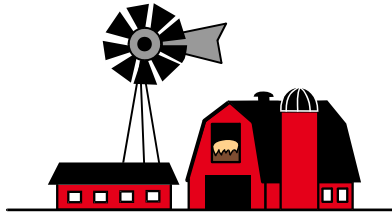


TOWNSHIP COOPERATIVE PLANNING ASSOCIATION

4111 11th Avenue SW Room 10
Rochester, MN 55902

Phone: (507) 529-0774



Jered Staton, Administrator
Ethan Kaske, Administrator

jered@tcpamn.org
ethan@tcpamn.org

- TCPA -

Date: 12/1/25

To: Linda Sparby
Oronoco Township Board

Re: Metes and Bounds Subdivision - Sections 5 & 8 – Oronoco Township

Permit: OTMB-25-06

Meeting: The Oronoco Township Board will hold a regularly scheduled meeting at the Oronoco City Hall, 115 2nd St NW, Oronoco, MN, on Monday, December 8, 2025 after 5:30 p.m. regarding:

Request: The estate of Timothy Nellis is proposing several boundary adjustments in order to settle their estate. The owner's representative has communicated with neighboring owners and has proposed adjustments to optimize agricultural uses.

Owner: Timothy Nellis Estate

Applicant: Linda Sparby (Owner's Representative)

Location: Parcel IDs: 840534039633, 840534039634, & 840812080525

Zoning: A-2 (Agricultural Protection District)

Attachments: 1. Application
2. Property Exhibits & Documents

Background:

Several boundary adjustments have been proposed to optimize selling potential and promote continued agricultural use of the Nellis Estate.

The existing legal descriptions include two “buildable” properties, one non-farm parcel (lot of record) and one farm size parcel. The applicant is proposing to subdivide a farmstead dwelling, increase the area of the existing non-farm parcel (lot of record), and subdivide the property east of 44th Ave NW.

The proposal is best understood in the following exhibits.

Oronoco Township Ordinance:

Current Zoning Districts

Section 5.02 A-2 AGRICULTURAL PROTECTION DISTRICT:

The purpose of this district is to maintain, conserve and enhance agricultural lands which are historically valuable for crop production, pasture land, and natural habitat for plant and animal life. This district is intended to encourage long term agricultural uses and preserve prime agricultural farmland by restricting the location and density of non-farm dwellings and other non-farm land uses. The A 2 District does provide a slightly higher density of non-farm dwellings than the A 1 District and is intended to apply to those areas within the comprehensive Plan's "Agricultural Protection Area" and "Agricultural Area" where major agricultural investments, large farms and feedlots are more scattered and greater numbers on non-farm uses or small parcels are present. The definition of a farm for this district is "a lot used for agricultural or horticultural uses and comprised of at least thirty-five (35) acres".

A. Permitted Uses:

1. Uses permitted in Section 5.00 (A) Permitted Uses, of A-1 Agricultural District. The definition of a farm for this district is "a lot used for agricultural or horticultural uses and (1) comprised of at least thirty five (35) acres, or (2) comprised of at least an undivided quarter-quarter section, less no more than five acres, including the abutting public road right-of-way to the centerline. However, if the right of way is owned by the road authority in fee simple, then the abutting public right-of-way shall not be included in determining parcel area."

C. Standards for Non-Farm Lots or Dwellings: Non farm lots or dwellings shall be permitted only when they comply with all of the following standards:

1. No more than one non farm lot per quarter-quarter section. Should a quarter-quarter section contain a buildable non farm lot, no additional dwelling shall be permitted.
2. Any non farm lot shall contain at least one (1) acre of non prime agricultural soils with a crop equivalent rating of 55 or less. When a dwelling, which is not a mobile home, existed in its present location prior to April 16, 1983, this standard shall not apply.
3. No non farm dwelling shall be permitted in areas identified as wetlands or flood plain.
4. No non farm dwelling shall be located within one-fourth (1/4) mile of an animal feedlot or manure storage facility not located on the same non farm lot.

Commentary: The purpose of the following section is to permit an existing farm dwelling to be subdivided from a farm subject to the limitations listed as "standards" in the following section:

D. Standards for Farmstead Dwellings: A farmstead dwelling may be created provided the following standards are complied with:

1. A habitable farm dwelling must have legally existed on the farm in a habitable condition as of April 16, 1983.
2. The farmstead dwelling is located within a farmstead boundary.
3. Each parcel containing a farmstead dwelling must contain a minimum area of five (5) acres including the abutting public road right-of-way, if any. However, if the right of way is owned by the road authority in fee simple, then the abutting public right-of-way shall not be included in determining parcel area.
4. A parcel containing a farmstead dwelling shall not contain more than five (5) acres of prime cropland.
5. Not more than one (1) farmstead dwelling is permitted per farm.
6. If a farm contains more than one (1) dwelling, only one of the dwellings may become a farmstead dwelling; the remaining dwelling or dwellings must remain on a farm parcel or be removed from the parcel.
7. Parcels containing farmstead dwellings shall conform with the area, lot width and access requirements of this ordinance.

Section 5.00 A-1 AGRICULTURAL PROTECTION DISTRICT:

A. Permitted Uses:

1. Dwellings:

- a) Farm: One farm dwelling may be located on a farm. The definition of a farm for this district is "a lot used for agricultural or horticultural uses and comprised of either at least eighty (80) acres or two (2) contiguous and undivided quarter-quarter sections, including the abutting public road right-of-way, if any."
- b) Non-Farm: One non farm dwelling may be located upon a buildable non farm lot (See Section 1.26, b, 2 & 3).
- c) Farmstead dwelling: One farmstead dwelling may be located upon a non farm lot in conformance with Section 5.00 D

Staff Review and Analysis:

The site does not appear to contain any environmental factors that would prohibit the requested subdivisions and future construction of single-family residences.

The existing non-farm, lot of record in the NE corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ section 5 does contain enough non tilled/non-prime soils to be considered a buildable non-farm parcel.

The proposed farmstead dwelling subdivision in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ section 5 meets all criteria listed in the zoning ordinance.

The residual of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ section 5 is currently straight row cropped and the intention is to transfer ownership to one of the adjacent farms once subdivided.

The small area, approximately five acres, proposed to be subdivided in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ section 5 does not meet the ordinance criteria for non-prime soils to be considered as "buildable" non-farm parcel. The applicant has communicated interest in transferring ownership to the property owner to the north once subdivided. This area will be labeled "non-buildable" on the certificate of survey.

The remainder of the area in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ section 5 & NW $\frac{1}{4}$ NE $\frac{1}{4}$ section 8 can be considered a “buildable” non-farm subdivision as it meets all criteria listed in the zoning ordinance and all neighboring properties are farm sized parcels.

Conclusion: Staff recommends approval of the proposed subdivision(s) based on the following conditions;

1. Owner/applicant provide a certificate of survey meeting all zoning regulations.

TOWNSHIP COOPERATIVE PLANNING ASSOCIATION - ZONING APPROVAL OF METES & BOUNDS SUBDIVISION APPLICATION

You can fill in the fields on this form on your computer or print the form and fill it in by hand.

4111 11th Avenue SW Room 10
Rochester, MN 55902

-- TCPA --

(507)529-0774
Fax: (507) 281-6821

TOWNSHIP Oronoco

DATE 11/19/2025

INSTRUCTIONS: complete this application form and return it to the Township Cooperative Planning Association with all required materials and the application fee. The Administrator will review the application for compliance with the Zoning Ordinance. If all requirement(s) of the Zoning Ordinance are met, the application will be forwarded to the Township Board of Supervisors for review at the monthly Town Board meeting. The applicant will be notified of the date and time of the meeting and should attend to answer any questions the Board may have.

After approval by the Town Board of Supervisors, an application will be submitted with the Certificate of Survey to the Olmsted County Planning Department and Public Works for their approval to complete the process. The Applicant will also be required to pay any fees associated with this process.

Legal Description of the property to be subdivided as it exists at the present time:

SEE EXHIBIT A

Plat # _____

Parcel # SEE EXHIBIT A

Reason for subdividing land:

SEE EXHIBIT A

Please attach a site plan with accurate scaled drawing of the proposed subdivision!

Property Owner Timothy Ellis Estate

Applicant Linda Sparby PR.

Address 4555 Dynd Ort

Address 4555 Dynd Ort

Osakis Mn 56360
City State Zip code

Osakis Mn 56360
City State Zip code

Telephone _____

Telephone 218 686 6146

Signature _____

Signature Linda R. Sparby

Return the completed application with accurate site plan identifying the property as it exists and proposed metes and bounds subdivision. Also include on the site plan any existing buildings, wells, septic systems, and other structures and their distances from the propose property line. A Certificate of Survey will be required after approval of the subdivision by the Town Board.

An application fee of \$816.00 is required to process the application. Please submit a check made payable to **TCPA** with this application. It will not be processed until the fee is submitted.

TOWNSHIP COOPERATIVE PLANNING ASSOCIATION

APPLICATION FOR FINAL APPROVAL OF A METES AND BOUNDS SUBDIVISION

(I)(We) the undersigned owner(s) of all the property described in the attached legal description and supplementary materials, hereby request approval of the metes and bounds subdivision. Attachment 1

Signature of Applicant

Signature of Applicant

Print Name

Print Name

Address

Address

City State Zip

City State Zip

Phone

Phone

INSTRUCTIONS: It shall be the responsibility of the applicant to supply four original copies of a Certificate of Survey prepared by a registered land surveyor for each new parcel which is less than forty acres in size. Please complete the above portion of this form and return to Township Cooperative Planning Association with the four copies of the Survey. Township Cooperative Planning Association will route the Survey to each of the departments listed below for approval.

The applicant must file a copy of the approved survey with the Olmsted County Recorder to make them official.

Required Approvals:

- A. The attached Certificate of Survey is representative of the area previously reviewed by the Rochester/Olmsted County Environmental Specialist for private well water system. **The Environmental Fee is \$ 86.00 per application.**

Environmental Specialist

Date

- B. Private sewage disposal systems must meet current setback distances from all property lines and not pose a threat to public health.

Septic Official or Designee

Date

- C. The attached Certificate of Survey and supplementary materials have been filed with the office of the County Surveyor in accordance with state law. The survey has been reviewed and mathematically checked. No determination has been made to ascertain the date submitted has been correctly located on the ground. The information submitted is sufficient for this metes and bounds subdivision.

Olmsted County Surveyor

Date

- D. The attached Certificate of Survey correctly reflects the required public road right-of-way and any environmental corridor easements as they pertain to this property. If any additional easement dedications are needed, they have been completed.

Olmsted County Public Works

Date

- E. This subdivision has met the requirements of the Township Subdivision Ordinance and has been approved by the Township on (Date)_____

Zoning Administrator

Date

- F. The GIS impact Fee has been paid for this Metes and Bounds application. **The GIS Fee is \$38.00 per new parcel with a minimum fee of \$76.00 per application.**

EXHIBIT A

Attachment 1

Building Site 1 and create the 2nd Site

Legal description of the property to be subdivided as it exists at the present time.

SECT-05 TWP-108 RANGE-014 59.00 AC

SE1/4 SW1/4 LESS N10RDS E16RDS THEREOF AND W1/2 SW1/4

SE1/4 SEC 5 108-14

Parcel # 840534039633

There is an old farm stead with deteriorating farm buildings and the remains of the burnt down residential home with well. The estate of Timothy Nellis wishes to put the property up for sale in order to settle the estate. To perserve the tillable acres, the Estate would like to split off the building site and sell the tillable acres to the farming community. In addition, the Estate would like to create a residential building site on the east 20 acres of this parcel . 66.1 % of this parcel has slopes ranging from 6% to 20%. Also, there might be the possibility of selling less than 5 acres of the north 20 acres to the neighboring property owner for more elbow room. Presently this 20 acre parcel is being tilled.

3rd site Legal description of the Property

Attachment 1

SECT-05 TWP-108 RANGE-014 .87 Arces

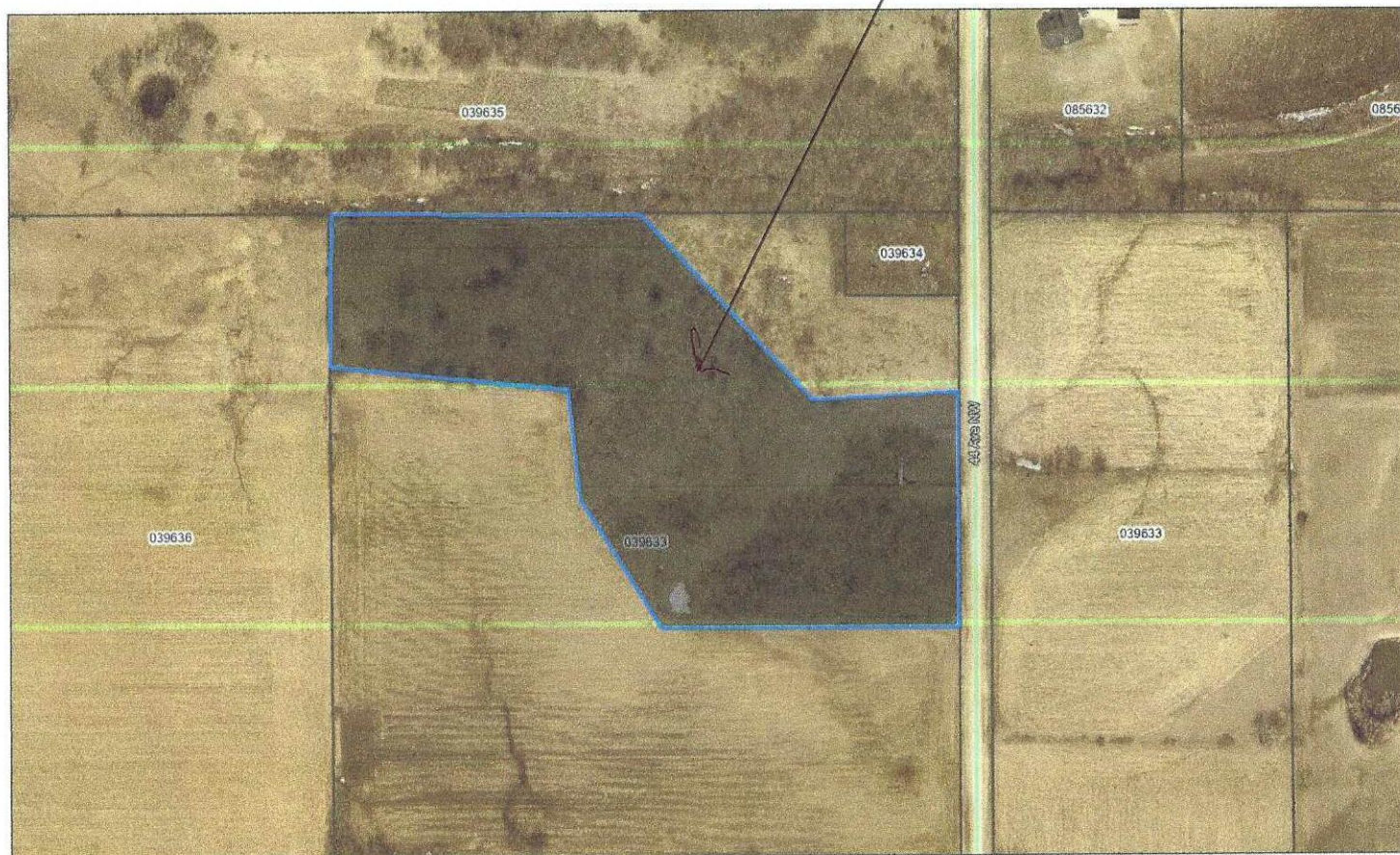
Com at necor SE1/4 SW1/4 TH W16rds TH E16RDS TH N10rds To BEG

SEC 5 108-14

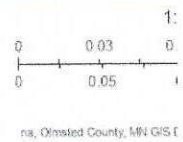
Parcel # 840534039634

This residential building site was created in the early 1970s'. At some point the house was abandoned. The Estate would like to increase this building site from .87 acres to less than 5 acres. The additional acreage would be taken from the non tillable acres of this parcel.

Farm homestead Site 14 Acres



November 19, 2025

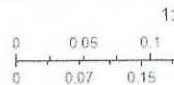


na, Olmsted County, MN GIS

less than 5 acres



November 19, 2025



rs, Olmsted County, MN GIS E

Increase site to less than 5 acres

Parcel # 240534039634



November 19, 2025

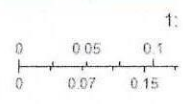
794/796

https://gis.co.dakota.mn.us/compsales/comps.htm?pin=191050022021

creating a new
building site
15+ acres

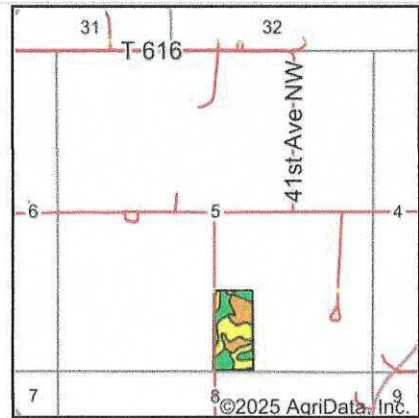
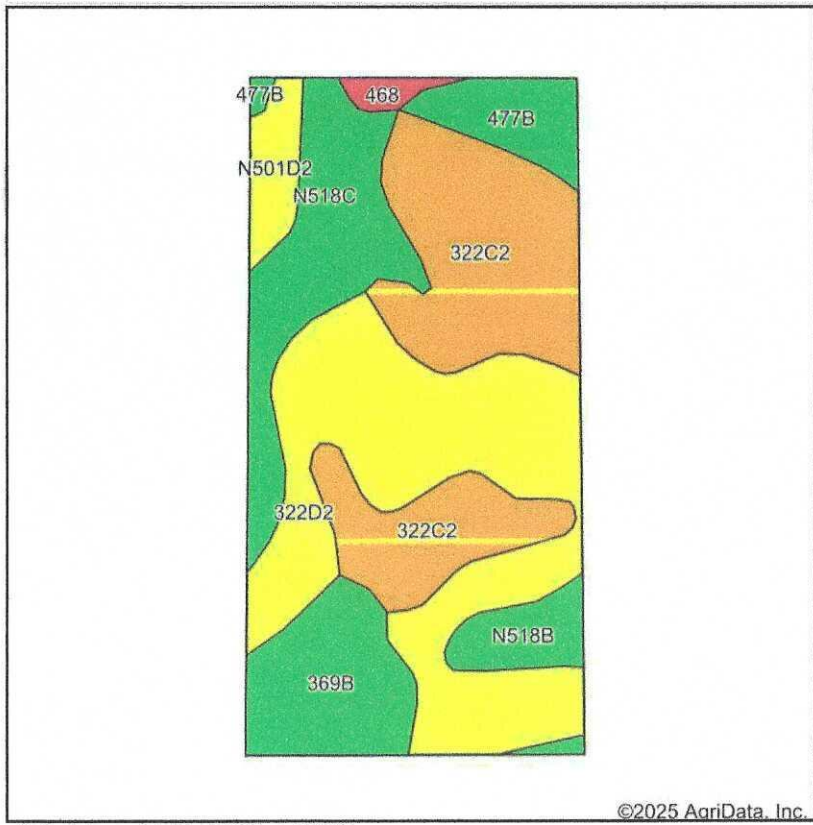


November 19, 2025



nm, Olmsted County, MN GIS

Soils Map



State: Minnesota
County: Olmsted
Location: 5-108N-14W
Township: Oronoco
Acres: 19.42
Date: 11/19/2025

Maps Provided By: **surety**
CUSTOMIZED ONLINE MAPPING
© AgriData, Inc. 2025 www.AgriDataInc.com



Soils data provided by USDA and NRCS.

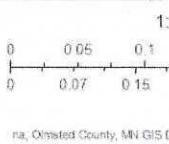
Area Symbol: MN109, Soil Area Version: 20							
Code	Soil Description	Acres	Percent of field	PI Legend	Non-Irr Class *c	Productivity Index	*n NCCPI Soybeans
322D2	Timula silt loam, 12 to 20 percent slopes, moderately eroded	6.70	34.3%		IVe	64	57
322C2	Timula silt loam, 6 to 12 percent slopes, moderately eroded	5.28	27.2%		IIIe	78	64
N518C	Lindstrom silt loam, 6 to 12 percent slopes	2.71	14.0%		IIIe	92	86
369B	Waubee silt loam, 1 to 6 percent slopes	2.01	10.4%		Ile	91	77
477B	Littleton silt loam, 1 to 4 percent slopes	1.02	5.3%		Ile	99	83
N518B	Lindstrom silt loam, 2 to 6 percent slopes	0.82	4.2%		Ile	99	88
N501D2	Downs silt loam, 12 to 18 percent slopes, moderately eroded	0.67	3.5%		IVe	69	64
468	Otter silt loam, channeled	0.21	1.1%		VIw	20	18
Weighted Average					3.21	77.5	*n 67.5

*n: The aggregation method is "Weighted Average using all components"
*c: Using Capabilities Class Dominant Condition Aggregation Method

Soils data provided by USDA and NRCS.



November 19, 2025



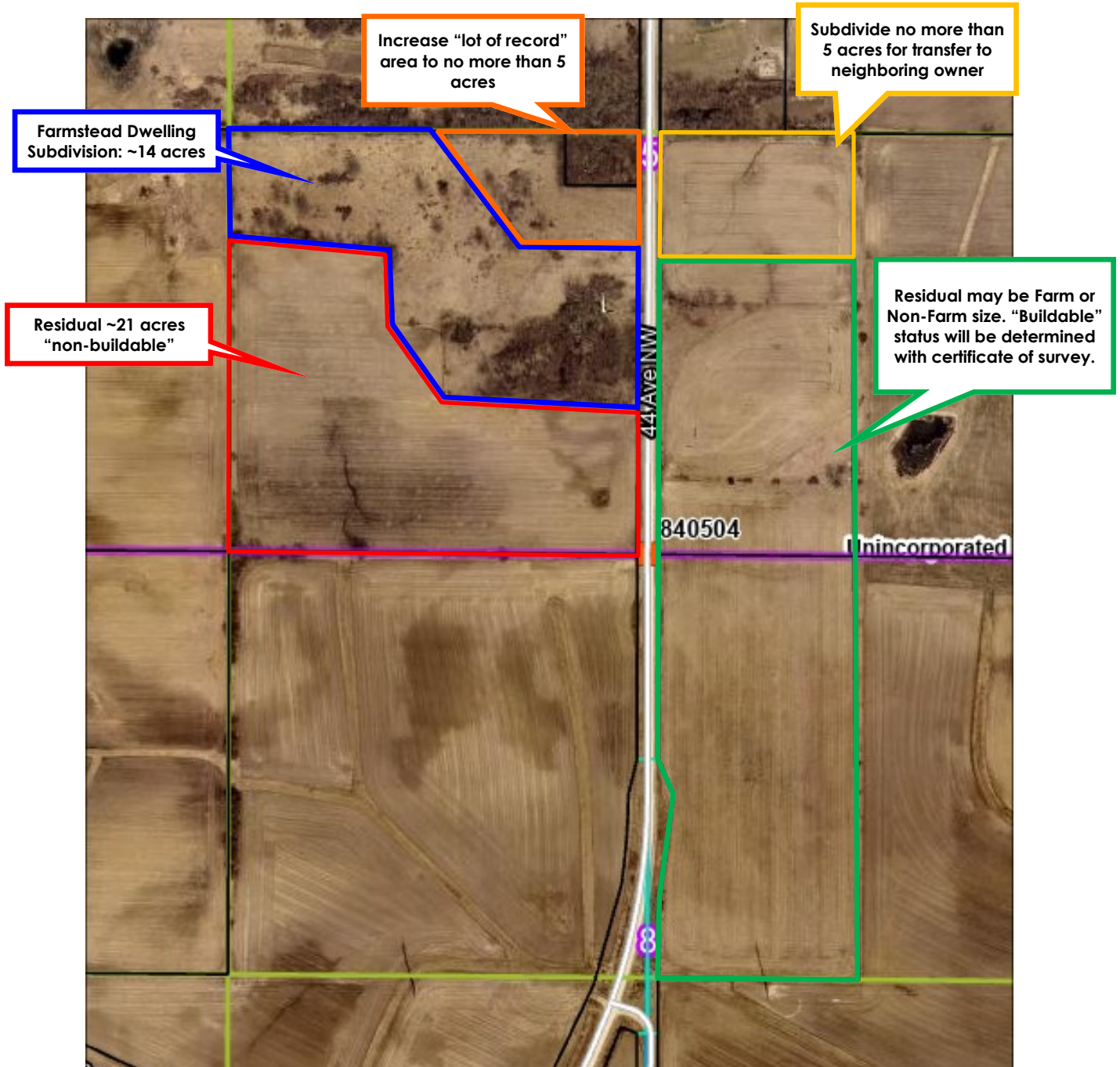
AERIAL MAP



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AERIAL MAP

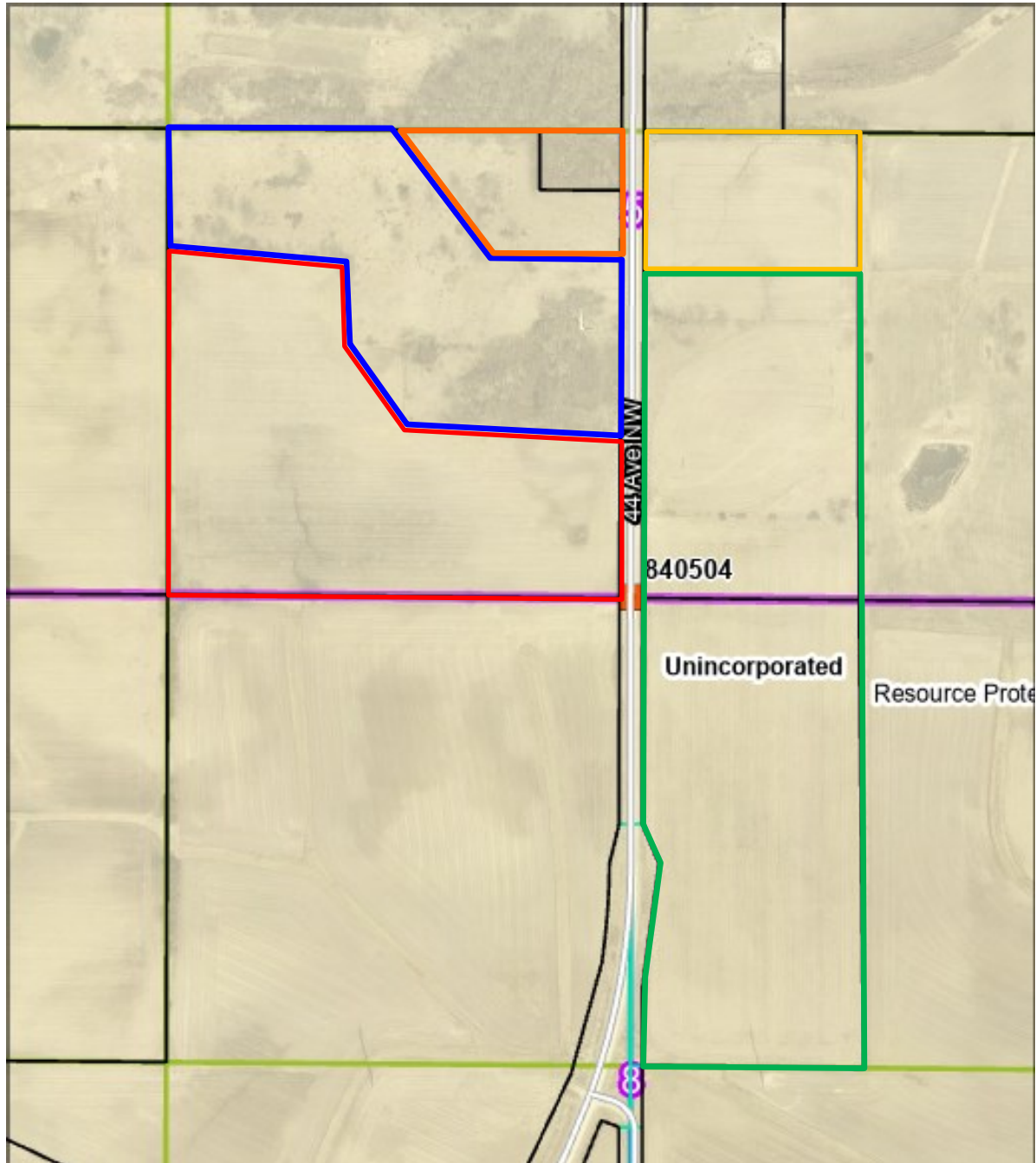
(proposed boundary)



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LAND USE MAP

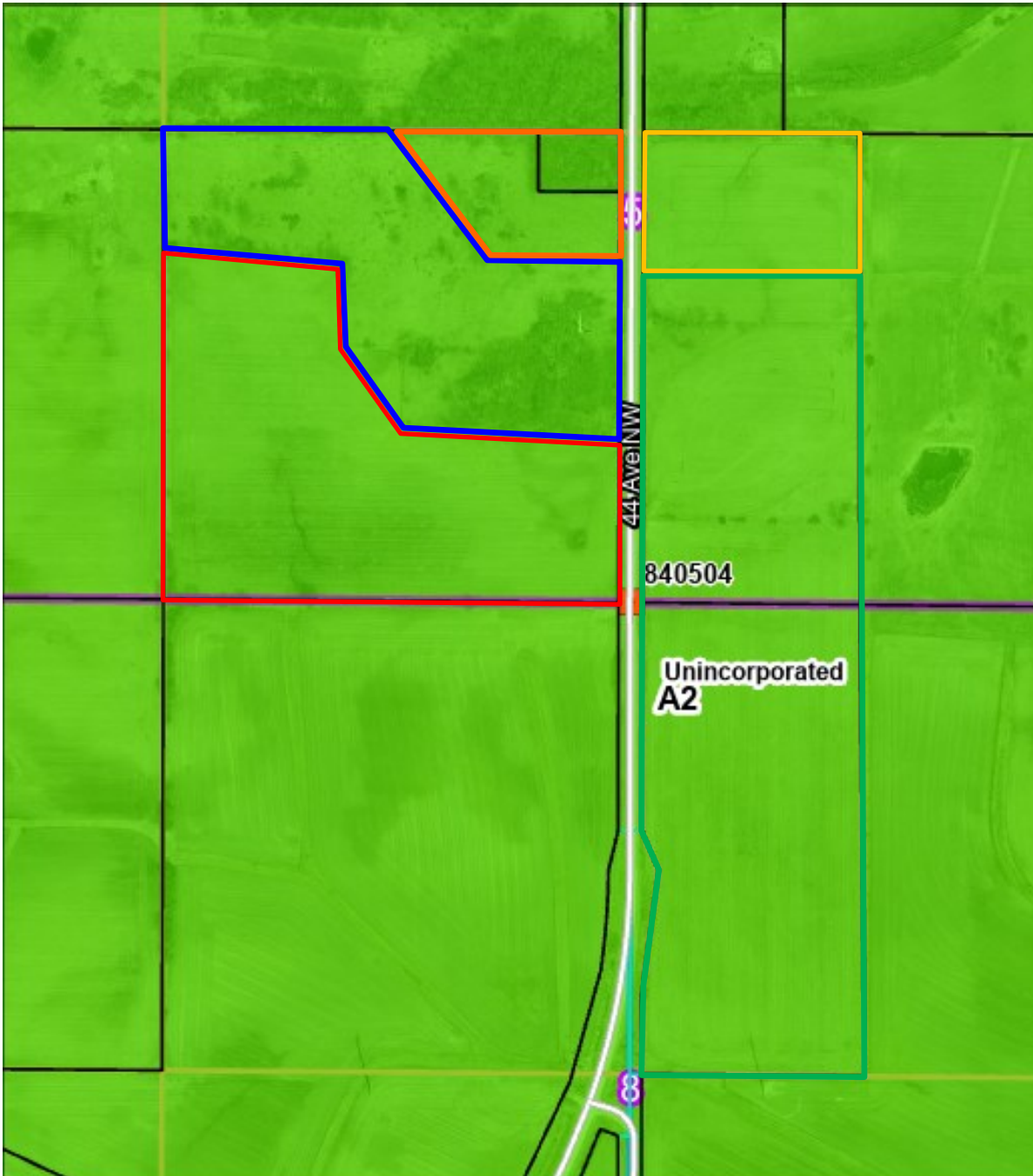
(proposed boundary)



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ZONING MAP

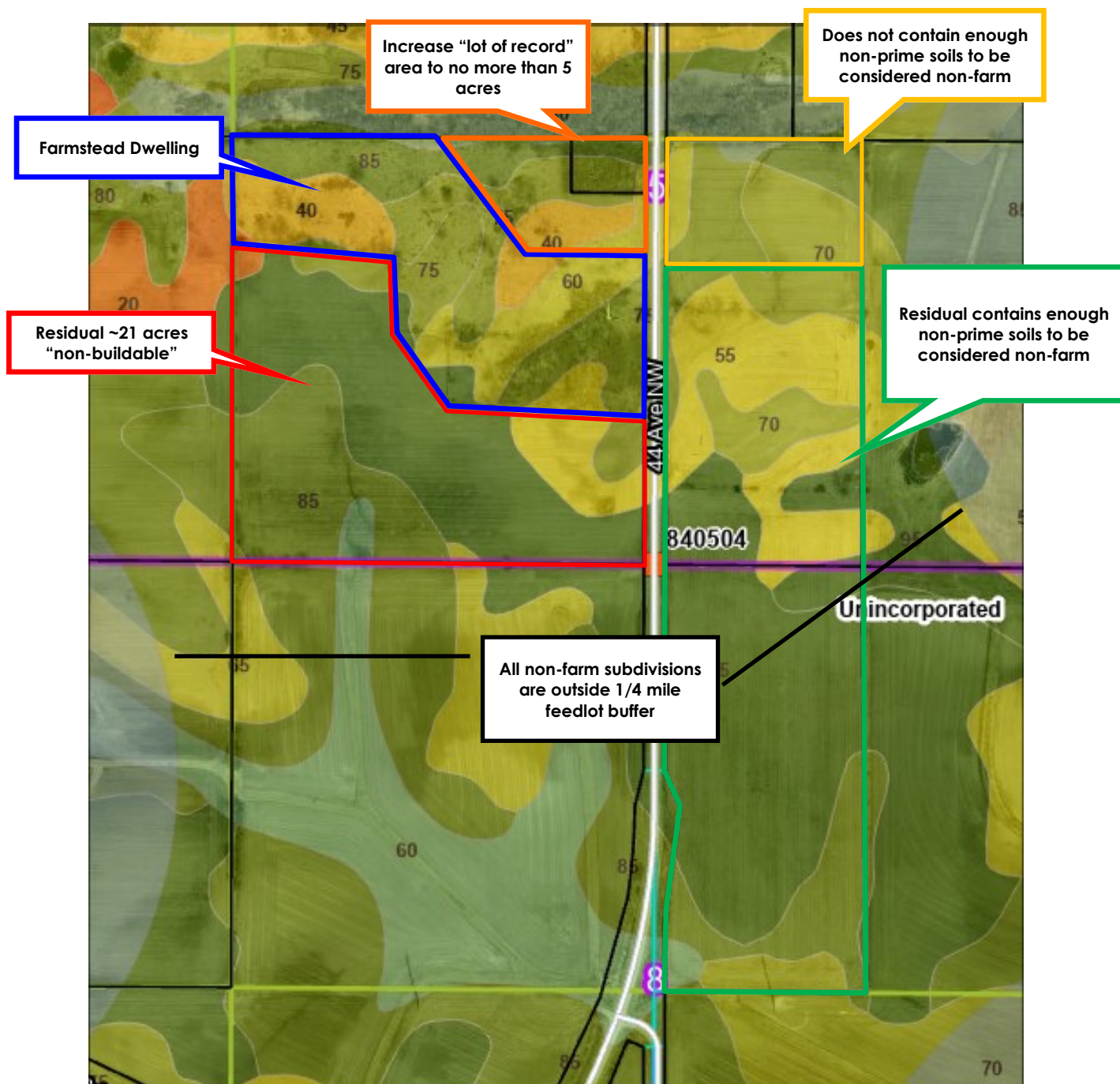
(proposed boundary)



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ENVIRONMENTAL MAP

(proposed boundary)



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