



APPLICATION INSTRUCTIONS
Agricultural Building and Agricultural Accessory Structure Building Permit

This instruction sheet explains application requirements for agricultural buildings and accessory structures. More information and a fee schedule for permits can be found on the "Building Permits, Land Use, and Zoning Procedures" handout available on the township website or from the town clerk. If you are unsure whether a structure or project requires a permit, contact the Eureka Town Clerk at 952-469-3736 or eurekatn@frontiernet.net.

General Requirements

Agricultural buildings and accessory structures are governed by Eureka Township Ordinance 3, Chapters 1–5. Under Minnesota State Statute, qualifying agricultural buildings are exempt from the Minnesota State Building Code. According to Minnesota Statute §16B.60, Subd. 5, to qualify as an agricultural building, a structure must meet **both** of the following requirements:

1. it must be located "on agricultural land as defined in Minnesota Statute §273.13 Subd. 23"; and
2. it must be "designed, constructed, and used to house farm implements, livestock, or agricultural produce or products used by the owner, lessee, and sub lessee of the building and members of their immediate families, their employees, and persons engaged in the pickup or delivery of agricultural produce or products."

According to Minnesota Statute §273.13(e), "the term '**agricultural products**' includes production for sale of:

1. livestock, dairy animals, dairy products, poultry and poultry products, fur-bearing animals, horticultural and nursery stock, fruit of all kinds, vegetables, forage, grains, bees, and apiary products by the owner;
2. fish bred for sale and consumption if the fish breeding occurs on land zoned for agricultural use;
3. the commercial boarding of horses if the boarding is done in conjunction with raising or cultivating agricultural products as defined in clause (1);
4. property which is owned and operated by nonprofit organizations used for equestrian activities, excluding racing;
5. game birds and waterfowl bred and raised for use on a shooting preserve licensed under section 97A.115;
6. insects primarily bred to be used as food for animals;
7. trees, grown for sale as a crop, and not sold for timber, lumber, wood, or wood products; and
8. maple syrup taken from trees grown by a person licensed by the Minnesota Department of Agriculture under chapter 28A as a food processor."

You can get a copy of the Eureka Zoning Ordinance and applicable state statutes from the town clerk or from the Eureka Township website at <http://eurekatownship-mn.us/permits.html>.

General requirements for agricultural buildings and accessory structures are as follows:

1. All structures shall be set back as follows:
 - a. Lot width—250 feet at the dwelling
 - b. Side yard setbacks for structures—30 feet



- c. Rear yard setbacks for structures—30 feet
 - d. Township road—100 feet from centerline
 - e. County/State road—110 feet from centerline
2. All dwellings shall be separated by at least 250 feet from the nearest farm building; however this restriction shall not apply where the dwelling and the farm building are in common ownership.
 3. The driveway serving a parcel shall be separated from adjacent driveways on the same side of the road by the following distances:
 - a. Township road—100 feet;
 - b. County/State road per regulations of County and State as appropriate.
 - c. Minimum distance from the intersection of two or more of the above is 300 feet.
 - d. County Highway Department permit required to install a driveway on County road.
 4. Septic tanks shall be located not less than ten (10) feet from the foundation of any building.

Documents Required for a Complete Application

To be considered complete, an application for an agricultural building requires all of the following, unless waived by the Zoning Administrator:

1. Completed "Building Permit Application" form, signed by the landowner(s). (If the individual signing the form has power of attorney for the landowner or is acting on behalf of a trust, attach proof that the individual is authorized to act in this capacity).
2. Application fee, as set forth in Eureka Township Ordinance 7.
3. Completed "Agricultural Building Exemption Application" form, signed by the landowner(s). (If the individual signing the form has power of attorney for the landowner or is acting on behalf of a trust, attach proof that the individual is authorized to act in this capacity).
4. Proof of Ownership. Parcel ID will be used for verification of ownership; conflicts must be resolved with a proper deed.
5. Two (2) copies of a site plan (see "Building Permit, Land Use, and Zoning Procedures" handout for a list of site plan requirements).

In addition, other permits may be required as follows:

- For new driveways that front on a county road, a permit is required from the Dakota County Highway Department.
- If the land parcel is located in the Dakota County Shoreland Zoning area, a Shoreland permit is required from the Dakota County Planning Department.
- If the land parcel is located in the North Cannon River Watershed District, a storm water permit may be required by Eureka Township.