CASS COUNTY PLANNING COMMISSION AGENDA

Thursday, May 22, 2025 at 7:00 a.m.

Cass County Highway Dept., 1201 Main Ave W, West Fargo, ND 58078

- A. Call to Order
- B. Roll Call
- C. Determination of a Quorum
- D. Approve Order of Agenda
- E. Approve Meeting Minutes of April 24, 2025

F. Public Hearing Items

- Hearing on an application requesting a Minor Subdivision Plat of Donat First Subdivision located in Section 34, Township 138 North, Range 49 West of the 5th Principal Meridian, Stanley Township, Cass County, North Dakota.
- Hearing on an application requesting a Minor Subdivision Plat of Donat Second Subdivision located in Section 34, Township 138
 North, Range 49 West of the 5th Principal Meridian, Stanley
 Township, Cass County, North Dakota.
- G. New Business
- H. Old Business
- I. Adjournment

CASS COUNTY PLANNING COMMISSION April 24, 2025

A. CALL TO ORDER

A meeting of the Cass County Planning Commission was called to order April 24, 2025 at 7:00am in the Heritage conference room at the Cass County Highway Department.

B. ROLL CALL

Planning Commissioners attending in person were Dr. Tim Mahoney, Ken Lougheed, Daniel Hamre, Brad Olson, Keith Gohdes, and Jay Nelson. Commissioner Duane Breitling, David Gust, and Keith Monson were absent.

Attending in person were Cole Hansen, Cass County Planner, Ethan Lehmann, Assistant Planner, Kyle Litchy, Cass County Engineer, Tom Soucy, Deputy County Engineer. Kate Naumann, attended via Teams.

Members of the public that attended in person were Judith Krueger.

C. DETERMINATION OF A OUORUM

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

D. APPROVE ORDER OF AGENDA

MOTION, passed

Mr. Olson moved, and Mr. Nelson seconded to approve the order of the agenda as presented. Motion carried.

E. MINUTES, APPROVED

MOTION, passed

Mr. Olson moved, and Mr. Nelson seconded to approve the minutes of the March 27, 2025.

F. PUBLIC HEARING

1. Hearing on an application requesting a Minor Subdivision Plat of Keys Subdivision located in Section 30, Township 139 North, Range 55 West of the 5th Principal Meridian, Hill Township, Cass County, North Dakota.

Mr. Lougheed opened the public hearing.

The applicant is seeking approval of a minor subdivision entitled Keys Subdivision to plat a one (1) Lot subdivision of approximately 12.96 acres. According to the applicant, the subdivision is requested to plat a lot to sell farmstead.

The proposed ownership and maintenance responsibility of the subdivision will be private. The subdivision will use an access easement for access. The property currently does not have a licensed on-site septic system for wastewater treatment.

There were no additional public comments, the public hearing was closed.

MOTION, passed

Dr. Mahoney moved, and Mr. Gohdes 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, with the exception that a deed restriction must be obtained.

2. Hearing on an application requesting a Minor Subdivision Plat of Griffin Subdivision located in Section 20, Township 139 North, Range 55 West of the 5th Principal Meridian, Hill Township, Cass County, North Dakota.

Mr. Lougheed opened the public hearing.

The applicant is seeking approval of a minor subdivision entitled Keys Subdivision to plat a one (1) Lot subdivision of approximately 8.09 acres. According to the applicant, the subdivision is requested to plat a lot to sell farmyard.

The proposed ownership and maintenance responsibility of the subdivision will be private. The subdivision will use an access easement for access. The property currently does not have a licensed on-site septic system for wastewater treatment.

There were no public comments, the public hearing was closed.

MOTION, passed

Mr. Olson moved, and Mr. Gohdes 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 based on completion of all requirements, with the exception that a deed restriction must be obtained.

3. Hearing on an application requesting a Minor Subdivision Plat of Andrew Baasch Subdivision located in Section 32, Township 142 North, Range 55 West of the 5th Principal Meridian, Lake Township, Cass County, North Dakota. Mr. Lougheed opened the public hearing.

The applicant is seeking approval of a minor subdivision entitled Keys Subdivision to plat a one (1) Lot subdivision of approximately 6.67 acres. According to the applicant, the subdivision is requested to plat a lot to split off the homestead to sell.

The proposed ownership and maintenance responsibility of the subdivision will be private. The subdivision will use an access easement for access. The property currently does not have a licensed on-site septic system for wastewater treatment.

Shared access will be maintained between the separated farmstead and land.

There were no public comments, the public hearing was closed.

MOTION, passed

Dr. Mahoney moved, and Mr. Nelson 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 based on completion of all requirements, with the exception that a deed restriction must be obtained.

G. NEW BUSINESS

Welcome Daniel Hamre to the table.

H. OLD BUSINESS

I. ADJOURNMENT

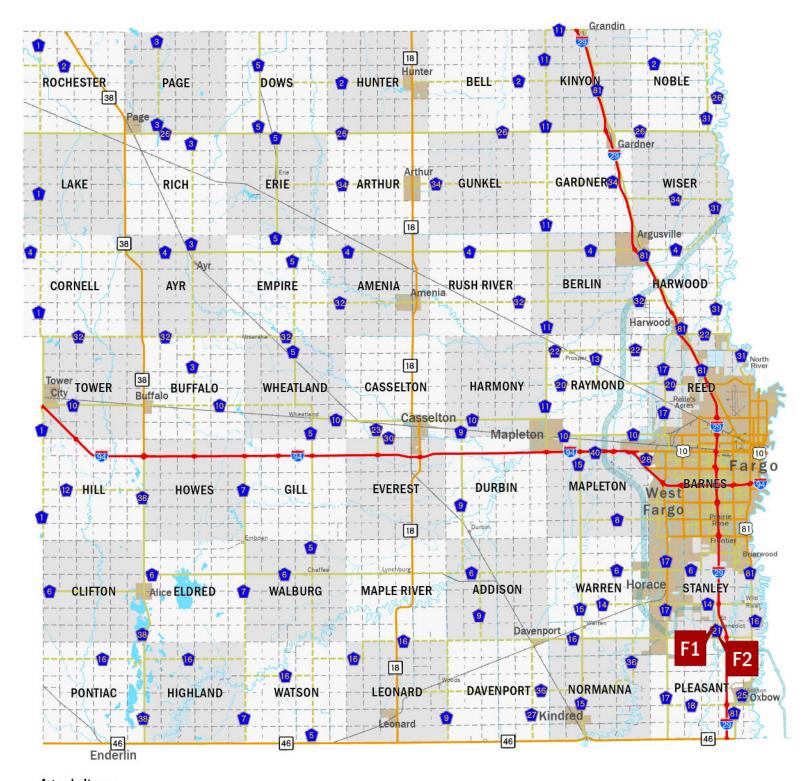
On motion by Mr. Hamre and seconded by Mr. Olson and all voting in favor, the meeting was adjourned at 7:26 am.

Minutes prepared by Serenity Oien, Principal Secretary, Cass County Highway Department.

Agenda Items

Cass County Planning Commission

May 22, 2025



Agenda Items:

F1, Donat First Subdivision

F2, Donat Second Subdivision

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









Cass County Planning Commission Staff Report

Entitlements Requested:	Minor Subdivision (1 Lot) of a part of the SE ½ of Section 34, Township 138 North, Range 49 West		
Title:	Donat First Subdivision	Date:	05/22/25
Location:	SE ¼ of Section 34, Township 138 North, Range 49 West (Stanley Township)	Staff Contact:	Ethan Lehmann
Parcel Number:	64-0000-02921-050	Water District:	Southeast Water District
Owner(s)/Applicant:	David Camrud, trustee	Engineer/ Surveyor:	Interstate Engineering
Status:	Planning Commission Hearing: May 22, 2025		

Existing Land Use	Proposed Land Use	
Agricultural	Agricultural	
Proposal		

The applicant is seeking approval of a minor subdivision entitled **Donat First Subdivision** to plat a one (1) Lot subdivision of approximately 12.96 acres. According to the applicant, the subdivision is requested to plat a lot to sell farmstead.

The proposed ownership and maintenance responsibility of the subdivision will be private. The subdivision will use an access easement for access. 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 west and south sides of the lot, and residential on the east, in addition to some light industrial on the east as well.

Floodzone

According to the FEMA Flood Map Service Center, this property is currently. 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. Applicant is requesting a variance to waive the 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.

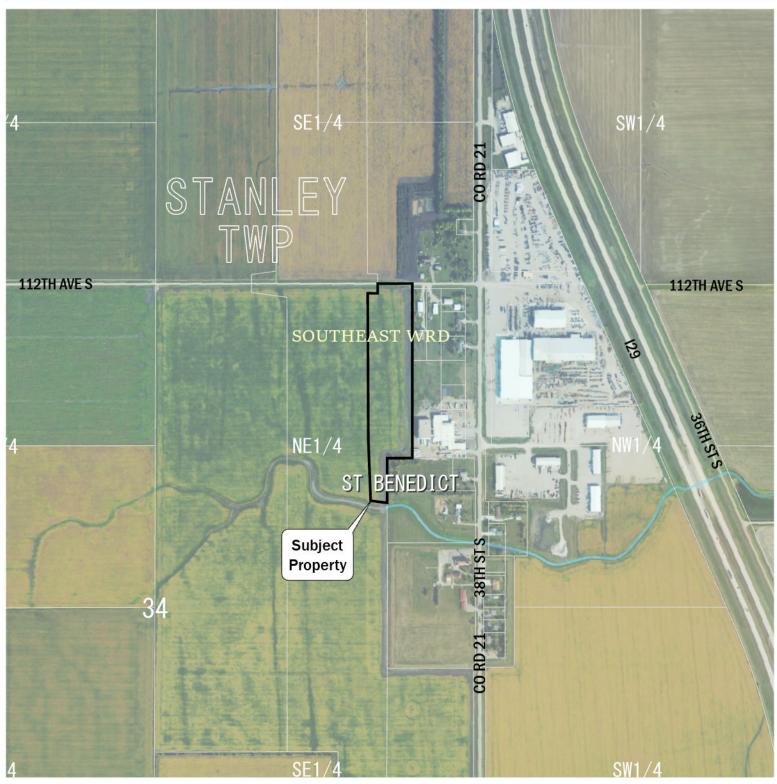
Attachments

- 1. Location Map
- 2. Plat Document

Minor Subdivision

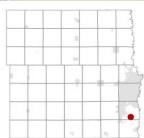
Donat First Subdivision

Section 34, Stanley Township Township 138 North - Range 49 West



Cass County Planning Commission May 22, 2025





Imagery: NAIP, summer/fall 2023

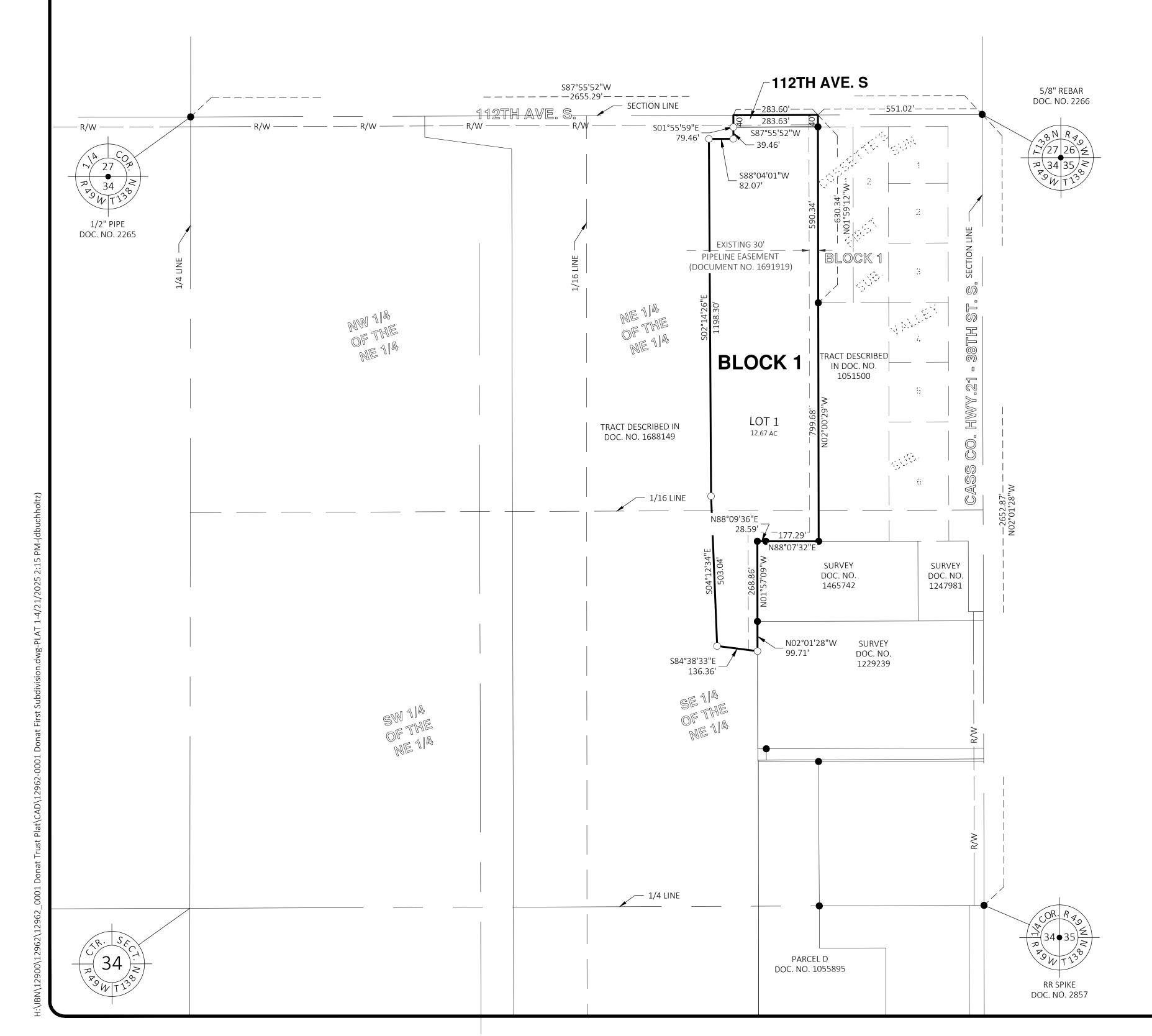
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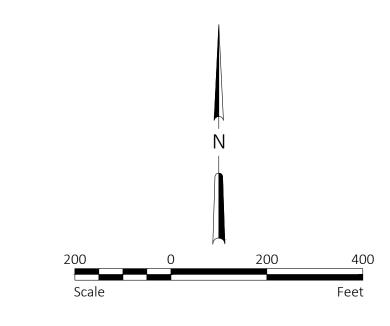


DONAT FIRST SUBDIVISION

BEING A PLAT OF PART OF THE EAST HALF OF THE NORTHEAST QUARTER AND PART OF THE EAST HALF OF THE SOUTHEAST QUARTER SECTION 34, T138N, R49W, 5th P.M.

CASS COUNTY, NORTH DAKOTA

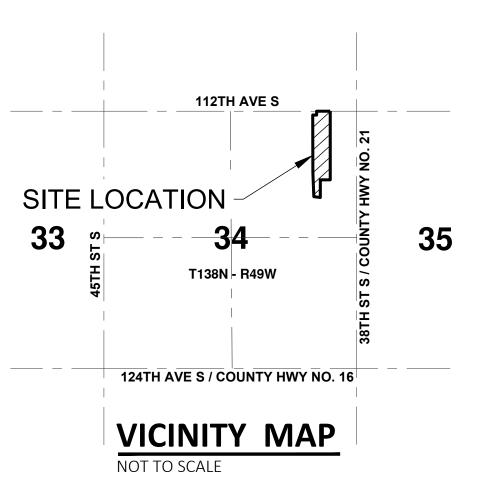




LEGEND

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.





DONAT FIRST SUBDIVISION

BEING A PLAT OF PART OF THE EAST HALF OF THE NORTHEAST QUARTER AND PART OF THE EAST HALF OF THE SOUTHEAST QUARTER SECTION 34, T138N, R49W, 5th P.M.

CASS COUNTY, NORTH DAKOTA

Owners' Certificate and Dedication:

Know all persons by these presents: That Wells Fargo Bank, N.A. fka Wells Fargo Bank North Dakota, N.A. as trustee for the Jeffrey R. Donat Trust, dated July 25, 1983, is the owner and proprietor of that part of the East Half of the Northeast Quarter of Section 34, Township 138 North, Range 49 West of the Fifth Principal Meridian, Cass County, North Dakota, described as follows:

Commencing at the northeast corner of said Northeast Quarter; thence South 87°55′52″ West, along the northerly line of said Northeast Quarter, for a distance of 551.02 feet a point of intersection with the northerly extension of the westerly line of Cossette's First Subdivision, said plat being on file at the Cass County Recorder's Office, and the true point of beginning; thence continue South 87°55′52″ West, along the northerly line of said Northeast Quarter, for a distance of 283.60 feet to the northeast corner of a tract of land described in Document No. 1688149, on file at said Recorder's Office; thence South 01°55′59″ East, along the easterly line of a tract described in said Document No. 1688149, for a distance of 82.07 feet; thence South 02°14′26″ East, along the easterly line of a tract described in said Document No. 1688149, for a distance of 136.36 feet to a point of intersection with the westerly line of a tract of land described in Document No. 1229239, on file at said Recorder's Office; thence North 02°01′28″ West, along the westerly line of a tract described in said Document No. 1229239, for a distance of 99.71 feet to the southwest corner of a tract of land described in Document No. 1465742, on file at said Recorder's Office; thence North 01°57′09″ West, along the westerly line of a tract described in said Document No. 1465742, for a distance of 268.86 feet to the northwest corner of said Recorder's Office; thence North 88°09′36″ East, along the northerly line of a tract described in said Document No. 1465742, for a distance of 177.29 feet to the southwest corner of a tract described in said Document No. 1465742, for a distance of 268.86 feet to the northwest corner of a tract described in said Document No. 1465742, for a distance of 177.29 feet to the southwest corner of a tract described in said Document No. 1465742, for a distance of 177.29 feet to the southwest corner of a tract described in Document No. 1685742, for a distance of 1799.68 feet to the southwest corner of a tract described in s

Said tracts contain 12.926 acres, more or less.

OWNER:

And that said parties have caused the same to be surveyed and platted as **DONAT FIRST SUBDIVISION**, and do hereby dedicate to the public, for public use, the street and highway shown on the plat.

In witness whereof we have set our hands and seals.

David R. Camrud, Vice Dakota, N.A. as trustee for the Jeffre				rgo Bank North
State of)		
State of) SS)		
On thisday of said county and state, Bank, N.A. fka Wells F Trust, dated July 25, 19 foregoing instrument a	personally appeared argo Bank North Dak 983, known to me to l	David R. Camrota, N.A. as trube the person of	ud, Vice Presionstee for the Je described in ar	dent of Wells Fargo effrey R. Donat nd who executed the
Notary Public:			_	
SURVEYOR'S CERTIF	FICATE AND ACKNO	WLEDGEMEN	<u>\T:</u>	
I, James A. Schlieman, Dakota, do hereby cert said subdivision; that the placed in the ground as	ify that this plat is a tr	rue and correct guidance of fu	representation uture surveys h	n of the survey of
James A. Schlieman, F	Professional Land Sui	rveyor No. 608	6	
State of North Dakota County of Cass)) ss)			
On this day of A. Schlieman, Professi and who executed the as his free act and dee	onal Land Surveyor, within instrument and	known to me to	be the persor	n who is described ir
Notary Public:				

Cass County Engineer:		
Reviewed by the Cass County Engineer this20	day of	,
Jason Benson, Cass County Engineer	_	
Cass County Planning Commission:		
Reviewed by the Cass County Planning Commission	this	day of
Ken Lougheed, Chairman		
Attest:Secretary		
Occidary		

Todd Ellig, Chair			
Attest: Tyler Sand,	Clerk		
•			
Cass County Board	of Commissioners' Approval	<u>l:</u>	
Approved by Cass	County, North Dakota, this _	day of	, 20

Brandy Madrigga, Cass County Finance Director





Cass County Planning Commission Staff Report

Entitlements Requested:	Minor Subdivision (1 Lot) of a part of the SE ½ of Section 34, Township 138 North, Range 49 West		
Title:	Donat Second Subdivision	Date:	05/22/25
Location:	SE ¼ of Section 34, Township 138 North, Range 49 West (Stanley Township)	Staff Contact:	Ethan Lehmann
Parcel Number:	64-0000-02921-050	Water District:	Southeast Water District
Owner(s)/Applicant:	David Camrud, trustee	Engineer/ Surveyor:	Interstate Engineering
Status:	Planning Commission Hearing: May 22, 2025		

Existing Land Use	Proposed Land Use		
Agricultural	Agricultural		
Proposal			

The applicant is seeking approval of a minor subdivision entitled **Donat Second Subdivision** to plat a one (1) Lot subdivision of approximately 20.561 acres. According to the applicant, the subdivision is requested to plat a lot to sell farmstead.

The proposed ownership and maintenance responsibility of the subdivision will be private. The subdivision will use an access easement for access. 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 west and east sides of the lot, and residential on the north and south.

Floodzone

According to the FEMA Flood Map Service Center, this property is currently. 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. Applicant is requesting a variance to waive the 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.

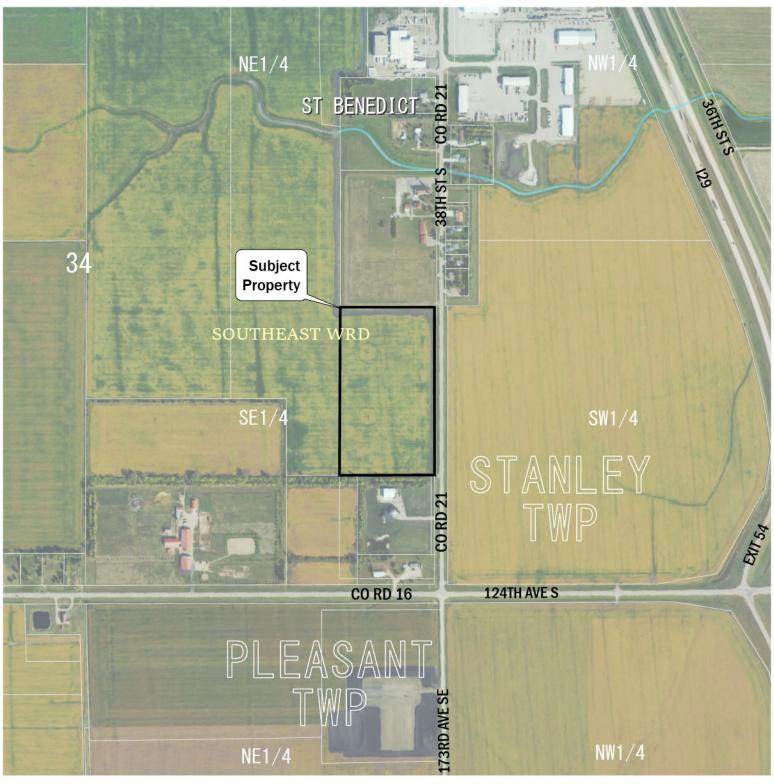
Attachments

- 1. Location Map
- 2. Plat Document

Minor Subdivision

Donat Second Subdivision

Section 34, Stanley Township Township 138 North - Range 49 West



Cass County Planning Commission May 22, 2025





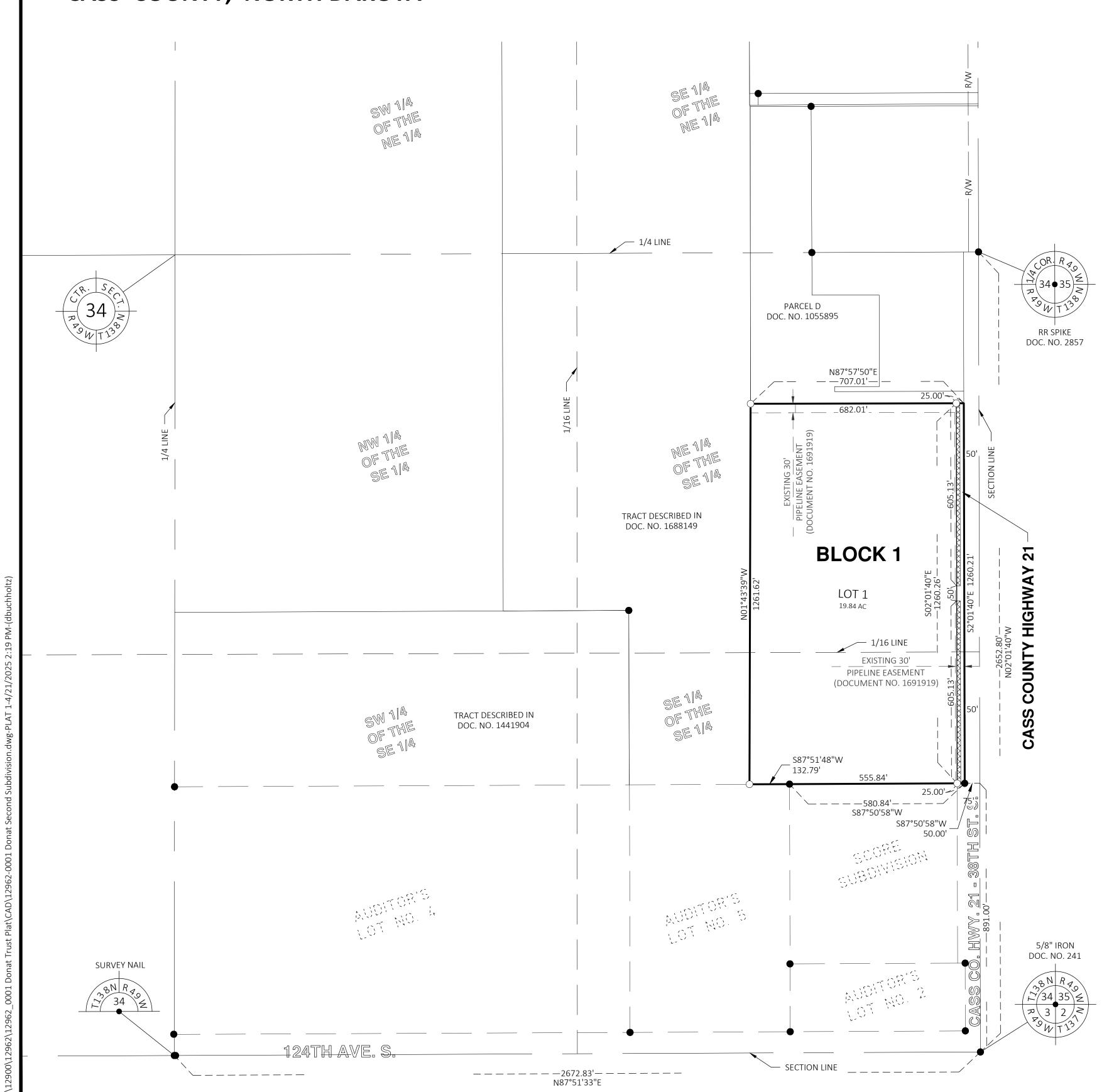
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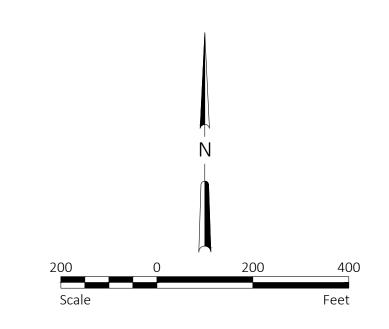


DONAT SECOND SUBDIVISION

BEING A PLAT OF PART OF THE EAST HALF OF THE NORTHEAST QUARTER AND PART OF THE EAST HALF OF THE SOUTHEAST QUARTER SECTION 34, T138N, R49W, 5th P.M.

CASS COUNTY, NORTH DAKOTA



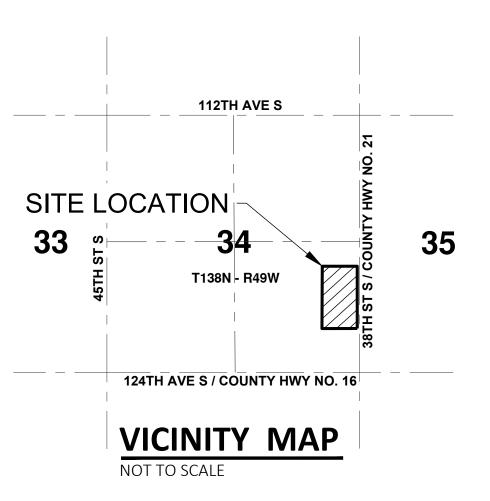


LEGEND

IRON MONUMENT FOUND	•
1/2" I.D. IRON PIPE SET	\circ
MEASURED BEARING	N00°00'00"E
MEASURED DISTANCE	100.00'
PLAT BOUNDARY	
EXISTING UTILITY EASEMENT	
SECTION LINE	
EXISTING RIGHT-OF-WAY LINE	R/W
NEGATIVE ACCESS EASEMENT	

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.





DONAT SECOND SUBDIVISION

BEING A PLAT OF PART OF THE EAST HALF OF THE NORTHEAST QUARTER AND PART OF THE EAST HALF OF THE SOUTHEAST QUARTER SECTION 34, T138N, R49W, 5th P.M.

CASS COUNTY, NORTH DAKOTA

Owners' Certificate and Dedication:

Know all persons by these presents: That Wells Fargo Bank, N.A. fka Wells Fargo Bank North Dakota, N.A. as trustee for the Jeffrey R. Donat Trust, dated July 25, 1983, is the owner and proprietor of that part of the East Half of the Southeast Quarter of Section 34, Township 138 North, Range 49 West of the Fifth Principal Meridian, Cass County, North Dakota, described as follows:

Commencing at the southeast corner said Southeast Quarter; thence North 02°01'40" West, along the easterly line of said Southeast Quarter, for a distance of 891.00 feet to a point of intersection with the easterly extension of the northerly line of Score Subdivision, said plat being on file at the Cass County Recorder's Office; thence South 87°50'58" West, along the easterly extension of the northerly line of said Score Subdivision, for a distance of 50.00 feet to the northeast corner of said Score Subdivision, and the true point of beginning; thence South 87°50'58" West, along the northerly line of said Score Subdivision, for a distance of 580.84 feet to the northeast corner of Auditor's Lot No. 5 of the Southeast Quarter of said Section 34, on file at said Recorder's Office; thence South 87°51'48" West, along the northerly line of said Auditor's Lot No. 5, for a distance of 132.79 feet to the southeast corner of a tract of land described in Document No. 1688149, on file at said Recorder's Office; thence North 01°43'39" West, along the easterly line of a tract described in said Document No. 1688149, for a distance of 1261.62 feet to a point of intersection with the southerly line of a tract described as Parcel D in Document No. 1055895, on file at said Recorder's office; thence North 87°57'50" East, along the southerly line of the East 50.00 feet of said Southeast Quarter; thence South 02°01'40" East, along the westerly line of the East 50.00 feet of said Southeast Quarter, for a distance of 1260.21 feet to the true point of beginning.

Said tracts contain 20.561 acres, more or less.

OWNER:

And that said parties have caused the same to be surveyed and platted as **DONAT SECOND SUBDIVISION**, and do hereby dedicate to the public, for public use, the street and highway shown on the plat.

In witness whereof we have set our hands and seals.

Dakota, N.A as trustee fo	١.	President of Well	_		ı Wells Farç	go Bank North
State of			_)			
County of _) s	_)			
said county Bank, N.A. Trust, dated	and state, p fka Wells Fa I July 25, 19	, 2 ersonally appear rgo Bank North D 83, known to me d acknowledged	ed David akota, N. to be the	R. Camrud, \ A. as trustee person descr	/ice Preside for the Jeff ibed in and	ent of Wells Fa frey R. Donat d who executed
Notary Publ	ic:					
SURVEYOR	R'S CERTIFI	CATE AND ACK	NOWLED	GEMENT:		
I, James A. Dakota, do said subdiv	Schlieman, l	Professional Land y that this plat is e monuments for	d Surveyo a true and	or under the la	esentation	of the survey o
I, James A. Dakota, do said subdiv placed in th	Schlieman, l hereby certif sion; that the e ground as	Professional Land y that this plat is e monuments for	d Surveyo a true and the guida	or under the land	esentation	of the survey o
I, James A. Dakota, do said subdiv placed in th	Schlieman, I hereby certif sion; that the e ground as chlieman, Pr	Professional Land y that this plat is e monuments for shown.	d Surveyo a true and the guida	or under the land	esentation	of the survey o

Cass County Engineer:	
Reviewed by the Cass County Engineer this20	_day of,
Jason Benson, Cass County Engineer	
Cass County Planning Commission: Reviewed by the Cass County Planning Commission th, 20	nisday of
Ken Lougheed, Chairman	_
Attest:	_
Secretary	

Todd Ellig, Chair		
Attest:		
Cass County Board of Commissioners' Approval:		
Cass County Board of Commissioners' Approval: Approved by Cass County, North Dakota, this		, 20

Brandy Madrigga, Cass County Finance Director



Stanley Township: