

**EUREKA TOWNSHIP PLANNING COMMISSION  
DAKOTA COUNTY, MINNESOTA**

**NOTICE OF A SPECIAL MEETING TO CONDUCT A PUBLIC HEARING ON AN  
APPLICATION FOR AN INTERIM USE PERMIT FOR AGRITOURISM ACTIVITY  
AT APPLEWOOD ORCHARD (22702 HAMBURG AVE, LAKEVILLE, MN 55044)**

**NOTICE IS HEREBY GIVEN THAT** the Eureka Township Planning Commission will hold a special meeting on Tuesday, March 18, 2025, at 7:00 p.m. at the Eureka Town Hall located at 25043 Cedar Avenue, Farmington, Minnesota 55024 for the purpose of conducting a public hearing, considering, and making a recommendation to the Town Board regarding an application for an Interim Use Permit requested by property owner David King to conduct agritourism activities on the property. The application materials are posted on the Eureka Township website and can be obtained by contacting the Town Clerk at (952) 469-3736. Anyone desiring to be heard regarding the proposed application should attend this meeting. If you are not able to attend, you may submit written comments by Tuesday, March 18, 2025, at noon to the Town Clerk at: [clerk@eurekamn.gov](mailto:clerk@eurekamn.gov).

Dated: March 4, 2025

/s/

\_\_\_\_\_  
Liz Atwater, Clerk/Treasurer

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

**AGENDA**  
**PLANNING COMMISSION SPECIAL MEETING**

**To conduct a public hearing on an application by  
David King for an Interim Use Permit for Applewood Orchard**

**March 18, 2025, at 7pm**

- I. Call to Order
- II. Purpose of Public Hearing
- III. Applicant Presentation of the Request
- IV. Public Comment
- V. Planning Commission Discussion and Recommendation
- VI. Adjournment

\*\*\*\*\*

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

**If unable to attend in person, you can join via Zoom Meetings one of the following ways:**

1. Navigate to: <https://zoom.us/j/3134376987?pwd=V3VRRkJKblUxeUY1elJBdmVNUmUrdz09>  
Meeting ID: 313 437 6987
2. One tap mobile: dial 1-312-626-6799,, 3134376987#

# EUREKA TOWNSHIP

## LAND USE / ZONING REQUEST APPLICATION

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

<b>SITE INFORMATION</b>   Eureka Township		PIN#	Permit#
Site Address: 22702 Hamburg Ave		City Lakeville	Zip 55044
<b>PROPERTY OWNER INFORMATION</b>			
Name David M. King		Email Kingpin1966@hotmail	Phone 612-382-9718
Address 22702 Hamburg Ave.		City Lakeville	State MN Zip 55044
Cell Phone 612-382-9715		Day Time Phone 612-382-9715	Fax
<b>PLEASE INDICATE TYPE OF REQUEST</b>			
<input type="checkbox"/> Conditional Use Permit (CUP) <input checked="" type="checkbox"/> Interim Use Permit (IUP) <input type="checkbox"/> Variance		<input type="checkbox"/> Non-Conforming Use <input type="checkbox"/> Expansion <input type="checkbox"/> Alteration	
<b>NATURE OF REQUEST</b>			
<b>Specific description of request and reason for request (number and attach additional sheets if necessary):</b> performed & To Inform and List/define: business activities currently being performed & Forward Anticipation of being performed under the IUP/240-32 Agritourism Activity Code CH 240 Zoning Eureka Township			
<b>Cite the specific ordinance(s) under which you are making your request:</b> Interim use permit (IUP) 240-32 Agritourism Activity 240-19.5 (Added 7-9-2024 by Ord. NO. 2024-03)			
<b>Describe the present use(s) of the property:</b> An Apple Orchard experience, Family Farm A business that provides A Family friendly, Full day, fun entertaining, Activities, Events, Food & beverage experience			
Signature of Applicant: David M. King		Date: 2-5-25	
Printed name of Applicant: David M. King			

# EUREKA TOWNSHIP

## LAND USE / ZONING REQUEST APPLICATION

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

### Township Use Only

The property has an existing:  CUP  IUP  Nonconforming registration

Applicant is requesting a 60 day extension until: \_\_\_\_\_

Deputy Clerk: \_\_\_\_\_ Date: \_\_\_\_\_

Complete Date: 2/20/25  Incomplete Notification sent:

Application Fee \$ 600.00 Paid on 2/6/25 Receipt # 154593 Check # 1021

Escrow Fee \$ 1000.00 Paid on 2/6/25 Receipt # 154594 Check # 1022

Refunded \$ \_\_\_\_\_ Paid on \_\_\_\_\_ Receipt # \_\_\_\_\_ Check # \_\_\_\_\_

Notes: App received 2/6/25 - all documents received on 2/20/25

Zoning Administrator: Eaton Date: 2/20/25

Planning Commission: \_\_\_\_\_ Date: \_\_\_\_\_

Recommendation to Town Board:  Approve  Deny

Notes:

Town Board: \_\_\_\_\_ Date: \_\_\_\_\_

Approved  Denied

Notes:

### CONDITIONS OF ISSUANCE

Blank area for conditions of issuance.

EVENT	FALL	WINTER	SPRING	SUMMER
<b>CURRENT</b>				
SIGNS/PARKING/ADVERTISING				
SIGN- YARD SIGN- BUILDING	X	X	X	X
SIGN- STREET SIGN - ELECTRIC				
OR REGULAR				
FIELD TRIPS/SCHOOL/NURSING	X			X
HOME EVENTS				
CORN PIT	X		X	X
PYO APPLES AND PUMPKINS	X			X
TENTS FOR EVENTS	X		X	X
ICE CREAM	X	X	X	X
FOOD TRUCKS	X	X	X	X
YARD GAMES: JENGA-CONNECT				
4-CORN HOLE-BUBBLES	X		X	X
PEDAL TRACTORS	X		X	X
PETTING ZOO	X		X	X
PHOTO TAKING/SENIOR/ FAMILY				
PHOTOS	X	X	X	X
PLAYGROUND	X		X	X
BIRTHDAY PARTIES	X	X	X	X
HOT DOGS- WALKING TACOS-				
SLOPPY JOES- PIZZA- MINI	X		X	X
DONUTS				
CIDER- HOT CHOCOLATE-				
COFFEE- SLUSHEES	X	X	X	X
PIE-PIE BY THE SLICE- PIE				
SUNDAES	X	X	X	X
CARAMEL APPLES- CARAMEL				
APPLE NACHOS	X	X	X	X
HONEY - HONEY STICKS	X	X	X	X
JAMS, JELLIES, SALSA, SALAD				
DRESSINGS, MAPLE SYRUP,	X	X	X	X
CARAMEL DIP				
APPLE SUCKERS, NUT ROLLS,				
CANDY BARS, OTHER ASSORTED	X	X	X	X
CANDY				
LIVE MUSIC- INDOOR/OUTDOOR	X	X	X	X
HAY RIDES/TRACTOR RIDE	X		X	X
DOOR COUNTY COFFEE-				
PACKAGED COFFEE	X	X	X	X
POP- FOOD/BAKERY SALES	X	X	X	X
<b>NEW IDEAS</b>				
CAMPFIRE GATHERINGS	X	X	X	X
BRICKOVEN PIZZA	X	X	X	X
SACK SLIDE	X		X	X
ICE RINK/HOCKEY/OPEN SKATING		X		
SNOW SHOEING		X		
X COUNTRY SKIING		X		
SLEIGH RIDES - TRACTOR RIDES				
- HORSE- HAY RIDES	X	X	X	X
PRE SELL STORE FRONT ITEMS	X	X	X	X
CAMPING	X		X	X
MAKE CIDER	X			
ANTIQUE CAR SHOW	X		X	X
PYO SUNFLOWERS	X		X	X
CORN MAZE	X			
STRAWBERRY MAZE	X			

Sunflower Maze

FLOATS AND SUNDAYS	X	X	X	X
GIFT BASKETS, CHRISTMAS BOXES	X	X	X	X
CATERING LICENSE	X	X	X	X
LIQOUR LICENSE	X	X	X	X
RECREATIONAL, CHARITABLE AND EDUCATIONAL ACTIVITIES	X	X	X	X
HAY PYRAMID	X		X	X
NONMECHANICAL AND FARM EQUIPMENT RIDES	X	X	X	X
AGRITOURISM ACTIVITIES	X	X	X	X
WINE MAKING	X	X	X	X
CLOTHING SALES - W OR W/O OUR LOGO	X	X	X	X
NICKNACK SALES	X	X	X	X
CARNIVAL FOODS	X	X	X	X
DECORATION SALES- INDOOR AND OUTDOOR HOME DÉCOR	X	X	X	X
KITCHEN UNTENSILS AND DÉCOR	X	X	X	X
AXE THROWING/BLOW UP AXE THROWING	X	X	X	X
ARCADE GAMES	X	X	X	X
HAY SCULPTURES	X	X	X	X
LARGE WOODEN CUT OUTS - PHOTO OPS	X	X	X	X
OUT DOOR INDOR BAR- REFRESHMENTS	X	X	X	X
LARGE STATIONARY DECORATIVE SIGN IN FRONT YARD	X	X	X	X
TRACTOR TRIKES	X	X	X	X
BUMPER CARS	X	X	X	X
GRAIN CART BASKETBALL	X		X	X
OUTDOOR SKEE BALL	X		X	X
CORN CANNON	X		X	X
TIRE SWINGS/LARGE OUTDOOR SWING FOR PHOTOS	X		X	X
BUILD A SCARECROW	X		X	X
SILO SLIDE	X		X	X
LARGE TEETER TOTTERS	X		X	X
BOUNCY HOUSE/YARD INFLATABLES	X		X	X
HOST LUMBER JACK SHOW	X		X	X
LARGE SAND BOX	X		X	X
BLOW UP MECHANICAL BULL RIDING	X		X	X
FRESH PRODUCE STAND	X		X	X
OUTDOOR ALTER FOR WEDDINGS	X		X	X
FLOWER OR PUMPKIN WALL	X		X	X

CATAPULT/SLINGSHOT				
INDIAN CORN - PLANT TO SELL	X		X	X
TUG OF WAR	X		X	X
DUCK RACES	X		X	X
SWEET CORN TO SELL	X		X	X
CIDER MAKING EXPERIENCE	X	X		
PLANT SALES - MOBILE GREEN HOUSE	X		X	X
GRILLING EVENTS	X	X	X	X
FOOD-WINE-CIDER-ALCOHOL TASTINGS	X	X	X	X
BREWERY	X	X	X	X
COFFEE HOUSE	X	X	X	X
JUMPING PILLOW	X		X	X
SAUNA EVENTS		X		
GOAT YOGA-REG YOGA- EXERCISE CLASSES	X		X	X
MINI GOLF-PUTT PUTT GOLF	X		X	X
BOUTIQUE EVENTS	X	X	X	X
INDOOR/OUTDOOR				
FARM/COUNTRY/VENDOR MARKET	X		X	X
WEDDINGS/ANNIVERSARIES/REU Birthday PARTIES	X	X	X	X
RETREATS/CHURCH EVENTS	X	X	X	X
ETHNIC FESTIVALS	X	X	X	X
OUTDOOR STORAGE	X	X	X	X
CONCERTS/SPECIAL EVENTS	X	X	X	X
CHRISTMAS TREE/WREATH SALES	X	X		
INFORMATIONAL LEARNING EVENTS	X	X	X	X
SCAVENGER HUNT- EASTER EGG HUNT	X		X	X
LOW ROPES COURSE	X		X	X
FACE PAINTING	X	X	X	X
TIRE MOUNTAIN	X		X	X
ART FESTIVAL	X		X	X
COTTAGE LICENSE	X	X	X	X
POPCORN - VARIETY OF	X		X	X
DECORATED COOKIES/COOKIES	X	X	X	X
SANTA EVENTS		X		
BERRIES - PICKING/SALES	X		X	X
HOLIDAY RELATED ACTIVITIES AND EVENTS	X	X	X	X
HALLOWEEN WALK - TRUNK OR TREAT	X			
SNOW EVENTS/ACTIVITEIS		X		
MAPLE SYRUP	X	X	X	X
PUMPKIN CARVING	X			
OUTDOOR MOVIE/DRIVE IN MOVIE	X		X	X
APPLE FESTIVAL EVENT	X			X
APPLE RUN-EATING CONTEST- BAKE OFF	X	X	X	X
TOURS FOR GROUPS	X		X	X
CORPORATE/COMPANY EVENTS	X	X	X	X
PASTIES	X	X	X	X
LEFSA	X	X	X	X
OKTOBERFEST EVENT	X			
PAN O PRAGUE				X
CHEDDAR KRAUT DOGS	X	X	X	X
RUM CAKES	X	X	X	X
*****	**	**	**	**

246-32

# EUREKA TOWNSHIP

## INTERIM USE PERMIT (IUP)

### APPLICATION INSTRUCTIONS

#### Allowable Interim Uses

The following interim uses may be approved by the Town Board:

1. Mining and extraction operations, provided they otherwise satisfy the requirements of Ordinance 6.
2. Airstrips, provided that they otherwise satisfy the requirements of Ordinance 3, Chapter 6.
3. Automobile graveyards, provided that they otherwise satisfy the requirements of Ordinance 3, Chapter 9.

#### General Requirements

In granting an interim use permit, the Planning Commission and Town Board shall consider the effect of the proposed use upon the health, safety, morals and general welfare of occupants of surrounding lands and water bodies. Among other things, the Planning Commission and Town Board shall make the following findings, where applicable:

1. The use is identified as a permitted interim use in the zoning district where the property is located. *Yes*
2. The use will meet or exceed the performance standards set forth in the Zoning Ordinance and other applicable Township Ordinances. *Yes*
3. The use complies with the specific standards for the use identified in the Ordinance allowing the interim use. *Yes*
4. The date or event that will terminate the use can be identified with certainty. *Upon Sale of Property*
5. Permitting the use will not impose additional costs on the public if it is necessary for the public to take the property in the future. *It will NOT*
6. The user agrees to any conditions that the Town Board deems appropriate for permission of the use.
7. The use will not create an excessive burden on existing parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area. *No it will NOT.*
8. The use will be sufficiently compatible or separated by distance or screening from adjacent agriculturally or residentially zoned or used land so that existing property will not be depreciated in value and there will be no deterrence to development of vacant land. *Agreed*
9. The structure and site shall have an appearance that will not have an adverse effect upon adjacent properties. *Agree*
10. The use will not cause traffic hazards or congestion.
11. In permitting a new or alteration of an existing conditional use, the Planning Commission and Town Board may impose additional conditions which they deem necessary to protect the best interest of the surrounding area or the community as a whole.
12. The Planning Commission shall recommend, and the Town Board shall determine the date or event upon which the interim use shall expire.

In The above mentioned 12 General Requirements We feel we are currently Doing everything we can to uphold these standards & will continue to do this is not only a benefit to the Township but also to our residents



### **Procedure for Interim Use Permit Requests**

The following procedure is required for all interim use permit requests:

1. Applications will not be accepted from anyone who is not an owner of land for which the application is made. ✓
2. The person applying shall fill out and submit to the Zoning Administrator an Interim Use application form and pay the filing fee and escrow as set forth in Ordinance 7. ✓
3. The Zoning Administrator shall provide landowners within 1,000 ft. of the applicant's property with notification of the application for an IUP via first class mail.
4. The Zoning Administrator shall refer the application to the Planning Commission for review.
5. The Planning Commission shall hold a public hearing on the proposal and provide notice of the hearing per MN § 462.3597.
6. The petitioner or a representative shall appear before the Planning Commission in order to present evidence concerning the proposed interim use. ✓
7. If the Planning Commission recommends granting the IUP, it may recommend conditions it considers necessary to protect the public health, safety and welfare.
8. The Planning Commission shall forward its recommendation to either deny or approve the IUP to the Town Board. The Planning Commission shall make findings of facts and recommend to the Town Board such actions or conditions relating to the request. Such findings shall be entered in and made part of the written record of the Town Board's meeting.
9. The Town Board will take final action on the request. Approval of an IUP shall require passage by a minimum of three (3) members of the Town Board.
10. No application for an IUP shall be resubmitted for a period of six (6) months from the date of said order of denial.
11. Granted IUP's shall become void if applicant does not proceed substantially on the work within six (6) months. To proceed substantially means to make visible improvement to the property. One or more extensions for not more than six (6) months each may be granted by the Town Board for good cause.
12. *If the land use does not conform to the conditions of the permit, the IUP may be revoked after notice to the applicant of a public hearing for the intended revocation and passage of a resolution by the Town Board to that effect.*
13. All IUP's that are granted by the Town Board must be recorded at the office of the Dakota County Recorder.

### **Documents Required for a Complete Application**

1. Completed Land Use and Zoning application form, signed by the landowner(s).
2. A written explanation of how the proposed interim use will meet all twelve requirements listed under General Requirements above.
3. Application fee and escrow as set forth in Ordinance 7.
4. Proof of ownership of all involved parcels.

## Chapter 240. Zoning - Liz

### Article IV. Building Permits, Building Regulations and Performance Standards

#### § 240-32. Interim use permits.

[Amended 8-13-2007 by Res. No. 59]

A. Criteria for granting interim use permits. In granting an interim use permit, the Planning Commission and Town Board shall consider the effect of the proposed interim use upon the health, safety, morals, and general welfare of occupants of surrounding lands and water bodies. Among other things, the Planning Commission and Town Board shall make the following findings where applicable:

- (1) The interim use is identified as a permitted interim use in the zoning district where the property is located. *yes*
- (2) The interim use will meet or exceed the performance standards set forth in this chapter and other applicable Township ordinances. *yes it will*
- (3) The interim use complies with the specific standards for the use identified in the ordinances allowing the interim use. *yes*
- (4) The date or event that will terminate the use can be identified with certainty. *30 year or until sale of property of Non Family member.*
- (5) Permission of the use will not impose additional costs on the public if it is necessary for the public to take the property in the future. *It will Not.*
- (6) The applicant agrees to any conditions that the Town Board deems appropriate for permission of the use.

[Amended 6-14-2010 by Ord. No. 2010-1]

- (7) The use will not create an excessive burden on existing parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area.
- (8) The use will be sufficiently compatible with or separated by adequate distance or screening from adjacent agriculturally or residentially zoned or used land so that existing property will not be depreciated in value and there will be no deterrence to development of vacant land.

(9) The structure and site shall have an appearance that will not have an adverse effect upon adjacent properties.

(10) The use will not cause traffic hazards or congestion.

B. Conditions of approval. In permitting an interim use, the Planning Commission and Town Board may impose, in addition to the standards and requirements expressly specified by this chapter, additional conditions which the Planning Commission and Town Board consider necessary to protect the best interest of the surrounding area or the community as a whole. These conditions may include, but are not limited to, the following:

(1) Increasing the required lot size or yard dimension;

(2) Limiting the height, size or location of buildings;

(3) Controlling the location and number of vehicle access points;

(4) Increasing the street width;

(5) Increasing the number of required off-street parking spaces;

(6) Limiting the number, size, location or lighting of signs;

(7) Requiring diking, fencing, screening, landscaping or other facilities to protect adjacent or nearby property;

(8) Designation of open space; and

(9) Annual review.

C. Procedure.

(1) Applications for interim use permits will not be accepted from anyone who is not an owner of land for which the application is made.

(2) The person applying for an interim use permit shall fill out and submit to the Zoning Administrator an interim use application form and filing fee.

(3) Once the application is deemed complete, the Zoning Administrator shall provide landowners within 1,000 feet of the applicant's property with notification of the application for an interim use permit via first-class mail.

[Amended 6-14-2010 by Ord. No. 2010-1]

(4) The Zoning Administrator shall refer the application to the Planning Commission for review.

(5) The Planning Commission shall hold a public hearing on the proposal. Notice of the public hearing shall be as provided by M.S.A. § 462.3597.

(6) The applicant or a legally authorized representative shall appear before the Planning Commission in order to present evidence concerning the proposed interim use.

[Amended 6-14-2010 by Ord. No. 2010-1]

- (7) If the Planning Commission recommends granting the interim use permit, it may recommend conditions it considers necessary to protect the public health, safety and welfare.
  - (8) The Planning Commission shall forward its recommendation to either deny or approve the interim use permit to the Town Board. The Planning Commission shall make findings of fact and recommend to the Town Board such actions or conditions relating to the request. Such findings shall be entered in and made part of the written record of the Town Board's meeting.
  - (9) The Town Board will take final action on the request. Approval of an interim use permit shall require passage by a minimum of three members of the Town Board.
  - (10) No application for an interim use permit shall be resubmitted for a period of six months from the date of said order of denial.
  - (11) Granted interim use permits shall become void if applicant does not proceed substantially on the work within six months. To proceed substantially means to make visible improvement to the property. Up to two extensions for not more than six months each may be granted by the Town Board for good cause.
  - (12) If the land use does not conform to the conditions of the permit, the interim use permit may be revoked after notice to the permit holder of a public hearing for the intended revocation and passage of a resolution by the Town Board to that effect. [Amended 6-14-2010 by Ord. No. 2010-1]
  - (13) All interim use permits that are granted by the Town Board must be recorded at the office of the Dakota County Recorder at the expense of the applicant.
- D. Termination. An interim use permit shall terminate on the occurrence of any of the following events, whichever first occurs:
- (1) The date of termination or the event of termination specified in the permit or specified in this article or the ordinance that allows the interim use; or
  - (2) Upon violation of a condition under which the permit was issued.

<b>Property Card</b>	Parcel ID Number 13-00400-75-020
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<b>Owner Information</b>
Fee Owner GINA M GIACHERIO KING DAVID M KING
Mailing Address 22702 HAMBURG AVE  LAKEVILLE MN 55044



<b>Property Address</b>
Address 22702 HAMBURG AVE
Municipality EUREKA TWP

Parcel Information	
Sale Date	Total Acres 61.64
Sale Value \$0.00	R/W Acres 2.50
Uses AG	Water Acres
	Plat SECTION 4 TWN 113 RANGE 20
	Lot and Block 4 113 20
	Tax Description N 1/2 OF SE 1/4 EX N 295.16 FT OF W 295.16 FT OF NE 1/4 OF SE 1/4 & EX COM NW COR NE 1/4 OF SE 1/4 E ON N LINE 295.16 FT TO BEG S 295.16FT SE'LY TO PT ON E LINE 900 FT S OF NE COR N TO NE COR W TO BEG & EX BEG SE COR NE 1/4 OF SE 1/4 N 80.00 FT W 62.19 FT N 77D38M56S W 509.68 FT S 76D 49M25S W 464.53 FT S 51D48M 39S W 137.83 FT TO S LINE NE 1/4 OF SE 1/4 E ON S LINE 1120.00 FT TO BEG

2024 Building Characteristics (payable 2025)*			
Building Type S.FAM.RES	Year Built 1997	Bedrooms 3	
Building Style 1-3/4 STRY	Foundation Sq Ft 2,280	Bathrooms 3.00	
Frame WOOD	Above Grade Sq Ft 2,739	Garage Sq Ft 676	
Multiple Buildings	Finished Sq Ft 2,739	Other Garage	

Miscellaneous Information					
School District 192	Watershed District VERMILLION RIVER	Homestead FULL HOMESTEAD	Green Acres Y	Ag Preserve	Open Space

Assessor Valuation		
	Taxable	Estimated
2024 Land Values (payable 2025)	\$637,500.00	\$637,500.00
2024 Building Values (payable 2025)*	\$652,200.00	\$652,200.00
2024 Total Values (payable 2025)*	\$1,289,700.00	\$1,289,700.00
2023 Total Values (payable 2024)*	\$1,275,300.00	\$1,292,600.00

Property Tax Information		
Net Tax (payable 2024)	Special Assessments (2024)	Total Tax & Assessments (2024)





## Apple wood Orchard

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**From** Tarell Friedley <taflaw@gmail.com>  
**Date** Wed 2/12/2025 10:32 AM  
**To** Eureka Township Clerk <clerk@eurekamn.gov>  
**Cc** Dave King <kingpin1966@hotmail.com>

 1 attachment (1 MB)

Approved Commercial Application for Cedar Ave Access54358.pdf;

Liz:

Dakota County has approved the Application for a Commercial Agricultural Driveway off of Cedar Avenue for access to the Applewood Orchard property.

A copy of the approved permit is attached.

A more detailed sketch/design for the "commercial agricultural driveway" off of Cedar Avenue will be provided as soon as reasonably possible.

Work is to be completed starting April 14 and be completed by May 15.

If you have any questions or concerns please contact either Dave King or me.

Thanks for your continued cooperation.

--

Tarell A. Friedley, Attorney at Law  
Tarell A. Friedley P.A.  
6391 129th Street West  
Apple Valley, MN 55124-5301  
(952) 891-2100 Office  
(612) 867-2100 Mobile and Preferred Voice Mail

### **Confidentiality Notice**

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DAKOTA COUNTY  
 Permits Office  
 14955 Galaxie Ave  
 Apple Valley, MN 55124-8570  
 Phone: 952.891.7115 Fax: 952.891.7127  
 HighwayPermits@CO.DAKOTA.MN.US

PERMIT NO. 54358  
 Permit Fee: \$0.00  
 Job No:

**APPLICATION FOR ACCESS**

**The Permit Office shall be notified at least 48 hours in advance of the actual start of work. The project must be completed by the stated completion date.**

Application is hereby made for permission to excavate, grade and construct an access onto: Road Name(#) Cedar Avenue from / at in accordance with the attached sketch. The project is located in the Township or City of Eureka Township. Brief Description of Work: Install a driveway for access for farm equipment and for customers to purchase products grown such as sweet corn, pumpkins squash other vegetables, seasonal flowers apples etc..

Purpose of Access:  Residential  Commercial  New Street  Agricultural

Is a culvert necessary?:  Yes  No

Is the Property:  Platted  Unplatted Approved Anticipated Plat Name:

Work to start on 4/14/2025 and to be completed by 5/15/2025

The applicant in carrying out any and all of the work mentioned or referred to in this permit application, shall strictly conform to and agrees to be bound by the terms of the Permit, Special Provisions, Construction Specifications and regulations in applicable Codes and/or Ordinances all of which are made a part of this Permit. The applicant shall comply with the regulations of all other government agencies for the protection of the public as they apply to the work performed. The work shall be accomplished in a way that will not be detrimental to the right of way and that will safeguard the public. The applicant must obtain a copy of any specifications that each city and/or County may have for this proposed work.

Dated this 12 day of February, 2025

Applewood Orchard Events LLC

David M. King  
 Contact Name

*Company Name (owner)*  
(612)382-9715  
*Telephone Number*

Address: 22702 Hamburg Avenue

Tarell A. Friedley P.A.  
 Contractor Name

Tarell A Friedley  
 Contact Name

Address: 6391 129th St W Apple Valley, MN 55124

Telephone Number: ()(95-2100

Cell Phone Number: ()(95-2100

Tarell A. Friedley P.A.	
Tarell A. Friedley P.A. Tarell A Friedley	Telephone Number: ()(95-2100

~~Name and phone of person in charge of construction: Tarell A. Friedley P.A. (952)891-2100~~

Applicant's Signature: Tarell Friedley	Date: 2/7/2025
<i>A COPY OF THIS PERMIT IS REQUIRED TO BE ON THE JOBSITE AND IS NOT VALID UNTIL ITS APPROVED AND SIGNED.</i>	

Except as otherwise permitted, construction in the road right of way shall not commence until an application for a Permit has been made and such Permit granted. The Permit sketch shall show the location of the proposed construction work with reference to centerline or right of way lines, curbs, sidewalks, and property addresses. A copy of the sketch shall be provided with the Permit.

The Owner and Contractor shall assume all liability for and save the Road Authority, its agents and employees, harmless from, any and all claims for damages, actions or causes of action arising out of the work to be done herein and the continuing uses by the applicant, including but not limited to the constructing, reconstructing, and maintaining any improvements under this permit.

The Owner or its Contractor, may be required to furnish a deposit in a form required by and in favor of the Road Authority for any expense incurred in the repairing of damage to any portion of the right of way caused by work performed under this Permit, including any out of the ordinary engineering supervision and inspection expense. In those instances where a deposit is required, the amount shall be specified by the Road Authority. If a check is furnished as a deposit, any monies remaining after paying all such expenses shall be returned to the applicant after the repairs are completed or the warranty period expires.

The Permit, as issued does not in any way imply an easement on public or private property. The Permit does not convey any property rights within the right of way to the permittee. If the road right of way covered by this Permit needs to be used or changed, the County or its assigns may remove, change, or destroy the improvements described in this permit without any obligation to the permittee or its assigns to restore the improvement or pay any damages.

It is expressly understood that this Permit is conditioned upon full restoration of the right of way to its original condition or to a satisfactory condition. It is further understood that this Permit is issued subject to the approval of other authorities having joint supervision over said right of way. The construction work shall be done in conformity with all applicable laws, regulations and codes covering said work.

---

In accordance with the application herein, a Access Permit is granted to Tarell A. Friedley P.A. to excavate, grade ,construct an Access at: Cedar Avenue/ and in the location(s) shown on the sketch which is a part of said application, or in such location(s) as may be specified in the Special Provisions.

**SPECIAL PROVISIONS:**

Prior to removal of any existing turf, all necessary Erosion Control Devices shall be in place. Wherever topsoil and/or sod are disturbed they shall be replaced within a maximum of SEVEN days or in accordance with NPDES Permit requirements, and maintained satisfactorily for up to one year until the new turf is established. In addition, all work shall be in compliance with local, state and federal regulations.

At the Municipality's discretion, drain tiles or other private drains, entering a road right of way may be connected to a water management system owned or operated by a municipality.

Other Requirements: 18"x30' Metal Culvert needs to be installed.

APPROVAL: PERMIT NO. 54358



APPROVED BY

2/12/2025

DATE

---



DAKOTA COUNTY  
Permits Office  
14955 Galaxie Ave  
Apple Valley, MN 55124-8570  
Phone: 952.891.7115 Fax: 952.891.7127  
HighwayPermits@CO.DAKOTA.MN.US

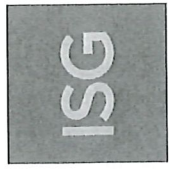
PERMIT NO. 54358

Job No:

**PERMIT INVOICE**

Date of Application:	2/12/2025	<b>Please pay the following amount:</b>	<b>\$0.00</b>
Applicant Name:	Tarell Friedley	Payment Amount Received:	\$370.00
Company Name:	Tarell A. Friedley P.A.	Payment Ref No:	559316
Address:	6391 129th St W Apple Valley, MN 55124	Payment Method:	120872825793
Email:	taflaw@gmail.com	Payment received by:	_____
Telephone:	(952)891-2100	Fax:	( ) -

Vehical Circulation



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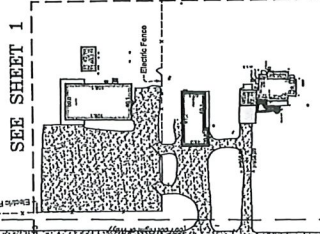
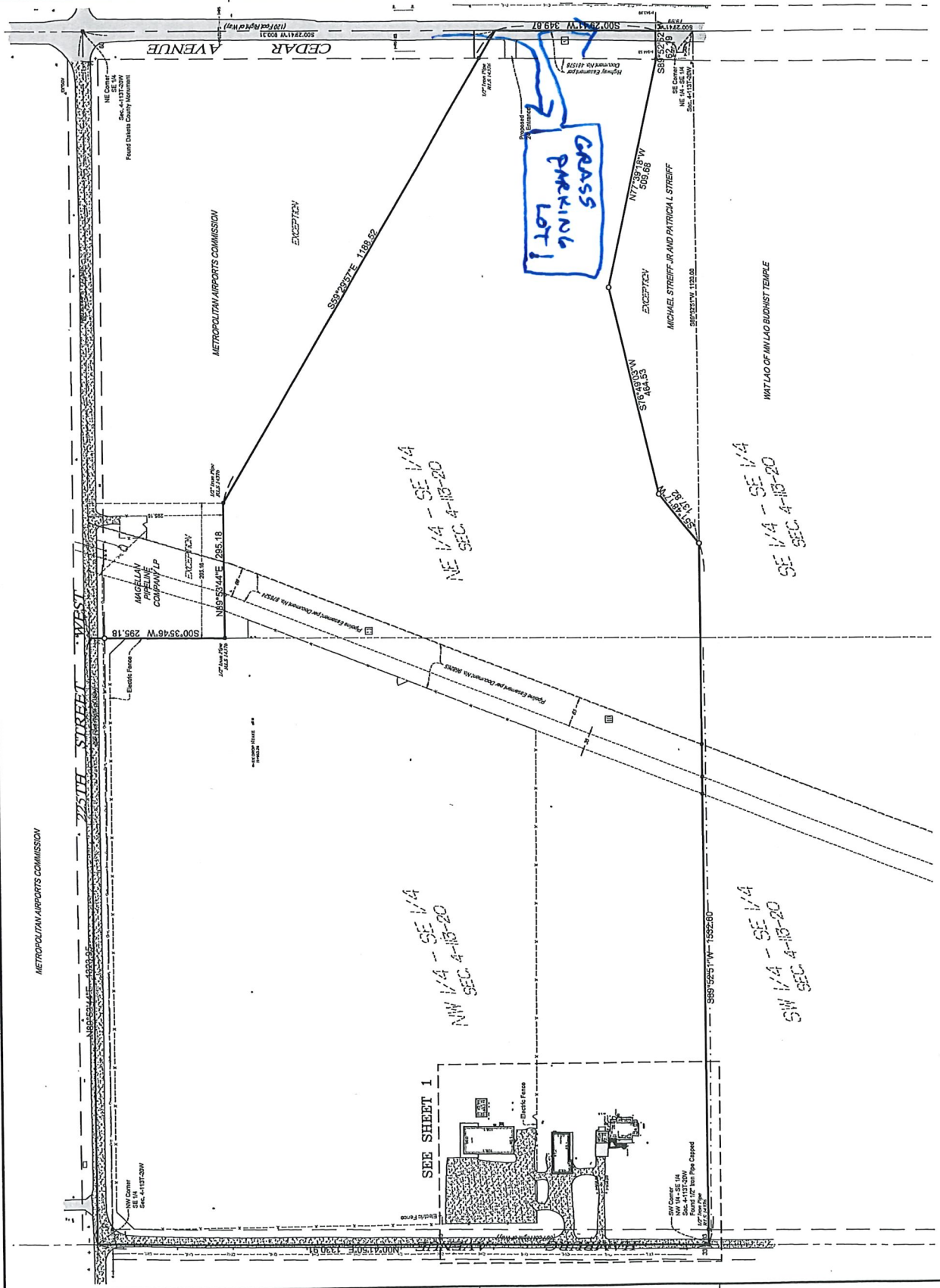
DATE: U.C. NO. 48817  
SHEET NOT VALID UNLESS THIS TEXT IS COLOR.  
PROJECT: 22702 HAMBURG AVENUE

DATE	REVISION	SCHEDULE	BY

LAKEVILLE MINNESOTA  
PROJECT NO. 24-31885  
FILE NAME 2188.A17A  
DRAWN BY  
DESIGNED BY  
ORIGINAL SCALE DATE  
CLIENT PROJECT NO.

### ALTAINSPS LAND TITLE SURVEY

SHEET 2 OF 2



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**FW: Interim use permit for King Building Addition 22702 Hamburg Ave**

---

**From** Eureka Township Deputy Clerk <deputyclerk@eurekamn.gov>  
**Date** Tue 2/11/2025 9:50 AM  
**To** Eureka Township Clerk <clerk@eurekamn.gov>

Not sure if you received this...

---

**From:** King, David M <david.m.king@xcelenergy.com>  
**Sent:** Monday, February 10, 2025 10:44 AM  
**To:** Eureka Township Deputy Clerk <deputyclerk@eurekamn.gov>  
**Subject:** FW: Interim use permit for King Building Addition 22702 Hamburg Ave

Morning Amy and Liz,

I just received this from Dee. Jeff Dunn asked me to reach out to her to make sure there were no Shoreland or Flood plain issues. This is her response.

---

**From:** McDaniels, Dee <Dee.McDaniels@CO.DAKOTA.MN.US>  
**Sent:** Monday, February 10, 2025 9:07 AM  
**To:** King, David M <david.m.king@xcelenergy.com>  
**Cc:** Dunn, Jeff <Jeff.Dunn@CO.DAKOTA.MN.US>  
**Subject:** RE: Interim use permit for King Building Addition 22702 Hamburg Ave

EXTERNAL - STOP & THINK before opening links and attachments.

David: Your property is not in the shoreland district nor does it have any floodplain. There is nothing to be exempt from.

**Dee McDaniels**  
Environmental Specialist, Water Resources



**Physical Development Division**

**P** 952-891-7024  
**W** [www.dakotacounty.us](http://www.dakotacounty.us)  
**A** 14955 Galaxie Avenue, Apple Valley, MN 55124



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**From:** King, David M <david.m.king@xcelenergy.com>  
**Sent:** Thursday, February 6, 2025 11:11 AM  
**To:** McDaniels, Dee <Dee.McDaniels@CO.DAKOTA.MN.US>  
**Cc:** Dunn, Jeff <Jeff.Dunn@CO.DAKOTA.MN.US>  
**Subject:** FW: Interim use permit for King Building Addition 22702 Hamburg Ave

Good Morning Dee,

I am reaching out to you requesting a Clearance to be Exempt from any Shoreland Ordinances for our property in Eureka township. I have included a Site photo that lays out the whole property.. We are working on getting an IUP for our Eureka Township farm. Jeff Dunn has assisted in helping with this process. He also made me aware that I should reach out to you to get this Clearance. If you have any questions you can email or call me (612) 382 – 9715. Thank You in advance for your time on this matter.

---

**From:** King, David M  
**Sent:** Thursday, February 6, 2025 8:52 AM  
**To:** Dunn, Jeff <[Jeff.Dunn@CO.DAKOTA.MN.US](mailto:Jeff.Dunn@CO.DAKOTA.MN.US)>  
**Subject:** RE: Interim use permit for King Building Addition 22702 Hamburg Ave

Morning Jeff,

Thanks for getting back to me so quickly, I appreciate it very much. I am including a Photo of the whole farm site regarding the IUP in Eureka township. Let me know if you need anything further.

---

**From:** Dunn, Jeff <[Jeff.Dunn@CO.DAKOTA.MN.US](mailto:Jeff.Dunn@CO.DAKOTA.MN.US)>  
**Sent:** Thursday, February 6, 2025 7:38 AM  
**To:** King, David M <[david.m.king@xcelenergy.com](mailto:david.m.king@xcelenergy.com)>  
**Subject:** Interim use permit for King Building Addition 22702 Hamburg Ave

**EXTERNAL - STOP & THINK** before opening links and attachments.

Hi David,

I got your phone message regarding the interim use permit (IUP) for the above address. Please confirm that the attached drawing is still an accurate representation of the project that you are seeking the IUP for.

Is Eureka Township is asking for the clearance letter?

Thank you

Jeff

**Jeff Dunn, Water Resources Engineer**  
**Vermillion River Watershed Joint Powers Organization**  
Dakota County Extension & Conservation Center  
4100 220th St W, #103, Farmington, MN 55024  
952.891.7140 | [jeff.dunn@co.dakota.mn.us](mailto:jeff.dunn@co.dakota.mn.us)  
[vermillionriverwatershed.org](http://vermillionriverwatershed.org)



---

**From:** King, David M <[david.m.king@xcelenergy.com](mailto:david.m.king@xcelenergy.com)>  
**Sent:** Wednesday, November 20, 2024 12:21 PM  
**To:** Dunn, Jeff <[Jeff.Dunn@CO.DAKOTA.MN.US](mailto:Jeff.Dunn@CO.DAKOTA.MN.US)>  
**Subject:** RE: King Building Addition 22702 Hamburg Ave

Hi Jeff,

Yes, the area is all Class 5 driveway and leads to the Parking lot area to the North.

---

**From:** Dunn, Jeff <[Jeff.Dunn@CO.DAKOTA.MN.US](mailto:Jeff.Dunn@CO.DAKOTA.MN.US)>  
**Sent:** Wednesday, November 20, 2024 11:17 AM  
**To:** King, David M <[david.m.king@xcelenergy.com](mailto:david.m.king@xcelenergy.com)>  
**Subject:** King Building Addition 22702 Hamburg Ave

**EXTERNAL - STOP & THINK** before opening links and attachments.

Hi David,  
Please review the attached. Would you consider this an accurate representation of the proposed work area.

Thank you  
Jeff

**Jeff Dunn, Water Resources Engineer**  
**Vermillion River Watershed Joint Powers Organization**  
Dakota County Extension & Conservation Center  
4100 220th St W, #103, Farmington, MN 55024  
952.891.7140 | [jeff.dunn@co.dakota.mn.us](mailto:jeff.dunn@co.dakota.mn.us)  
[vermillionriverwatershed.org](http://vermillionriverwatershed.org)



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**From:** King, David M <[david.m.king@xcelenergy.com](mailto:david.m.king@xcelenergy.com)>  
**Sent:** Wednesday, November 20, 2024 10:34 AM  
**To:** Dunn, Jeff <[Jeff.Dunn@CO.DAKOTA.MN.US](mailto:Jeff.Dunn@CO.DAKOTA.MN.US)>  
**Subject:** FW: Scan

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**WARNING: External email. Please verify sender before opening attachments or clicking on links.**

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Morning Jeff,

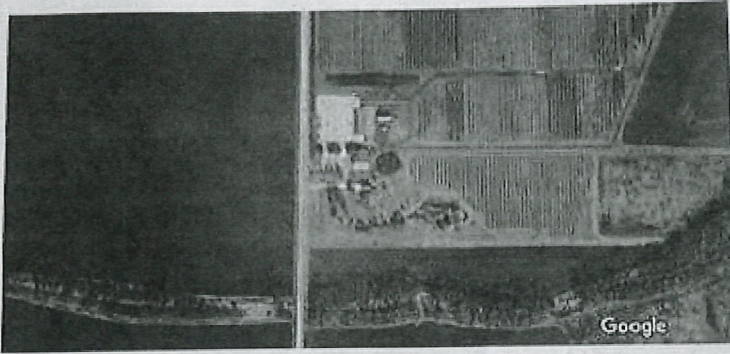
Here are the Photos for the Applewood Orchard Ag building addition. Let me know if you need anything else.  
Please confirm that you received this, Thanks.

---

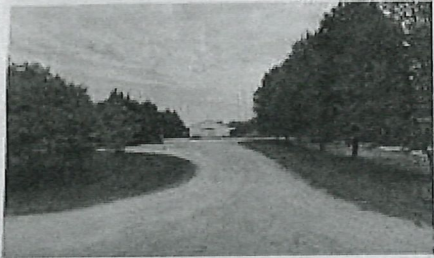
**From:** Lisa Landkamer <[lisarose7@yahoo.com](mailto:lisarose7@yahoo.com)>  
**Sent:** Wednesday, November 20, 2024 10:30 AM  
**To:** King, David M <[david.m.king@xcelenergy.com](mailto:david.m.king@xcelenergy.com)>  
**Subject:** Scan

Google Maps

22702 Hamburg Ave



Imagery ©2024 Airbus, ORIX, Airbus Maxar Technologies, Map data ©2024 100 ft



22702 Hamburg Ave

Building



Directions



Save



Nearby



Send to  
phone



Share



22702 Hamburg Ave, Lakeville, MN 55044

Photos



Google Maps

22702 Hamburg Ave



Image ©2014 Airbus, Maxar Technologies, Map data ©2014



22702 Hamburg Ave

Building

- Directions
- Save
- Map
- Send to phone
- Share

22702 Hamburg Ave, Lakeville, MN 55044

Photos

Google Maps

22702 Hamburg Ave



Image ©2014 Airbus, Maxar Technologies, Map data ©2014



22702 Hamburg Ave

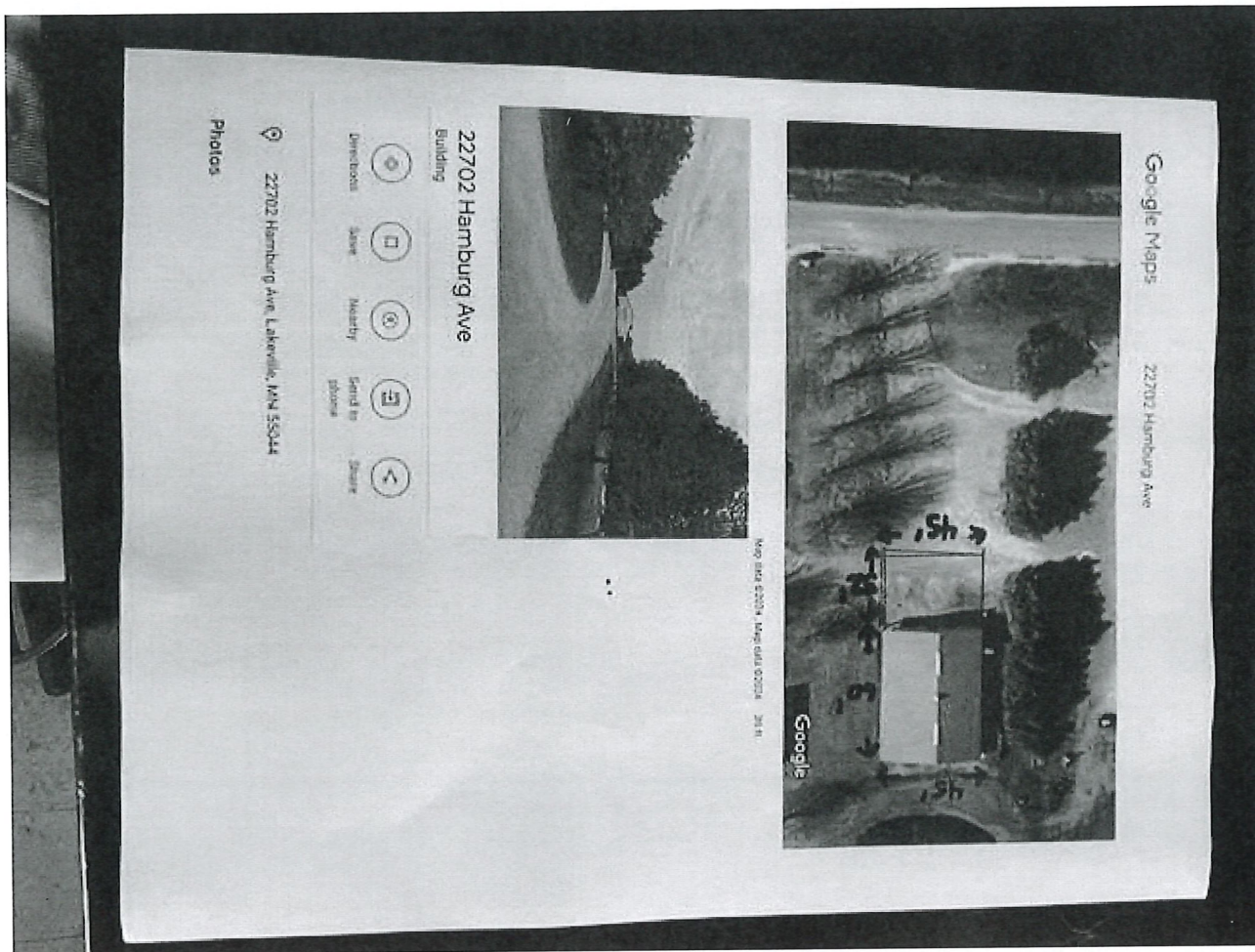
Building

- Directions
- Save
- Map
- Send to phone
- Share

22702 Hamburg Ave, Lakeville, MN 55044

Photos

THE ADDITION IS TO THIS BUILDING. 45' WIDE X 32' LONG



EXTERNAL - STOP & THINK before opening links and attachments.

Sent from my iPhone

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MASKY A. SCHWARTZ  
**DRAFT**  
 DATE: \_\_\_\_\_ LIC. NO. 45317

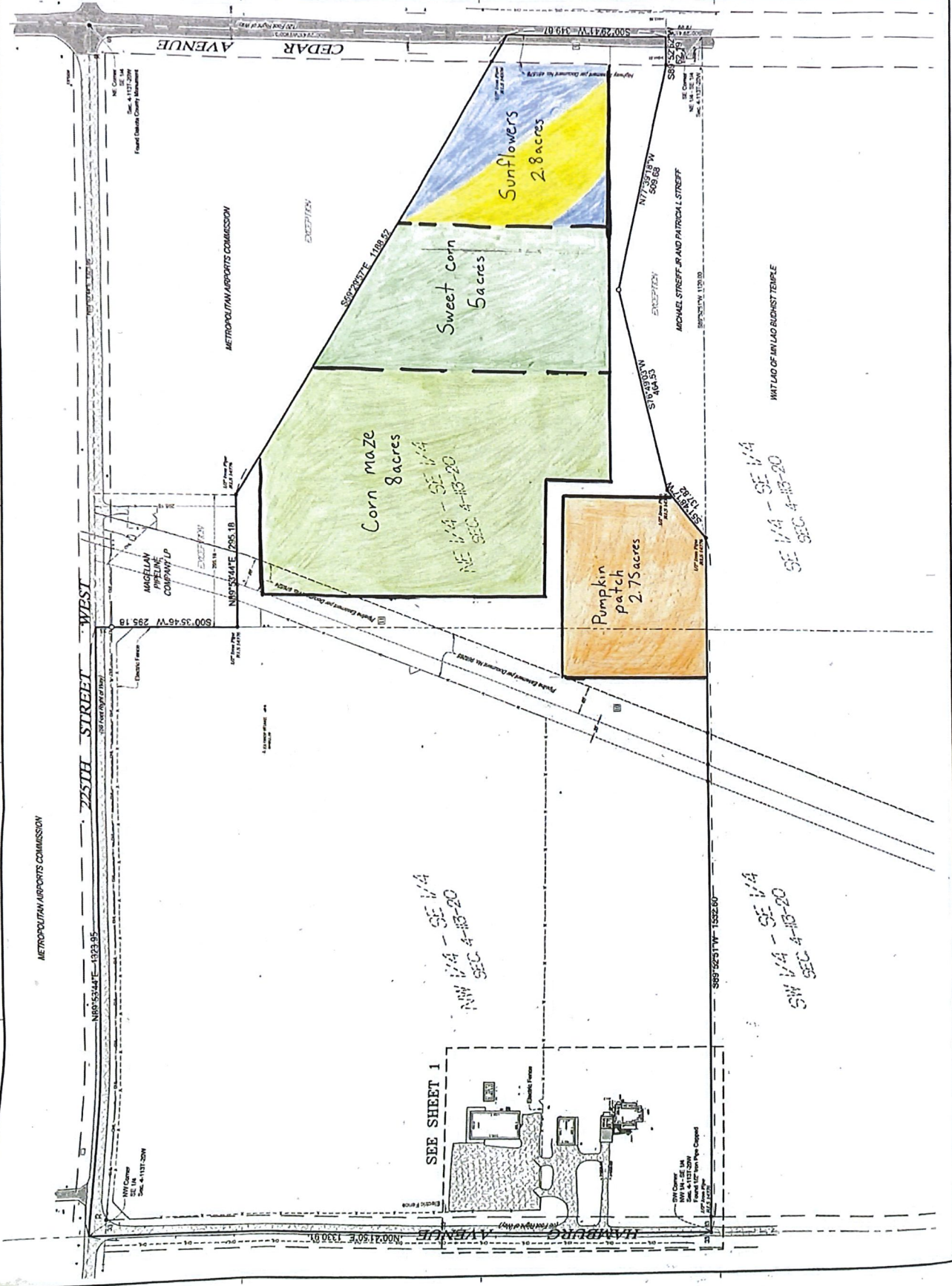
**22702 HAMBURG AVENUE**

PROJECT	MINNESOTA
DATE	PROVISION SCHEDULE
BY	
DESCRIPTION	

PROJECT NO.	24-31095
DATE	3/18/20
DESIGNED BY	
REVIEWED BY	
ORIGINAL ISSUE DATE	
CLIENT PROJECT NO.	

**ALTANSPS LAND TITLE SURVEY**

SHEET **2** OF 2



































SE 1/4 - SE 1/4  
 SEC 4-1B-20

NW 1/4 - SE 1/4  
 SEC 4-1B-20

SW 1/4 - SE 1/4  
 SEC 4-1B-20

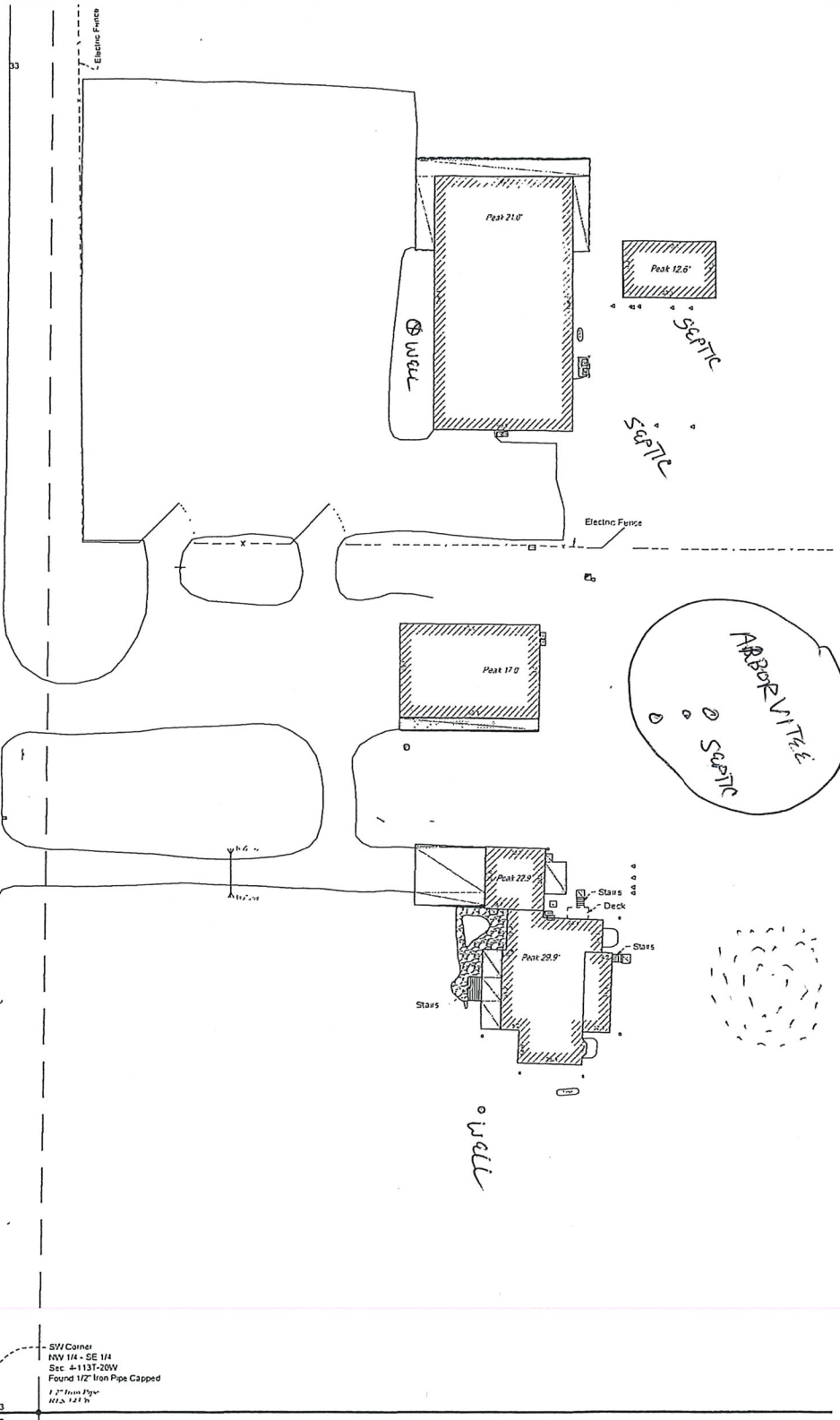
**LEGEND**

-  Bituminous Surface
-  Concrete Surface
-  Existing Building
-  Gravel Surface
-  Stone Path
-  Storm Line
-  Underground Gas Line
-  Overhead Utility Line
-  Building Canopy Or Deck Line
-  Fence
-  Field Edge
-  1/2" Iron Pipe Monument Found Unless otherwise noted
-  Indicates Cast Iron Monument Found
-  1/2" Dia. x 13" Long Solid Iron Pipe Set With Plastic Cap Marked By ISG, License No. 45817
-  Air Conditioner
-  Electric Meter
-  Utility Vault
-  Gas Meter
-  Light Pole
-  Transformer
-  Utility Pedestal
-  Utility Pole/Guy Wire
-  Well
-  LP Tank
-  Cleanout
-  Roof Drain
-  Downspout
-  Lawn Sprinkler Box
-  Flag Pole
-  Mailbox
-  Post
-  Sign



HAMBURG AVENUE

(80 Feet Right of Way)



SW Corner  
NW 1/4 - SE 1/4  
Sec 4-1131-20W  
Found 1/2" Iron Pipe Capped  
1 1/2" Iron Pipe  
M.A. 121 1/2"

DESS  
P01 F

**NOTE**

- 1.
  - 2.
  - 3.
  - 4.
  - 5.
  - 6.
  - 7.1
  - 8.1
  - 9.C
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  - 11
- OPTION**
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