



## APPLICATION INSTRUCTIONS Deck and Swimming Pool Building Permit

This instruction sheet explains application requirements for decks and pools. 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](mailto:eurekatn@frontiernet.net).

To simplify the process for obtaining permits for decks and swimming pools, the township has adopted the following policy:

1. The town clerk and planning commission chair (or vice chair) will jointly review applications for decks and pools as soon as they are received. Incomplete applications will be returned within 15 days, and must be resubmitted.
2. If the clerk and the planning commissioner **agree the proposal meets township ordinances**, the clerk may approve the permit, and applicants need not appear before the planning commission or town board. The clerk will forward building plans to the township building inspector, who will issue a permit per his usual procedure. Once a permit has been issued, applicants can obtain their permit from the town clerk after paying the appropriate permit fees. No work shall begin on the project until the applicant has paid for and obtained the proper permits.
3. If the clerk and the planning commissioner **do not agree that the proposal meets township ordinances**, then the application will be forwarded to the planning commission for review per the township's standard procedures for reviewing permits; in such cases, the applicant must appear before the planning commission and town board. No work shall begin on the project until the proper permits have been obtained.

### General Requirements

Decks and swimming pools are governed by Eureka Township Ordinance 3, Chapters 1–4 and the Minnesota State Building Code. You can get a copy of the Eureka Zoning Ordinance and applicable state building codes from the town clerk or from the Eureka Township website at <http://eurekatownship-mn.us/permits.html>.

The following are exempt from Minnesota State Building Code requirements and do not require a permit (although they still must meet Eureka land use and zoning requirements for setbacks as explained below):

- "Decks and platforms not more than 30 inches (762 mm) above adjacent grade and not attached to a structure with frost footings and which is not part of an accessible route";
- "Prefabricated swimming pools accessory to dwelling units . . . which are 24 inches (610 mm) or less in depth, do not exceed 5,000 gallons (19,000 L) and are installed entirely above ground" (Minnesota State Building Code 2003, §1300.0120, Subp. 1).

General requirements for decks and swimming pools are as follows:



1. All structures shall be set back as follows:
  - a. Side yard setbacks for structures—30 feet
  - b. Rear yard setbacks for structures—30 feet
  - c. Township road—100 feet from centerline
  - d. County/State road—110 feet from centerline
2. All pools must be fenced to a height of 4 1/2 feet, with a fence that will not allow any object more than 4 inches square to penetrate.
3. All pools must have self-closing gates that open away from the pool.

**Documents Required for a Complete Application**

To be considered complete, an application for a deck or swimming pool requires all of the following, unless waived by the Zoning Administrator:

1. Completed "Building Permit Application" form.
2. Application fee, as set forth in Eureka Township Ordinance 7.
3. Proof of Ownership. Parcel ID will be used for verification of ownership; conflicts must be resolved with a proper deed.
4. Two (2) copies of a site plan (see "Building Permit, Land Use, and Zoning Procedures" handout for a list of site plan requirements).
5. Two (2) sets of building plans (required for decks only).

In addition, other permits may be required as follows:

- 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.