TOWNSHIP COOPERATIVE PLANNING ASSOCIATION

4111 11th Avenue SW
Room 10
Rochester, MN 55902

PH: (507) 529-0774

Ethan Kaske, Administrator
Janelle Finck, Administrator

ethan@tcpamn.org
janelle@tcpamn.org

-- TCPA --

Date: 10/30/2026

To: Oronoco Township Planning Advisory Commission

Oronoco Town Board

RE: Oronoco Township Zoning Ordinance Text Amendment, Section 4.08.C.4–5 (Variance Public Hearings)

Meeting: Monday, November 16th, 2026, after 6:00 pm - Oronoco Town Hall, 115 2nd St NW, Oronoco, MN 55960.

Request: The Oronoco Planning Advisory Commission initiated a Text Amendment to Section 4.08.C.4–5 of the zoning ordinance to have the Planning Advisory Commission hold the public hearing on variance requests and make a recommendation to the Board of Adjustment, which retains final decision-making authority.

Enclosures:

1. Proposed Ordinance Amending Section 4.08.C.4–5 of the Oronoco Township Zoning Ordinance.

Background:

Section 4.08.C of the Oronoco Township Zoning Ordinance sets out the procedure for variance requests. Under the current language, the Board of Adjustment sets and holds the variance public hearing directly, without review by the Planning Advisory Commission. Conditional use permits, interim use permits, and zoning amendments already go to a Planning Advisory Commission public hearing and recommendation before final Town Board action. The proposed amendment brings variances into the same two-step process.

The amendment changes the variance procedure as follows:

1. The Zoning Administrator sets the variance hearing date before the Planning Advisory Commission.
2. The Planning Advisory Commission holds the public hearing. Notice is published in the official newspaper at least ten (10) days before the hearing and mailed to property owners of record within one-quarter mile of the subject property on the same timeline.
3. The applicant or a representative must appear before the Planning Advisory Commission. The Commission or the Zoning Administrator may request additional information, and failure to provide it may be grounds for denial.
4. The Planning Advisory Commission makes a recommendation to the Board of Adjustment.
5. The Board of Adjustment adopts findings and acts on the request within the time permitted by Minn. Stat. § 15.99.

Staff Comments:

The township attorney drafted the language. Staff made two corrections that the Township can either accept or disregard:

1. Subsection (c) reads “failure of the applicant to supply the all necessary supportive information.” Staff deleted “the.”

2. Subsection (d) refers to the “Planning Commission.” Every other reference in the amendment, and the ordinance generally, uses “Planning Advisory Commission.” Staff changed the term to be consistent throughout.

Amendment Findings: (staff recommended findings in *italic*)

1. The proposal is consistent with the policies of the Olmsted County General Land Use Plan.

   The proposed amendment is procedural and does not change any land use, district, or performance standard. It is consistent with the goals and policies of the Olmsted County General Land Use Plan.

2. The amendment is in the public interest.

   The amendment gives residents a public hearing before the Planning Advisory Commission on variance requests and gives the Board of Adjustment a recommendation and a developed record to base its findings on. It also makes the variance process consistent with the Township’s procedure for conditional use permits, interim use permits, and zoning amendments.

3. The proposed development is timely based on surrounding land uses, proximity to development, and the availability and adequacy of infrastructure.

   This finding does not pertain to the specific text amendment.

4. The proposal permits land uses within the proposed district that are appropriate on the property and compatible with adjacent uses and the neighborhood.

   This finding does not pertain to the specific text amendment.

5. The proposal does not result in spot zoning.

   This finding does not pertain to the specific text amendment.

6. The proposal is consistent with a General Development Plan for the area, if one exists.

   This finding does not pertain to the specific text amendment.

Conclusion:

TCPA staff consider the proposed changes consistent with County regulations and State Statute and recommend adoption of the amendment with the corrections identified in the Staff Comments above.

ORONOCO TOWNSHIP
OLMSTED COUNTY
STATE OF MINNESOTA

ORDINANCE NO. ____

ORDINANCE AMENDING ORONOCO TOWNSHIP ZONING ORDINANCE

The Town Board of Oronoco Township does hereby ordain:

That Section 4.08.C.4-5 of the Oronoco Township Zoning Ordinance relating to public hearings for variances shall be amended to state as follows:

4. The Zoning Administrator shall set a date for the variance public hearing before the Planning Advisory Commission.

5. The Planning Advisory Commission shall hold a public hearing on the variance request.

   a) Notice of the public hearing shall be published in the official newspaper designated by the Town Board at least ten (10) days prior to the hearing. Property owners of record within a quarter mile of the subject property shall be notified in writing of the proposed variance. Timing of the mailed notice shall be the same as that for the published notice. The failure to give mailed notice to individual property owners or defects in the notice shall not invalidate the proceedings, provided a bona fide attempt to comply has been made to give such notice.

   b) The applicant or his/her representative shall appear before the Planning Advisory Commission in order to answer questions concerning the proposed variance.

   c) The Planning Advisory Commission and/or Zoning Administrator shall have the authority to request additional information from the applicant concerning a variance. Said information is to be declared necessary to establish performance conditions in relation to all pertinent sections of this Ordinance. Failure of the applicant to supply ~~the~~ all necessary supportive information may be grounds for denial of the variance request.

   d) The Planning Advisory Commission shall make a recommendation on the variance to the Board of Adjustment.

   e) The Board of Adjustment shall adopt findings based upon the evidence established during the hearing and shall act upon the variance- request within the time permitted by Minnesota Statutes 15.99, as amended.

DRAFT

This Ordinance shall take effect and be in force from and after its passage and publication.

PASSED AND ADOPTED BY THE TOWN BOARD OF ORONOCO TOWNSHIP ON THE _____ DAY OF _____ 2026.

_____
Ken Mergen, Chairperson

ATTEST:

_____
Jody Schroeder, Clerk

DRAFT