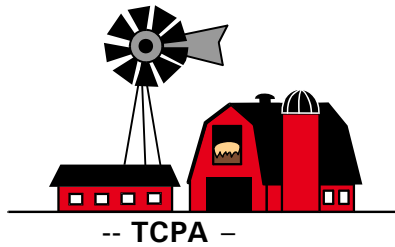


TOWNSHIP COOPERATIVE PLANNING ASSOCIATION

4111 11th Avenue SW Room 10
Rochester, MN 55902

Phone: (507) 529-0774



Ethan Kaske, Administrator
Janelle Finck, Administrator

ethan@tcpamn.org
janelle@tcpamn.org

Date: August 13, 2026

To: Oronoco Township Board of Adjustment
Applicant – Mike Thompson for Scattered Acres Inc.

Re: OTVAR-26-01
Variance Request – Section 24 – Oronoco Township

Owner/Applicant: Mike Thompson for Scattered Acres Inc.
9844 11th Ave NE, Rochester, MN 55906

Public Hearing: Monday, September 14, 2026 after 5:30 pm
at the Oronoco Township Hall
115 2nd Street NW, Oronoco, MN 55960

Request: An application for a variance to waive the requirement for a Non-Farm parcel/lot to contain a minimum of 1 acre of non-prime soils in an A-2 zoning district.

Legal Description: SECT-24 TWP-108 RANGE-014 - 120.00 AC
N 1/2 SE 1/4 AND SE 1/4 SE1/4

PIN#: 842442039933

Zoning: A-2 Agricultural Protection District.

Reviewer List: Olmsted County Planning
Olmsted County Public Works
Olmsted County GIS

Attachments: 1. Application
2. Property Exhibits

Oronoco Township Ordinance:

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 nonfarm 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".

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.

Section 4.08 VARIANCES:

The Oronoco Board of Adjustment shall have the exclusive power to order the issuance of variances from the requirements of any official control including restrictions placed on nonconformities. Variances shall only be permitted when they are in harmony with the general purposes and intent of the official control and when the variances are consistent with the comprehensive plan. The Oronoco Board of Adjustment may not permit as a variance any use that is not permitted for the property in the district where the affected person's land is located. The Oronoco Board of Adjustment may impose conditions in the granting of variances. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.

A. Criteria for Granting a Variance: A variance may be granted only when the applicant for the variance establishes that there are practical difficulties in complying with the official control. Economic considerations do not constitute practical difficulties. The Oronoco Board of Adjustment must find evidence that all of the following facts and conditions exist:

1. There are extraordinary conditions or circumstances, such as irregularity, narrowness, or shallowness of the lot or exceptional topographical or physical conditions which are peculiar to the property and do not apply to other lands within the neighborhood or the same class of zoning district;
2. The extraordinary conditions or circumstances are due to circumstances unique to the property not created by the landowner;

3. The variance is necessary to overcome practical difficulties in complying with the zoning ordinance so that the property can be used in a reasonable manner not permitted by the ordinance;
4. The variance will not be materially detrimental to the public welfare or materially injurious to other property in the area, and will not alter the essential character of the locality;
5. The variance is in harmony with the general purpose and intent of this ordinance; and 6. The terms of the variance are consistent with the comprehensive plan.

Analysis:

Analysis of the 6 criteria for granting a variance is as follows:

(Staff comments are in italics)

- A. Criteria for Granting a Variance: A variance may be granted only when the applicant for the variance establishes that there are practical difficulties in complying with the official control. Economic considerations do not constitute practical difficulties. **The Oronoco Board of Adjustment must find evidence that all of the following facts and conditions exist:**

1. There are extraordinary conditions or circumstances, such as irregularity, narrowness, or shallowness of the lot or exceptional topographical or physical conditions which are peculiar to the property and do not apply to other lands within the neighborhood or the same class of zoning district;

There are no extraordinary conditions or circumstances such irregularity, narrowness, shallowness,, exceptional topography or physical conditions unique to this property. This property shares general characteristics of the surrounding properties, and this criterion is not met.

2. The extraordinary conditions or circumstances are due to circumstances unique to the property not created by the landowner;

The conditions or circumstances of this request are solely created by the landowner as they are seeking to create a non-farm parcel without the requisite non-prime soils. This criterion is not met.

3. The variance is necessary to overcome practical difficulties in complying with the zoning ordinance so that the property can be used in a reasonable manner not permitted by the ordinance;

By reconfiguring the proposed non-farm parcel, the required non-prime soils could be incorporated into the lot. Per the attached exhibit, there are multiple options that could be utilized to incorporate the required non-prime soils. This criterion is not met.

4. The variance will not be materially detrimental to the public welfare or materially injurious to other property in the area, and will not alter the essential character of the locality;

The variance would not be materially detrimental to the public welfare or materially injurious to other property, but it would alter the essential character of the locality by creating a non-farm parcel that does not meet criteria for non-prime soils. This criterion is not met.

5. The variance is in harmony with the general purpose and intent of this ordinance; and

By creating a non-farm parcel that does not meet the requirements of the ordinance the variance would not be in harmony with the general intent and purpose of the A-2 district – which 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...”.

This criterion is not met.

6. The terms of the variance are consistent with the comprehensive plan.

This property is located within Olmsted County’s Resource Protection district. Waiving the requirements for non-prime soils would not meet the intent of this district.

This criterion is not met.

Conclusion:

The variance to waive the requirement to include a minimum of 1 acre of non-prime soils in a Non-Farm parcel does not meet the established criteria for granting the variance. There are areas of non-prime soils adjacent to the proposed lot/parcel so there are no practical difficulties to including the requisite non-prime soils; there are no extraordinary conditions or circumstances that are unique to this property; the conditions of the request are owner-created; the variance would alter the character of non-farm parcels by not including the non-prime soils; and the variance is not in harmony with the general intent and purpose of the ordinance.

Recommendation:

Staff finds that none of the required criteria for a variance are met by this request and recommends denial of this variance application.

TOWNSHIP COOPERATIVE PLANNING ASSOCIATION

TCPA
4111 11th Avenue SW
Room 10
Rochester, MN 55902

VARIANCE APPLICATION

PH: 507-529-0774
FX: 507-281-6821
EM: mail@tcpamn.org
WEB: www.tcpamn.org

TOWNSHIP: <u>Oronoco</u>	DATE: _____
(MIKE THOMPSON)	
PROPERTY OWNER: <u>Scattered Acres Inc.</u>	PHONE #: <u>507-951-5367</u>
PROPERTY ADDRESS: <u>9844 11th Ave. N.E.</u>	
CITY: <u>Rochester</u>	STATE: <u>MN</u> ZIP: <u>55906</u>
PROPERTY PARCEL #: <u>RP 842442039933</u>	

VARIANCE DESCRIPTION & REASON FOR VARIANCE REQUEST:

Would like to sell about 4 acres to the neighbors daughter because they would like to build a home on the existing building site.

EXISTING USE OF PROPERTY:

Horse Pasture and Lawn

HAS A VARIANCE BEEN SOUGHT FOR THIS PROPERTY BEFORE?:

____ - YES X - NO

IF SO WHEN?: _____

APPLICANT SIGNATURE:

Mike Thompson

FILING FEE:

SIGNATURE DATE:

APPLICATION COMPLETE DATE:

60-DAY DATE:

(TCPA)

(TCPA)

VARIANCE QUESTIONS: (Answer all of the following questions. Use a separate sheet if necessary.)

A variance may be granted only when the you can establish that there are practical difficulties in complying with the zoning ordinance. Economic considerations do not constitute practical difficulties. For the Board of Adjustment to grant your variance you must provide evidence that all of the following facts and conditions exist;

- 1) Explain and illustrate that there are extraordinary conditions or circumstances, like an irregular or especially narrow or shallow lot, or exceptional topographical or physical conditions, which are peculiar to your property and that do not exist on other lots or land in your same neighborhood or zoning district. Provide an aerial map/drawing to illustrate.

This was and is a building sight and is not farmable!
It also borders the buyers parents Property.

VARIANCE QUESTIONS: - continued

- 2) Explain and provide reasoning that the above extraordinary conditions or circumstances are unique to your property and that the circumstances or conditions were not created by you.

I did Not Build the original buiding sight in this location and the terrain is to steep to Farm.

- 3) Explain why the variance is necessary to overcome practical difficulties in complying with the zoning ordinance so that your property can be used in a reasonable manner not permitted by the ordinance.

There is no low CER Soil in the area and the acreage is under 5 acres

- 4) Explain how the variance will not be detrimental to the general public welfare or negatively affect your neighbors property value or their enjoyment of their property and that the variance will not alter the character of your neighborhood or area.

This was once a building sight and the old buildings will be removed and replaced with new buildings.

- 5) Explain why there is no alternative to your request. And if there are alternatives explain why those alternatives are not worthy of consideration.

This is the only property that borders the parents Property that is not workable Ag land for us that still leaves us access to our Land.

You must provide a site plan for your proposed variance showing the following:

- Entrance and exit driveway(s).
- All structures on your property showing distances from lot lines, septic and well and other structures.
- If this a setback variance—show where the proposed structure will be located.

This Variance application will be considered incomplete and no action will be taken until the TCPA office is in receipt of; a.) this completed application form; b.) the site plan; c.) the filing fee.

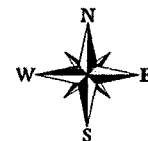
COMPLETE BOTH SIDES OF THIS APPLICATION

Aerial Map



Map Center: 44° 8' 28.47, -92° 26' 51.81

0ft 131ft 261ft



7/21/2026



Maps Provided By:

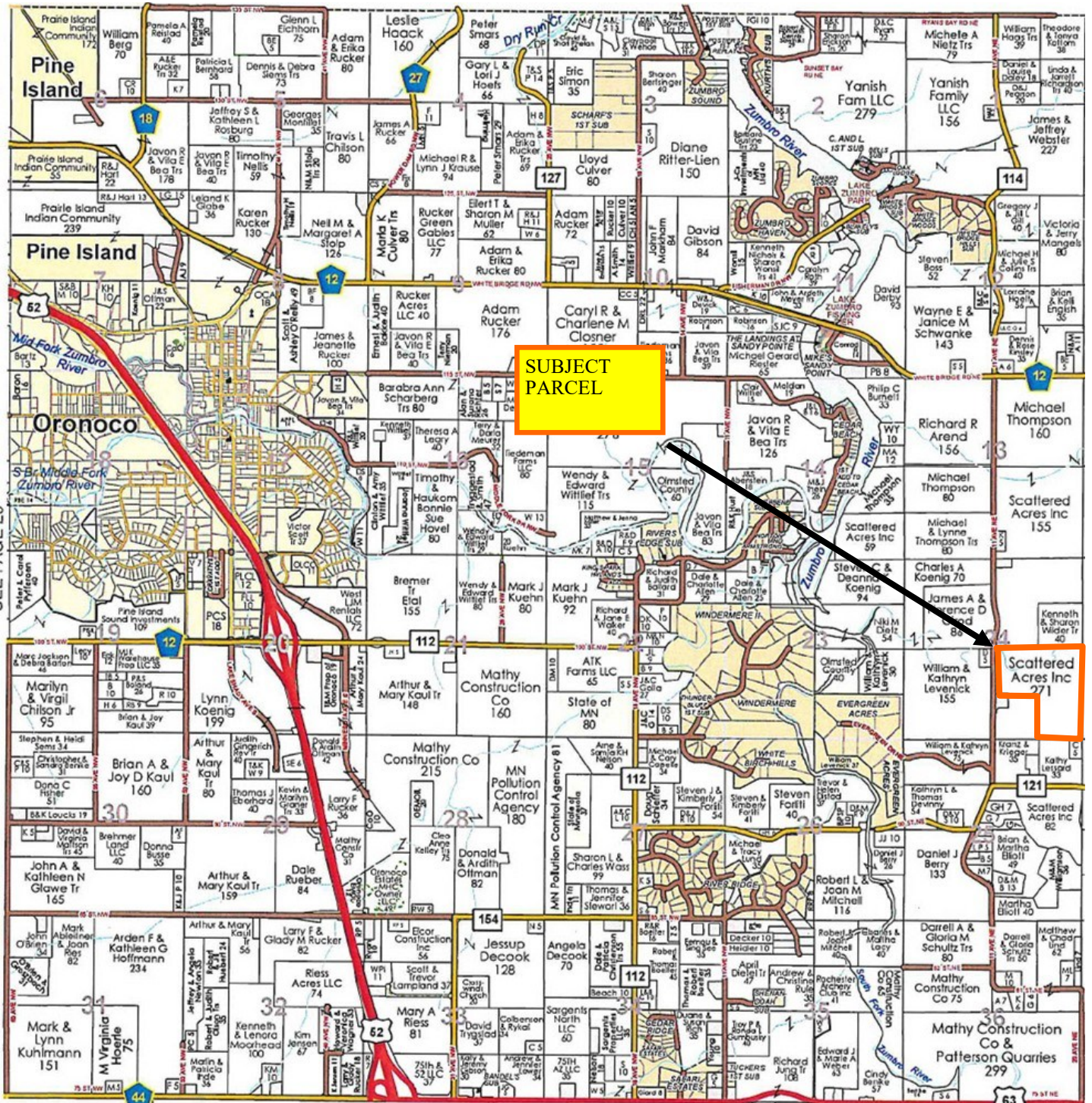


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Field borders provided by Farm Service Agency as of 5/21/2008.

24-108N-14W
Olmsted County
Minnesota

PLAT MAP

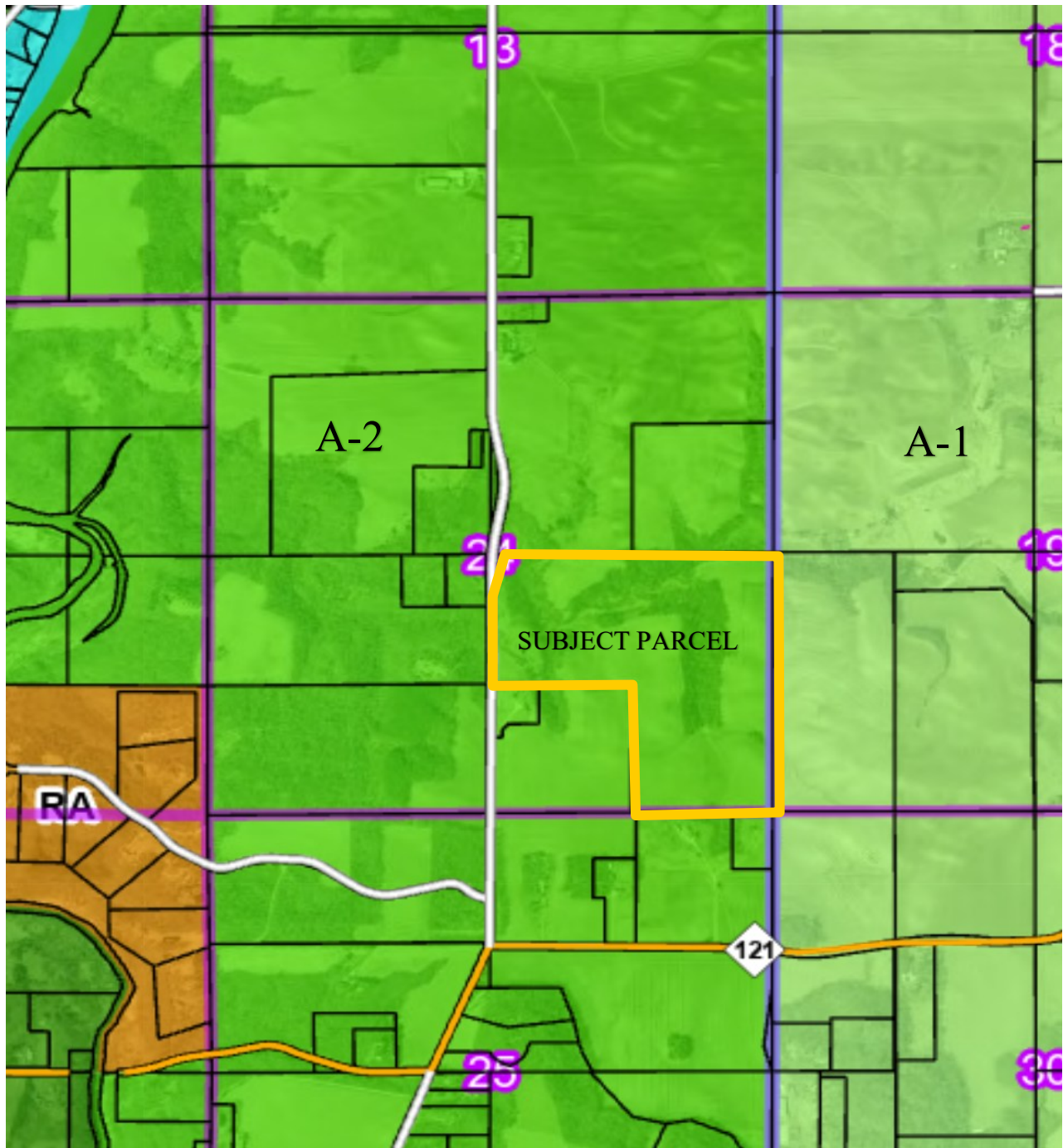


LEGAL DESCRIPTION

SECT-24 TWP-108 RANGE-014—120.00 AC
N 1/2 SE 1/4 AND SE 1/4 SE 1/4

TCPA
4111 11th Avenue SW
Rochester, MN 55902
www.tcpamn.org
507-529-0774

ZONING MAP

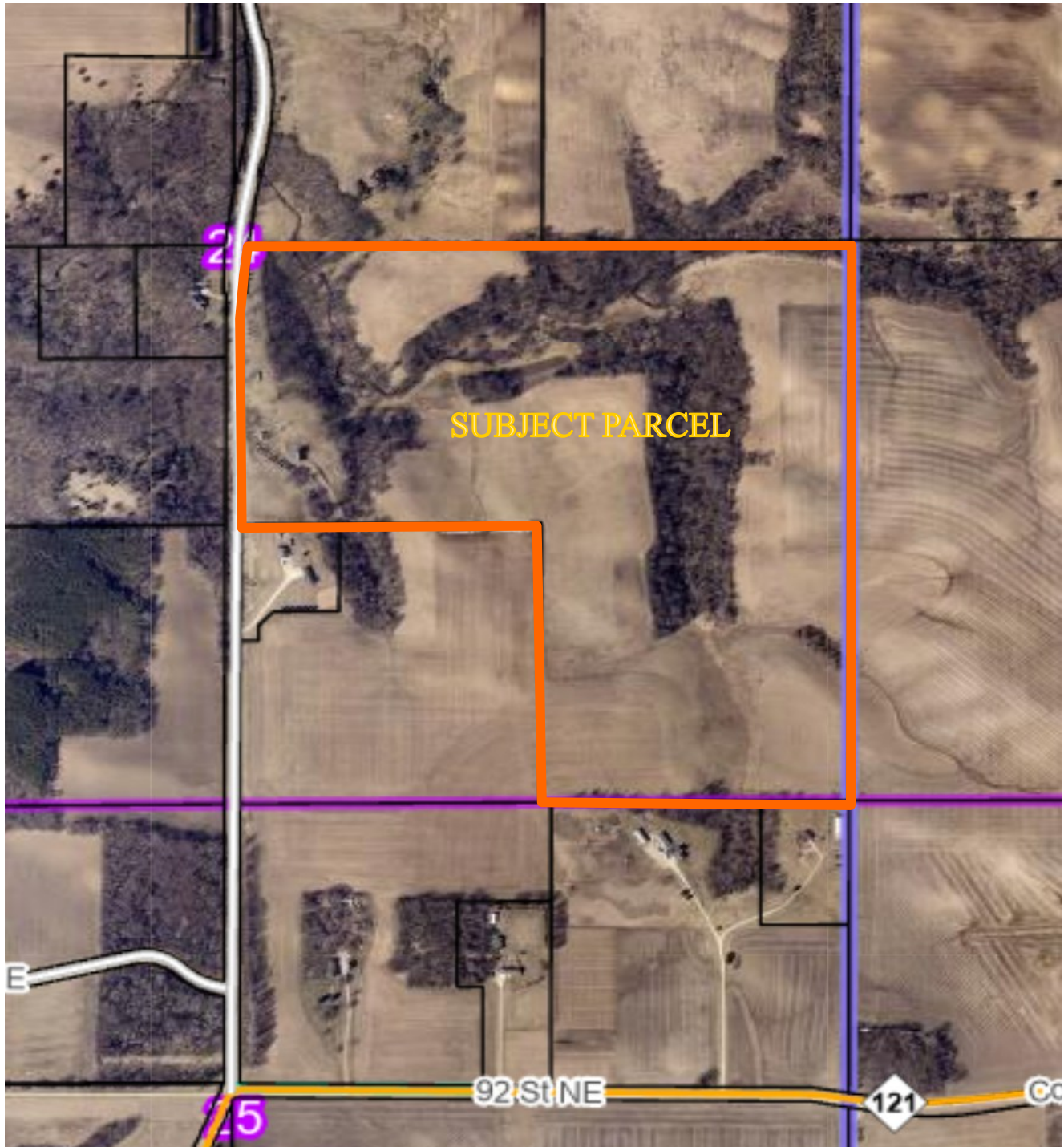


LEGAL DESCRIPTION

SECT-24 TWP-108 RANGE-014—120.00 AC
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AERIAL MAP

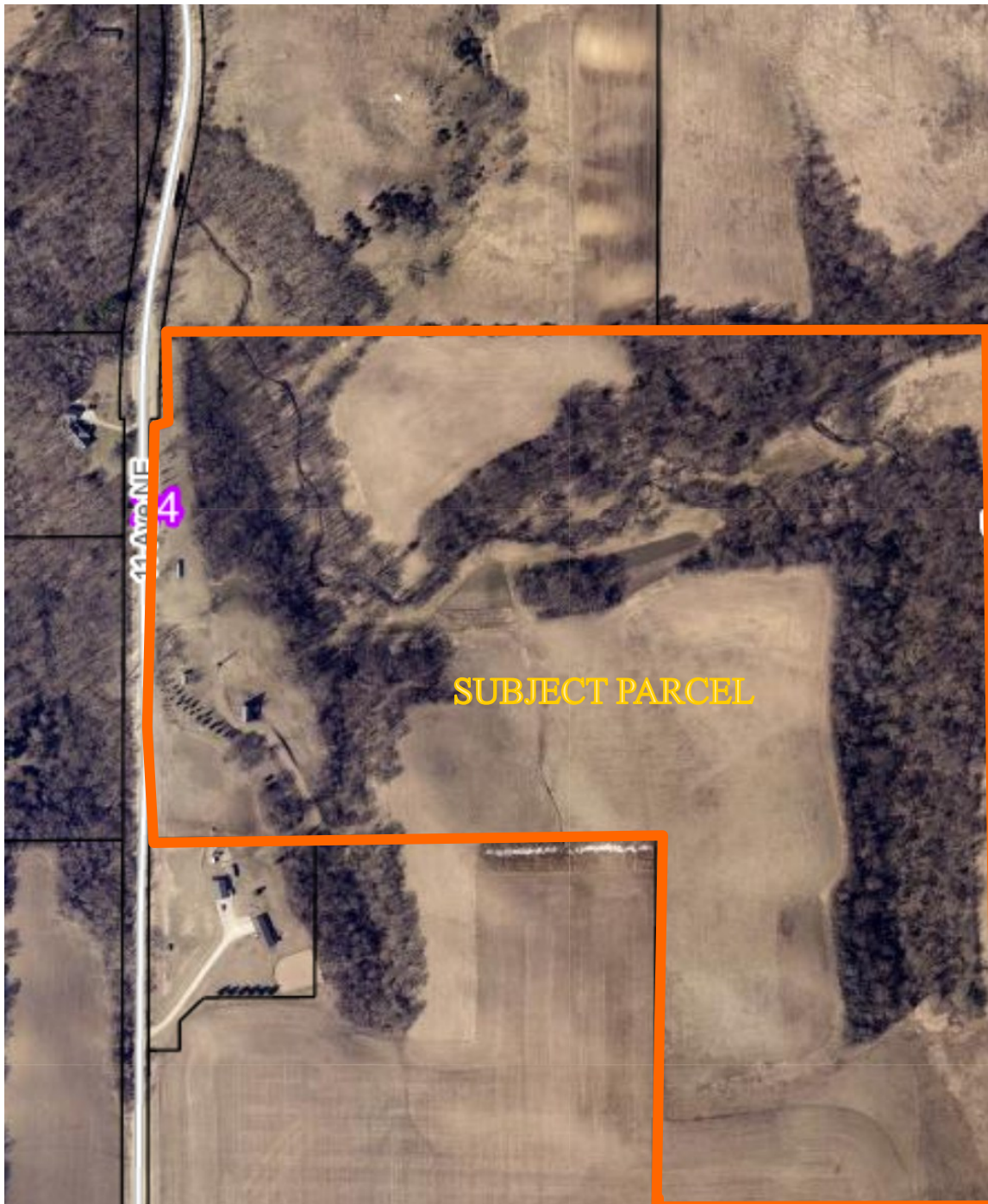


LEGAL DESCRIPTION

SECT-24 TWP-108 RANGE-014—120.00 AC
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AERIAL MAP (2)



LEGAL DESCRIPTION

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AERIAL MAP (3)

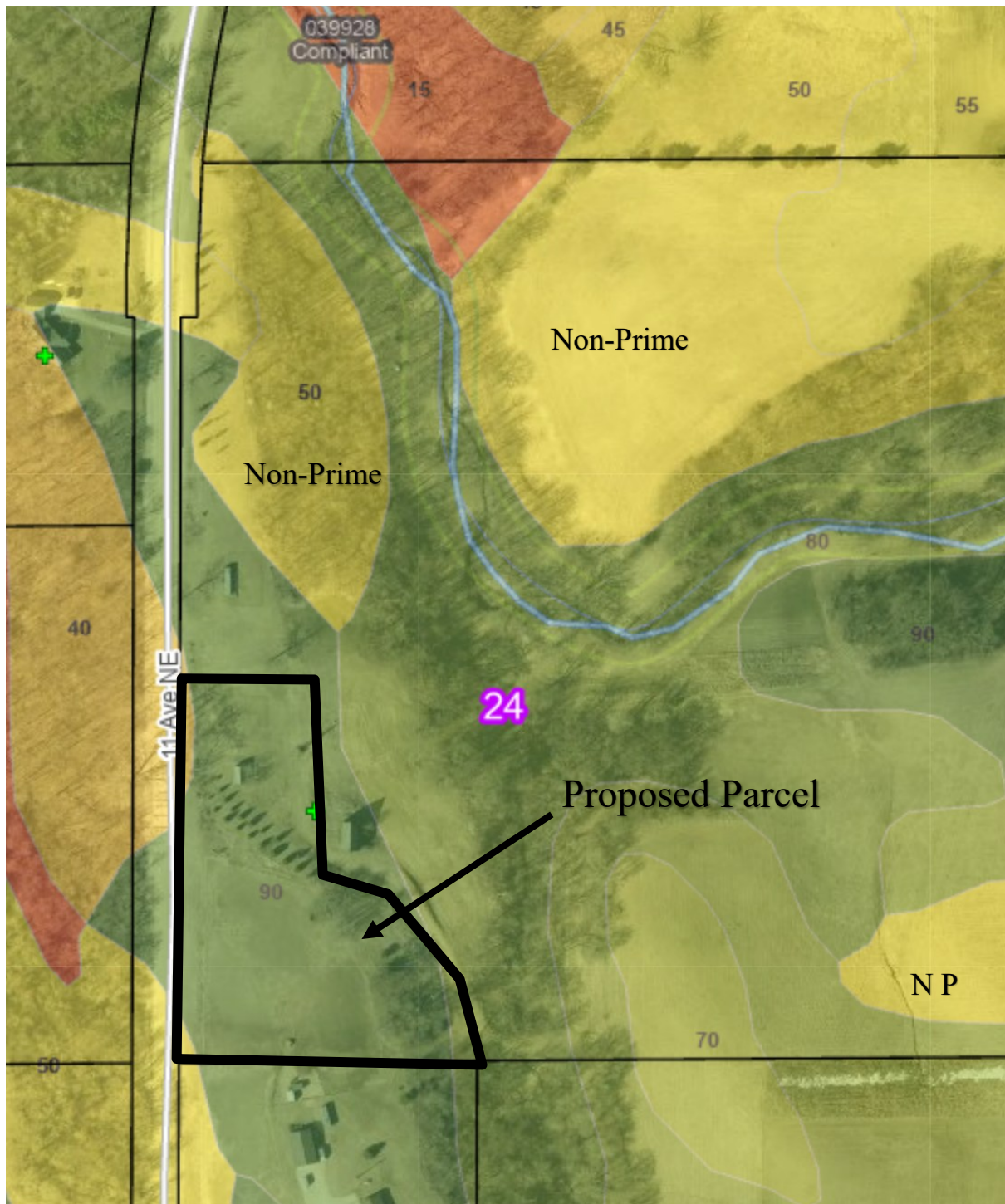


LEGAL DESCRIPTION

SECT-24 TWP-108 RANGE-014—120.00 AC
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CER SOILS MAP

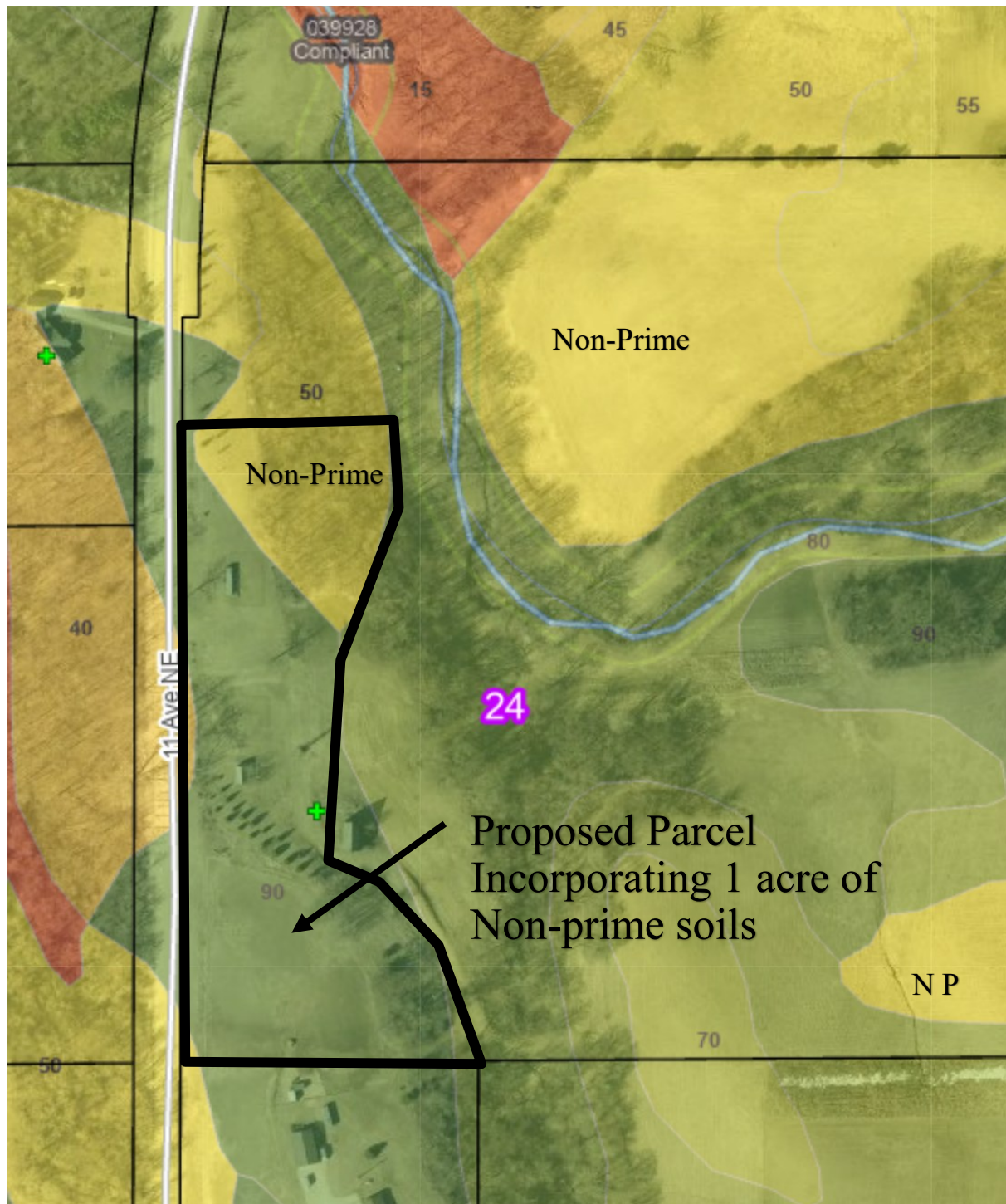


LEGAL DESCRIPTION

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Proposed Parcel Meeting CER Soils



LEGAL DESCRIPTION

SECT-24 TWP-108 RANGE-014—120.00 AC
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