publishing the staff report.
<b>AT&amp;T</b>	No comments were received prior to publishing the staff report.
<b>Xcel Energy</b>	No comments were received prior to publishing the staff report.
<b>Otter Tail Power Company</b>	No comments were received prior to publishing the staff report.

<b>Magellan Pipeline Company</b>	No comments were received prior to publishing the staff report.
<b>NuStar Energy</b>	No comments were received prior to publishing the staff report.
<b>Cass Rural Water</b>	No comment.
<b>North Dakota Department of Transportation</b>	No comments were received prior to publishing the staff report.
<b>County Sanitarian</b>	No issues with proposed subdivision.
<b>Township Chairman</b>	No comments were received prior to publishing the staff report.
<b>The City of Fargo</b>	No comments were received prior to publishing the staff report.
<b>The City of West Fargo</b>	No comments were received prior to publishing the staff report.
<b>Public Comment</b>	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. An existing residential parcel lies to the north. Township road 168<sup>th</sup> St SE borders the west 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

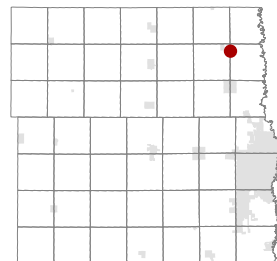
# Minor Subdivision

## Grothmann Subdivision

Section 7, Wisner Township  
Township 142 North - Range 49 West



Cass County Planning Commission  
January 25, 2024



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.

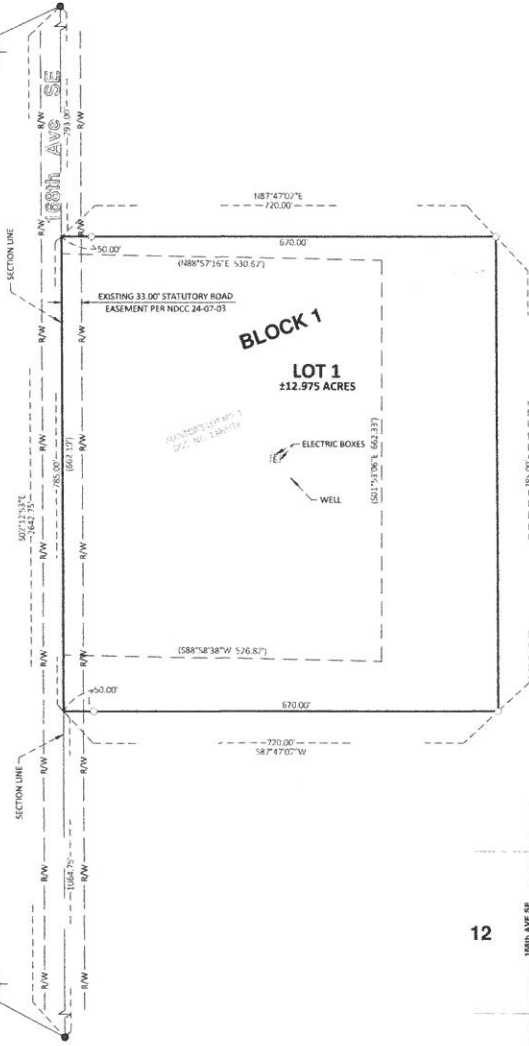


# GROTHMANN SUBDIVISION

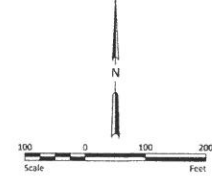
BEING A PLAT OF PART OF THE NORTHWEST QUARTER OF SECTION 7, T. 142 N., R. 49 W., 5th P.M. CASS COUNTY, NORTH DAKOTA



5/8" REBAR



1/2" REBAR



**LEGEND**

IRON MONUMENT FOUND	●
1/2" I.D. IRON PIPE SET	○
MEASURED BEARING	N00°00'00"E
MEASURED DISTANCE	100.00'
RECORD BEARING	(N00°00'00"E)
RECORD DISTANCE	(100.00')
PLAT BOUNDARY	---
EXISTING AUDITOR'S LOT SECTION LINE	---
EXISTING RIGHT-OF-WAY LINE	---



**VICINITY MAP**  
NOT TO SCALE

**Owners' Certificate and Dedication:**

Know all persons by these presents: That Adam F. Grothmann, a single person, is the owner and proprietor of that part of the Northwest Quarter of Section 7, Township 142 North, Range 49 West of the Fifth Principal Meridian, Cass County, North Dakota, described as follows:

COMMENCING at the northwest corner of said Northwest Quarter; thence South 02°12'53" East, along the westerly line of said Northwest Quarter, for a distance of 793.00 feet; thence North 87°47'07" East, perpendicular to the westerly line of said Northwest Quarter, for a distance of 720.00 feet; thence South 02°12'53" East, parallel with the westerly line of said Northwest Quarter, for a distance of 785.00 feet; thence South 87°47'07" West, perpendicular to the westerly line of said Northwest Quarter, for a distance of 720.00 feet to a point of intersection with the westerly line of said Northwest Quarter; thence North 02°12'53" West, along the westerly line of said Northwest Quarter, for a distance of 785.00 feet to the TRUE POINT OF BEGINNING.

Said tract contains 12.975 acres, more or less.

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

In witness whereof we have set our hands and seals.

Owner:  
Adam F. Grothmann

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 Adam F. Grothmann, a single person, known to me 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: \_\_\_\_\_

**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 P.L.S. 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 Planning Commission:  
Reviewed by the Cass County Planning Commission this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Ken Lougheed, Chairman

Attest: \_\_\_\_\_  
Secretary

**Wiser Township:**

Reviewed by Wiser Township, Cass County, North Dakota, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Scott Walden, Chair  
Attest: Dawn Walden, Clerk

Cass County Board of Commissioners' Approval:  
Approved by Cass County, North Dakota, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Chad M. Peterson, Chair

Attest: Brandy Madriga, Cass County Finance Director

**PRELIMINARY PLAT**