

CASS COUNTY PLANNING COMMISSION AGENDA FOR MARCH 24, 2011

Cass County Highway Department Conference Room
7:00 AM
1201 Main Avenue West, West Fargo, ND 58078

1. Call to Order
Establish Quorum of Members
Approve February 24, 2011 Minutes
2. American Crystal Subdivision, NW ¼, S4, Everest Township
Final Plat Review – “On the table”
[Action to remove from table]
[Action]
3. Gourde Subdivision, SE ¼, S30, Harwood Township
Proposed Revised Motion
[Action]
4. Other Business and Citizen Comment
5. Adjournment

***Additional copies of the agenda and Planning Commission materials are available at:
<http://www.casscountynd.gov/county/Boards/PlanningCommission/>***

Planning Commissioners:
Please call Highway Department Secretary
at 298-2370 if you are unable to attend.
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Persons with Disabilities needing accommodations should call 298-2370 prior to the meeting.

**CASS COUNTY PLANNING COMMISSION
JANUARY 27, 2011**

1. MEETING TO ORDER

The meeting was called to order on January 27, 2011, at 7:00 AM in the Highway Department Conference Room with members present as follows: Ken Lougheed, Keith Monson, Todd Ellig, Mark Johnson, Chad Peterson, Lou Bennett, Brad Wimmer, and Mike Zimney. Scott Wagner was absent. Also present was County Planner Tim Solberg.

2. MINUTES APPROVED

MOTION, passed

Mr. Peterson moved and Mr. Bennett seconded that minutes from the October 28, 2010, meeting be approved as written. Motion carried.

3. 2011 ELECTION OF OFFICERS

MOTION TO CONTINUE WITH EXISTING OFFICERS, passed.

Mr. Bennett moved and Mr. Monson seconded to keep the officers as they are with Mr. Lougheed as Chair and Mr. Ellig as Vice-Chair. Motion carried unanimously.

4. ROAD ADVISORY GROUP APPOINTMENT

MOTION, passed

Mr. Wimmer moved and Mr. Zimney seconded to reappoint Mr. Johnson to the Road Advisory Group. Motion carried.

5. CHRISTOPHER GOURDE SUBDIVISION, PRE-APPLICATION

Mr. Solberg stated he has brought this before the Board prior to full consideration because he felt it was a unique situation and he'd like to provide some guidance to the resident prior to application for review. He is not recommending any action be taken. The living structure on the property has burnt down, and Mr. Gourde has since built a new house on the property. His mortgage company is requiring him to carry flood insurance on all structures on the parcel of land. He currently carries 6 flood insurance policies for the various structures. Mr. Gourde would like to plat the land into 2 parcels, separating the portion containing the house from the remainder of the land that contains the accessory structures. Doing this will mean that he will only have to carry flood insurance on the house. Discussion was held regarding the flood insurance requirements of different mortgage companies and the role this Board should play in the matter. Mr. Ellig & Mr. Peterson both expressed their objections to a variance. Mr. Zimney inquired about the homeowner doing a simple lot split. Mr. Solberg does not recommend a lot split as it would be in violation of Cass County Subdivision Ordinance #2006-1 and the Planning Commission would not get a chance to review. Further discussion was held regarding the Subdivision Ordinance and its benefits of platting.

MOTION, passed

Mr. Ellig moved and Mr. Peterson seconded that the Board entertain a variance request from Mr. Gourde should a formal request be submitted

and he agree to deed restrict the remaining lot that does not contain the home. Motion carried.

Additional discussion was held as what Mr. Zimney feels that the Board should give Mr. Gourde some idea of whether or not a request for variance would be approved. He shouldn't have to spend the money to get the land platted only to have the request denied. On an informal vote, all members would be in favor of the variance request. Mr. Lougheed requested Mr. Solberg and Mr. Zimney to discuss different options for a remedy to situations such as these including the idea of administrative plats and bring them before the board at a later meeting.

6. OTHER BUSINESS

Mr. Wimmer stated that the Fargo Planning Commission is looking for two members in the Fargo ET area, so if the other members know of anyone in the ET area, he would ask that they encourage them to join the Fargo Planning Commission.

Discussion was held regarding flood projections. There will be another auction held for flood buyout homes. They are aiming for the end of February or beginning of March for the auction.

7. ADJOURNMENT

MOTION, passed

On motion by Mr. Bennett, seconded by Mr. Zimney, and all voting in favor, the meeting was adjourned at 7:55 AM.

MEMORANDUM

TO: Cass County Planning Commission

FROM: Tim Solberg, County Planner

DATE: March 17, 2011

**SUBJECT: American Crystal Subdivision:
March 24, 2011 Planning Commission Meeting**

NDSU Advanced Traffic Analysis Center is conducting a traffic study for Cass County Highway 23 and the potential impact that the proposed American Crystal Subdivision may have. The study results will be presented at the March 24, 2011 Meeting.

Please call me at 701-298-2375 if you have any questions.

MEMORANDUM

TO: Cass County Planning Commission

FROM: Tim Solberg, County Planner

DATE: March 17, 2011

**SUBJECT: Gourde Subdivision:
March 24, 2011 Planning Commission Meeting**

Rush River Water Resource District has informed me that they are negotiating an easement with Chris Gourde so a dedicated easement or right of way is no longer necessary. They are retracting their former request by which the Planning Commission acted upon and have recommended the plat move forward without waiting on their negotiations.

As a matter of order, I would recommend we amend the motion to remove the condition that Mr. Gourde file an easement or right of way dedication to the Rush River Water Resource District prior to final approval by the Cass County Board of Commissioners.

Please call me at 701-298-2375 if you have any questions.

From: [Sean M. Fredricks](#)
To: [Solberg, Timothy](#)
Cc: [Lewis, Carol](#); [Chad Engels](#); [Chris Gross](#)
Subject: Gourde Subdivision
Date: Wednesday, March 16, 2011 1:18:39 PM

Tim –

The Rush River WRD is negotiating a separate easement with Chris Gourde, so dedicated right of way is no longer necessary. To the extent the Planning Commission has any questions, just let me know. Otherwise, please feel free to forward the plat for the County Commission for approval, without the need for any dedicated right of way for Cass Drain 12.

Thanks, Tim.

Regards,

Sean M. Fredricks

Attorney at Law

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