

**Board of Adjustment Public Hearing
Agenda for Wednesday, August 25th, 2025
5:00 PM**

1. **Board of Adjustment Call to Order**
2. Roll call: **Heil, White, Hernesmaa, Councilor Roose, Palcher, Anderson.** *Staff Kochendorfer.*

Excused: Burke
3. **Additions or Deletions from Agenda**
4. **Public Hearing Variance for 600 N Lakeview Ave-** The Ely Board of Adjustment will be holding a public hearing for considering a Variance on Wednesday, August 25th, 2025 at 5:00 pm in the City Hall council chambers to consider the approval of a Variance of a front yard setback of 10 feet for a garage in the shoreland overlay district.
5. **The applicant or PZ admin will explain the request**
6. **Letters and or phone call comments read into the record**
7. **Those in support may comment**
8. **Those opposed may comment**
9. **Comments from those who wish to provide any additional information**
10. **Applicant will have the opportunity to answer additional questions**
11. **Closure of the hearing**
12. **Staff Analysis/ Finding of Facts read**
13. **Decision rendered by the Board of Adjustment**
14. **Adjournment**



209 E. Chapman St. Ely, MN 55731

DATE: August 6th, 2025

SUBJECT: Public Hearing Notice- **ECHO**

The Ely Board of Adjustment will be holding a public hearing for considering a Variance on Monday, August 25th, 2025 at 5:00 pm in the City Hall council chambers. At this public hearing the Board of Adjustment will be considering the approval of a Variance Application submitted by property owner Daniel Krings, Parcel# **030-0030-02340**. The applicant is seeking a Variance from the front yard setback requirements in the shoreland overlay district of Shagawa Lake. The Applicant is requesting relief from the front yard setback of 35 feet, for a 10 feet setback to allow for a 576 square foot garage to be moved on to the property.

Public comment will be heard on the date of the hearing and/or may be submitted to any of the following addresses below before August 21st to be included in the public hearing. Names and addresses must be submitted in order for comments to be recorded into the hearing minutes.

Any questions should be directed to the Planning and Zoning Administrator, 218-365-3224, Ext 3 or email pzadmin@ely.mn.us

Scott Kochendorfer
Zoning Administrator
209 E Chapman St
Ely MN 55731
pzadmin@ely.mn.us
218-365-3224, Ext 3

Finding of Facts

Finding of Facts for Variance Application for **600 N Lakeview Ave, on behalf of Owner Daniel Krings**

FACTS

1. Daniel Krings is the owner of a parcel of land located at 600 N Lakeview Ave, Ely, Minnesota; and,
2. The subject property is legally described as:

PID# 030-0030-02340

Auditors Plot of Chandler Addition to Ely, Block 8, Lot 54

3. This Property is located in Residential (R1) zoning district, and the Shagawa Lake Shoreland Overlay District.
4. Daniel Krings has applied to the city for a variance from the Shagawa Lake Shoreland Overlay District Zoning building setback requirement of 35 feet front yard setback. The owner is requesting for the Approval of a 10 feet setback to allow for a 576 square foot garage to be moved on to the property.
5. The proposal would vary from Section 11.41, in that it would deviate from the minimum setback requirements in the Shoreland Overlay of Shagawa Lake Zoning District: *In the Shoreland Overlay of Shagawa Lake Zoning District, the minimum required setback for the front yard is 35 feet. The proposal conforms to all other setback requirements of the Shoreland Overlay of Shagawa Lake Zoning District for accessory structures.*
6. Comments from Neighbors: (12 neighbors located within 350 feet were notified by mail)

- None received

APPLICABLE LAW

7. Minnesota Statute Section 462.357, subd. 6 provides:
 - a) Variances shall only be permitted (a) when they are in harmony with the general purposes and intent of the ordinance and (b) when the variances are consistent with the comprehensive plan.
 - b) Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the zoning ordinance. “Practical difficulties,” as used in connection with the granting of a variance, means that (a) the property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance; (b) the plight of the landowner is due to circumstances unique to the property not created by the landowner; and (c) the variance, if granted, will not alter the essential character of the locality.

8. Ely City Code Section 11.01, subd. 22 provides: A variance is an appeal for the relief from certain requirements of the Zoning Chapter as deemed necessary by the Board of Adjustment when the strict interpretation of the Zoning Chapter would create practical difficulty because of irregular lot size, topographic or other characteristics of the land. No variance shall have the effect of allowing in any district uses prohibited in that district.

STAFF ANALYSIS

- **FACT:** Section 11.41 of City Code states that the minimum requirements in the Shoreland Overlay of Shagawa Lake Zoning District, the required Front Yard setback is 35 feet.
 - **FINDING:** The Current building plan would deviate from the 35-foot set-back requirement in the front yard. The proposal would meet all other setback requirements of the Shoreland Overlay of Shagawa Lake Zoning District for accessory structures, which is 4 feet for the side yard and rear yard.

- **FACT:** The property in question will be used in a reasonable manor

- **FINDING:** The Property was purchased by Krings in October of 2022, from the City of Ely. The lot does not conform to the minimum zoning requirements of the Shoreland Overlay District. The current total lot size is 3,638 sq ft. (10,000 sq ft minimum is required) and the lot dimensions are 34 ft wide by 107 ft deep, which does not conform to the minimum lot dimensions of 75 feet wide by 120 feet deep. A Variance was approved on July 20th, 2022 to allow a 24 ft by 50 ft garage to be built on the parcel, without a primary structure on the property, due to the lot being of irregular size and shape, and non-conformity.
- The total impervious lot coverage allowed on this property is 25% (909.5) square feet. The proposed building will only be 576 total square feet.
- **FACT:** The Plight of the owner of the property in question is due to circumstances unique to their property and not created by the landowner
 - **FINDING:** The property was platted prior to zoning codes. The original plat was in the early 1900s. The property was purchased with the agreement and intent to build an accessory structure (garage). After further exploration of the land, it was determined that due to ledge rock, it wouldn't be possible to meet the 35 feet front yard setback from the property line.
 - The building would be at least 35 feet from the edge of the paved roadway, but not the property line, as required.
 - The Plat of the roadways in this area are also irregular and inconsistent.
- **FACT:** If the variance is granted, it will not alter the essential character of the locality

- **FINDING:** The proposal is in the Residential (R1) Zoning District, along with the Shoreland Overlay of Shagawa Lake Zoning District. The neighboring properties in this area are either seasonal cabins, or homes. The proposal is not being built towards Shagawa Lake, and the setback requirements from the OHW (Original High Watermark) (75 feet) will be maintained.
- Garages (accessory structures) are allowed in the R1 (Shoreland Overlay) Zoning District, with primary structures. This proposal is for a private garage, and will be used for residential purposes only.
- **FACT:** Economic considerations alone do not constitute a practical difficulty. Practical difficulties include but are not limited to: inadequate access to direct sunlight for solar energy systems.
 - **FINDING:** Due to the make-up of the property, non-conforming size, and the ledge rock, the property is mostly non-buildable. The only useful space is the front of the property, and this is only big enough for a small garage.
 - The property will not have any sewer or water hook-ups, but may have power sometime in the future.
 - The cost to remove the ledge rock would be substantial, and is not an option for the home owner.
- **FACT:** A Variance may not be granted for any use that is not a permitted use under this chapter for property in the district where the affected land is located.
 - **FINDING:** The use of a garage (accessory structure) without a primary dwelling is not allowed by ordinance. On July 20th, 2022, the Planning Commission approved this in a variance to allow the use.

- Accessory structures may not exceed 1,200 sq ft in residential zoning. The proposal is for a 576 sq ft building, which is allowed in this zoning district.

Applicant Reasoning:

1. Due to the large rock formation on the lot, it is not feasible to locate the structure 35 feet from the west property line and/or Lakeview Ave. I would like to move a garage onto the lot.
2. I have an existing variance that allows the planned use. I just need to be slightly closer to the road
3. Large rock formations prohibit the setback requirements.
4. Appearance has already been approved in the prior variance.

City of Ely Requirements:

1. No involvement from the DNR or St. Louis County Soil and Water is needed due to the proposal being beyond the 75 feet (OHW) mark, and no shoreland alterations existing.
2. In addition to a building permit and moving permit, a separate Grading Permit is required to be obtained from the Planning and Zoning Administrator before any work can be completed. All Chapter 11 zoning codes need to be followed.

City of Ely Comprehensive Plan

This proposal meets the goals and objectives of the cities comprehensive plan, including some the following goals and objectives:

- Promote development of mixed-use areas. All land use categories include a mix of uses. Mixed use development has been demonstrated to be extremely efficient in use of public infrastructure and provides market options that are currently limited. Mixed use land use categories include the residential transition and shoreland mixed use zoning.
- Update the community zoning code to reflect current demands and development conditions

- Promote neighborhood identity, pride, and sense of place
- Allow uses and activities appropriate to the character of the residential district. In creating and managing land use regulation, recognize and allow secondary land uses to enhance livability or character, while retaining the primary use as residential.

STAFF ANALYSIS RECOMMENDATION

Staff finds that the applicant's proposal meets the practical difficulty threshold. The proposal would not be disruptive or be injurious to the neighborhood, or change the essential character of the locality. Other options have been proposed, but are not feasible, and are cost prohibitive.

- Conditions can be added to the variance to include: No additional structures may be added to the property, and the proposed structure cannot be enlarged at any point.
- No sewer or water may be installed on the property

Staff recommends **APPROVAL** of this variance.

CONCLUSIONS OF LAW No variance shall be granted unless the Board of Adjustment shall find:

- A. The property in question will be used in a reasonable manner
- B. The plight of the owner of the property in question is due to circumstances unique to their property and not created by the landowner
- C. If the variance is granted, it will not alter the essential character of the locality
- D. Economic considerations alone do not constitute a practical difficulty. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems

E. Variances may be granted for earth sheltered construction as defined by statute, when in harmony with this chapter

F. A variance may not be granted for any use that is not a permitted use under this chapter for property in the district where the affected land is located

G. Provided, however, if a dwelling is damaged (i.e., fire damage) in the Commercial (C1) Zoning District, a replacement dwelling may be constructed per the criteria set forth in City Code 11.43A.

Office of the County Recorder
St. Louis County, Minnesota
Recorded on 08/15/2025
At 12:09PM

Document No. 01516262

Wendy Levitt
County Recorder

By J Worgren Deputy
AFR 10214464

Auditor

Recording Fee: \$46.00
Well Certificate Fee: \$0.00

This page has been added by the St. Louis County Recorder/Registrar of Titles to add the recording information to the attached document.

Notes:



Hall, 209 E Chapman St, Ely MN 55731

August 6th, 2025

Property Owner: Daniel K Krings

Parcel Code: 030-0030-02340

Legal Description:

AUDITORS PLOT OF CHANDLER ADDITION TO ELY, BLOCK 8, LOT 54

Request: A Variance to build an accessory structure (garage) with no primary structure. The garage will be no larger than 24 ft x 50 ft, and meet all required set-backs.

Date of Hearing: July 20th, 2022

Outcome: Granted by Board of Adjustment

Conditions: None.

Emily Roose
Emily Roose – Chair

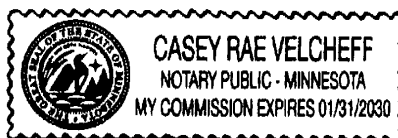
Scott Kochendorfer
Scott Kochendorfer – Secretary

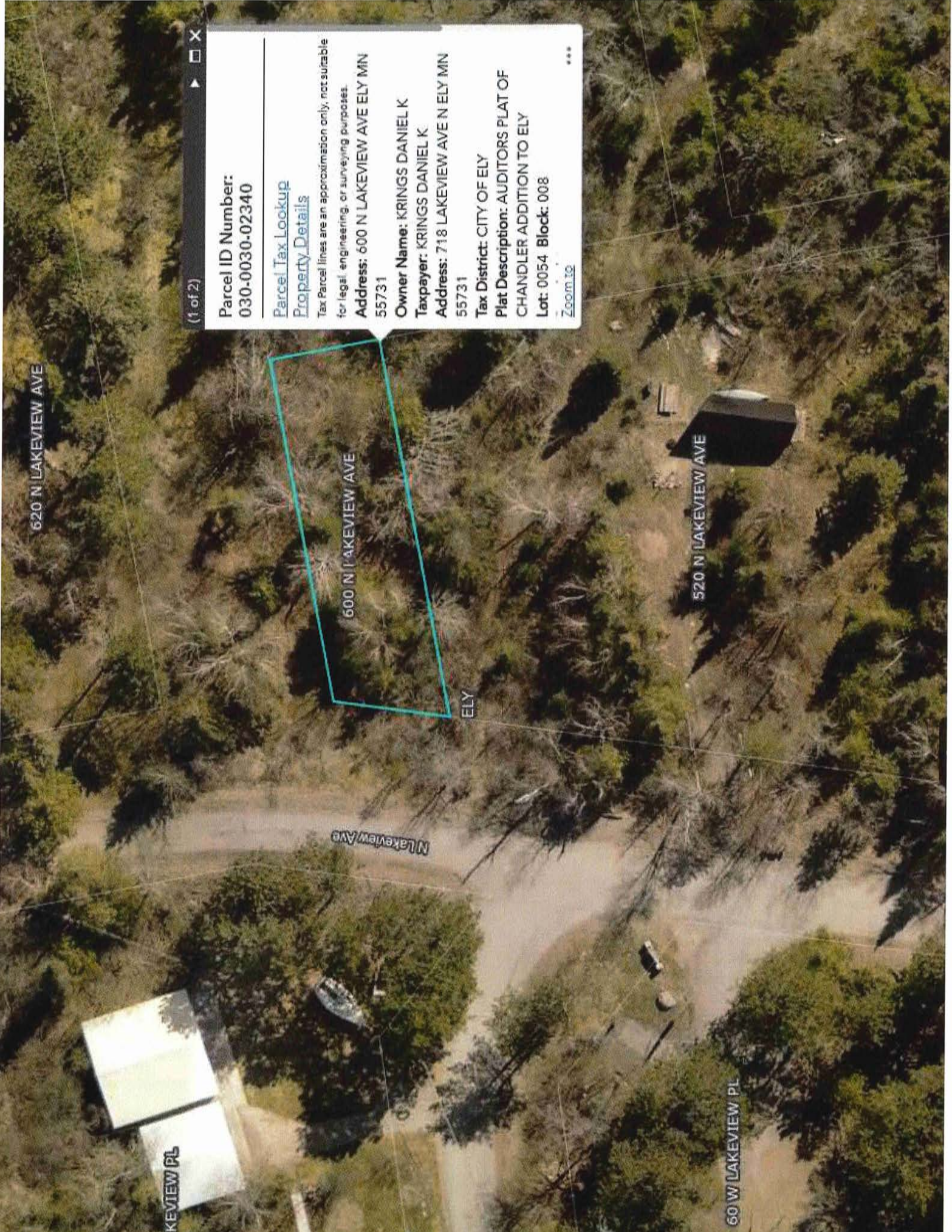
Date: 8/11/25

STATE OF MINNESOTA
COUNTY OF ST LOUIS

On this 11th day of August, 2025, Emily Roose and Scott Kochendorfer appeared before me and stated they were appointed and qualified Chair and Secretary, respectively, of the Planning Commission of the City of Ely, Minnesota, Municipal Corporation, and that they, pursuant to the authorized of the City Council in and for said City, did sign the foregoing document on behalf of said City and did so as their free act and deed.

Casey Velchiff
Notary Public





(1 of 2)

Parcel ID Number:
030-0030-02340

Parcel Tax Lookup
Property Details

Tax Parcel lines are an approximation only, not suitable for legal, engineering, or surveying purposes.

Address: 600 N LAKEVIEW AVE ELY MN 55731

Owner Name: KRINGS DANIEL K

Taxpayer: KRINGS DANIEL K

Address: 718 LAKEVIEW AVE N ELY MN 55731

Tax District: CITY OF ELY

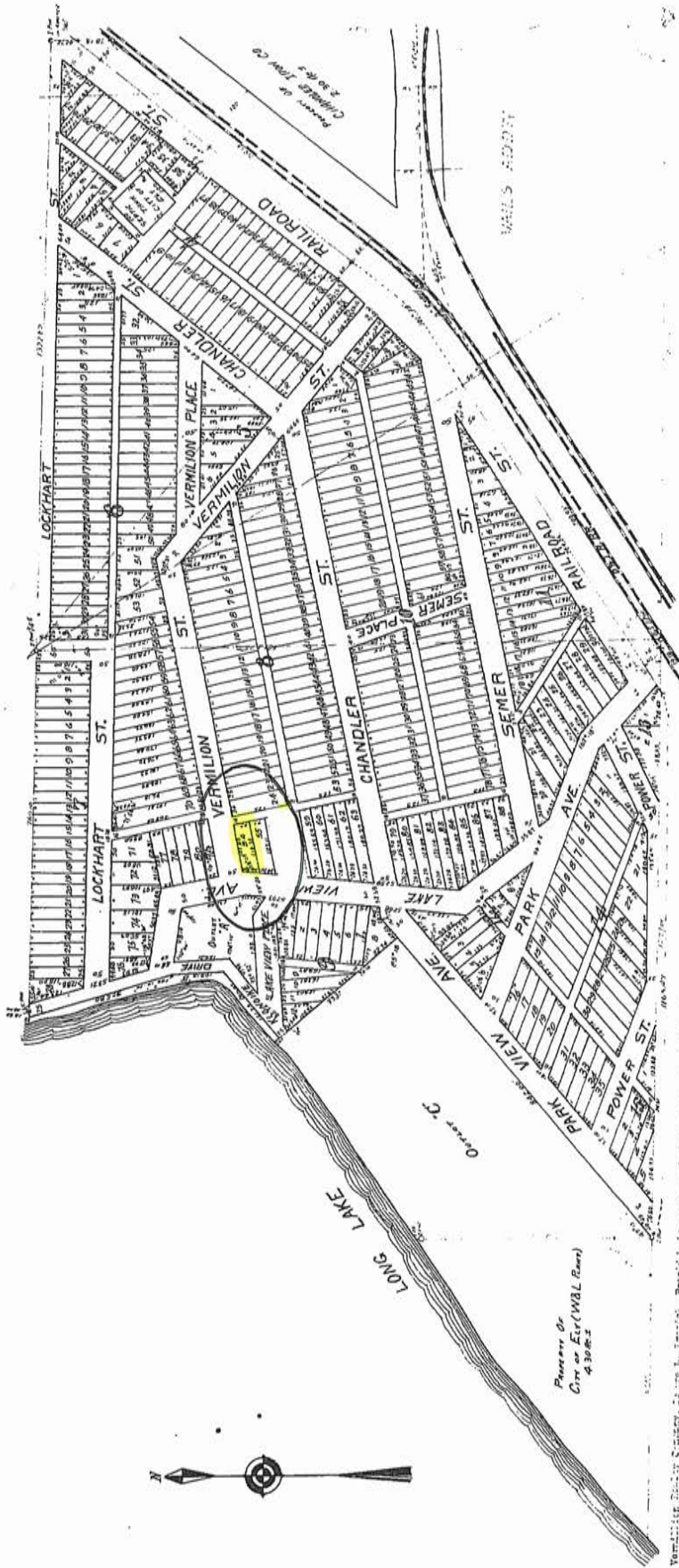
Plat Description: AUDITORS PLAT OF CHANDLER ADDITION TO ELY

Lot: 0054 Block: 008

Zoom In

AUDITOR'S PLAT CHANDLER ADDN TO ELY

IN LOT 3 & SW 1/4 SEC. 28 TOWN 63 NORTH RANGE 12 WEST
SCALE 1" = 100'



October 25th, 1919.

Ray J. Rich, County Surveyor, I have requested the corners of Lot 3 and the SW 1/4 of Sec. 28, Township 63 North, Range 12 West, to be re-surveyed and the plat returned, and I would like to have the plat returned to me. I would like to have the plat returned to me. I would like to have the plat returned to me.

W.R. Bergen, County Auditor.

Deputy.

I, Ray J. Rich, County Surveyor, do hereby certify that the plat of the Auditor's Plat of Chandler Addition to Ely, in Lot 3 and the SW 1/4 of Sec. 28, Township 63 North, Range 12 West, is a correct and true plat of the same, and that the same has been returned to me by the County Auditor, W.R. Bergen, on the 25th day of October, 1919.

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Ray J. Rich, County Surveyor.

For the year of 1918
Lands decreed in the N. P. A. L.
C. H. Wapley, County Treasurer

Accessory Structures Sheds and Garages

See City Code Section 11.41 Zoning District Schedule for complete requirements or contact Planning & Zoning Office for more information before proceeding.

Accessory structures including sheds and garages may be constructed on parcels only if a principal structure (house) is already constructed on that same parcel.

The sum of the total square footage of all structures, including principal structure, sheds, and garages must not exceed 35% of the square footage of the entire lot or contiguous lots under same ownership.

Accessory structures (garages) may not exceed 1200 square feet in size. A building permit is required for structures greater than 200 square feet in size. Accessory structures less than 200 square feet in size (sheds) may be built without a building permit but must still meet all setbacks and applicable building standards.

In residential neighborhoods an accessory structure may be constructed within 4 feet of the side lot line and 4 feet of the rear lot line, provided that no portion of the accessory structure shall extend or overhand within 2 feet of any lot line.

A 15 foot setback is required at any street corner to allow for a vision triangle.

In residential neighborhoods the height of the accessory structure cannot exceed the height of the principal structure.

§ 11.41

DISTRICTS	EXAMPLES OF BASIC PROVISIONS	MINIMUM REQUIREMENTS									
		FOOTPRINT (SQ. FT.)	MINIMUM SIDE WALL DIMENSION	LOT WIDTH	LOT AREA (SQ. FT.)	OHW**** SETBACK RIPARIAN	FRONT YARD SETBACK NON-RIPARIAN	SIDE YARD SETBACK	REAR YARD SETBACK	IMPERVIOUS LOT COVERAGE	HEIGHT **
SHORELAND SHAGAWA LAKE & SHAGAWA RIVER	SEE CLASSIFICATION LIST EG. - SMU	900 SQ. FT.	22'	75'	RIPARIAN - 15,000 SQ. FT. NON-RIPARIAN - 10,000 SQ. FT.	75'	35'	10'	35'	25%	2 STORIES OR 35'
SHORELAND MINERS LAKE	SEE CLASSIFICATION LIST EG. - SMU	900 SQ. FT.	22'	75'	10,000 SQ. FT.	75'	35'	10'	35'	25%	2 STORIES OR 35'
SHORELAND MIXED USE (SMU)	SEE CLASSIFICATION LIST	900 SQ. FT.	22'	75'	SEE SHORELAND DISTRICTS	75'	35'	10'	35'	25%	2 STORIES OR 35'

~~**** In the Shoreland Overlay District, surrounding Miner's Lake, the building permit shall contain a certification by the Applicant that the stability of the land has been investigated and that the land is safe to build on at the 75' (or greater) setback.~~



Source: Ordinance No. 55, Second Series
Effective Date: June 6, 1995

Source: Ordinance No. 71, Second Series
Effective Date: June 1, 1999

(09-17-02)

N Lakeview Ave

PL

I will push things as far back as I can, but this corner will be at least 25 feet from the edge of the asphalt at final placement.

From Property Line to Edge of Asphalt



520 N LAKEVIEW AVE





PROPERTY DETAILS REPORT

St. Louis County, Minnesota



Date of Report: 8/6/2025 3:55:50 PM

General Details

Parcel ID: 030-0030-02340
Document: Abstract - 01453946
Document Date: 10/04/2022

Legal Description Details

Plat Name: AUDITORS PLAT OF CHANDLER ADDITION TO ELY
Section Township Range Lot Block
- - - 0054 008
Description: LOT: 0054 BLOCK:008

Taxpayer Details

Taxpayer Name: KRINGS DANIEL K
and Address: 718 LAKEVIEW AVE N
ELY MN 55731

Owner Details

Owner Name: KRINGS DANIEL K

Payable 2025 Tax Summary

2025 - Net Tax	\$40.00
2025 - Special Assessments	\$0.00
2025 - Total Tax & Special Assessments	\$40.00

Current Tax Due (as of 8/5/2025)

Due May 15		Due		Total Due	
2025 - 1st Half Tax	\$40.00	2025 - 2nd Half Tax	\$0.00	2025 - 1st Half Tax Due	\$0.00
2025 - 1st Half Tax Paid	\$40.00	2025 - 2nd Half Tax Paid	\$0.00	2025 - 2nd Half Tax Due	\$0.00
2025 - 1st Half Due	\$0.00	2025 - 2nd Half Due	\$0.00	2025 - Total Due	\$0.00

Parcel Details

Property Address: -
School District: 696
Tax Increment District: -
Property/Homesteader: -

Assessment Details (2025 Payable 2026)

Class Code (Legend)	Homestead Status	Land EMV	Bldg EMV	Total EMV	Def Land EMV	Def Bldg EMV	Net Tax Capacity
211	0 - Non Homestead	\$2,000	\$0	\$2,000	\$0	\$0	-
Total:		\$2,000	\$0	\$2,000	\$0	\$0	25



PROPERTY DETAILS REPORT

St. Louis County, Minnesota



Date of Report: 8/6/2025 3:55:50 PM

Land Details							
Deeded Acres:	0.00						
Waterfront:	-						
Water Front Feet:	0.00						
Water Code & Desc:	-						
Gas Code & Desc:	-						
Sewer Code & Desc:	-						
Lot Width:	34.00						
Lot Depth:	107.00						
The dimensions shown are not guaranteed to be survey quality. Additional lot information can be found at https://apps.stlouiscountymn.gov/webPlat/frame/fmPlatStatPopUp.aspx . If there are any questions, please email PropertyTax@stlouiscountymn.gov .							
Sales Reported to the St. Louis County Auditor							
Sale Date		Purchase Price			CRV Number		
10/2022		\$5,000			251598		
Assessment History							
Year	Class Code (Legend)	Land EMV	Bldg EMV	Total EMV	Def Land EMV	Def Bldg EMV	Net Tax Capacity
2024 Payable 2025	211	\$1,900	\$0	\$1,900	\$0	\$0	-
	Total	\$1,900	\$0	\$1,900	\$0	\$0	24.00
2023 Payable 2024	211	\$1,800	\$0	\$1,800	\$0	\$0	-
	Total	\$1,800	\$0	\$1,800	\$0	\$0	23.00
2022 Payable 2023	776	\$1,800	\$0	\$1,800	\$0	\$0	-
	Total	\$1,800	\$0	\$1,800	\$0	\$0	0.00
2021 Payable 2022	776	\$1,600	\$0	\$1,600	\$0	\$0	-
	Total	\$1,600	\$0	\$1,600	\$0	\$0	0.00
Tax Detail History							
Tax Year	Tax	Special Assessments	Total Tax & Special Assessments	Taxable Land MV	Taxable Building MV	Total Taxable MV	
2024	\$36.00	\$0.00	\$36.00	\$1,800	\$0	\$1,800	
2023	\$0.00	\$0.00	\$0.00	\$0	\$0	\$0	
2022	\$0.00	\$0.00	\$0.00	\$0	\$0	\$0	

Disclaimer: St. Louis County makes no representation or warranties, express or implied, with respect to the use or reuse of data provided herewith, regardless of its format or the means of its transmission. THE DATA IS PROVIDED 'AS IS' WITH NO GUARANTEE OR REPRESENTATION ABOUT THE ACCURACY, CURRENCY, SUITABILITY, PERFORMANCE, MERCHANTABILITY, RELIABILITY OR FITNESS OF THIS DATA FOR ANY PARTICULAR PURPOSE. St. Louis County shall not be liable for any direct, indirect, special, incidental, compensatory or consequential damages or third party claims resulting from the use of these data, even if St. Louis County has been advised of the possibility of such potential loss or damage. These data may not be used in states that do not allow the exclusion or limitation of incidental or consequential damages.



209 E. Chapman St. Ely, MN 55731

DATE: August 6th, 2025

SUBJECT: Public Hearing Notice

To whom it may concern,

This letter is to inform you of an upcoming public hearing. At this public hearing the Board of Adjustment will be considering the approval of a Variance Application submitted by property owner Daniel Krings, Parcel# **030-0030-02340**. The applicant is seeking a Variance from the front yard setback requirements in the shoreland overlay district of Shagawa Lake. The Applicant is requesting relief from the front yard setback of 35 feet, for a 10 feet setback to allow for a 576 square foot garage to be moved on to the property.

As a property owner within 350 feet of the proposed action, you are receiving this letter and have the right to comment at the public hearing, and/or submit correspondence relating to this application. The public hearing will take place on August 25th, at 5:00 pm in the City Hall council chambers. Names and addresses must be submitted in order for comments to be recorded into the hearing minutes. Correspondence can be submitted to any of the following addresses below before August 21st to be included in the public hearing.

Any questions should be directed to the Planning and Zoning Administrator, 218-365-3224, Ext 3 or email pzadmin@ely.mn.us

Respectfully,

Scott Kochendorfer / Zoning Administrator
209 E Chapman St / Ely MN 55731
pzadmin@ely.mn.us
218-365-3224, Ext 3

Staff Analysis

Staff Analysis for Variance Application for **N Lakeview Ave, on behalf of Owner Daniel Krings**

FACTS

1. Daniel Krings is the owner of a parcel of land located on N Lakeview Ave, Ely, Minnesota; and,
2. The subject property is legally described as:

PID# 030-0030-02340

Auditors Plot of Chandler Addition to Ely, Block 8, Lot 54

3. This Property is located in Residential (R1) zoning district, and the Shagawa Lake Shoreland Overlay District.
4. Daniel Krings has applied to the city for a variance from the Shagawa Lake Shoreland Overlay District Zoning building setback requirement of 35 feet front yard setback. The owner is requesting for the Approval of a 10 feet setback to allow for a 576 square foot garage to be moved on to the property.
5. The proposal would vary from Section 11.41, in that it would deviate from the minimum setback requirements in the Shoreland Overlay of Shagawa Lake Zoning District: *In the Shoreland Overlay of Shagawa Lake Zoning District, the minimum required setback for the front yard is 35 feet. The proposal conforms to all other setback requirements of the Shoreland Overlay of Shagawa Lake Zoning District for accessory structures.*

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6. Minnesota Statute Section 462.357, subd. 6 provides:

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STAFF ANALYSIS

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 - **FINDING:** The Current building plan would deviate from the 35-foot set-back requirement in the front yard. The proposal would meet all other setback requirements of the Shoreland Overlay of Shagawa Lake Zoning District for accessory structures, which is 4 feet for the side yard and rear yard.
- **FACT:** The property in question will be used in a reasonable manor
 - **FINDING:** The Property was purchased by Krings in October of 2022, from the City of Ely. The lot does not conform to the minimum zoning requirements of the

Shoreland Overlay District. The current total lot size is 3,638 sq ft. (10,000 sq ft minimum is required) and the lot dimensions are 34 ft wide by 107 ft deep, which does not conform to the minimum lot dimensions of 75 feet wide by 120 feet deep. A Variance was approved on July 20th, 2022 to allow a 24 ft by 50 ft garage to be built on the parcel, without a primary structure on the property, due to the lots irregular size and shape, and non-conformity.

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- **FACT:** The Plight of the owner of the property in question is due to circumstances unique to their property and not created by the landowner
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 - The building would be at least 35 feet from the edge of the paved roadway, but not the property line, as required.
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Shagawa Lake, and the setback requirements from the OHW (Original High Watermark) (75 feet) will be maintained.

- Garages (accessory structures) are allowed in the R1 (Shoreland Overlay) Zoning District, with primary structures. This proposal is for a private garage, and will be used for residential purposes only.
- **FACT:** Economic considerations alone do not constitute a practical difficulty. Practical difficulties include but are not limited to: inadequate access to direct sunlight for solar energy systems.
 - **FINDING:** Due to the make-up of the property, non-conforming size, and the ledge rock, the property is mostly non-buildable. The only useful space is the front of the property, and this is only big enough for a small garage.
 - The property will not have any sewer or what hook-ups, and may have power sometime in the future.
 - The cost to remove the ledge rock would be substantial, and is not an option for the home owner.
- **FACT:** A Variance may not be granted for any use that is not a permitted use under this chapter for property in the district where the affected land is located.
 - **FINDING:** The use of a garage (accessory structure) without a primary dwelling is not allowed by ordinance. On July 20th, 2022, the Planning Commission approved this in a variance to allow the use.
 - Accessory structures may not exceed 1,200 sq ft in residential zoning. The proposal is for a 576 sq ft building, which is allowed in this zoning district.

Applicant Reasoning:

1. Due to the large rock formation on the lot, it is not feasible to locate the structure 35 feet from the west property line and/or Lakeview Ave. I would like to move a garage onto the lot.
2. I have an existing variance that allows the planned use. I just need to be slightly closer to the road
3. Large rock formations prohibit the setback requirements.
4. Appearance has already been approved in the prior variance.

City of Ely Requirements:

1. No involvement from the DNR or St. Louis County Soil and Water is needed due to the proposal being beyond the 75 feet (OHW) mark, and no shoreland alterations existing.
2. In addition to a building permit and moving permit, a separate Grading Permit is required to be obtained from the Planning and Zoning Administrator before any work can be completed. All Chapter 11 zoning codes need to be followed.

STAFF ANALYSIS RECOMMENDATION

Staff finds that the applicant's proposal meets the practical difficulty threshold. The proposal would not be disruptive or be injurious to the neighborhood, or change the essential character of the locality. Other options have been proposed, but are not feasible, and are cost prohibitive.

- Conditions can be added to the variance to include: No additional structures may be added to the property, and the proposed structure cannot be enlarged at any point.
- No sewer or water may be installed on the property

Staff recommends **APPROVAL** of this variance.

CONCLUSIONS OF LAW No variance shall be granted unless the Board of Adjustment shall find:

N Lakeview Ave (R1/Shagawa Lake Shoreland Overlay) Setback

- A. The property in question will be used in a reasonable manner
- B. The plight of the owner of the property in question is due to circumstances unique to their property and not created by the landowner
- C. If the variance is granted, it will not alter the essential character of the locality
- D. Economic considerations alone do not constitute a practical difficulty. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems
- E. Variances may be granted for earth sheltered construction as defined by statute, when in harmony with this chapter
- F. A variance may not be granted for any use that is not a permitted use under this chapter for property in the district where the affected land is located
- G. Provided, however, if a dwelling is damaged (i.e., fire damage) in the Commercial (C1) Zoning District, a replacement dwelling may be constructed per the criteria set forth in City Code 11.43A.



Planning and Zoning, 209 E Chapman St, Ely MN 55731

City of Ely Planning & Zoning Variance Application

1. Applicant Information	
Name: <u>Daniel Keith Krings</u>	
Address: <u>718 W. Lakeview Place, Ely MN 55731</u>	
Telephone#:	Email Address:
Application# (to be assigned by City): _____	
Signature of Applicant <u>[Signature]</u>	Date: <u>August 5, 2025</u>
Current use of the property: <u>Vacant</u>	
Owner (if different from above): _____	
Address: _____	
Telephone#:	Email Address:

2. Property Information
Street Address: <u>600 W Lakeview Avenue, Ely MN 55731</u>
Legal Description (attach additional sheets if necessary): _____
Parcel#: <u>030-0030-02340</u> Zoning District: _____
Shoreland Overlay Zone: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Property Size (square feet or acres): <u>Approx 3400 square feet</u>

Applicant to attach detailed plan (drawn to scale)

2.1 Current lot dimensions: Width: 34 Length: 107

2.2 Dimensions of proposed building or addition:
24 ft. x 24 ft. = 576 Total Square Feet
 Building height _____ ft. = 1 Total Stories
 Total Area (including new) 576 Square Feet

PAID 8-6-25 # 2197



3. Requested Variance

Zoning Ordinance section Variance is requested from: Shoreland Overlay setback
requires 35' from property line - Requesting 10'
which would make it 35' + from the roadway

State exactly what is intended to be done on/or with the property that's described above, and that does not conform with the current Zoning Ordinance:

Due to large rock formations on the lot,
it is not feasible to locate the structure
25 feet from the west property line and/or Lakeview
AVENUE.

I would like to move a garage onto the
lot

4. Explain in detail, how your request conforms to the following requirements: (attached additional sheets of necessary)

4.1 That the landowner proposes to use the property in a reasonable manner, currently not permitted by the Zoning Ordinance.

I have an existing variance that allows the
planned use. I just need to be slightly closer to
the road.

4.2 That the plight of the landowner is due to circumstances unique to the property and not created by the landowner.

Large Rock Formations prohibit setback
requirements

4.3 That the Variance, if granted, will not alter essential character of the locating neighborhood or zoning district in which it is located.

Appearance has already been approved in
prior variance.



Planning and Zoning, 209 E Chapman St, Ely MN 55731

5. Any other information relevant to your Variance request:

Layout image has been provided showing
proposed work

CITY USE ONLY


Date received by Planning and Zoning Department: 8-6-25

The Variance Application is complete:

The Variance requires the modifications listed below:

Further information needed:

The Variance is not Permitted:

Signature of Zoning Administrator 	Date <u>8-6-25</u>
BOA Hearing Scheduled: <u>8-25-25 @ 1700</u>	Date: <u>8-6-25</u>
Variance (Approved) or (Denied)	Date: _____





PROPERTY DETAILS REPORT

St. Louis County, Minnesota



Date of Report: 8/6/2025 3:55:50 PM

General Details							
Parcel ID:	030-0030-02340						
Document:	Abstract - 01453946						
Document Date:	10/04/2022						
Legal Description Details							
Plat Name:	AUDITORS PLAT OF CHANDLER ADDITION TO ELY						
	Section	Township	Range	Lot	Block		
	-	-	-	0054	008		
Description:	LOT: 0054 BLOCK:008						
Taxpayer Details							
Taxpayer Name and Address:	KRINGS DANIEL K 718 LAKEVIEW AVE N ELY MN 55731						
Owner Details							
Owner Name	KRINGS DANIEL K						
Payable 2025 Tax Summary							
	2025 - Net Tax						\$40.00
	2025 - Special Assessments						\$0.00
	2025 - Total Tax & Special Assessments						\$40.00
Current Tax Due (as of 8/5/2025)							
	Due May 15		Due		Total Due		
2025 - 1st Half Tax	\$40.00	2025 - 2nd Half Tax	\$0.00	2025 - 1st Half Tax Due	\$0.00		
2025 - 1st Half Tax Paid	\$40.00	2025 - 2nd Half Tax Paid	\$0.00	2025 - 2nd Half Tax Due	\$0.00		
2025 - 1st Half Due	\$0.00	2025 - 2nd Half Due	\$0.00	2025 - Total Due	\$0.00		
Parcel Details							
Property Address:	-						
School District:	696						
Tax Increment District:	-						
Property/Homesteader:	-						
Assessment Details (2025 Payable 2026)							
Class Code (Legend)	Homestead Status	Land EMV	Bldg EMV	Total EMV	Def Land EMV	Def Bldg EMV	Net Tax Capacity
211	0 - Non Homestead	\$2,000	\$0	\$2,000	\$0	\$0	-
	Total:	\$2,000	\$0	\$2,000	\$0	\$0	25



PROPERTY DETAILS REPORT

St. Louis County, Minnesota



Date of Report: 8/6/2025 3:55:50 PM

Land Details

Deeded Acres:	0.00
Waterfront:	-
Water Front Feet:	0.00
Water Code & Desc:	-
Gas Code & Desc:	-
Sewer Code & Desc:	-
Lot Width:	34.00
Lot Depth:	107.00

The dimensions shown are not guaranteed to be survey quality. Additional lot information can be found at <https://apps.stlouiscountymn.gov/webPlatsIframe/fmPlatStatPopUp.aspx>. If there are any questions, please email PropertyTax@stlouiscountymn.gov.

Sales Reported to the St. Louis County Auditor

Sale Date	Purchase Price	CRV Number
10/2022	\$5,000	251598

Assessment History

Year	Class Code (Legend)	Land EMV	Bldg EMV	Total EMV	Def Land EMV	Def Bldg EMV	Net Tax Capacity
2024 Payable 2025	211	\$1,900	\$0	\$1,900	\$0	\$0	-
	Total	\$1,900	\$0	\$1,900	\$0	\$0	24.00
2023 Payable 2024	211	\$1,800	\$0	\$1,800	\$0	\$0	-
	Total	\$1,800	\$0	\$1,800	\$0	\$0	23.00
2022 Payable 2023	776	\$1,800	\$0	\$1,800	\$0	\$0	-
	Total	\$1,800	\$0	\$1,800	\$0	\$0	0.00
2021 Payable 2022	776	\$1,600	\$0	\$1,600	\$0	\$0	-
	Total	\$1,600	\$0	\$1,600	\$0	\$0	0.00

Tax Detail History

Tax Year	Tax	Special Assessments	Total Tax & Special Assessments	Taxable Land MV	Taxable Building MV	Total Taxable MV
2024	\$36.00	\$0.00	\$36.00	\$1,800	\$0	\$1,800
2023	\$0.00	\$0.00	\$0.00	\$0	\$0	\$0
2022	\$0.00	\$0.00	\$0.00	\$0	\$0	\$0

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Office of the County Recorder
St. Louis County, Minnesota
Recorded on 10/11/2022
At 12:25PM

Document No. 01453946

Wendy Levitt
County Recorder

By A Johnson Deputy
AFR 10155434

Auditor

Deed Tax \$16.50

PIN(s) 030-0030-02340

Transfer Number(s) 161423

Deed Transfer
No delinquent taxes and transfer entered
This 11th day of October, 2022
Nancy Nilsen, County Auditor
By Karen Glowacki Deputy

CERTIFICATE OF VALUE FILED

Recording Fee: \$46.00
Well Certificate Fee: \$0.00

This page has been added by the St. Louis County Recorder/Registrar of Titles to add the recording information to the attached document.

Notes:

WARRANTY DEED
Business Entity to Individual(s)

Minnesota Uniform Conveyancing Blanks
10.1.7 (2016)

DEED TAX DUE: \$16.50
eCRV: 1476512

DATE: October 4, 2022

FOR VALUABLE CONSIDERATION, **City of Ely**, ("Grantor"), a municipal corporation under the laws of Minnesota, hereby conveys and warrants to **Daniel K. Krings**, ("Grantee"), real property in **St. Louis** County, Minnesota, legally described as follows:

Lot 54, Block 8, Auditors Plat of Chandler Addition to Ely, according to the recorded plat thereof

Subject to mineral rights, and other rights, reservations, restrictions and easements of record.

This conveyance is authorized by City of Ely Ordinance No. 361, 2nd series recorded in the office of the St. Louis County Recorder on October 7, 2022 as Document No. 0453696.

Check here if all or part of the described real property is Registered (Torrens)

together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions: **NONE**

Check box if applicable:

- The Seller certifies that the Seller does not know of any wells on the described real property.
- A well disclosure certificate accompanies this document.
- I am familiar with the property described in this instrument and I certify that the status and number of wells on the described real property have not changed since the last previously filed well disclosure certificate.

GRANTOR

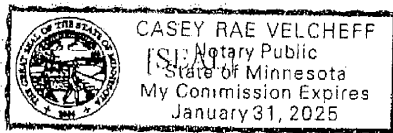
City of Ely

By *Roger Skraba*
Roger Skraba, Mayor

By *Harold Langowski*
Harold Langowski, Clerk-Treasurer

STATE OF MINNESOTA }
COUNTY OF ST. LOUIS } SS.

This instrument was acknowledged before me this 4th day of October, 2022, by Roger Skraba as Mayor, and Harold Langowski as Clerk-Treasurer of City of Ely.



Casey Velcheff
NOTARY PUBLIC

TAX STATEMENTS FOR THE REAL PROPERTY DESCRIBED IN THIS INSTRUMENT SHOULD BE SENT TO:

Daniel K. Krings
718 Lakeview Ave N.
Ely, MN 55731

THIS INSTRUMENT WAS DRAFTED BY:

Klun Law Firm, P.A.
1 E. Chapman St.
P.O. Box 240
Ely, MN 55731
(218)-365-3221

Office of the County Recorder
St. Louis County, Minnesota
Recorded on 10/07/2022
At 10:05AM

Document No. 01453696

Wendy Levitt
County Recorder

By A Johnson Deputy
AFR 10155329

Auditor

Recording Fee: \$46.00
Well Certificate Fee: \$0.00

This page has been added by the St. Louis County Recorder/Registrar of Titles to add the recording information to the attached document.

Notes:

Doris Hautala
725 W Lockhart St
Ely, MN 55731

Steven Schon
85 W Chandler St
Ely, MN 55731

James Haugen
620 N Lakeview Ave
Ely, MN 55731

Alexia Springer or Alvin Goeser
98 W Chandler St
Ely, MN 55731

Paul Nyman
8 W Vermillion Pl
Ely, MN 55731

Rita Jussila
102 W Chandler St
Ely, MN 55731

Robert Elfvin
3815 128th St
Urbandale, IA 50323

Maurice Elkins
Cindy Otto
430 N Lakeview Ave
Ely, MN 55731

Adam Bisbee
1004 E Chapman St
Ely, MN 55731

Jacqueline Fisher
89 Chandler St
Ely, MN 55731

Martin Chinander
60 Lakeview Pl
Ely, MN 55731

Jon Erchul
30 W Chandler St
Ely, MN 55731