



Planning Department

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MEMORANDUM

TO: Cass County Board of Commissioners

FROM: Cole Hansen, Cass County Planner

DATE: July 29, 2024

SUBJECT: Regular Agenda Topic for the August 5, 2024 Commission Meeting: Chip and Jane's Subdivision Application

The Cass County Planning Commission reviewed the application of the proposed subdivision located in Warren Township, Section 33 at a Public Hearing on April 25, 2024. The intended purpose of the subdivision is to combine 2 lots to construct a residence.

The Planning Commission is recommending approval of the proposed plat entitlement request and Tower 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 NW ¼ of Section 33, Township 138 North, Range 50 West		
Title:	Chip and Jane’s Subdivision	Date:	04/25/24
Location:	NW ¼ of Section 33, Township 138 North, Range 50 West (Warren Township)	Staff Contact:	Cole Hansen
Parcel Number:	67-0000-12759-000, 67-0000-12760-020	Water District:	Maple River Water District
Owner(s)/Applicant:	Chip Stewart & Jane Randash	Engineer/Surveyor:	Interstate Engineering
Status:	Planning Commission Hearing: April 25, 2024 County Commission Hearing: August 5, 2024		

Existing Land Use	Proposed Land Use
Residential	Residential
Proposal	

The applicant is seeking approval of a minor subdivision entitled **Chip and Jane’s Subdivision** to plat a one (1) Lot subdivision of approximately 0.97 acres. According to the applicant, the subdivision is requested to combine 2 auditor’s lots to place a house.

The proposed ownership and maintenance responsibility of the subdivision will be private. The subdivision will use Warren St 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.
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	This property is below 1 acre, but close enough that the department is willing to grant a variance provided the county supports it. The easement for rural water on the northeast will require that any waste treatment system be located on the south or west side of the lot, so the owners should build any structures with that in mind.
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, residential on the east and west, and a rail line on the north sides of the lot. Warren St borders the north 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
3. Variance Application

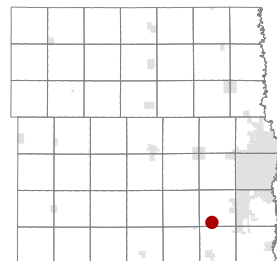
Minor Subdivision

Chip & Jane's Subdivision

Section 33, Warren Township
Township 138 North - Range 50 West



Cass County Planning Commission
April 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.



