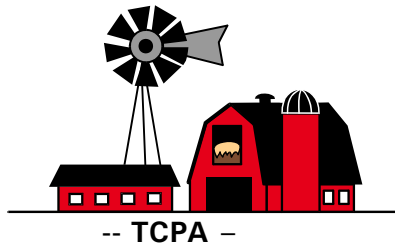


TOWNSHIP COOPERATIVE PLANNING ASSOCIATION

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 17, 2026

To: Oronoco Township Board of Adjustment
Applicant – Blake & Lexi Hottle

Re: OTVAR-26-02
Variance Request – Section 5 – Oronoco Township

Applicant: Blake & Lexi Hottle
401 University Avenue SE #502, Minneapolis, MN 55414

Owner: Linda Sparby – Personal Representative for the Estate of Timothy Nellis
4555 Dyrud Ct., Osakis, MN

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 allow a dwelling in a non-buildable portion of a non-farm parcel.

Legal Description: Proposed Parcel C
(W ½ NW ¼ NE ¼ of Section 8 and the SW ¼ SW ¼ SE ¼ of Section 5 less ROW)

PIN#: Existing: 840812080525 and 840543039631
Proposed: 840534090474 (designated non-buildable in Section 5)

Zoning: A-2 Agricultural Protection District.

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

Attachments: 1. Application
2. Letter from Nellis Estate Rep
3. 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.

Background:

Existing Parcel C was recently created (OTMB-25-06). Parcel C is 28.87 +/- acres with roughly 20 acres of buildable area on the south in Section 8 and 10 acres of designated non-buildable area in the north in Section 5. Due to proposed improvements to the transmission lines along the south portion of the property, the prospective buyers would prefer to build in the non-buildable area of the property to minimize the view of the transmission lines. The transmission lines will affect numerous properties in this area and in other townships and counties as well. There are 20 +/- buildable acres in this parcel with options for various placement locations, building orientations and landscape improvements (buffers and/or berms) that can mitigate the view-shed of the transmission lines.

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 variations in topography for this parcel that are generally typical for this area. There are no extraordinary conditions or circumstances that are unique to this property.

The overhead transmission line improvements will affect multiple parcels in Oronoco Township and throughout the County and are not unique to this property. This criterion is not met.

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

No extraordinary conditions or circumstances exist and there are 20 +/- buildable acres in this parcel. The request to build in the non-buildable area is created by the applicant. 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;

There are 20 +/- buildable acres in this parcel. There is no practical difficulty in complying with the zoning ordinance and there are options for placement location, orientation of the structure and landscaping improvements that can mitigate the view-shed of the lines. 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 or materially injurious to other property, but it would alter the essential character of the locality by allowing an additional dwelling in a designated non-buildable area of an A-2 zoning district – the purpose of which is to preserve agricultural lands and use. This criterion is not met.

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

The variance is not in harmony with the general purpose and intent of this ordinance. The purpose of the A-2 zoning district is to “maintain, conserve and enhance agricultural lands” and “restrict 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. Allowing a dwelling in a designated non-buildable portion of a parcel where the density of non-farm parcels is already met in the ¼ ¼ section would not be consistent with the comprehensive plan.

Conclusion:

The variance to allow construction of a dwelling within the designated “non-buildable” portion of this parcel does not meet the established criteria for granting the variance. There are no practical difficulties that prevent building within the buildable 20 +/- acres; the transmission lines will affect numerous properties and there are no extraordinary conditions or circumstances that are unique to this property; the conditions of the request are owner-created; the density of non-farm parcels in the subject ¼ ¼ section has already been met; there are options to mitigate the view-shed of the transmission lines and there are no practical difficulties in complying with the requirements of the ordinance; the variance could increase the number of permitted dwellings in the ¼ ¼ section; 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 the 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: ORONOCODATE: 07-08-26PROPERTY OWNER: BLAKE & LEXI HOTTE PHONE #: 319-883-9099PROPERTY ADDRESS: SEE P.P. #CITY: ORONOCO STATE: MN ZIP: _____PROPERTY PARCEL #: 84.08.12.080525

VARIANCE DESCRIPTION & REASON FOR VARIANCE REQUEST: WANT TO BUILD HOUSE IN SECTION OF PROPERTY THAT IS LABELED NON-BUILDABLE (SEE ATTACHED) DUE TO NEW POWER LINES COMING IN ON PROPERTY.

EXISTING USE OF PROPERTY:

FARM/BARE LAND

HAS A VARIANCE BEEN SOUGHT FOR THIS PROPERTY BEFORE?:



- YES



- NO

IF SO WHEN?: _____

APPLICANT SIGNATURE: 

FILING FEE: _____

SIGNATURE DATE: _____

APPLICATION COMPLETE DATE: _____

(TCPA)

60-DAY DATE: _____

(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.

NEW LOCATION WOULD GREATLY DISTANCE FROM NEW POWER LINES COMING IN AND PROVIDE WIND PROTECTION FOR HOUSE BETTER

COMPLETE BOTH SIDES OF THIS APPLICATION

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.

POWER LINES COMING SOON WERE NOT ON PROPERTY BEFORE

- 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.

↑

- 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.

HOUSE WOULD BE LESS VISIBLE IN PROPOSED LOCATION

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

JASON HALVERSON - 507-208-8371 jason@buildinrochester.com

BLAKE HOTTLE - blakehott@gmail.com

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

SEC. 5

APPROVED

Meters & Bounds Sub. - OTMB-25-06

Septic Approval: 04/23/2026

Well Approval: 04/22/2026

Engineer Approval: 04/20/2026

Surveyor Approval: 04/22/2026

Township Planning: 2026/04/23 14:17:24

PARCEL A

AREA=19.43 ACRES
MORE OR LESS
(INCLUDING ROAD ROW)

PARCEL B

AREA=10.00 ACRES
MORE OR LESS
(INCLUDING ROAD ROW)

PARCEL C IS NON-BUILDABLE FOR DWELLING PURPOSES IN THE SW 1/4 OF THE SE 1/4 OF SECTION 5

PARCEL C

AREA=28.57 ACRES
MORE OR LESS
(INCLUDING ROAD ROW)

PARCEL A PROPOSED PROPERTY DESCRIPTION
That part of the Southwest Quarter of the Southwest Quarter of Section 5, Township 108 North, Range 14 West, Omitad County, Minnesota, described as follows:
Subject to a roadway easement over and across that part taken by 44th Avenue NW and subject to all other easements and restrictions of record.

PARCEL B PROPOSED PROPERTY DESCRIPTION
That part of the West Half of the Southwest Quarter of the Southwest Quarter of Section 5, Township 108 North, Range 14 West, Omitad County, Minnesota, described as follows:
Beginning at the south quarter corner of said Section 5, thence on an assumed bearing of North 00 degrees 23 minutes 00 seconds West, along the west line of the Southwest Quarter of the Southwest Quarter of said Section 5, a distance of 850.26 feet to the point of beginning of the land to be described, thence South 89 degrees 32 minutes 00 seconds East, a distance of 856.41 feet to the east line of said West Half of the Southwest Quarter of the Southwest Quarter, thence North 00 degrees 22 minutes 15 seconds East, along said east line, a distance of 682.26 feet to the northeast corner of said West Half of the Southwest Quarter of the Southwest Quarter, thence North 89 degrees 32 minutes 00 seconds West, along the north line of said Southwest Quarter of the Southwest Quarter, a distance of 657.10 feet to the northwest corner of said Southwest Quarter of the Southwest Quarter, thence South 00 degrees 23 minutes 00 seconds East, along the west line of said Southwest Quarter of the Southwest Quarter, a distance of 682.26 feet to the point of beginning.
Subject to a roadway easement over and across that part taken by 44th Avenue NW, and subject to all other easements and restrictions of record.

PARCEL C PROPOSED PROPERTY DESCRIPTION
That part of the West Half of the Southwest Quarter of the Southwest Quarter of Section 5, and that part of the West Half of the Southwest Quarter of the Southwest Quarter of Section 8, all in Township 108 North, Range 14 West, Omitad County, Minnesota, described as follows:
Beginning at the south quarter corner of said Section 5, thence on an assumed bearing of North 00 degrees 23 minutes 00 seconds West, along the west line of the Southwest Quarter of the Southwest Quarter of said Section 5, a distance of 850.26 feet; thence South 89 degrees 32 minutes 00 seconds East, a distance of 856.41 feet to the east line of said West Half of the Southwest Quarter of the Southwest Quarter, thence South 00 degrees 22 minutes 15 seconds East, along said east line, a distance of 682.26 feet to the northeast corner of said West Half of the Southwest Quarter of the Southwest Quarter, thence North 89 degrees 32 minutes 00 seconds West, along the north line of said Southwest Quarter of the Southwest Quarter, a distance of 657.10 feet to the northwest corner of said Southwest Quarter of the Southwest Quarter, thence South 00 degrees 23 minutes 00 seconds East, along the west line of said Southwest Quarter of the Southwest Quarter, a distance of 682.26 feet to the point of beginning.
Subject to a roadway easement over and across that part taken by 44th Avenue NW, and subject to all other easements and restrictions of record.

LEGEND

- DENOTES A PLACED "1" BY 1" IRON PIPE HAVING A PLASTIC CAP BEARING LAND SURVEYOR LICENSE NO. 47460
- DENOTES FOUND IRON MONUMENT
- DENOTES UNDATED COUNTY P.L.S. CORNER
- B15 DENOTES RIGHT OF WAY CORNER NUMBER PER NW 1/4 RIGHT OF WAY PLAT NO. 55-111
- DENOTES EXISTING POWER POLE
- (AT 173444) DENOTES BEARINGS AND/OR DISTANCE OF RECORD
- DENOTES EXISTING FENCE LINE
- DENOTES EXISTING OVERHEAD POWER LINE
- DENOTES COUNTY MONUMENT



BEARINGS SHOWN ARE OBTAINED TO THE UNDATED COUNTY COORDINATE SYSTEM, NAD 83, 1983 ADJUSTMENT (NAD83)

CERTIFICATE OF SURVEY FOR:
WAYNE GADIENT
JOHNSON & SCOFIELD INC.
SURVEYING AND ENGINEERING
1203 MAIN STREET, RED WING, MN 55069
(507) 395-1528

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.
Revised Date: April 10, 2026
Markus S. Johnson
Minnesota License No. 47460
Date: January 09, 2026
BK. NA PG. NA W.G.# DRAWING NUMBER
SHEET 1 OF 1 SHEETS 26-339 S-12556

NOTE:
The property is subject to a public roadway easement for 44th Avenue NW. No record was performed to determine if there was a written easement granted to establish this road. If no documents were recorded, then the road easement exists by prescription or usage, by authority of Minnesota Statutes 160.02, Subdivision 1, and may or may not be valid which varies based on what is actually used for the physical roadway and its easements.

POWER LINE

44TH AVENUE
ROW
MNDOT



PARCEL A

PARCEL B

AREA 1.2 ACRES
100' X 120' X 120' X 120'

PARCEL C

AREA 1.2 ACRES
100' X 120' X 120' X 120'

DRIVE

House



CERTIFICATE OF SURVEY FOR
WAY NO. 6412111
JOHNSON & SCORPION, INC.
SURVEYING AND ENGINEERING
10000 100TH AVE. S.W.
BURNING WOOD, MN 55305

Surveyed by	Checked by
Dated	Dated
Scale	Scale
Notes	Notes

July 23, 2026

To: Olmsted County

RE: Variance for Blake and Alexa Hottle

My name is Linda Sparby and I am the Personal Representative for the Timothy Nellis Estate. Timothy passed away July 1, 2025 in his home at 1204 S Park St., Red Wing, MN 55066. Upon being appointed as his Personal Representative I had his mail forwarded to Gorman & Lodermeier PLC in Red Wing, MN as Richard Gorman is the attorney helping with all the many parts of the estate.

Timothy was an only child and because he was autistic had little to no contact with people. Because of the internet he was able to keep up his finances quite well, but left nothing informative or organized for whoever had to be his representative. It has been a long and stressful challenge to determine all that needed attention such as his home, bills, investments, property ownerships, taxes to be paid and so forth.

Fortunately, Attorney Gorman put me in touch with realtor Wayne Gadiant. Timothy not only owned his home but also owned approximately eighty acres of land in Olmsted County. After selling forty acres of the property, we discovered there was the possibility of new power lines and towers affecting the rest of the property we had listed for sale causing us to lose at least two prospective buyers. Mr. Gadiant had to redo our sale listings to be sure and inform any buyer of that possibility. I am certainly not against progress, but not being properly informed and not being able to get answers regarding definite placements and dates regarding the proposals has caused landowners, realtors, and buyers much stress and anxiety. Mr. Gadiant then did some checking to find out that the initial power line proposal would hopefully miss our property.

Attorney Gorman's office then received a letter from Xcel Energy dated June 30, 2026, addressed to Timothy's Red Wing address informing us that the Mankato-Mississippi River Transmission Project will directly affect our parcel PID: 84.05.34.090212. Supposedly they had

sent an easement agreement 30 days prior which we never received. Please keep in mind that I had been in touch with Xcel Energy many times, had sent them my legal papers, Timothy's death certificate, and paid all of Timothy's Xcel bills and yet, Xcel Energy had no idea that he had passed away. In the meantime, because this land parcel was listed for sale, we received an offer from Blake and Alexa Hottle. We have a purchase agreement in place for closing on the purchase by the end of October as the land they plan to buy is being rented as crop land so we need to wait until the crop is off the land to complete the sale.

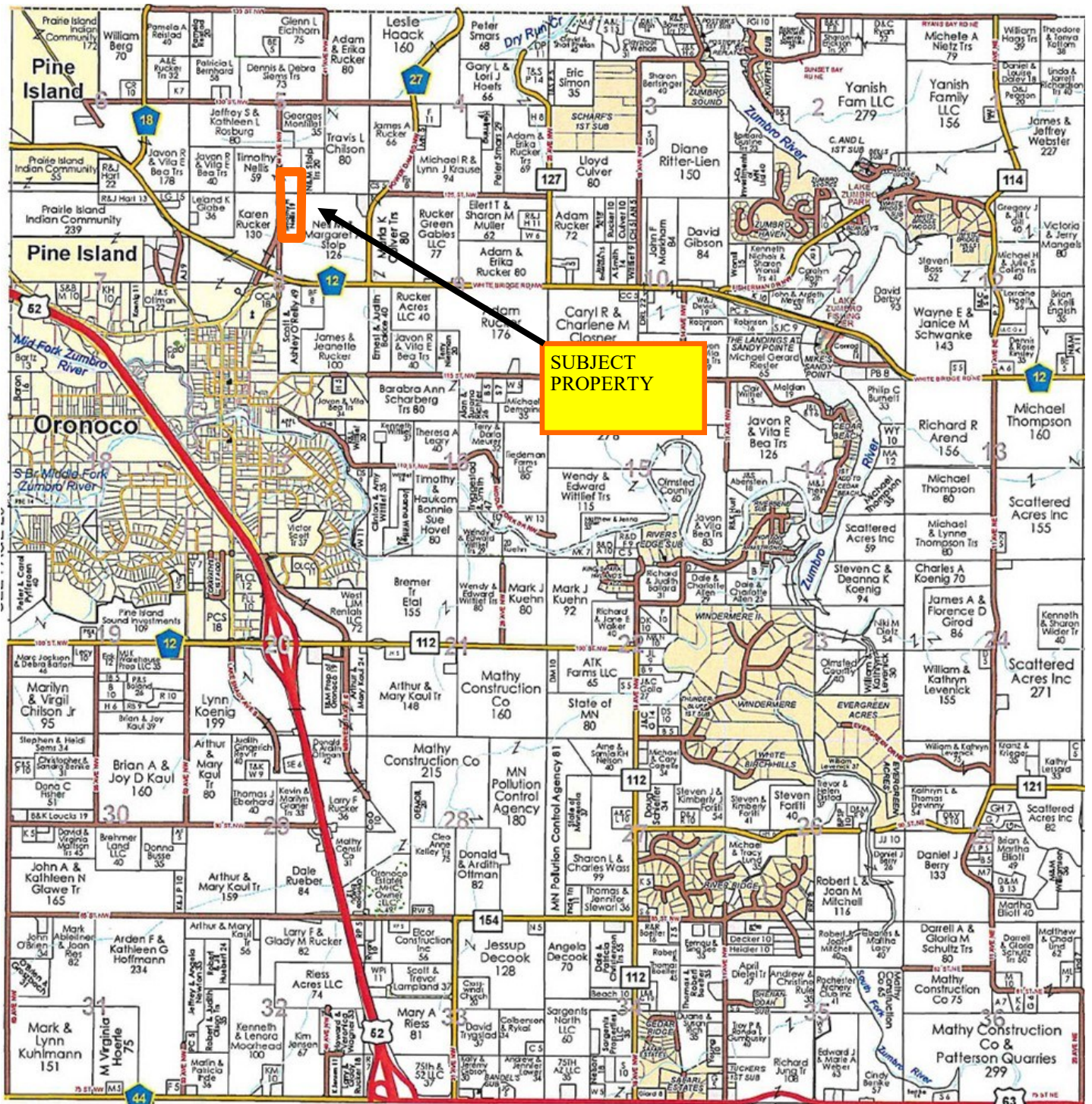
After much frustration and calling an Xcel person, I was finally informed that the proposal would not affect the Hottle land parcel, however, that's not true as the current building site for their home will give them a vision of towers and power lines which no one wants and causes more frustration and anxiety.

It is my understanding that the buyers have applied for a variance from the Olmsted County that would allow them to build their home on a different area of the parcel which would immensely help them avoid the issues with the power line proposal giving them the beautiful home they wish to build. I can definitely confirm that the Hottles are purchasing the land parcel and I truly hope that they will be granted the variance. I am more than willing to provide you with any document or information you may need to verify their request.

Thank you very much.

Linda Sparby, Timothy Nellis Estate Personal Representative
4555 Dyrud Ct
Osakis, MN
elsparby@gmail.com
218-686-6146

PLAT MAP



LEGAL DESCRIPTION

SEE ATTACHED

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

AERIAL MAP (1)

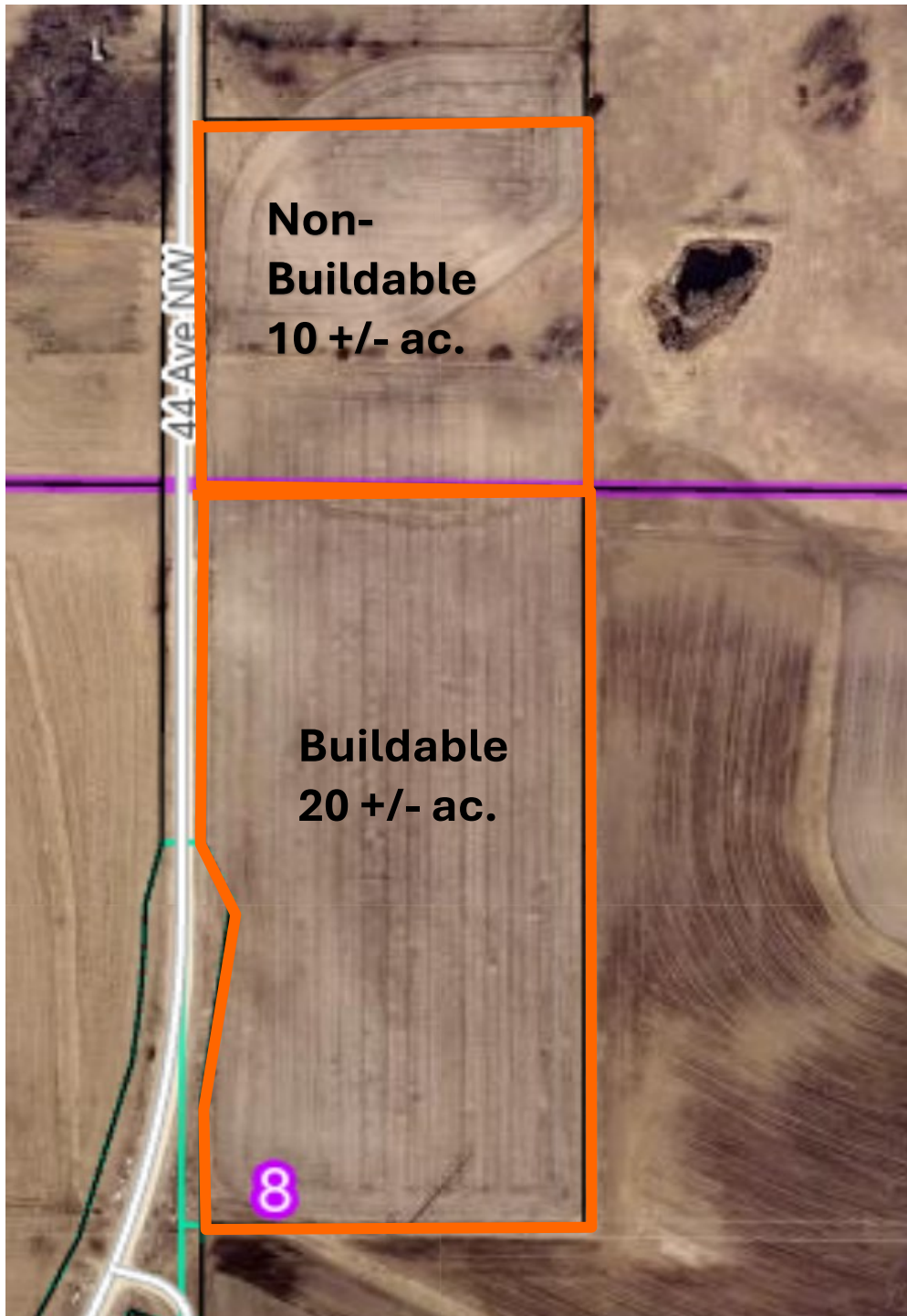


LEGAL DESCRIPTION

SEE ATTACHED

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

AERIAL MAP (2) - Buildable Area

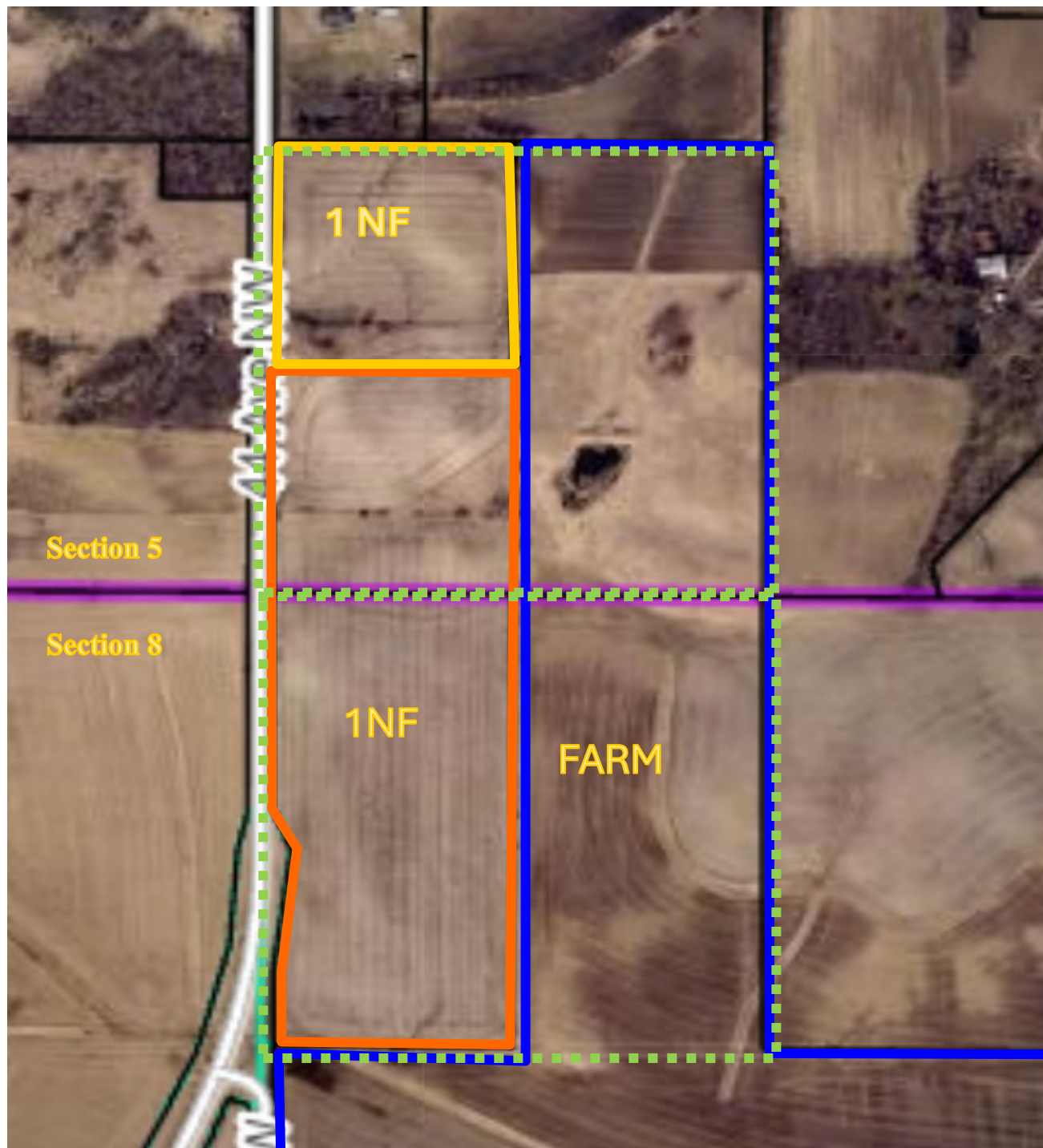


LEGAL DESCRIPTION

SEE ATTACHED

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

Non-Farm Density



LEGAL DESCRIPTION

SEE ATTACHED

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