ORONOCO TOWNSHIP
BOARD OF ADJUSTMENT
OLMSTED COUNTY, MINNESOTA
VARIANCE

RESOLUTION: _____

Resolution approving a variance to waive the requirement that a non-farm lot contain a minimum of one (1) acre of non-prime agricultural soils, for a non-farm parcel in Section 24 of Oronoco Township, A-2 Agricultural Protection District.

WHEREAS, Mike Thompson, on behalf of Scattered Acres, Inc. (the "Owner/Applicant"), has submitted an application for a variance from Section 5.02.C.2 of the Oronoco Township Zoning Ordinance to allow the creation of a non-farm parcel of approximately four (4) acres, located on an existing building site, that does not contain one (1) acre of non-prime agricultural soils with a crop equivalent rating of 55 or less, for conveyance to prospective purchaser Angela Palm, on property legally described as:

SEE ATTACHED EXHIBIT A

and

WHEREAS, the subject property is zoned A-2 (Agricultural Protection District) under the Oronoco Township Zoning Ordinance; and

WHEREAS, Section 5.02.C.2 of the Oronoco Township Zoning Ordinance requires that any non-farm lot contain at least one (1) acre of non-prime agricultural soils with a crop equivalent rating of 55 or less; and

WHEREAS, Section 4.08 of the Oronoco Township Zoning Ordinance grants the Oronoco Board of Adjustment the exclusive power to order the issuance of variances from the requirements of any official control; and

WHEREAS, TCPA staff reviewed said application and submitted a report dated August 13, 2026, finding that the criteria of Section 4.08.A were not met and recommending denial; and

WHEREAS, the Oronoco Board of Adjustment held a public hearing on September 14, 2026, at the Oronoco Township Hall, 115 2nd Street NW, Oronoco, MN 55960, at which time all interested parties were provided the opportunity to be heard; and

WHEREAS, at the public hearing the Board of Adjustment received the following: testimony from Angela Palm, who reviewed each variance criterion and described the circumstances and conditions of the property supporting the variance; and testimony from landowner Mike Thompson that the proposed parcel is an existing building site, that the ground in this area is not farmable and has been rented for years as horse

pasture, and that reconfiguring the parcel to include non-prime soils would close off access to an additional approximately forty (40) acres of farmland; and

WHEREAS, the Board of Adjustment reviewed the application, the Staff Report, agency referral comments, and testimony received at the public hearing; and

WHEREAS, the Board of Adjustment, based on the evidence and testimony in the record, did not concur with the staff recommendation, and after consideration of the criteria set forth in Section 4.08.A of the Oronoco Township Zoning Ordinance, made the following Findings of Fact:

FINDINGS OF FACT:

Ordinance in regular type, Board of Adjustment findings in italics.

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;

   Extraordinary conditions or circumstances exist that are peculiar to the property and do not generally apply to other lands within the neighborhood or the same zoning district. A previous homestead existed on the site, and the property is not suitable for use as conventional farmland. These existing conditions contribute to the unique circumstances of the property. This criterion is met.

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

   The extraordinary conditions affecting the property were not created by the current landowner. The conditions are associated with the historical use and development of the property, including the previous homestead established on the site in approximately 1900. This criterion is 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;

   The variance is necessary to overcome practical difficulties in complying with the zoning ordinance and to allow the property to be used in a reasonable manner.

Reconfiguring the proposed parcel to include the required non-prime soils would restrict access to an additional approximately forty (40) acres of property owned by Scattered Acres, Inc., and would require removing additional land from agricultural use. This criterion is 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;

   Granting the variance will not be materially detrimental to the public welfare, materially injurious to other property in the area, or alter the essential character of the locality. The property is currently utilized as pastureland for horses, and the existing driveway and access will continue to be utilized. This criterion is met.

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

   The variance is in harmony with the general purpose and intent of the zoning ordinance. Granting the variance will facilitate the continued use and protection of the surrounding farmland and pastureland. This criterion is met.

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

   The variance is consistent with the goals and intent of the comprehensive plan because it supports the protection and continued use of surrounding agricultural and pastureland. The proposed home will be located on the existing farmstead site, thereby utilizing an established developed area rather than requiring development of additional farmland. This criterion is met.

NOW, THEREFORE, BE IT RESOLVED, that the Oronoco Township Board of Adjustment hereby grants a variance from Section 5.02.C.2 of the Oronoco Township Zoning Ordinance to allow the creation of one (1) non-farm parcel of approximately [3.91] acres on the existing building site, in the location shown on the aerial exhibit attached as Exhibit B, without the required one (1) acre of non-prime agricultural soils. This variance is limited to the non-prime soils requirement of Section 5.02.C.2; the parcel and any dwelling shall otherwise comply with all applicable requirements of the Oronoco Township Zoning Ordinance and shall be created through the applicable metes and bounds subdivision process.

CONCLUSION

Supervisor Johanningmeier made a motion to approve OTVAR-26-01, Scattered Acres, Inc., with the Oronoco Board of Adjustment finding all criteria of the variance to be met. The motion was seconded by Supervisor Matzke. A vote was taken; the motion carried unanimously.

ADOPTED by the Oronoco Township Board of Adjustment on this 14th day of September, 2026.

_____
Ken Mergen
Oronoco Township Board Chair

Attest:

_____
Jody Schroder– Oronoco Township Clerk

Distribution:
Olmsted County Planning
County Recorder
Township Clerk
TCPA
Applicants

Drafted by and returned to:
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