

**EUREKA TOWNSHIP**  
*Dakota County, State of Minnesota*

**SPECIAL TOWN BOARD MEETING**  
**April 19, 2022 – 7:00 P.M.**

**Call to Order**

The Eureka Township Special Town Board meeting was called to order at 7:00 p.m. by Chair Lu Barfknecht and the Pledge of Allegiance was given.

Members Present: Lu Barfknecht, Donovan Palmquist, Ralph Fredlund, Nancy Sauber and Kathleen Kauffman.

Others Present: Amy Liberty, Randy Wood, Bill Clancy, Mark Henry, Joan Storlie, Alan Storlie.

Zoom Attendance: Ranee Solis, Jeff Otto, Carol Cooper, Deb Burkhardt.

Chair Barfknecht stated the purpose of the meeting is to review the proposed Housing Right Transfer text amendment presented by Jeff Otto, which has been reviewed by the Planning Commission, Chad Lemmons and Bob Ruppe.

**Review of proposed Housing Right Transfer text amendment**

The Board agreed to go through each page of the text amendment and discuss any items needing clarification.

Page 4: C(8) Supervisor Sauber noted she concurred with the addition of “substandard” Lot of Record as there has been confusion in the past.

Pages 5-9: Definitions

Building Permit: The Board agreed that the second sentence “If the permit application is for a single-family dwelling applicant must possess or commit to acquire a Housing Right on the intended lot” should be removed. The applicant must possess the housing right in order to apply for a building permit. Further, the definition of Housing Right states it is “the prerequisite eligibility to apply for a building permit”.

Grandfathered Right: The Board agreed that current ordinance language should be used in the definition. A Lot of Record may be recorded with the Dakota County Recorder’s Office, or it may be surveyed and recorded with the Dakota County Surveyor’s Office. We need to differentiate between the County causing a boundary change and a landowner causing the change.

Housing Right Transfer: If someone has a landlocked parcel with no road frontage, they can do an easement. If you pick up the right and move it, it becomes a transferred right. An easement would not change the boundary.

Legal Description of a Lot: Wrong version. It was amended to accommodate County consolidation, not consolidation by the owner.

Lot of Record: Change 2<sup>nd</sup> sentence (Pre-1982).

Need a definition for Intersection.

Lot Line, Front: Not all houses have front doors facing the front lot line. It is based on where the driveway comes to the road.

Lot Sliver: 2 quarter-quarter sections can be involved. Need a different word than “involved”. State no portion of a dwelling may exist on a lot sliver.

Subdivide: Supervisor Kauffman questioned the need for Ordinance 10. Jeff Otto explained that we need a subdivision ordinance in order to handle lot splits, or it would defer to the County. Jeff Otto pointed out one part says less than 2 acres triggers the Ordinance and agreed to try to revise it.

Page 9: Section 3 (B)(1): If grandfathered right is involved in the transfer, once it has been lifted up it is no longer a grandfathered right. Need to address exceptions.

Page 10: (B)(3): After January 1, 1996, must have the ability to have 2 septic systems.

(B)(6): Clarify “a verified nonconforming use” or it opens the door for expansion. Have to show was legal before it began. Agreed to remove word “Registration”.

Section 4, B.: By the County, not by the owner.

Page 11: (B)1-3: If you have two substandard lots side by side, they need to be combined. If you have three, you can combine all or combine into two as long as you have two acres. Supervisor Barfknecht pointed out that if you have three housing rights, you should be able sell two and keep one, then combine the lots. You should not lose those housing rights outright. The Board agreed to add a paragraph to account for this situation, C.1.d.

Page 15:

The Board requested that Jeff Otto also revise the forms and submit all related documents in one package.

Page 16: (B)(5): Stub abstracts are not currently being done. Supervisor Sauber suggested a change to what Chad Lemmons had mentioned regarding a worksheet.

Page 19: Section 5 (A)(5): Supervisor Kauffman questioned that you do not have to reconstruct within 12 months, and if it is a shared right, it does not revert back to the public domain. Supervisor Sauber requested language to explain why it does not go back to the public domain.

Page 20:

The Board discussed splitting of landlocked parcels and not wanting to create cartway issues.

Page 21: Section 3, Shared driveway. “Owners of two up to six lots”. Limit to six with lesser specifications.

B. change “right-of-way” to road access.

Agreements for shared driveways need to cover maintenance. Allowing six lots to share a driveway may be a safety issue.

### **Adjournment**

*Motion:* Chair Barfknecht moved to adjourn. Supervisor Kauffman seconded. *Motion carried 5-0.*

Meeting adjourned at 9:16 p.m.