ORONOCO TOWNSHIP
BOARD OF ADJUSTMENT
OLMSTED COUNTY, MINNESOTA
VARIANCE

RESOLUTION: _____

Resolution approving a variance to allow one (1) single-family dwelling within the designated non-buildable portion of a non-farm parcel in Section 5 of Oronoco Township, A-2 Agricultural Protection District.

WHEREAS, Blake and Lexi Hottle (the "Applicants"), prospective purchasers of the subject property under a purchase agreement with Linda Sparby, Personal Representative for the Estate of Timothy Nellis (the "Owner"), have submitted an application for a variance to allow a single-family dwelling to be located within the portion of Parcel C that was designated non-buildable for dwelling purposes under Metes and Bounds Subdivision OTMB-25-06, on property legally described as:

SEE ATTACHED EXHIBIT A

and

WHEREAS, the Owner consented to and supported the application by letter dated July 23, 2026; and

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

WHEREAS, Section 5.02.C.1 of the Oronoco Township Zoning Ordinance permits no more than one non-farm lot per quarter-quarter section and provides that no additional dwelling shall be permitted in a quarter-quarter section that already contains a buildable non-farm lot, and the portion of Parcel C within the SW ¼ of the SW ¼ of the SE ¼ of Section 5 was designated non-buildable for dwelling purposes under OTMB-25-06 on that basis; 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 to impose conditions that are directly related to and bear a rough proportionality to the impact created by the variance; and

WHEREAS, TCPA staff reviewed said application and submitted a report dated August 17, 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 testimony from the Applicants, their contractor, and neighboring property owners regarding the topography of the proposed homesite and the preservation of the productive farmland on the parcel; 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 physical conditions exist on the property that are peculiar to the property. The proposed homesite is located on hilly ground that is not suitable for farming, while the balance of the parcel is productive farmland. The physical characteristics and configuration of the property allow the farmland to remain together and in agricultural production if the dwelling is located at the proposed site. 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 or circumstances are unique to the property and were not created by the current landowner. The topography and physical characteristics of the property are pre-existing conditions. 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 topography of the land presents physical limitations that make strict compliance with the zoning requirements impractical while maintaining the existing agricultural use of the property. Testimony received at the hearing established that locating the dwelling within the designated buildable area would remove several acres of productive agricultural land from production. A single-family dwelling on the parcel is a reasonable 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 variance will allow the farmable land to remain together and in agricultural production while permitting the construction of only one (1) additional dwelling, as secured by the deed restriction required below. This criterion is met.

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

   The purpose of the A-2 District is to maintain, conserve and enhance agricultural lands and to restrict the location and density of non-farm dwellings. The variance is in harmony with that purpose because it supports the preservation and continued agricultural use of the productive land on the parcel, and the required deed restriction ensures the variance does not increase the number of dwellings permitted on the parcel. This criterion is met.

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

   The terms of the variance are consistent with the comprehensive plan. The variance supports the plan's objective of preserving agricultural land and maintaining land in agricultural production within the Resource Protection Area. 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.1 of the Oronoco Township Zoning Ordinance and from the non-buildable designation established under OTMB-25-06, to allow one (1) single-family dwelling to be located within the portion of Parcel C lying in the SW ¼ of the SW ¼ of the SE ¼ of Section 5, in the general location shown on the Applicants' site plan attached as Exhibit B, subject to the following conditions:

1. Parcel C shall contain no more than one (1) dwelling. Prior to the issuance of any zoning certificate or building permit for a dwelling on Parcel C, the owner of record shall execute and record with the Olmsted County Recorder a deed restriction that:
    a. limits Parcel C to one (1) dwelling; and
    b. designates the portion of Parcel C lying in the W ½ of the NW ¼ of the NE ¼ of Section 8 as non-buildable for dwelling purposes; and
    c. prohibits further division of Parcel C. Proof of recording shall be provided to TCPA.
2. This variance is limited to the relief described above. The dwelling and all related improvements shall comply with all other applicable requirements of the Oronoco Township Zoning Ordinance, including the standards of Section 5.02.C.3 and 5.02.C.4, and all applicable local, state, and federal permits, including well, septic, and driveway access permits.

CONCLUSION

Supervisor Matzke made a motion to approve OTVAR-26-02, Hottle, with the Oronoco Board of Adjustment finding that all applicable criteria for the variance have been met, subject to a deed restriction allowing only one additional dwelling on the parcel. The motion was seconded by Supervisor Mergen. 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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