

EUREKA TOWNSHIP
Dakota County, State of Minnesota

AGENDA
PLANNING COMMISSION MEETING
November 6, 2024 – 7:00 P.M.

- I. Call to Order and Pledge of Allegiance**
- II. Elect Planning Commission Vice Chair**
- III. Approval of the Agenda**
- IV. Permit Requests**
 - 1. Bartyzal, Nick 27025 Galaxie Ave., PIN 13-03400-27-011 *Detached Garage
- V. Old Business**
 - 1. Commercial and Home Extended Business
 - a. Define and finalize a list of challenges the Township is facing.
 - b. Open House presentation ideas.
 - c. Tentative date of November 18th was set for open house. Feasible?
- VI. New Business**
 - 1. Assign a PC member to the open dates as the Town Board meeting liaison.
 - 2. Review application and requirements-Exempt Agriculture Zoning Approval.
 - 3. Start process of presentation for March Annual Meeting.
- VII. Approval of Meeting Minutes**
 - 1. October 1, 2024, Planning Commission meeting minutes
 - 2. October 9, 2024, Special Town Board & Planning Commission roundtable minutes
- VII. Adjournment**

A quorum of the Town Board may be in attendance. No Town Board discussion or action will be taken.

You can join the Zoom Meeting one of the following ways:

- 1. Navigate to <https://zoom.us/j/3134376987?pwd=V3VRRkjKbIUxeUY1eIJBdmVNUmUrdz09>
Meeting ID: 313 437 6987
- 2. One tap mobile: dial 1-312-626-6799, 3134376987#

Permit Request

EUREKA TOWNSHIP

BUILDING PERMIT APPLICATION

Eureka Township / 25043 Cedar Avenue, Farmington MN 55024
Phone: (952) 469-3736 / Email: deputyclerk@eurekatownship-mn.us

SITE INFORMATION Eureka Township		PIN# 13-03400-27-011	Permit#
Site Address: 27025 GALAXIE AVE		City FARMINGTON	Zip 55024
PROPERTY OWNER INFORMATION			
Name NICK BARTYZAL		Email NBARTYZAL@GMAIL.COM	Phone 651-592-6842
Address 27025 GALAXIE AVE		City FARMINGTON	State MN Zip 55024
APPLICANT/CONTRACTOR INFORMATION			
Applicant Name NICK BARTYZAL		License Number	
Contact Person NICK BARTYZAL		Email	
Address 27025 GALAXIE AVE		City FARMINGTON	State MN Zip 55024
Cell Phone 651-592-6842		Day Time Phone 651-592-6842	Fax
TOWNSHIP / LOCAL GOVERNMENT			
Permit complies with the Wetland Conservation Act subject to the following conditions:			
<input checked="" type="checkbox"/> Dakota County Shoreland/ Letter or Permit 10/29/24		<input type="checkbox"/> Vermillion River Watershed/ Letter or Permit	
Date			
PLEASE INDICATE PROJECT TYPE		PROVIDE THE FOLLOWING FOR NEW HOME AND AS NEEDED	
<input type="checkbox"/> Residential or <input type="checkbox"/> Commercial/Industrial		<input type="checkbox"/> Signature from Township on Building Permit Application	
<input type="checkbox"/> New Home Construction	<input type="checkbox"/> Private Dog Kennel	<input type="checkbox"/> Building Plans (Cross Section, Elevations, Floor Plan) – 2 copies	
<input type="checkbox"/> Deck	<input type="checkbox"/> Public Utility Structure	<input type="checkbox"/> Heat Loss, Combustion Air & Make-up Air Calculations – 2 copies	
<input checked="" type="checkbox"/> Accessory Bldg/Pole Shed	<input type="checkbox"/> Signs*	<input type="checkbox"/> Energy Certificate – 2 copies	
<input type="checkbox"/> Remodel	<input type="checkbox"/> Govt Bldg/Facility*	<input type="checkbox"/> Driveway Permit (Required for access to State, County, Twp. Roads)	
<input type="checkbox"/> Demolition	<input type="checkbox"/> Church/Religious Bldg*	<input type="checkbox"/> Survey/ Detailed Site Plans – 2 copies	
<input type="checkbox"/> Swimming Pool	<input type="checkbox"/> Solar Energy*	<input type="checkbox"/> Erosion and Sediment Control Plans	
<input type="checkbox"/> Moving a Building	<input type="checkbox"/> Communication Tower*	<input type="checkbox"/> Complete Septic Design	
<input type="checkbox"/> Aircraft Hangar	* CUP also required	<input type="checkbox"/> New Home Checklist	
<input type="checkbox"/> Other:			
Estimated Cost of Labor & Materials: \$30,000.00			
Project Description: DETACHED NEW GARAGE			

Applicant hereby agrees that, upon issuance of this permit, all work shall be done and all materials used shall be in compliance with all applicable township, city and county ordinances. The applicant agrees to abide by all zoning regulations and to utilize this structure for its permitted use. Signature of this application by the legal property owner or owner's representative is required and authorizes the Township Zoning Administrator or designee and the Building Official or designee to enter upon the property to perform needed inspections. Entry may be without prior notice.

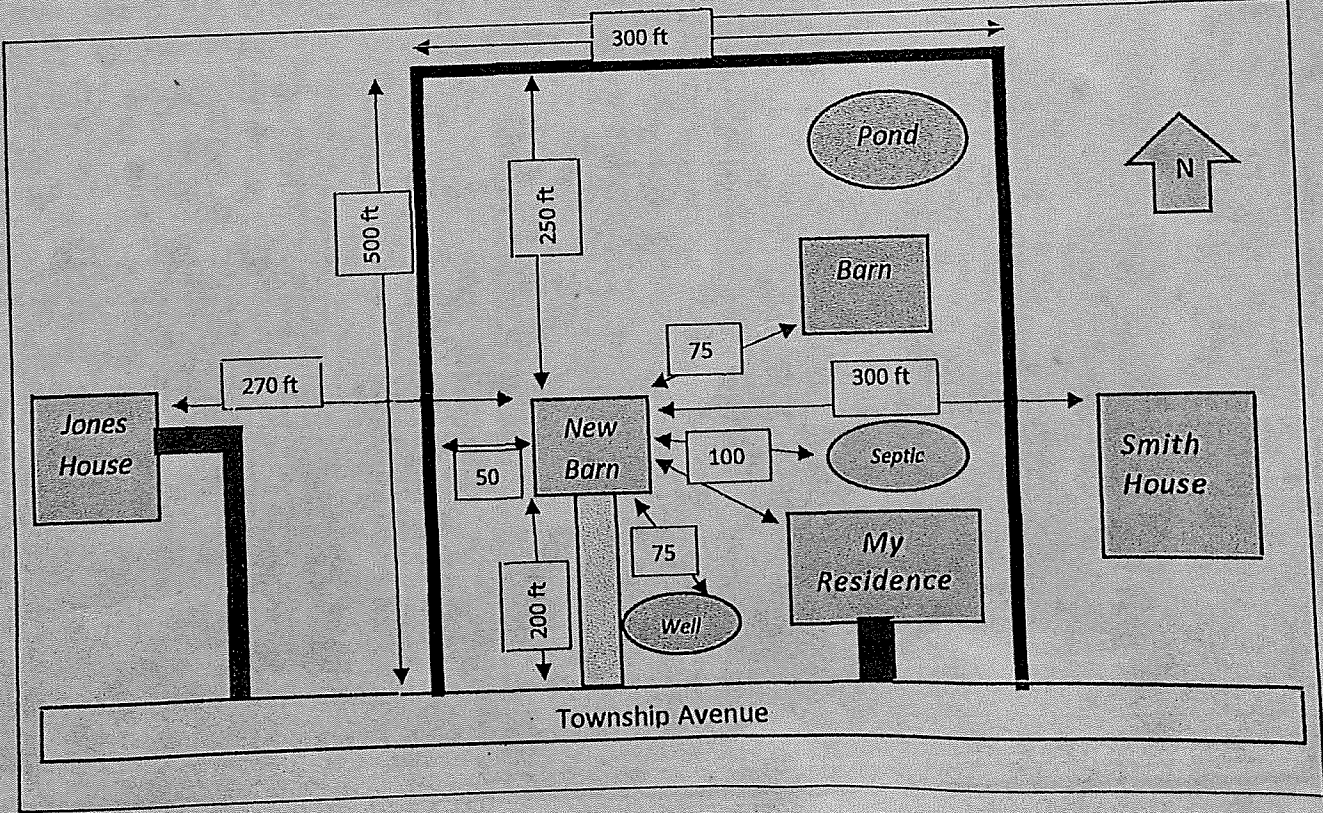
The property owner agrees to pay all plan review fees even if he/she chooses not to proceed with the work. Permit expires when work is not commenced within 180 days from date of permit, or if work is suspended, abandoned or not inspected for 180 days. Work beyond the scope of this permit, or work without a permit or inspection will be subject to penalty.

Signature of Property Owner: 	Date: 9/28/24
Signature of Contractor:	Date:

SUPPLEMENT TO ACCESSORY STRUCTURES PERMIT APPLICATION
(MUST be included when applying for permit)

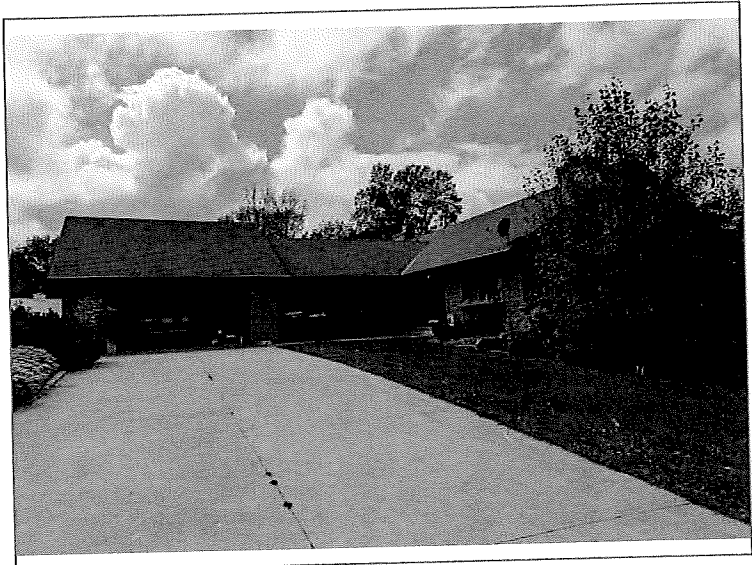
1. Dimensions of new structure 90 x 30 equals ~~1000~~ 1500 square feet.
2. Floor structure: CEMENT SLAB
3. Method of attachment to ground: THICKENED EDGE FLOATING SLAB
4. Wall construction information: 2X6 WOOD STUD
5. Roof structure information: ROOF TRUSS ASPHALT SHINGLES
6. Total area of all existing accessory buildings (excluding Agricultural buildings): ~~1792~~ 1792
7. The dimensions (length and width) of all accessory buildings are on the site map:
8. Distance from property lines:
 Side 1: 453' Side 2: 150'
 Rear: 789' Road center line: 1500' + 10' CEDAR AVE / 115' TO CENTER DRIVEWAY
9. Closest distance of new structure from primary residence: 75'

SAMPLE SITE PLAN: (NOTE: Distances should be in relation to the proposed building or structure)



Property Card	Parcel ID Number 13-03400-27-011
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Owner Information
Fee Owner NICHOLAS E BARTYZAL
Mailing Address 27025 GALAXIE AVE FARMINGTON MN 55024



Property Address
Address 27025 GALAXIE AVE
Municipality EUREKA TWP

Parcel Information	
Sale Date	06/22/2018
Sale Value	\$707,278.00
Uses	RESIDENTIAL RESIDENTIAL
Total Acres	13.11
R/W Acres	
Water Acres	
Plat	SECTION 34 TWN 113 RANGE 20
Lot and Block	34 113 20
Tax Description	LOT 1 EX S 660 FT

2024 Building Characteristics (payable 2025)*			
Building Type	S.FAM.RES	Year Built	1988
Building Style	ONE STORY	Foundation Sq Ft	2,048
Frame	WOOD	Above Grade Sq Ft	2,048
Multiple Buildings		Finished Sq Ft	3,078
		Bedrooms	3
		Bathrooms	2.50
		Garage Sq Ft	616
		Other Garage	

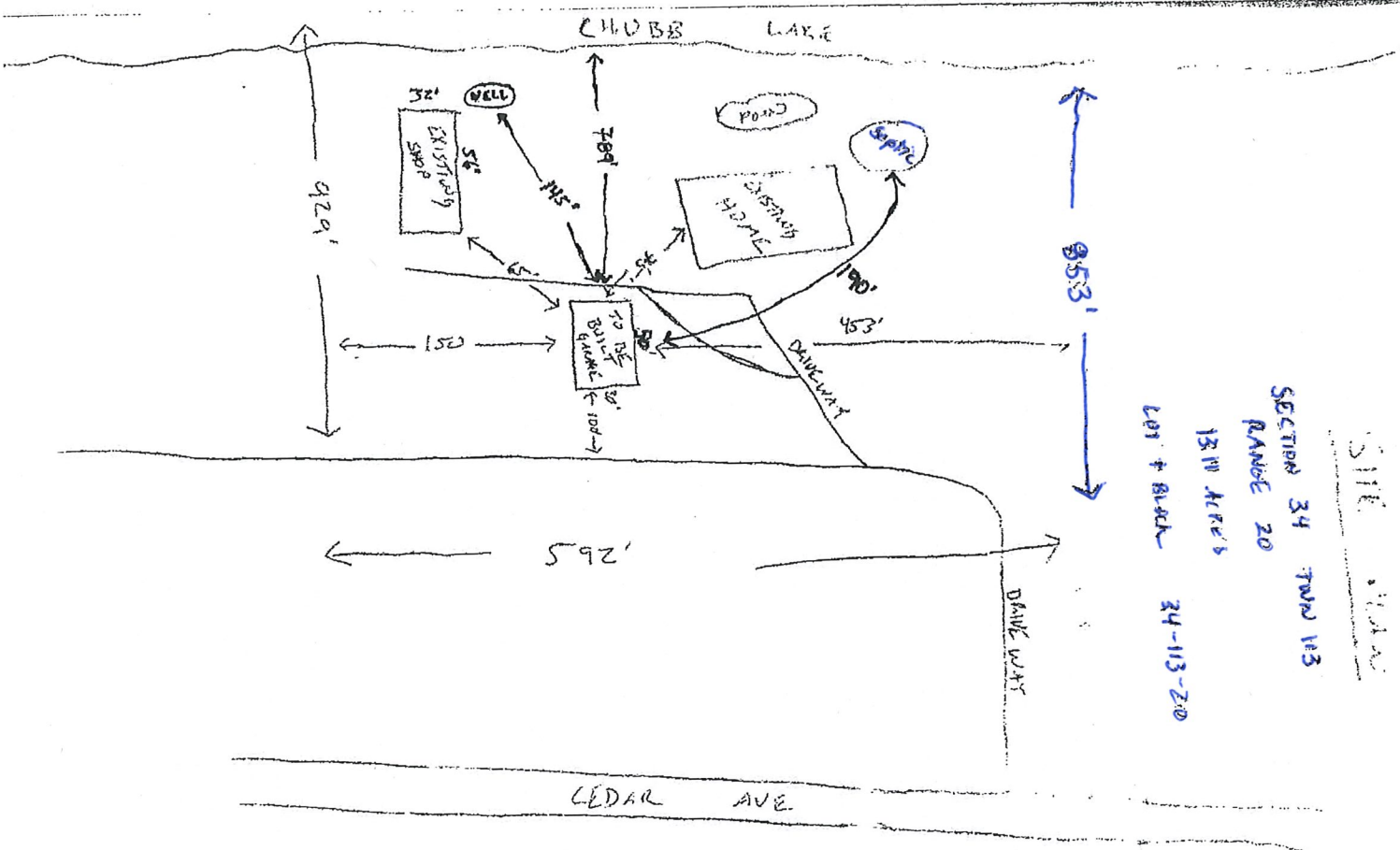
Miscellaneous Information					
School District	Watershed District	Homestead	Green Acres	Ag Preserve	Open Space
659	NORTH CANNON RIVER	FULL HOMESTEAD			

Assessor Valuation		
	Taxable	Estimated
2024 Land Values (payable 2025)	\$250,700.00	\$250,700.00
2024 Building Values (payable 2025)*	\$513,600.00	\$513,600.00
2024 Total Values (payable 2025)*	\$764,300.00	\$764,300.00
2023 Total Values (payable 2024)*	\$761,400.00	\$761,400.00

Property Tax Information		
Net Tax (payable 2024)	Special Assessments (2024)	Total Tax & Assessments (2024)
\$7,404.00	\$0.00	\$7,404.00

* Manufactured Homes Payable the Same Year as Assessment.

Disclaimer: Map and parcel data are believed to be accurate, but accuracy is not guaranteed. This is not a legal document and should not be substituted for a title search, appraisal, survey, or for zoning verification.



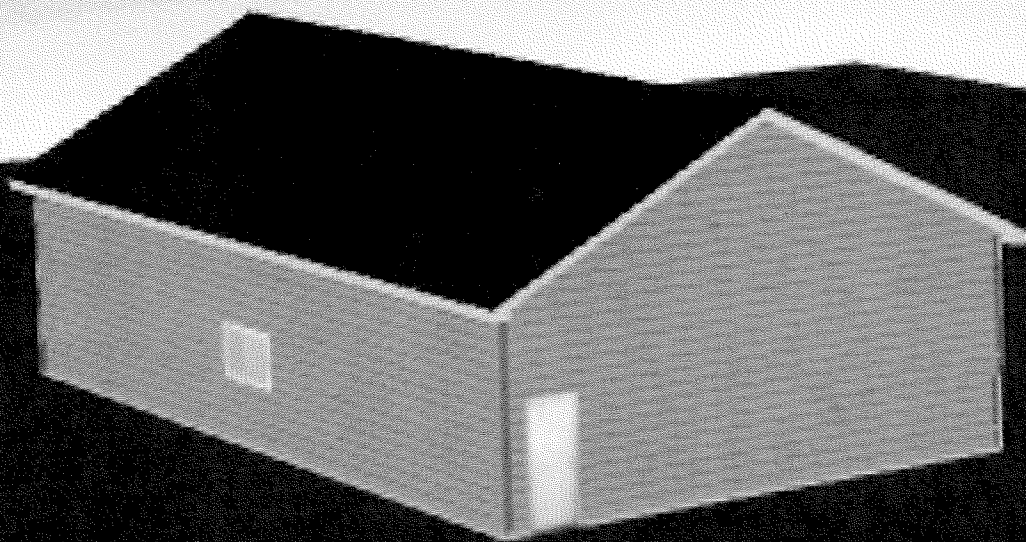
SITE PLAN

SECTION 34 TWP 113
 RANGE 20
 1311 ACRES
 LOT 1 + BLOCK 34-113-20

↑ N

Reset Scene

Example of building
50 x 30





October 29, 2024

Nick Bartyzal
27025 Galaxie Avenue
Farmington MN 55024

Shoreland File # EK024
PIN: 130340027011

Mr. Bartyzal:

I have reviewed your landuse application and sketch/location map for a proposed detached garage on your property in Eureka. The location of the proposed garage meets the shoreland structure set back of 200-feet from Chub Lake. This letter services as your land use permit and is valid for one year. The following conditions apply:

- Please contact me before footings have been poured so the location can be verified.
- Erosion control needs to be installed prior to any earth moving and remain in place until vegetation has been established.
- If you intend to install plumbing or a bathroom in the building, and plan to connect to the existing septic system, a compliance inspection on the septic system must be performed.

If you have additional questions, please call me at 952-891-7024.

Sincerely,

A handwritten signature in cursive script that reads "Dee McDaniels".

Dee McDaniels
Environmental Specialist

c: Eureka Township

Environmental Resources



Table 5 – Building and Lot Specifications

Structural setback from:	Recreation Lake	Natural Environment Lake	Remote River	Transition River	Agriculture River	Tributary River	Recreation River	Scenic River
Ordinary high water mark	100-feet	200-feet	200-feet	200-feet	200-feet	100-feet	200-feet	200-feet
Side & rear lot line	10-feet	10-feet	10-feet	10-feet	10-feet	10-feet	10-feet	10-feet
Bluff	40-feet	40-feet	100-feet	40-feet	40-feet	40-feet	40-feet	40-feet
Septic system to OHWM	75-feet	150-feet	150-feet	150-feet	150-feet	75-feet	150-feet	150-feet
Minimum lot size for:								
Single-family dwelling (sq. ft.)	40,000	80,000	Not allowed	80,000	80,000	80,000	87,120	174,240
Duplex (sq. ft.)	80,000	Not allowed	Not allowed	Not allowed	Not allowed	Not allowed	Not allowed	Not allowed
Lot width at building line and water frontage	150-feet	200-feet	300-feet	250-feet	150-feet	100-feet	250-feet	250-feet
Maximum structure height	35-feet	35-feet	35-feet	35-feet	35-feet	35-feet	35-feet	35-feet
Percent impervious surface	25%	25%	25%	25%	25%	25%	25%	25%

16.02 PLACEMENT AND DESIGN OF STRUCTURES

A. PLACEMENT OF STRUCTURES ON LOTS.

When more than one setback applies to a site, structures and facilities must be located to meet all setbacks. Where structures exist on the adjoining lots on both sides of a proposed building site, structure setbacks required for a new proposed building or an addition to an existing building may be altered without a variance to conform to the average setbacks on the adjoining lots from the ordinary high water level, provided the proposed building site is not located in a shore or bluff impact zone (see Figures 2 and 3). In the Cannon Recreational and Scenic River Districts, this shall only apply to lots that do not meet the minimum lot width requirements.

Figure 2: Shore Impact Zone Structure Setback

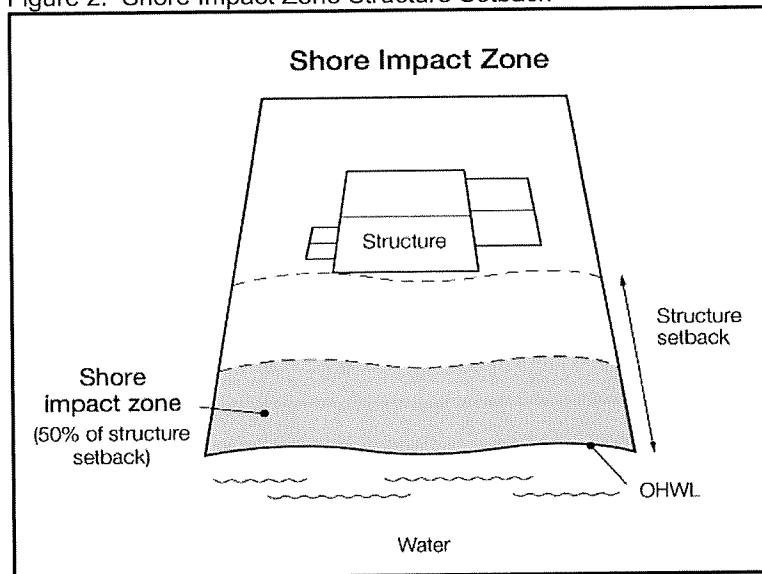
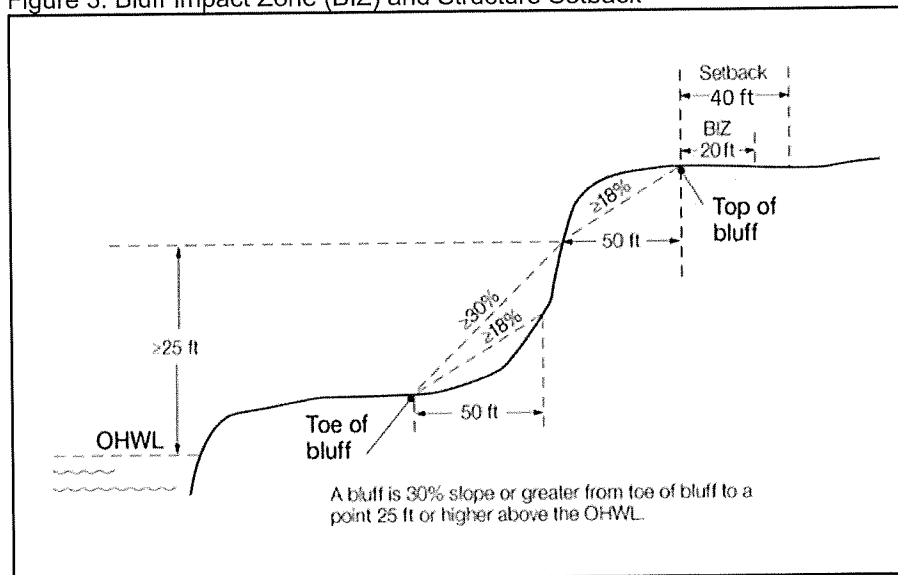
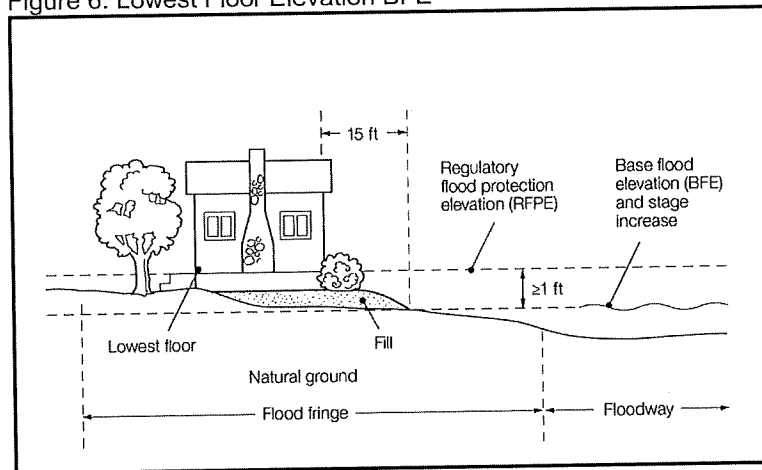


Figure 3: Bluff Impact Zone (BIZ) and Structure Setback



- b. For rivers and streams, by placing the lowest floor at least three feet above the flood of record, if data is available. If data is not available, by placing the lowest floor at least three feet above the ordinary high-water level or by conducting a technical evaluation to determine the effects of proposed construction upon flood stages and flood flows and to establish a flood protection elevation. Under all three approaches, technical evaluations must be done by a qualified engineer or hydrologist consistent with Minn. R. 6120.5000 to 6120.6200 governing the management of floodplain areas. If more than one approach is used, the highest flood protection elevation determined must be used for placing structures and other facilities (see Figure 6).

Figure 6: Lowest Floor Elevation BFE



3. Water-oriented Accessory Structures.

- a. On Recreation Development Lakes, each residence may have one water-oriented accessory structure not meeting the normal structure setback in section 16.01 of this ordinance if this water-oriented accessory structure complies with the following provisions:
- b. Boathouses, piers or permanent docks are not allowed in the Scenic River District. Boat houses, piers and permanent docks may be placed within the Recreational Lake District as prescribed herein.
- c. Any type of temporary dock or waterfront use in the Scenic River District shall require a conditional use permit.
- d. The structure or facility, except boathouses, must not exceed 10 feet in height, exclusive of safety rails, and cannot occupy an area greater than 150 square feet. Detached decks must not exceed eight feet above grade at any point.
- e. The setback of the structure or facility from the ordinary high water level must be at least 10 feet.
- f. The structure or facility must be treated to reduce visibility as viewed from public waters and adjacent shorelands by vegetation, topography, increased setbacks or color, assuming summer, leaf-on conditions.

- g. The roof may be used as a deck with safety rails but must not be enclosed or used as a storage area.
- h. The structure or facility must not be designated or used for human habitation and must not contain water supply or sewage treatment facilities.
- i. Water-oriented accessory structures used solely for watercraft storage (boathouse) and including storage of related boating and water-oriented sporting equipment, may occupy an area up to 400 square feet provided the maximum width of the structure is 20 feet as measured parallel to the configuration of the shoreline.
- j. Water-oriented accessory structures may have the lowest floor placed lower than the elevation determined by the procedures in this section if the structure is constructed of flood-resistant materials to the elevation, electrical and mechanical equipment is placed above the elevation and, if long duration flooding is anticipated, the structure is built to withstand ice action, wind-driven waves and debris.

4. Stairways, Lifts, Landings and Docks. Stairways and lifts are the preferred

alternative to major topographic alterations for achieving access up and down bluffs and steep slopes to shore areas. Stairways and lifts must meet the following design requirements:

- a. Stairways and lifts must not exceed four feet in width on residential lots. Wider stairways may be used for commercial properties and public open-space recreational properties.
- b. Landings for stairways, landings at the bottom of stairways and lifts on residential lots must not exceed 32 square feet in area. Landings larger than 32 square feet may be used for commercial properties and public open-space recreational properties.
- c. Canopies or roofs are not allowed on stairways, lifts or landings.
- d. Stairways, lifts and landings may be either constructed above the ground on posts or pilings or placed into the ground, provided they are designed and built in a manner that ensures control of soil erosion.
- e. Stairways, lifts and landings must be located in the most visually inconspicuous portions of lots, as viewed from the surface of the public water assuming summer, leaf-on conditions, whenever practical.
- f. Facilities such as ramps, lifts or mobility paths for physically disabled persons are also allowed for achieving access to shore areas, provided that the dimensional and performance standards of subsections (a) to (e) above are complied with in addition to the requirements of Minn. R. Ch. 1340.
- g. Boathouses, piers or permanent docks are not allowed in the Recreational or Scenic River District. Any type of temporary dock or waterfront use in the Scenic River District shall require a conditional use permit.

- h. Docks that exceed eight feet in width require a shoreland building permit and may require a dock permit from the DNR.
5. Significant Historic Sites. No structure may be placed on a significant historic site in a manner that affects the historical value of the site unless adequate information about the site as determined by the Minnesota Historical Society has been removed and documented in a public repository.
 6. Steep Slopes/Challenging Soils. The zoning administrator will evaluate possible soil erosion impacts and development visibility from public waters before issuing a permit for construction of structures, roads, driveways, SSTS or other improvements on steep slopes. When determined necessary, conditions must be attached to permits to prevent soil erosion and to preserve existing vegetation screening of structures, vehicles and other facilities as viewed from the surface of public waters, assuming summer, leaf-on conditions.

In those areas where soils and slopes present potential additional problems of surface or groundwater contamination, the county shall require either larger lot sizes than prescribed in this ordinance or provisions for the treatment of sewage in a manner that the county deems will not contaminate surface or ground waters. Lots of record in the Dakota County Property Records Department prior to the effective date of this ordinance that do not meet the requirements of this section may be allowed as building sites, provided the lot meets the conditions set forth in section 10.00 of this ordinance.

Structures may be allowed on slopes of greater than 12% (but not on bluffs or within bluff impact zones) if structures can meet the following criteria:

 - a. Sanitary provisions of this ordinance can be met.
 - b. Structures are adequately screened, and color and architectural design are approved by the township and PLANC.
 - c. Erosion and sedimentation provisions of this ordinance can be met.
 7. Utility Crossings of DNR protected watercourse. All utility crossings require a license from the DNR pursuant to Minn. Stat. § 84.415. All utility transmission crossings constructed within the Cannon Recreational and Scenic River Districts shall require a conditional use permit. The construction of such transmission services shall be subject to Minn. R. 6105.0170 and Minn. R. 6105.0180. No conditional use permit shall be required for high voltage transmission lines under control of the Environmental Quality Board pursuant to Minn. Stat. § 116C.61.

16.03 SHORELAND ALTERATIONS

- A. IN GENERAL. Alterations of vegetation and topography will be regulated to prevent soil erosion into public waters, fix nutrients, preserve shoreland aesthetics, preserve historic values, prevent bank slumping and protect fish and wildlife habitat.

B. VEGETATION ALTERATIONS.

The following standards for the alteration of vegetation shall apply in shoreland areas. Vegetation alteration necessary for the construction of structures and SSTS and the construction of roads and parking areas regulated by section 16.06 of this ordinance are exempt.

1. The removal of vegetation in shoreland areas requires a permit. Removal of vegetation is prohibited within the shore and bluff impact zones and on steep slopes/challenging soils.
2. The pruning and trimming of branches are the preferred methods of obtaining views.
3. The removal or alteration of vegetation, except for agricultural and forest management uses as regulated in sections 16.08(B) and 16.08(C), is allowed subject to the following standards:
 - a. Alteration of vegetation on Steep Slopes/Challenging Soils. The zoning administrator will evaluate possible soil erosion impacts before issuing a permit for vegetation alteration. When determined necessary, conditions may be attached to permits to prevent soil erosion. In those instances where the zoning administrator determines that alteration of vegetation on steep slopes/challenging soils will cause permanent harm to the integrity of the slope, permits will be denied.
 - b. Clear-cutting and intensive vegetation clearing within the shore and bluff impact zones and on steep slopes are not allowed. Intensive vegetation clearing for forest land conversion to another use outside of these areas requires a conditional use permit.
 - c. In shore and bluff impact zones and on steep slopes, limited clearing of trees and shrubs and pruning and trimming of trees is allowed to provide a view to the water from the principal dwelling site and to accommodate the placement of stairways and landings, picnic areas, access paths, beach and watercraft areas and permitted water-oriented accessory structures of facilities, provided that:
 - i. the screening of structures, vehicles or other facilities as viewed from the water, assuming summer, leaf-on conditions, is not substantially reduced.
 - ii. along rivers, existing shading of water surfaces is preserved; and
 - iii. in the shore impact zone, live trees larger than six inches in diameter, measured 4½ feet above ground level shall not be cut, except to provide for water-oriented accessory structures or to provide a water-viewing corridor not to exceed 20% of the shoreline width of the lot.
4. The above provisions are not applicable to the removal of dead or diseased trees that upon inspection are found to impose safety hazards.
5. In addition to the above provisions which are more restrictive, the following applies to the shorelands within the Cannon Recreational and Scenic River

Districts, the shorelands of Ravenna Township, Trout Brook and the Special Protection Districts of Spring Lake and Lake Byllesby:

- a. Clear cutting, except for any authorized public services such as roads and utilities, is not permitted.
 - b. The size of clear-cut blocks, patches or strips for authorized public services shall be kept at the minimum necessary.
 - c. Selective cutting of trees more than six inches in diameter measured 4½ feet above ground level is permitted providing removal is spaced in several cutting operations and a continuous tree canopy is maintained, uninterrupted by large openings.
 - d. The cutting provisions of (a) and (b) immediately above shall not be deemed to prevent:
 - i. the removal of diseased or insect-infested trees, or of rotten or damaged trees that present safety hazards.
 - ii. pruning understory vegetation, shrubs, plants, bushes, grasses or from harvesting crops, or cutting suppressed trees or trees less than six inches in diameter at 4½ feet above ground level.
6. Clear cutting in those areas not identified in subsection 16.03(B)(5) above is subject to the following standards and criteria:
- a. Clear cutting is not allowed where soil, slope or other watershed conditions are determined by the zoning administrator to be fragile and subject to severe erosion and/or sedimentation.
 - b. Clear cutting shall be conducted only where clear-cut blocks, patches or strips are in all cases, shaped and blended with the natural terrain.
 - c. All clear cuts must be conducted between September 15 and May 15. If natural regeneration will not result in adequate vegetative cover, areas in which clear cutting is conducted must be replanted to prevent erosion and to maintain the aesthetic quality of the area. Where feasible, replanting must be performed in the same spring or the following spring.

16.04 TOPOGRAPHIC ALTERATIONS/GRADING AND FILLING

- A. Grading, filling and excavations necessary for the construction of buildings, SSTS, and driveways under validly issued shoreland permits for these facilities do not require the issuance of a separate shoreland alteration permit. However, the grading and filling standards in this section must be incorporated into the issuance of permits for construction of buildings, SSTS and driveways.
- B. Public roads and parking areas are regulated by section 16.06 of this ordinance.
- C. Grading and filling activities that require a shoreland alteration permit include:
 1. The disturbance of more than five cubic yards of material on steep slopes and within shore and bluff impact zones.

2. The disturbance of more than 50 cubic yards of material outside of steep slopes and shore and bluff impact zones.
 3. The disturbance of any amount of material in the Cannon Recreational and Scenic River Districts. Grading and filling in these districts which is not accessory to a permitted or conditional use is not permitted.
- D. The following considerations and conditions must be adhered to during the issuance of building permits, shoreland alteration permits, conditional use permits and variances:
1. Any activity below the ordinary high water level of a DNR Protected Water may require a permit from the DNR.
 2. Alterations must be designed and conducted in a manner that ensures that only the smallest amount of bare ground is exposed for the shortest time possible.
 3. All land disturbing activities shall comply with the Minnesota Pollution Control Agency (MPCA) Construction Stormwater General Permit and are incorporated into this ordinance by reference.
 4. Altered areas must be stabilized to acceptable erosion control standards as determined by the zoning administrator which are consistent with MPCA Construction Stormwater Manual.
 5. Fill or excavated material must not be placed in a manner that creates an unstable slope.
 6. Plans to place fill or excavated material on steep slopes must be reviewed by qualified professionals for continued slope stability and must not create finished slopes of 30% or greater.
 7. Fill or excavated material must not be placed in bluff impact zones.
 8. Alterations of topography will be allowed only if they are accessory to permitted or conditional uses and do not adversely affect adjacent or nearby properties.
 9. Placement of natural rock riprap, including associated grading of the shoreline and placement of a filter blanket, is permitted if the finished slope does not exceed three feet horizontal to one foot vertical, the landward extent of the riprap is within 10 feet of the ordinary high water level and the height of the riprap above the ordinary high water level does not exceed three feet.
- E. A conditional use permit is required for excavations where the intended purpose is connection to a public water, such as boat slips, canals, lagoons, wildlife ponds and harbors. Permission for excavations may be given only after the DNR has approved the proposed connection to public waters.

16.05 WETLAND PROTECTION

Grading or filling in any wetland must be evaluated by the County to determine how extensively the proposed activity would affect the following functional qualities of the wetland:

- A. Sediment and pollutant trappings and retention.
- B. Storage of surface runoff to prevent or reduce flood damage.

**Old
Business**

Top challenges:

1. Threat of annexation
2. Increase tax base
3. Restricted land use/housing density
4. Preserving agriculture
5. Maintain/cost of infrastructure
6. Not doing anything

Open House ideas:

**New
Business**

Town Board Meeting Liaisons

May 14, 2024	Brian Storlie
June 11, 2024	Melanie Storlie
July 09, 2024	Brian Storlie
August 14, 2024 (Wednesday)	Beth Eilers
September 10, 2024	Donovan Palmquist
October 08, 2024	Melanie Storlie
November 12, 2024	OPEN
December 10, 2024	Donovan Palmquist
January 14, 2025	OPEN
February 11, 2025	Donovan Palmquist
March 12, 2025 (Wednesday)	Brian Storlie
April 08, 2025	Dan Heyda

- Current -

EUREKA TOWNSHIP

EXEMPT AGRICULTURE ZONING APPROVAL

Eureka Township / 25043 Cedar Avenue, Farmington MN 55024
Phone: (952) 469-3736 / Email: deputyclerk@eurekatownship-mn.us

PARCEL ID #		PERMIT #	
SITE INFORMATION			
Owner Name		Email	Phone
Site Address		City	State Zip
TYPE OF WORK (Check only one)			
<input type="checkbox"/> New Construction <input type="checkbox"/> Repair/Replacement <input type="checkbox"/> Addition/Expansion <input type="checkbox"/> Permit renewal <input type="checkbox"/> Alteration/Remodel <input type="checkbox"/> Other: _____			
TYPE OF STRUCTURE (Check all that apply)			
<input type="checkbox"/> Agriculture/Farm Building <input type="checkbox"/> Agriculture Fence (> 6 ft) <input type="checkbox"/> Feed Lot <input type="checkbox"/> Lean-to <input type="checkbox"/> Other: _____ Sq. ft.: _____ Wall height: _____			
PROJECT DETAILS			
Start Date:	End Date:	Estimated Value (Excluding land):	
Project Description:			

UNDER THE MINNESOTA STATE BUILDING CODE § 16B.52, SUBD. 1, "AGRICULTURAL BUILDINGS" ARE EXEMPT FROM THE BUILDING CODE, EXCEPT WITH RESPECT TO STATE INSPECTIONS REQUIRED BY § 103F.141 (FLOOD PLAIN MANAGEMENT) AND § 326.244 (ELECTRICAL INSTALLATIONS). THE PURPOSE OF THE FOLLOWING QUESTIONS IS TO CERTIFY THAT THE PROPOSED BUILDING QUALIFIES AS AN "AGRICULTURAL BUILDING" UNDER THE STATE BUILDING CODE AND APPLICABLE MINNESOTA STATE STATUTES. FAILURE TO ANSWER ANY OF THE QUESTIONS BELOW MAY DISQUALIFY APPLICANT FOR ELIGIBILITY FOR AN AGRICULTURAL BUILDING PERMIT.

1. Describe the intended use of the building for which you are requesting exemption (Be specific):
2. Per MN § 273.13, Subd. 23(b), will the building for which you are requesting exemption be located on contiguous acreage ten (10) acres or more, excluding the house, garage and immediately surrounding one acre of land? <input type="checkbox"/> YES <input type="checkbox"/> NO
3. Per MN State Building Code § 16B.60, Subd. 5, will the building for which you are requesting exemption be designed, constructed and used to house: (check all that apply) <input type="checkbox"/> Farm Implements <input type="checkbox"/> Livestock (excluding horses and the commercial boarding of animals where permitted) <input type="checkbox"/> Agricultural produce/products (see MN § 273.13, Subd. 23(e)(3) for a list of qualifying produce/products) <input type="checkbox"/> None of the above
4. Will the items you checked in question 3 above be used by the owner, lessee and sublessee of the building and members of their immediate families, their employees, and persons engaged in the pickup or delivery of agricultural produce or products? <input type="checkbox"/> YES <input type="checkbox"/> NO

EUREKA TOWNSHIP

EXEMPT AGRICULTURE ZONING APPROVAL

Eureka Township / 25043 Cedar Avenue, Farmington MN 55024
 Phone: (952) 469-3736 / Email: deputyclerk@eurekatownship-mn.us

Per MN § 273.13, Subd. 23(b), will the building for which you are requesting exemption be located on land that was used during the preceding year for one of the following agricultural purposes? (Check all that apply)

- Raising or cultivation of agricultural products
- Enrollment in the Reinvest in Minnesota program (provide documentation)
- Enrollment in the federal Conservation Reserve Program (provide documentation)
- Pasture
- Timber
- Waste or unusable wild land
- Enrollment in other State or Federal farm programs (provide documentation)

6. What is the proposed maximum number of people who will be present in the building at any one time? _____

7. Will the building for which you are requesting exemption be for use by the public, such as for retail sales, mini-storage, vehicle storage, riding lessons, livestock shows, etc.? YES NO

SITE PLAN ATTACHED: YES NO / I have received a handout with site map requirements: YES NO

Applicant hereby agrees that, upon issuance of this permit, all work shall be done, and all materials used shall be in compliance with all applicable township, city and county ordinances. The applicant agrees to abide by all zoning regulations and to utilize this structure for its permitted use. Signature of this application by the legal property owner or owner's representative is required and authorizes the Township Zoning Administrator or designee and the Building Official or designee to enter upon the property to perform needed inspections. Entry may be without prior notice.

Permit expires when work is not commenced within 180 days from date of permit, or if work is suspended, abandoned or not inspected for 180 days. Work beyond the scope of this permit, or work without a permit or inspection will be subject to penalty.

Signature of Applicant: _____	Date: _____
Printed Name of Applicant: _____	

Township Use Only

- Ag-exempt:** completed on _____
- Shoreland Letter:** completed on _____
- Shoreland Permit:** completed on _____
- NCRWMO OR VRWJPO:** completed on _____

Zoning Administrator: _____ <input type="checkbox"/> Complete Date: _____ <input type="checkbox"/> Incomplete Notification sent: _____ Planning Commission Recommendation: <input type="checkbox"/> Approved <input type="checkbox"/> Denied Chair: _____	Setbacks Confirmed on: _____ Inspector: _____ <input type="checkbox"/> Approved <input type="checkbox"/> Denied Town Board: <input type="checkbox"/> Approved <input type="checkbox"/> Denied Chair: _____
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Agricultural Exemption from State Building Code Relevant Minnesota Rules and Statutes

Minnesota Rules, Chapter 1300.0030 PURPOSE AND APPLICATION.

Subpart 1 states, “[t]he purpose of this code is to establish minimum requirements to safeguard the public health, safety, and general welfare through structural strength, means of egress facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and property from fire and other hazards attributed to the built environment and to provide safety to firefighters and emergency responders during emergency operations.”

While the building code applies statewide, in subpart 2A, the rules also state the building code does not apply “to agricultural buildings” with limited exceptions in the case of floodplain management and electrical installations.

Minnesota State Statutes Section 326B.103

Subdivision 3 defines an agricultural building as “a structure on agricultural land...designed, constructed, and used to house farm implements, livestock, or agricultural produce or products used by the owner, lessee, and sublessee of the building and members of their immediate families, their employees, and persons engaged in the pickup or delivery of agricultural produce or products.”

The Minnesota Department of Labor and Industry is the state agency responsible for enforcing compliance with the state’s building code. The agency has ruled that to qualify for an agricultural exemption from the state building code, a two-part test is required where both the structure and the land must meet the qualifying definitions.

Minnesota State Statutes Section 273.13, subdivision 23, paragraph (e), is part of the property tax code that defines agricultural land as “contiguous acreage of ten acres or more, used during the preceding year for “agricultural purposes”. “Agricultural purposes” as used in this section means the raising, cultivation, drying, or storage of agricultural products for sale, or the storage of machinery or equipment used in support of agricultural production by the same farm entity.”

Under paragraph (f) of the same subdivision, “real estate of less than ten acres, which is exclusively or intensively used for raising or cultivating agricultural products, shall be considered as agricultural land.” There are some additional requirements if the land also contains a residential structure.

The Department of Labor and Industry points out that building officials should rely on how the property is classified according to the records of the county assessor’s office, when determining if a property qualifies for an exemption to the building code.



- Example -

Agricultural Building Permit Exemption Handout

Building Inspections 200 Fourth Avenue West · Shakopee, MN 55379-1220
Building Codes: (952) 496-8160 · Zoning Ordinances (952) 496-8653
Permits: www.scottcountymn.gov/933/Building-Inspections

Certification shall be completed signed by property owner, uploaded into ePermit portal permit application

This handout is designed to help determine whether a proposed building would be considered agricultural and exempt from building permit requirements. Please note: if the building is exempt from building permit, a Zoning Agricultural Building Land Use permit is required, and the structure must comply with County zoning ordinances related to agricultural buildings.

326B.121 STATE BUILDING CODE; APPLICATION AND ENFORCEMENT.

Subdivision 1. Application.

- (a) The State Building Code is the standard that applies statewide for the construction, reconstruction, alteration, repair, and use of buildings and other structures of the type governed by the code.
- (b) The State Building Code supersedes the building code of any municipality.
- (c) The State Building Code does not apply to agricultural buildings except:
 - (1) with respect to state inspections required or rulemaking authorized by sections 103F.141; 216C.19, subdivision 9; and 326B.36 (Electrical); and
 - (2) Translucent panels or other skylights without raised curbs shall be supported to have equivalent load-bearing capacity as the surrounding roof.

FAQs REGARDING AGRICULTURAL BUILDINGS:

What is an agricultural structure? MN Statutes 326B.103 defines an agricultural building as a structure on agricultural land; designed, constructed, and used to house farm implements, livestock, or agricultural products; and used by the owner, lessee, and sub-lessee of the building and members of their immediate families, their employees, and person engaged in the pickup or delivery of agricultural products. *See pages 4 and 5 definitions/descriptions.*

What if I want to stop farming and start using the building for car storage or a commercial business? MN Rules, Chapter 1300.0120 states: "An owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure... or cause any such work to be done, shall first make application to the building official and obtain the required permit." In other words, a building permit would need to be obtained, and the building would need to be brought into compliance with the current building code. If you anticipate a change of use, it is easier and often less expensive to go through the building permit process now.

What if I want to store a vehicle in one corner of the building, but the rest of the building will meet the above requirements? To be considered an agricultural building, the building in its entirety must be for agricultural use.

Can I install a bathroom or heating in the agricultural structure? Yes. The Agricultural building does not require a plumbing or mechanical permit. Although these permits are not required, installations shall comply with State code requirements. A Septic or Sewer permit is required if plumbing is installed.

Can I install electrical outlets/lights in the agricultural structure? Yes. Note, the MN State Electric Code does NOT exempt agricultural structures from requiring a permit and maintaining compliance with the Electric Code.

Does my proposed building meet the definition of an agricultural structure?

The following checklist provides guidance to determine whether a proposed project is considered an agricultural building, exempt from the State Building Code.

**FOR THE BUILDING TO BE CONSIDERED AGRICULTURAL
ALL BOXES MUST BE CHECKED YES**

	YES	NO
The land use listed on your property taxes is classified as agricultural.		
<p>The land is ten contiguous (touching) acres or more, excluding one acre homestead, used during the preceding year for agricultural purposes OR contiguous acreage used during the preceding year for an intensive livestock or poultry confinement operation, provided that land used only for pasturing or grazing does not qualify under this clause.</p> <p>OR</p> <p>The land is:</p> <ol style="list-style-type: none"> 1) contiguous acreage that is less than ten acres in size and exclusively used in the preceding year for raising or cultivating agricultural products, or 2) contiguous acreage that contains a residence and is less than 11 acres in size, if the contiguous acreage exclusive of the house, garage, and surrounding one acre of land was used in the preceding year for one or more of the following three uses: <ol style="list-style-type: none"> (i) for an intensive grain drying or storage operation, or for intensive machinery or equipment storage activities used to support agricultural activities on other parcels of property operated by the same farming entity; (ii) as a nursery, provided that only those acres used intensively to produce nursery stock are considered agricultural land; or (iii) for intensive market farming. For purposes of this paragraph, "market farming" means the cultivation of one or more fruits or vegetables or production of animal or other agricultural products for sale to local markets by the farmer or an organization with which the farmer is affiliated. 		
The building will be used only 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 products. (That is, your neighbor or friend will not use the building, the building will not be open to the public, etc.)		
<p>The building will be designed, constructed, and used to house farm implements, livestock, or agricultural products.</p> <p>OR</p> <p>The building will be used for "agricultural purposes" including raising, cultivating, drying, or storage of agricultural products for sale, or the storage of machinery or equipment used in support of agricultural production by the same farm entity. (See MN Statute citations at the end of this handout for full definitions of "agricultural purposes" and "agricultural products.")</p>		

If the answers to ALL of the above questions were YES, read and sign the Exemption on the following page, and submit the completed certificate form along with any zoning/agricultural applications as required.

If any of the answers above are NO, the building is not exempt.
Apply for a New Accessory Structure or Pole Building permit and any additional trade permits through the ePermit portal. See: <https://www.scottcountymn.gov/1783/ePermit-Sign-In>



AGRICULTURAL BUILDING PERMIT EXEMPTION CERTIFICATION AND APPLICATION

AGRICULTURAL BUILDING SITE INFORMATION			
Township	Parcel ID#		
Site Address	City	State	Zip
Description of Proposed Ag Building	Intended Use		

By signing this document, you are acknowledging that you have read and understood the restrictions enumerated in this document, that you will abide by them, and that you understand that if violations occur, you will be subject to any and all permit requirements and penalties allowed by law. **THIS FORM MUST BE SIGNED BY THE LANDOWNER.** I acknowledge that:

1. The building will not be used for any purpose other than Agricultural Purposes, as defined by MN Statute 326B.103 (designed, constructed, and used to house farm implements, livestock, or agricultural products) on land as defined in MN Statute 273.13 subd. 23.
2. The public is not allowed to enter, occupy, or otherwise inhabit the building.
3. The building may not contain or provide any type of living space within the building
4. If a change of use is intended, the building will be required to:
 - a) comply, in every aspect, with the then current building code, and will require a Change of Use building with all required construction documents submitted and appropriate permit fees paid;
 - b) be designed by a Minnesota Licensed Design Professional;
 - c) have all structural components exposed for inspection as required by the building official (the cost for which will be borne exclusively by the property owner at the time of use change);
 - d) allow and successfully pass all required building inspections mandated by the MN State Building Code and Building Official; and receive a valid Certificate of Occupancy, if applicable for the use.
5. If it is discovered that a change of use has occurred in the building without first completing Item #4 above, the building will be posted with a "DO NOT OCCUPY" order. In order to lift the DO NOT OCCUPY order, the requirements of Item #4 above must be completed and a special investigation fee equal to the amount of the permit fee will be assessed. In addition, is possible that the County will pursue criminal prosecution for violations of the MN State Building Code.
6. By signing this document, I grant permission to Scott County Zoning Administrator or Building Official to enter the property to verify compliance with the above requirements. Such inspection shall be at reasonable times but may be without prior notice.

I have read the above six requirements and acknowledge the use of this building is subject to these requirements.

PROPERTY OWNER INFORMATION			
Name			
Address	City	State	Zip

Property Owner Signature

Date

Handouts for Preparing Documents for ePermit Upload can be found at <https://www.scottcountymn.gov/1783/ePermit-Sign-In>
 Completed Form shall be submitted/uploaded along with Zoning Agricultural Building permit only.
 Township Approval Form for Building Permits shall also be included for Blakeley, Jackson, St. Lawrence Townships.

MN Statute 273.13 Subd. 23

<https://www.revisor.mn.gov/statutes/2010/cite/273.13/subd/273.13.23#stat.273.13.23>

e) **Agricultural Land** as used in this section means:

- (1) Contiguous acreage of ten acres or more, used during the preceding year for agricultural purposes; or
- (2) Contiguous acreage used during the preceding year for an intensive livestock or poultry confinement operation, provided that land used only for pasturing or grazing does not qualify under this clause.

Agricultural Purposes as used in this section means the raising, cultivation, drying, or storage of agricultural products for sale, or the storage of machinery or equipment used in support of agricultural production by the same farm entity. For a property to be classified as agricultural based only on the drying or storage of agricultural products, the products being dried or stored must have been produced by the same farm entity as the entity operating the drying or storage facility. "Agricultural purposes" also includes enrollment in the Reinvest in Minnesota program under sections 103F.501 to 103F.535 or the federal Conservation Reserve Program as contained in Public Law 99-198 or a similar state or federal conservation program if the property was classified as agricultural (i) under this subdivision for taxes payable in 2003 because of its enrollment in a qualifying program and the land remains enrolled or (ii) in the year prior to its enrollment. Agricultural classification shall not be based upon the market value of any residential structures on the parcel or contiguous parcels under the same ownership.

Contiguous acreage for purposes of this paragraph, means all of, or a contiguous portion of, a tax parcel as described in section 272.193, or all of, or a contiguous portion of, a set of contiguous tax parcels under that section that are owned by the same person.

Agricultural land under this section also includes:

- (1) contiguous acreage that is less than ten acres in size and exclusively used in the preceding year for raising or cultivating agricultural products; or
- (2) contiguous acreage that contains a residence and is less than 11 acres in size, if the contiguous acreage exclusive of the house, garage, and surrounding one acre of land was used in the preceding year for one or more of the following three uses:
 - (i) for an intensive grain drying or storage operation, or for intensive machinery or equipment storage activities used to support agricultural activities on other parcels of property operated by the same farming entity;
 - (ii) as a nursery, provided that only those acres used intensively to produce nursery stock are considered agricultural land; or
 - (iii) for intensive market farming; for purposes of this paragraph, "market farming" means the cultivation of one or more fruits or vegetables or production of animal or other agricultural products for sale to local markets by the farmer or an organization with which the farmer is affiliated.

Contiguous acreage, for purposes of this paragraph, means all of a tax parcel as described in section 272.193, or all of a set of contiguous tax parcels under that section that are owned by the same person.

Land shall be classified as agricultural even if all or a portion of the agricultural use of that property is the leasing to, or use by, another person for agricultural purposes. Classification under this subdivision is not determinative for qualifying under section 273.111.

The property classification under this section supersedes, for property tax purposes only, any locally administered agricultural policies or land use restrictions that define minimum or maximum farm acreage.

Agricultural Products as used in this subdivision includes production for sale of: 1)

- (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, which may include related horse training and riding instruction, if the boarding is done on property that is also used for raising pasture to graze horses or raising or cultivating other 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
 - (i) on a game farm licensed under section 97A.105, provided that the annual licensing report to the Department of Natural Resources, which must be submitted annually by March 30 to the assessor, indicates that at least 500 birds were raised or used for breeding stock on the property during the preceding year and that the owner provides a copy of the owner's most recent schedule F; or
 - (ii) 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, including short rotation woody crops, 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.

If a parcel used for agricultural purposes is also used for commercial or industrial purposes, including but not limited to:

- (1) wholesale and retail sales;
- (2) processing of raw agricultural products or other goods;
- (3) warehousing or storage of processed goods; and
- (4) office facilities for the support of the activities enumerated in clauses (1), (2), and (3), The assessor shall classify the part of the parcel used for agricultural purposes as class 1b, 2a, or 2b, whichever is appropriate, and the remainder in the class appropriate to its use. The grading, sorting, and packaging of raw agricultural products for first sale is considered an agricultural purpose. A greenhouse or other building where horticultural or nursery products are grown that is also used for the conduct of retail sales must be classified as agricultural if it is primarily used for the growing of horticultural or nursery products from seed, cuttings, or roots and occasionally as a showroom for the retail sale of those products. Use of a greenhouse or building only for the display of already grown horticultural or nursery products does not qualify as an agricultural purpose.

Planning Commission Members-
Appointed by T.B. for 3-year terms May 1 to April 30.

Bill Clancy,
Chair, 2025

Deb Burkhardt,
Vice-Chair 2024

Melanie Storlie
2024

Beth
Eilers
2026

Donovan
Palmquist
2026

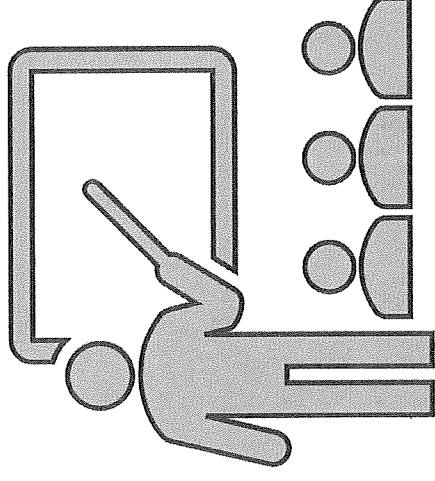
Planning Commission- An Independent Appointed Body who works for the Township / Citizens.

The Planning Commission works on matters at the request of the Town Board, or Township Attorney, or on their own initiative.

The Planning Commission members submit factually based reports, with or without recommendation, to the Town Board.

Purpose, Rules, Functions, Powers, Duties, etc., are set by Township Law (see Eureka Township Ordinance 62, six pages)

The Planning Commission members receive compensation only for Township meetings, not for preparation and research.



Overview of PC Activities

- 12 Monthly Meetings
- 1 Special Meeting
- 3-Public Hearings
- Jan 17 Subdivision
- Feb 21 Housing Rights
- Feb 22 Mining
- March 27 Redevelopment Agency



Info gather
Research
Training

Coordinating with Town Board

*Monthly Town Board meetings-
PC Liaison provides summary of
Planning Commission meeting and
answers questions at first TB meeting
of the month.

Processing

*Processing permit applications –
New home construction, additions,
accessory buildings, ag buildings, lot
splits, housing rights transfers, with
site visits if needed.

Updating

*Updating forms and instructions –
for improved ease of use by citizens,
with new format to provide overview
of applicable ordinances.

Conducting research & gathering input

*Develop ordinance text amendments-
with input from Benchmarking other
Townships, Attorney, and Citizen input at
Public Hearings / Open Houses.

Other PC Activities- Research, Training & Special Events

- **Mines:** Ordinance review and revision continued, with a public hearing and ongoing communication with the mines. Recommendations made to the Town Board. Attendance at 2 Dakota County Model Mining Ordinance Workshops.
- **Housing Rights / Subdivision Ordinance Review and Recommendations:** Public Hearings held, and ordinance revisions implemented by Town Board.
- **Township Road Improvements:** Monitoring of local road conditions, and research into improved methods of gravel road maintenance to improve road surfaces and reduce costs. Staff attendance at U of MN Local Technical Assistance Program (LTAP) "Gravel Road Maintenance and Design" provided valuable information.
- **Township Road Safety/Speed:** Legal research into State regulatory laws concerning road speed. Ongoing technical research and documentation is required to identify qualifying residential township roads for posting of lowered speed limits. Results include improved road safety and lower maintenance costs.
- **Broadband Expansion:** Township citizen survey conducted. State funding used for implementation and expansion of High-Speed Internet availability in specific areas of Township.
- **Night to Unite** – Eureka's 1st ever Public Safety community event organized and implemented by Township staff and sponsored by area businesses and donations. Food, games, prizes, along with emergency personnel, vehicles and demonstrations made it a very successful event.
- **2040 Comprehensive Plan:** Ongoing compliance with plan.

Building and Land Use Permits 2023

BUILDING PERMITS

- Addition/Remodel 4
- Pool 1
- Accessory Building/Pole Shed 7
- Garage 1
- Deck/Porch 4
- New Construction 2
- Agriculture Exempt 4
- Ground-Mounted Solar 1
- Moving a Building 1

LAND USE PERMITS

- Lot-Splits 3
- Housing Right/Cluster 1

Total:

29 permits presented to the Planning Commission for research, review and recommendation.



In the year 2022, 32 permits went before the PC, which included very complex land use requests. (11 Lot-Splits and 6 Housing Right Transfers)

Minutes
for
Approval

EUREKA TOWNSHIP
Dakota County, State of Minnesota

PLANNING COMMISSION MEETING MINUTES
October 1, 2024

Call to Order

Chair Melanie Storlie called the Planning Commission meeting to order at 7:00pm and the Pledge of Allegiance was given.

Commissioners Present: Melanie Storlie (Chair), Donovan Palmquist (Commissioner),
Dan Heyda (Commissioner)

Others Present: Amy Liberty (Deputy Clerk), Mark Pflaum, Butch Hansen, Mark Ceminsky,
Allen Novacek, Jeff & Andi Krapu

Zoom participants: Deb Burkhardt, Julie Larson, Jim Sauber, Lisa Ennenga, Georgie Molitor,
EAE (guest)

Approval of the Agenda

Motion: Chair Melanie Storlie asked for a motion to approve the agenda. Commissioner Palmquist replied, "so moved" and there were no objections.

Permit Requests

Pflaum, Mark, 6124 225th St. W., PIN 13-00200-76-013 *Agriculture/Farm building
Mr. Pflaum was present at the Town Hall to answer any questions the Planning Commission may have. All members reviewed the application and found no issues.

Motion: Chair Melanie Storlie would like to recommend that we make a motion to approve the application for Exempt Agricultural Zoning Approval for Parcel ID 13-00200-76-013. Commissioner Heyda seconded the motion. *Motion carried 3-0.*

Hallcock, Wayne, 5975 280th St. W., PIN 13-03500-76-010 *Deck
Brett Hahn, the builder representing Wayne Hallcock, was not present at the time of review of this application, however he did arrive at the Town Hall later in the evening in case there were any questions. On June 4th, 2024, the Planning Commission recommended approval for an addition on this property. The homeowners now are asking to include a deck.

Motion: Commissioner Palmquist moved to pass the building permit application for Wayne Hallcock, 5975 280th St. W., for a L shaped deck in front of the house as it does not affect the setbacks. PIN 13-03500-76-010. Chair Melanie Storlie seconded. *Motion carried 3-0.*

Friedges Landscaping Inc., PIN 13-00700-26-030 *Red Iron construction building

Butch Hansen provided a letter signed by John Friedges allowing representation and additional pictures of the parcel to all the Commissioners. The applicant was asking to be approved as agricultural exempt; however, he did agree to complete a building permit application as well. The Planning Commission was first tasked with determining if the proposed building qualifies as an "agricultural building" under the state building code and applicable Minnesota State Statutes.

Mr. Hansen began the discussion by stating that the property card does list Ag as a use and the proposed building would be used only to store agricultural products. The Commissioners glanced at the property card provided in the packet and did see Industrial-Preferred, AG listed. The concern, Chair Melanie Storlie pointed out, was the use of the property in the preceding year and cited the following:

Minn. Stat. 273.13

(e) Agricultural land as used in this section means:

- (1) contiguous acreage of ten acres or more, used during the preceding year for agricultural purposes; or
- (2) contiguous acreage used during the preceding year for an intensive livestock or poultry confinement operation, provided that land used only for pasturing or grazing does not qualify under this clause.

Butch Hansen pointed out this was only one of ten qualifications and if the Commissioners would read farther down the statute, they would see items that they do qualify under.

Commissioner Heyda shared that he did notice the applicant could not check anything that would apply on the Agricultural Exempt Zoning Approval application section where it asked the following:

Per MN § 273.13, Subd. 23(b), will the building for which you are requesting exemption be located on land that was used during the preceding year for one of the following agricultural purposes? (Check all that apply)

However, he did not know if "none" would be acceptable in this case and questioned if pasture should have been checked. Butch Hansen explained this is why he was here in person to help answer questions. He further explained that the proposed building is in support of the sod farm and other farmland owned by John Friedges and that alone qualifies the building as AG Exempt.

Motion: Commissioner Heyda moved to recommend the building application* for PIN 13-00700-26-030. Commissioner Palmquist seconded the motion for discussion.

Commissioner Palmquist stated he mostly agrees with this; however, he feels he would like to hear a bit more from the attorney. The parcel is a mine, currently being reclaimed and is also zoned agricultural which should allow an exempt ag building; however, the definitions contradict.

Butch Hansen reiterated the proposed building will be placed on the reclaimed land and will be used to house agricultural and horticultural related products that will be sold to the public.

Roll call vote: Commissioner Heyda-Aye, Commissioner Palmquist-Aye,
Chair Melanie Storlie-Nay *Motion carried 2-1.*

**Note: The Planning Commission approved and signed the Exempt Agricultural Zoning Approval application.*

Land Use

Krapu, Jeff, 24315 Dodd Blvd., PIN 13-01800-25-033 *Lot-split

Jeff Krapu is asking to split the parcel into two lots with the existing CUP placed on Parcel B.

Motion: Chair Melanie Storlie moved to recommend the Town Board approve the lot split for Mr. Jeff Krapu to split PIN 13-01800-25-033 into Parcel A which would be 7.96 acres and Parcel B which would be 16.68 acres. Commissioner Heyda seconded. *Motion carried 3-0.*

Old Business

The Commissioners continued working on the Home-Extended Business draft ordinance that was first presented at the September 3rd Planning Commission meeting.

Motion: Commissioner Heyda moved to submit the ordinance to the Board for recommendation pending Chair Melanie’s approval of the revisions made that we just talked about. Chair Melanie Storlie seconded. *Motion carried 3-0.*

The Commissioners discussed the survey that was written by Kathleen and Charles Kaufmann. It was determined to be well written and fact finding.

Motion: Commissioner Heyda moved to recommend the survey to the Board for implementation. Commissioner Palmquist seconded. *Motion carried 3-0.*

The Planning Commission agreed that no further discussion was needed on the commercial definitions and a vote should take place.

Motion: Chair Melanie Storlie moved to recommend the commercial definitions to the Board for use. Commissioner Heyda seconded. *Motion carried 3-0.*

Approval of Meeting Minutes

Motion: Chair Melanie Storlie moved to pass the Town Board/Planning Commission Round Table Meeting as is or approve them for the May 21st, 2024, meeting. Commissioner Palmquist seconded. *Motion carried 3-0.*

The Commissioners read the September 3, 2024, Planning Commission meeting minutes to themselves. *Motion:* Commissioner Heyda moved to approve. Chair Melanie Storlie seconded. *Motion carried 3-0.*

Adjournment

Motion: Commissioner Palmquist motioned to adjourn. Commissioner Heyda seconded. *Motion carried 3-0.* The meeting ended at 8:40PM.

Respectfully submitted,

Amy Liberty, Deputy Clerk

Minutes Officially Approved by: _____ on: _____
Planning Commission Chair Date

EUREKA TOWNSHIP

Dakota County, Minnesota



Planning Commission Meeting

Attendance

October 1, 2024

7:00 PM

Printed Name

MARK PFLAUM

Allen Novack

Mark Cerny

Jeff & Andi Krugm

Address

6100 225th St W Farmington MN

24030 Fbois Ave

7226 235th St W. Farmington

24315 Dodd Blvd. UKU.

EUREKA TOWNSHIP
Dakota County, State of Minnesota

SPECIAL TOWN BOARD/PLANNING COMMISSION MEETING MINUTES
October 9, 2024

Call to Order

The special meeting was called to order at 7:00pm by Town Board Chair Pete Storlie and the Pledge of Allegiance was given.

Supervisors Present: Pete Storlie (Chair), Mark Ceminsky (Vice Chair), Allen Novacek, Tim Pope, and Lu Barfknecht

Commissioners Present: Melanie Storlie (Chair), Donovan Palmquist, Brian Storlie, Dan Heyda, Dave Wheeler

Others Present: Liz Atwater (Clerk) Amy Liberty (Deputy Clerk), V.F. Lang, Ashley Schultze

Zoom Participants: Jeff Otto, Julie Larson, Deb Burkhardt

Purpose of the Special Meeting

Town Board Chair Pete Storlie stated the purpose of the meeting was to discuss the round-table topics as listed on the agenda. He further explained that this is not a public hearing and there will be no input from the public. Town Board Chair Pete Storlie reminded the Commissioners and Supervisors the only topics to be discussed are on the agenda and items in the meeting packet. Discussion will stop if they begin to wander off topic. The aim of this meeting was to provide clarity and further direction regarding the task given regarding commercial, home-based extended business and housing density, along with assigning an ALLAC liaison and a simple refresher on the Planning Commission and the Town Board responsibilities.

ALLAC Liaison

Commissioner Dave Wheeler volunteered to take on this role.

Primary Liaison-Commissioner Palmquist
Secondary Liaison-Commissioner Wheeler

Round-Table Discussion

The Planning Commission was asked to start the conversation by sharing what progress has been made on the given task of proposed zoning changes (commercial, home-based business and housing density) and what questions they may have to continue the work.

Chair Melanie Storlie stated the following accomplishments:

- Recommended approval to the Town Board the definitions of commercial and industrial zoning districts
- Recommendation to the Town Board to review a home-based extended business draft ordinance.
- Recommendation to the Town Board to implement a public survey.

Planning Commission Chair Melanie Storlie shared the Planning Commission did discuss the zoning map and the consensus was a desire to work with a planner before making any recommendations to the Town Board. During the initial study on this task, it was discovered citizens did not understand what the problems were and why zoning changes would be needed. At this point, the Planning Commission would like to have guidance as to what the next steps should be and if they can engage with a planner.

Further dialogue took place with each member of the Town Board and Planning Commission having an opportunity to share their thoughts on the process and to help determine the next steps.

Key points:

- The Township is facing challenges, and these should be properly defined.
- All members of both bodies agree the need for progress in the Township and the importance of having a well-detailed plan.
- Essential to identify citizen's concerns, recognize the opposition, and allow supporters to be heard.
- Landowners deserve options.
- Debate if home-extended business and commercial are separate projects or are they intertwined.

Top challenges:

1. Threat of annexation
2. Increase tax base
3. Restricted land use/housing density
4. Preserving agriculture
5. Maintain/cost of infrastructure
6. Not doing anything

The Town Board and Planning Commission meeting continued with dialogue turning to surrounding communities (City of Empire, Apple Valley, Rosemount, Farmington) and how they developed.

Next steps:

- Engage with a planner before the November Town Board meeting.
- Realistic look at problems of the Township and possible solutions.
- Township Clerk will check with attorney on open house protocols.
- Conduct open house - November 18th, 2024.
- December joint session to review information.

The consensus of both the Planning Commission and the Town Board was to obtain guidance as to what would be appropriate within the Township.

Town Board Chair Pete Storlie ended the meeting with a review of the responsibilities of the Commissioners and Supervisors and the importance of adhering to the Open Meeting Laws. All business needs to be conducted at meetings; therefore, it is vital to be prepared.

Adjournment

Motion: Town Board Chair Pete Storlie moved to adjourn. Supervisor Ceminsky seconded.
Motion carried 10-0.

Meeting adjourned at 9:01 pm.

Respectfully submitted,

Amy Liberty, Deputy Clerk

Minutes Officially Approved by: _____ on: _____
Planning Commission Chair Date

_____ on: _____
Town Board Chair Date

EUREKA TOWNSHIP

Dakota County, Minnesota



Town Board and Planning Commission Special Meeting (Round Table)

Attendance

October 9, 2024

7:00 PM

Printed Name

Address

V F LANG

27249 IPAUA

Ashley Schultze

24851 SPANA