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**APPLICATION INSTRUCTIONS**  
**Building Right Cluster**

This instruction sheet explains application requirements for clustering building rights. 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 eureka@frontiernet.net.

**General Requirements**

Clustering of building rights is permitted under Eureka Township Ordinance 3, Chapter 3, Section 2. You can get a copy of the Eureka Zoning Ordinance from the town clerk or from the Eureka Township website at <http://eurekatownship-mn.us/permits.html>.

General requirements for clustering of building rights under the ordinance are as follows:

1. The request for clustering must be done by the owner of the property.
2. A minimum of 80 contiguous acres is required per cluster.
3. A maximum of 4 dwelling units is allowed per quarter-quarter section.
4. Owner of the property must, within the term of one year, record on the deed of each adjoining quarter-quarter section that they are not buildable.

**Documents Required for a Complete Application**

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

1. Completed "Building Right Cluster Agreement" form, signed by all landowners. (If the individual signing the agreement 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 and the permit fee schedule.
3. Dakota County filing fee, as set forth in Eureka Township Ordinance 7 and the permit fee schedule (make check payable to "Dakota County Recorder's Office").
4. Proof of Ownership of all involved parcels. Parcel IDs will be used for verification of ownership; conflicts must be resolved with a proper deed.

NOTE: The Building Right Cluster Agreement is a legal document that will be attached to the deed of the affected property or properties.