

**Planning and Zoning Commission  
Agenda for Monday, August 25<sup>th</sup>, 2025  
5:30pm**

- 1. Planning and Zoning Call to Order**
- 2. Roll call: Heil, White, Hernesmaa, Councilor Roose, Palcher, Anderson. Staff Kochendorfer.  
*Excused: Burke***
- 3. Approval of Minutes from July 16<sup>th</sup>, 2025. (1-9)**
- 4. Additions or Deletions from Agenda**
- 5. Requests to Appear**
  1. Contented Critters – Teresa Floberg **(10-18)**
- 6. Reports**
  - a. Planning and Zoning Administrator –
  - b. Projects Committee – **(19-20)**
  - c. Council –
- 7. New Business**
  1. Business Park Covenant **(21-29)**
  2. Dog Park Plaques **(30-36)**
  3. Fence Ordinance **(37-40)**
- 8. Old Business:**
  - a. IUP Process Update
  - b. Permissible Uses List
  - c. Update City Comprehensive Plan from 2016
- 9. Adjournment**

**Board of Adjustment Public Hearing (Unapproved)  
Minutes For Wednesday, July 16<sup>th</sup>, 2025 for Lakeview Pl Variance**

1. **Called to Order at 5:00 PM by Chair Roose.**
2. **Roll Call: White, Hernesmaa, Councilor Roose, Palcher, Anderson.** Staff Kochendorfer. **Excused: Prioeschi, Burke**
3. **Additions or Deletions from Agenda**
4. **Public Hearing for the consideration of a Variance request submitted by Steve Elfvin, for 49 W Lakeview Pl, PID 030-0030-04330.** A variance request 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 25 feet setback to allow for the complete rebuild of the current home

The Variance public hearing procedure was read by chair Roose.

The Public hearing notice was read by Planning and Zoning Administrator Kochendorfer

5. **The Applicant (Steve Elfvin) explained the request**

Elfvin explained that he is representing the Robert Elfvin family trust on this project, located at 49 W Lakeview Pl. The current house, that was built many years ago, and currently sits at a “zero” set back. The foundation is failing, and size has outgrown the needs of the family. With the lot being so irregular, this limits where the new structure could be built, and the proposal that’s being presented, next to the existing garage, offers the best solution. For this proposal, certain parts of the house won’t meet the 35 feet setback requirement, but other parts will, which is why the variance is needed. The encroachment would be roughly 25 feet. The current house is quite intrusive, and there has always been a worry the vehicles would hit the house. The curb appeal for the neighborhood would be beneficial as well. The reason the house can’t go further back, is that it would encroach on the rear set back, and there is also a large boulder and cliff at the rear of the property. This proposal pushed the house as far back as it can go.

6. **Letters received/ and or phone call comments read into record**

- None

7. **Those in support may comment**

- None

8. **Those opposed may comment**

- None

**9. Comments from those who wish to provide additional information**

- None

**10. Applicant will have the opportunity to answer additional questions**

**11. Closure of the hearing @ 5:12 PM**

**12. Reading of the Finding of Facts**

Planning and Zoning Administrator Kochendorfer read the finding of the facts (included in the agenda packet). **Planning and Zoning Administrator recommends approval of the variance on the following finding of facts:**

- **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 property is also located in (R1) Zoning, which has a minimum front yard setback of 20 feet. The proposal meets the 20-foot setback requirement. Several adjacent properties in this area do not meet the current set back requirements of the Shoreland Overlay of Shagawa Lake Zoning District. The proposal would meet all other setback requirements of the Shoreland Overlay of Shagawa Lake Zoning District.
  
- **FACT:** The property in question will be used in a reasonable manor
  - **FINDING:** The Property is currently being used as a Residential single-family dwelling/vacation home. The property will continue to be used as vacation home for the Elfvn family. The proposal is in line with the Shoreland Overlay District of Shagawa Lake Zoning Code.
  
- **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 zoning code was put into place after the original residence was built. The property is of irregular size and shape, and non-conforming to current zoning codes in certain areas of the property. The applicant is moving the new home further back in the property, off the street frontage. The current home sits within only a few feet of the roadway. The proposal cannot be moved

further to the rear of the property due to a large rock ridge to the North side of the property. The only other option would be to build a smaller residence.

- **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 will not encroach on the shoreland of Shagawa Lake, and a road separates the property from the lake, so the Riparian Set back of 75 feet does not apply.
- **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:** The house was originally built before zoning requirements (1910). The property is of unique and irregular shape, due to the contour of the land and the adjacent roadways. The house cannot be built further to the north due to the steep slope and rock ledge on the north and west side. An existing garage to the east of the property will remain.
- **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 proposal will be for 4640 square feet to the house and additional garage space, building height of 26 feet, and an existing pole building of 900 square feet. This includes the garage expansion. The total proposed square footage is 5,540 with all of the buildings included. This would not exceed the total property building coverage of 25%, or 6,425 total square feet allowed for this property. The total property is roughly 25,701 square feet. The height of the building will be 26 feet, well under the allowed 35 feet maximum height allowed in the Shoreland Overlay of Shagawa Lake Zoning District. The proposal will maintain the property as a residential/family vacation home which is what the R1 Zoning is designed for.
- **FACT:** This proposal is in line with the City of Ely Comprehensive Plan.
  - **FINDING:** The proposal meets the goals and visions of the comprehensive plan.

**13. Decision rendered by the Planning Commission**

**Motion by Anderson to approve the variance of a front yard setback of 25 feet in the shoreland overlay district, from the current requirement of 35 feet/ Second Hernesmaa. Motion carried unanimously with no objections.**

**14. Adjournment at 5:19 PM**

**Board of Adjustment Public Hearing (Unapproved)**  
**Minutes For Wednesday, July 16<sup>th</sup>, 2025 for 115 N 21<sup>st</sup> Ave E Variance**

1. **Called to Order at 5:21 PM by Chair Roose.**
2. **Roll Call: White, Hernesmaa, Councilor Roose, Palcher, Anderson.** Staff Kochendorfer. **Excused: Pioreschi, Burke**
3. Additions or Deletions from Agenda
4. **Public Hearing for the consideration of a Variance request submitted by Tanner Spicer (T-N-S Adventure properties) for 115 N 21<sup>st</sup> Ave E.** The request is for a variance to allow for an 8 feet high fence; 20 feet long on E Camp St, 240 feet long adjacent to 2040 E Camp St, and 20 feet long on N 21<sup>st</sup> Ave E.

The Variance public hearing procedure was read by chair Roose.

The Public hearing notice was read by Planning and Zoning Administrator Kochendorfer

5. **The Applicant (Tanner Spicer) explained the request**

Spicer explained the reason for the fencing is to protect the neighborhood property. Currently, Spicer's property and 2040 E Camp St are only separated by trees, and more trees were planted, boulders line the area of 21<sup>st</sup> Ave, the 150 feet section along Camp St is open, with some bushes and green space. The proposal is to maintain privacy and separation for 2040 E Camp St, as well as the resort property and its guests. By having an 8 feet high fence, you won't be able to see over it. The current property has been upgraded with RV, campsites, and cabins, and cleaned up. The fence will be maintained, and won't be an eyesore. The plan is to have a two-sided fence, alternating, so each side is the same, with a finish on both sides.

6. **Letters received/ and or phone call comments read into record**

- Letter of support received from Mark Oknick, 16 North 19<sup>th</sup> Ave E
- Letter of support received from the Ely Chamber of Commerce, Eva Sebesta, 1600 E Sheridan St

7. **Those in support may comment**

- Mike Banovetz, 132 Lake St, Winton MN- In support of this request. A similar variance was given to Patrick Loe on Savoy Road, and supports the request since precedence was already set.
- Chip Elkins, 430 N Lakeview Ave- In support of this request

8. **Those opposed may comment**

- None

**9. Comments from those who wish to provide additional information**

- Mike Banovetz stated he looked at the property, the fence wont impede the view of traffic at all, between the school and the state garage, and sees no safety issues with the fence.

**10. Applicant will have the opportunity to answer additional questions**

**11. Closure of the hearing at 5:32 PM**

**12. Reading of the Finding of Facts**

Planning and Zoning Administrator Kochendorfer read the finding of the facts (included in the agenda packet). **Planning and Zoning Administrator recommends approval of the variance** upon the following findings and facts:

- **FACT:** Section 11.04, in that it would deviate from the maximum fence height along a street or avenue of 4 feet, or a maximum of 6 feet high elsewhere.
  - **FINDING:** Only (2) 20 feet long sections of 8 feet fence will border the street/avenue side, the remaining 240 feet of 8 feet high fencing will be bordering the neighboring property at 2040 E Camp St. The 8 Feet fencing will not inhibit any street or avenue side access, and the property will still be visible from the roadway. The fence will provide safety and security, as well as privacy to the resort property, as well as the neighboring property.
- **FACT:** The property in question will be used in a reasonable manor
  - **FINDING:** The Property is currently being used as a resort. The fence will help further separate the resort/commercial space from the nearby residential dwelling, and also create a noise and visual barrier from the dwelling space. The fence will also deter/prevent people from crossing into private property from both sides.
- **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 properties were originally zoned commercial, and then changed to Residential Transition to allow for the Resort expansion. There are ongoing issues with the neighbor at 2040 E Camp St harassing resort guests, resort staff, and trespassing on the resort property. The owner of 2040 E Camp St has been trespassed from the property located at 115 N 21<sup>st</sup> Ave E. Other options such as trees or bushes would take many years to grow, and not solve the problems. Other solutions may require the property owner to

- take legal action against the neighbor.
  - The property located at 2040 E Camp St also sits roughly 2 feet higher above grade than the adjacent property, 115 N 21<sup>st</sup> Ave E. This would allow easier visibility from the neighboring property, and would not resolve the current issues at hand.
- **FACT:** If the variance is granted, it will not alter the essential character of the locality
  - **FINDING:** The proposal is in the Residential Transition (RT) Zoning District. This district is intended to blend with residential and light commercial businesses. The fence will help to maintain separation from the residential and business property. Many cities allow fences of 7-8 feet in height in commercial zoning districts without variances.
- **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:** The property owner of 115 N 21<sup>st</sup> Ave E has continued to try and find solutions to solve the conflict with 2040 E Camp St, and has gone through the proper legal processes to obtain approval of the resort at this property. Physical separation of the properties is necessary to accomplish this, and a 4- and 6-foot high fence is not high enough to accomplish this.
- **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 property will not change uses, as is approved as a resort, and will continue to operate as a resort, with possible expansions in the future.
- **FACT:** This proposal is in line with the City of Ely Comprehensive Plan.
  - **FINDING:** The proposal meets the goals and visions of the comprehensive plan.

### **13. Decision rendered by the Planning Commission**

Discussion amongst the committee on supporting the approval of the variance.

**Motion by White to approve the variance for an 8 feet high fence; 20 feet long on E Camp St, 240 feet long adjacent to 2040 E Camp St, and 20 feet long on N 21<sup>st</sup> Ave E, as requested/ Second Hernesmaa. Motion carried unanimously with no objections.**

### **14. Adjournment at 5:38 PM**

**Planning and Zoning Commission (Unapproved)  
Meeting Minutes for Wednesday, July 16<sup>th</sup>, 2025**

Planning and Zoning Called to Order @ 5:42 PM

Roll call: **White, Hernesmaa, Councilor Roose, Palcher, Anderson.** *Staff Kochendorfer.*  
**Excused: Prioreshi, Burke**

**Approval of Minutes from June 18<sup>th</sup>, 2025.**

**Motion Palcher to approve the June 18<sup>th</sup>, 2025 Minutes/ Second White. Motion carried.**

**Additions or Deletions from Agenda**

**Requests to Appear**

**Reports**

- a. Planning and Zoning Administrator – Kochendorfer mentioned that things are still busy in the office. There is currently (4) total house being built, or soon to be built in the Sibley Ct addition. The Ely Regional Trailhead will have an open house from August 27<sup>th</sup>, from 5–8 PM, with a ribbon cutting at 6 PM. The chamber of commerce will most likely be moving their offices to this building as well.

Discussion on the street updates of Pattison and White Streets by the old city garage, more to come on that.

Joe Prioreshi resigned from the PZ Commission, so that leaves a vacancy on the projects committee as well. Hernesmaa expressed interest. **Motion Roose appoint Hernesmaa as the Planning and Zoning Representative on the Projects Committee/ second Anderson. Motion carried.**

The sanitation committee will also need a PZ rep. No one is interested at this time.

- b. Projects Committee – Kochendorfer mentioned that an easement was granted to MN Power for utility purposes in the area of Pioneer Rd and Grant McMahan.
- c. Council – Roose mentioned the approval of the easement, and the approval of the RV and Resort definition changes, and the permissible uses list for RV and Campgrounds, Resorts, and Tattoo Shops. The only item that changed on the definitions was the removal of the 14-day time limit.

**New Business**

1. PZ Budget

Kochendorfer presented the current budget, and explained how the PZ budget is broken down, and different pay scales of certain positions come from multiple budgets. 62% of the PZ Admin comes from planning and zoning budget, 25% comes from the clerk's office, and the other 13% comes from the park and rec budget. Other budget items were discussed by no motions were made.

**Old Business:**

- a. IUP Process Update-
  
- b. Magie Dr Subdivision- Discussion on taking this off of the PZ list as its being discussed at projects currently. This will be removed from the PZ agenda.
  
- c. Permissible Uses List- Kochendorfer discussed some concerns with clarity on ordinances, and when we update the permissible uses list, we will have to create or update the definitions list to reflect each use that's on this list.

There was further discussion on the ordinances that were recently approved, and what the requirements would be if the development was less than the number listed in the ordinance. Further definition of temporary uses will most likely be needed as the definitions list will be updated over time.

- d. Update City Comprehensive Plan from 2016- Continued discussion and updates to goals and objectives related to the comprehensive plan on land use controls. Changes were made in real time to pages 26, and 27.

**Adjournment at 6:33 PM without objection.**

August 20, 2025

Attn: City of Ely Planning & Zoning Commission  
Re: City of Ely Lot, Business Park, Lot 5 Block 2, 900 E Miners Dr



To the City of Ely Planning & Zoning Commission,

Contented Critters is a 501(c)(3) non-profit animal shelter dedicated to finding homes for the abused, unwanted, and abandoned animals in the Iron Range. The mission of Contented Critters is to advocate for and help pets in need through rescue, no-kill sheltering, rehabilitation, appropriate veterinary care, and adoption. Our vision is to reduce the community need for pet rescue through preemptive measures, such as a spay and neuter programs, community outreach, and education.

Contented Critters is hoping to make its permanent home in Ely. We moved from Makinen to the Ely area in 2021, operating under a lease at a private residence off Hwy 1. Ely has a lot of logic and benefits as a permanent home for our organization - the Ely Vet Clinic, MN North Vet Tech Program at the Vermilion Campus, and the fantastic local support that's been developed over the last few years. We have worked hard to be a positive force for Ely and surrounding communities.

The programs we operate include animal rescue, funding routine and emergency veterinary care for our animals, microchipping and nail trim clinics, subsidized spay and neuter program for low-income residents (grant funded in 2025), and community events to socialize puppies and kittens. Our current facility has a capacity of 12 dog kennels (plus three outdoor runs) and 12 cat kennels.

The City of Ely Lot that has captured our interest is in the Ely Business Park, Lot 5 Block 2, 900 E Miners Drive. Our goal is to construct a facility for dog/cat rescue and boarding, as well as a spay and neuter clinic. Outdoor space would include a "catio" and dog runs for supervised exercise time. *Our farm sanctuary animals will be staying at their current location on Hwy 1.*

This lot is in an ideal location for Contented Critters. It is close to downtown while still offering buffers and space for our operations. The proximity to the Trezona Trail is ideal for exercising dogs, and we hope a "catio" offers adorable entertainment for folks coming and going from the Hub next door.

We understand that this lot is part of the Ely Business Park original Plat, and its uses are regulated by Ordinance No 43. This lot has unavoidable challenges as it relates to its size, shape, and slopes. The lot also needs to be re-platted to remove the section that crosses the road and is encroached by the hockey rink. Those challenges, when paired with the restrictions in the ordinance, make any future infrastructure incredibly limited. We hope the Commission will consider variances, re-zoning, or other available mechanisms to allow for this type of operation and associated construction. We also ask that the City extend water and septic to the lot ahead of any sale with support from IRRRB. In addition, we propose that a public "green space" buffer along the steep south edge of the lot is maintained.

Contented Critters is ready to invest in this location and add to the variety and great development along Miners Drive. Our organization is committed to being a good neighbor and local business. We hope to work together and welcome any support, interest, or concerns the Commission has with this proposal.

Sincerely,

Contented Critters Board

**Michelle Greener**, President; **Steve Branstrom**, Vice President; **Teresa Floberg**, Treasurer, **Wendy Anderson**, Secretary, **Robert Kreegier**, Board Member; **Connie Murphy**, Board Member, **Laura Prebarich**, Board Member



**Parcel ID Number:**  
030-0067-00120

[Parcel Tax Lookup](#)  
[Property Details](#)

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

**Address:** 900 E MINERS DR ELY MN 55731

**Owner Name:** CITY OF ELY

**Taxpayer:** CITY OF ELY

**Address:** 209 E CHAPMAN ST ELY MN 55731

**Tax District:** CITY OF ELY

**Plat Description:** ELY BUSINESS PAF CITY OF ELY

**Lot:** 0005 **Block:** 002

[Zoom to](#)

E Miners Dr

900 E MINERS DR

ELY

925 E WASHINGTON ST

915 E WASHINGTON ST

**ORDINANCE NO. 376, 2<sup>nd</sup> Series**

**AN ORDINANCE OF THE CITY OF ELY, MINNESOTA, REVISING THE ELY CITY CODE CHAPTER 11, SECTION 4 CONDITIONAL USES.**

THE COUNCIL OF THE CITY OF ELY DOES HEREBY ORDAIN:

**SECTION 1.** Chapter 11, Section 4 of the Ely City Code is amended to read as follows:

SEC. 11.40. LIST OF PERMISSIBLE AND CONDITIONAL USES. On the following table, the uses listed are the primary use in the district. An open circle, "O", means that the use is permitted in that district, only if a conditional use permit is granted by the Board of Adjustment. An "I" means that the use is permitted in that district only if an interim use permit is granted by the Board of Adjustment. An "X" means that the use is permitted in the district, subject to the general provisions of the Zoning Chapter. A blank space means that the use is not permitted in the district. For uses not included on this list, application shall be made to the Board of Adjustment for a determination that the proposed use is or is not of the same general character as a permitted, not permitted, or conditional use.

<b>Classification List - Permissible/ Conditional Uses</b>	<b>R-1</b>	<b>R-2</b>	<b>R-T</b>	<b>C-1</b>	<b>C-2</b>	<b>M</b>	<b>P-1</b>	<b>P-2</b>	<b>O</b>	<b>SMU</b>
Agricultural implements: service, sales					X	X				
Airplane hangar										O
Ambulance Garage & Office			O	X	X		X	X		
Amusement Park					O					
Animal hospital, veterinarian			O	O	O	X				
Apartment: 1,2, 3, & 4 units	X	X	X	X	X		X	X		X
Apartment: 5 or more units		X	X	X	X		X	X		O
Appliances: equipment, sales, repair				X	X	O				
Association: clubs, lodges, private				X	X					O
Athletic field							X	X	O	
Auditorium, assembly hall				X	X					
Auto/Truck: sales, parts, repair				X	X	O				

Classification List - Permissible/ Conditional Uses	R-1	R-2	R-T	C-1	C-2	M	P-1	P-2	O	SMU
Baked Goods: mfg., sales			O	X	X					
Bank, Trust Co., Bonding Co., Credit Union				X	X					
Bar, Tavern, Saloon, Billiard Parlor, Bowling Alley, brewery/distillery				X	X					
Barber/Beauty Shop			O	X	X					
Beach: public, private							X	X	X	X
Bed & Breakfast		O	O	O	X					O
Beverages: wholesale & storage					X	X				
Boat mfg., storage						X				
Broadcasting Tower					X	X				
Broadcasting station			O	X	X					
Building materials: mfg., storage, sales				X	X	X				
Bus line depot				X	X		X	X		
Car Wash				X	X					
Carpentry, cabinet shop	O	O	O	O	O	X				O
Carpet/rug: sales, storage				X		X				
Cement/concrete products: mfg., sales, storage						X				
Cemetery							X	X	X	
Child care center	O	O	O	X	X		X	X		O
Clay products: mfg., storage						X				
Clinic			O	O	O	X	X	X		
College							X	X		O
Community Center							X	X		
Community Residential Facility serving six (6) or fewer persons	O	O	O							O
Community Residential Facility serving seven (7) to sixteen (16)	O	O	O							

Classification List - Permissible/ Conditional Uses	R-1	R-2	R-T	C-1	C-2	M	P-1	P-2	O	SMU
persons										O
Community Residential Facility serving seventeen (17) to thirty-two (32) persons	O	O	O							O
Contractor (general): equipment, storage yard					O	X				
Customs house, US					O		X	X		O
Day Care: Family Day Care serving six (6) or less	X	X	X		O	O				
Day Care: Family Day Care serving seven (7) or more	O	X	O	O	O	O	X	X		O
Day Care (public): serving six (6) or more							X	X		
Drive-in restaurant			O	X	X					O
Driving range, miniature golf, go- karting, batting cages			O	O	O				O	O
Dry cleaning & laundry: processing & pickup			O	X	X	X				
Dwelling, single family	X	X	X	X	X					X
Dwelling, two family	X	X	X	X	X					X
Dwelling, multiple family		X	O	X	X		X	X		O
Festival, community event			I	I	I	I	I	I	I	I
Fire station			O	X	X		X	X		
Fish or meat, wholesale, curing, storage						X				
Florist, greenhouse, nursery					X	X				O
Florist, sales			O	X	X	O				
Freight depot, office, wholesaling					O	X				
Fuel storage, distribution				O	O	O	O	O		

Classification List - Permissible/ Conditional Uses	R-1	R-2	R-T	C-1	C-2	M	P-1	P-2	O	SMU
Funeral parlor, mortuary			O	X	X					
Furs: mfg., assembly						O				
Gasoline/filling station, convenience store				X	X					
Gravel pit							O	O	X	
Grocery store, retail			O	X	X					O
Grocery: wholesale, warehouse					X	X				
Home: retirement, children, nursing, group, assisted living	O	O	O	O	O	O	O	O		O
Hospitals				O	O		X	X		O
Hotel, Motel			O	X	X					O
House of Worship	X	X	X	X	X	X	O	O	O	X
Iron or woodworking			O	O	O	X				
Jail							X	X		
Laundries, self-service			O	X	X					
Library	O	O	O	X	X		X	X		O
Liquor: off-sale, storage				X	X					
Lockers, food storage				O	O	X				
Machine Shop				X	X	X				
Manufactured Home Park	O	O	O							O
Manufactured Home Sales					X	X				
Meat Packers						O				
Metal fabrication, processing						X				
Mining operations: gravel, quarries, crushing						X				
Motorized vehicles: sales, parts, repair				O	X	X				
Museum	O	O	O	X	X		X	O		O
Massage Therapy			X	X	X					X

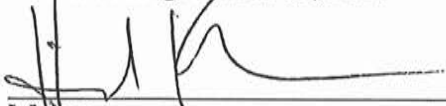
Classification List - Permissible/ Conditional Uses	R-1	R-2	R-T	C-1	C-2	M	P-1	P-2	O	SMU
Outfitters: recreational			O	X	X					O
Paper & wood products: mfg., storage						X				
Park, playground	X	X	X	O	O		X	X	X	X
Parking lot			O	X	X	X	X	O	X	O
Paving materials, storage						O				
Pharmacy			O	X	X					
Police station			O	X	X		X	X		
Post Office			O	X	X		X	X		
Professional office: doctors, lawyers, etc.	O	O	O	X	X					O
Public or private schools (all schools)	O	O	O	O	X		X	X		O
Public beach							X	X		X
Public campground							X	X	X	O
Public utilities & storage area					O	X	O	O	O	
Reservoirs, water towers						O	X	X		
Resorts			O		O				O	O
Restaurants, cafes			O	X	X	O				
Retail store: general, specialty			O	X	X	O				
Roadside park or wayside			O	X	X		X	X	X	O
Roadside sales stand				O	O				O	O
Rooming House		X	O	O	O					O
RV Park				O	O		O	O		O
Sauna, steam bath, commercial			O	X						O
Short Term Rental	X	X	X	X	X					X
Second Hand Goods Dealer			X	X	X	X				

Classification List - Permissible/ Conditional Uses	R-1	R-2	R-T	C-1	C-2	M	P-1	P-2	O	SMU
Skating rink, public							X	X	X	X
Sporting goods, mfg.					O	X				
Storage yard: bulk material, equipment					O	X	O	O	O	
Swimming pool: public					O	O	X	X		
Taxidermist			O	X	X					
Theatres, indoor				X	X					
Tires: repair, equipment, supplies				X	X	X			O	
Utility structure, substation			O	O	O	X	X	X	O	
Warehouses, all types					X	X				
Welding shop: service, storage				O	O	X				


Dog/cat boarding						O				
Dog Park				O	O	O	O	O	O	O
Mini Storage				X	X	O			O	

**SECTION 2. Effective Date:** Pursuant to Section 3.08 of the Charter of the City of Ely, Minnesota, the adoption of this Ordinance is effective thirty (30) days after final adoption and publication.

First Reading: March 19, 2024

  
 \_\_\_\_\_  
 Mayor

Second Reading: April 16, 2024

  
 \_\_\_\_\_  
 Clerk-Treasurer

Publication Dates: March 23, 2024

Newspaper: Ely Echo



August 11<sup>th</sup>, 2025  
City of Ely Projects Committee Meeting  
City Hall Council Chambers

Committee member attendees: Harold Langowski, Tommy Teigen, Mike Banovetz, Mayor Heidi Omerza, Emily Roose, Kris Winkelman, Dave Hernesmaa  
Absent: Rob Wilmunen

Also attending: John Fedo, John Jamnick, Kristin Zobitz, Celia Domich, Barb Jones, Mary Louise Isenhower

Meeting called to order 5:00 p.m. by Mayor Omerza

- I. Additions or Deletions to Agenda: Barb Jones Ely Green Team- Ely Climate Group, New opportunities for state and federal funding of 40 kw solar.
- II. Approval of Minutes from July 14<sup>th</sup> , 2025 Meeting.
  - a. **MOTION (TT/MB) to approve the minutes from the July 14<sup>th</sup> 2025 meeting. Passed unanimously.**
- III. Special Appearances: Barb Jones from the Ely Climate Group provided information concerning grant funds available for installation of solar on City owned buildings. The projects are limited to 40kw and construction must start by December 31<sup>st</sup>, 2025. There was discussion of the existing solar on existing buildings and the future cost of replacement on the systems. Barb was going to check to see what the conditions of the program are concerning maintenance and what the December 31, 2025 deadline to start includes. HL discussed the possibility of installing on the Water Treatment Plant roof due to that building being scheduled for a roof. HL will include the information in the next EUC agenda. Barb hopes to have some answers on the program before the EUC meeting. The program is funded by 70% funding from the Department of Commerce and 30% from the White House Direct pay program.
- IV. Communications: None
- V. Unfinished Business
  - a. Reviewed the project list. Areas prioritized for 2026 include 3<sup>rd</sup> Ave East from James to Wilson, Pattison Street from 4<sup>th</sup> to 6<sup>th</sup>. These four blocks are estimated to cost \$600,000.
  - b. The trailhead project is complete other than a few punch list items. An open house is being planned for August 27<sup>th</sup> from 5pm-8pm. We have met with the Chamber and our negotiating a lease. Anticipated move in would be early fall.
  - c. JPJ continues to work on the engineering plans for the Burntside Water Line Project, we need to submit a funding request for bonding or possible Mineral Tax bill inclusion.
  - d. The additional information required by SHPO has been submitted for the Ambulance and Fire projects.
  - e. The archeology study for the mountain bike trails field work is done. We received the lease from the DNR. We have started the wetland delineation.
  - f. The proposal for the purchase of 726 E. Camp and the requested reduction in the special assessment on the property due to the demolition was tabled at the last meeting. The adjoining property owner is interested in purchasing the empty lot to improve their property with gardens, landscaping and possible addition plans in the future. The assessment of \$7,733.24 was put on the property following the City of Ely paying for the removal of a blighted apartment building. This is one of three properties currently carrying a special assessment due to the City paying the demolition costs on tax forfeited property. **MOTION (ER/CW) to recommend the City Council offer a ten-year payment plan on the special assessment on 726 E. Camp for the prospective buyer. Passed unanimously.**
  - g. We are still waiting for the plans and specifications on the depot utilities to be advertised for bids.

VI. Clerk/Treasurer Report

VII. New Business

- a. A furniture plan for the lounge area of the trailhead was provided by the architect. Furniture is being ordered to complete the space.
- b. WICOLA has worked with Bois Forte on the creation of an area map showing the original Ojibwe names of area lakes as well as AIS information. As we finish the kiosk and other maps at the location we are going to work to include these maps on display at the trailhead. We are hoping they can be displayed for the open house as well.
- c. We discussed two additional funding opportunities for infrastructure projects. The EDA has funding available through the program FY2025 Disaster Supplemental Grant Program in response to the disaster declarations across the state. We are currently working with ARDC and other NEMMPA members on electrical distribution improvements to improve capacity, resiliency and reliability. **MOTION (ER/MB) to recommend the City Council and EUC direct the City Clerk to develop an application to the FY 2025 Disaster Supplemental Grant Program to improve electrical distribution. Passed unanimously.**
- d. With the ongoing uncertainty on federal funding we are less optimistic on Congressionally Directed Spending assistance coming to us for the water supply project. To ensure we are considered for other state assistance we need to make a bonding bill request. **MOTION (MB/CW) to recommend the City Council submit the water supply project for State bonding assistance. Passed unanimously.**

VIII. Bills: None

IX. Adjourned at 5:56p.m. No opposition

Respectfully submitted, Harold R. Langowski

Source: Ordinance No. 43, Second Series  
Effective Date: June 7, 1994

**Subd. 46. "Recreational Trail Overlay (RTO) District"** –The Recreational Trail Overlay District (RTO) is hereby created to be defined by an area within fifteen (15) feet on each side of the centerline of recreational trails throughout the City of Ely, unless otherwise depicted on the Recreational Trails Overlay (RTO) District Map (Exhibit A). The intent of the district is to provide a buffer from incompatible uses along trails, while recognizing that the trails themselves cross private lands where reasonable uses must be permitted.

Source: Ordinance No. 261, Second Series  
Effective Date: December 24, 2012  
Source: Ordinance No. 272, Second Series  
Effective Date: June 8, 2014

**Subd 47. "Cannabis Business"** shall include the following, all of which must be licensed through the State and the Office of Cannabis Management under Minn. Stat. §342: cannabis microbusiness, cannabis mezzobusiness, cannabis cultivator, cannabis manufacturer, cannabis retailer, cannabis wholesaler, cannabis transporter, cannabis testing facility, cannabis event organizer, cannabis delivery service, lower-potency hemp edible manufacturer, lower-potency hemp edible retailer, medical cannabis combination business.

**SEC. 11.02. ELY BUSINESS PARK COVENANTS.**

**Subd. 1. Recommended Permitted Uses.** The land uses in the Ely Business Park as presently zoned are limited to the following categories:

- A. Professional offices;
- B. Research laboratories;
- C. Electronics manufacturing and assembly;
- D. Other light manufacturing and assembly;
- E. Governmental buildings;
- F. Light industry and assembly.

Only low impact or office type businesses are allowed within the Ely Business Park. No storage sheds, public garages or unheated warehouses will be allowed, except that accessory structures may be permitted for storage if approved by the Projects Committee and if a subsequent conditional use permit is granted by the Board of Adjustment.

§ 11.02

Source: Ordinance No. 92, Second Series  
Effective Date: March 18, 1999  
Source: Ordinance No. 229, Second Series  
Effective Date: February 3, 2009  
Source: Ordinance No. 231, Second Series  
Effective Date: April 7, 2009  
Source: Ordinance No. 241, Second Series  
Effective Date: October 5, 2010

(10-05-2010)

**Subd. 2. Maintenance and Repairs.** All lots and improvements shall be constructed, kept, and maintained by the owner or occupant in first class condition, repair, and appearance. All repairs, alterations, replacements, or additions to improvements shall be at least equal to the original work in class and quality.

**A. Buffering.** Wherever a commercial parcel is located adjacent to an area or areas being actually used for residential purposes, a buffer material shall be placed upon the boundary of the commercial parcel. The buffer material may be vegetation or opaque fencing, and shall be of sufficient height to provide a screening effect between the residential area and the commercial usage.

**B. Maintenance.** Wherever in this code there is a requirement for installation of any device for aesthetic or screening purposes, or for the maintenance of any particular type of exterior material, such materials or devices shall at all times be maintained in an attractive, safe and neat condition.

Source: Ordinance No. 241, Second Series  
Effective Date: October 5, 2010

**Subd. 3. Utility Lines and Antennas.** Underground or concealed placement only, except that temporary placement of above ground utilities is permitted during reasonable construction periods.

**Subd. 4. Development Standards.**

**A. Setbacks.** Structures require a minimum front yard setback of 25 feet from the front property line. This area must be grassed and or landscaped. Require side yard setbacks of 15 to 20 feet with allowances for landscaping and drainage between buildings.

Minimum setbacks are as follows:

Front Yard	25 feet
Side Yard	20 feet
Rear Yard	20 feet

§ 11.02

Sufficient setbacks shall be required to allow for access by emergency vehicles around all buildings and structures. Setbacks may vary according to the layout of the lot upon which the primary and accessory uses are located and only based upon sound environmental and site planning criteria and standards applied to the proposed use. Criteria shall include the need for buffering via beams and landscape materials, adjacent lots, buildings and structures, utilities, vegetated areas and steep slopes. Exceptions to setback requirements include landscaping, sidewalls, steps, paving, planters, fences, and utilities.

(10-05-2010)

**B. Site Coverage (building density).** Site coverage shall not be greater than 33% of the lot by the principle structure. If coverage of the site by impervious surface exceeds 15% or standards contained in or adopted pursuant to the adopted plans of the City of Ely, on-site mitigation measures must be employed and incorporated into the site plan.

**C. Minimum Lot size.** Minimum lot size is as platted.

**D. Minimum Building size.** Minimum building size shall be 2500 gross square feet.

**E. Building Heights.** 45 ft. maximum. Higher buildings may be permitted if approved by the Projects Committee and if a subsequent variance is granted by the Board of Adjustment considering setback criteria: avoidance of excessive density impact on other properties impervious surface and stormwater management impact and fire protection needs. Structures higher than 20 feet shall contain architectural features designed to punctuate the facade of the building and bring the structure into a unified relationship with its surroundings. Suitable elevation drawings shall be prepared to evaluate the sale and impact of such structures.

Source: Ordinance No. 92, Second Series

Effective Date: March 18, 1999

Source: Ordinance No. 231, Second Series

Effective Date: April 7, 2009

Source: Ordinance No. 241, Second Series

Effective Date: October 5, 2010

**F. Signage.**

1. All signs must be approved by the Planning Commission. No rooftop or pylon signs, fluorescent colors, flashing lights, or moving signs are permitted. Exterior lighting fixtures are not permitted unless the light source (e.g. the fixture) is not visible from roadways. A maximum area of 80 sq. ft. is permitted with a maximum height of 8 feet. Signs advertising products or services other than those produced or provided on the premises or by affiliates are prohibited.

(10-05-2010)

2. No sign or billboard as defined in the City's sign ordinances or codes shall be permitted on any commercial parcel except as may be utilized in connection with the business or businesses being operated on that parcel. Signage materials shall be compatible aesthetically with the buildings on the parcel, and shall be so designed to minimize potential safety hazards for passing motorists. To this end, signs shall be designed so as to provide information, as opposed to attracting attention to the sign itself. Only small on-building or on-premise signage that uses colors consistent with the period design of the building.

A directory sign at each end of the Business Park will be maintained by the city.

**G. Parking.**

Source: Ordinance Number 231. Second Series  
Effective Date: April 7, 2009

1. **Common Driveways.** Driveways may be shared between lots to reduce curb cuts and turning movement locations.

2. **Material.** All driveways and parking areas shall be surfaced with asphalt or concrete paving, and cured with cast-in-place barrier concrete curbs. Drainage for paved surfaces shall be facilitated in all cases by the use of bituminous curb and gutter around the perimeter of all parking lots and all public driveways. Where particular engineering problems exist, the City may require concrete curbing. Temporary exceptions maybe granted by the commission when appropriate for plans that incorporate phased construction.

3. **Parking lot Setbacks.** There shall be a 10 foot setback between all lot lines and the back of the curb on parking lots and driveways. There shall be an 8 foot spacing between back of curb of all parking lots and buildings. The space within the setback area shall be governed by the ground cover requirements found elsewhere in this ordinance. The lot line setbacks shall not apply where adjoining property owners wish to use common parking.

4. **Loading Docks.** Loading docks shall be located to the rear or side of buildings, in areas that are as much as possible screened from view from adjacent public roadways.

5. **Sidewalks.** All areas where members of the public or employees must walk for access to any location shall be paved or covered with a hard surface material.

Source: Ordinance No. 229, Second Series  
Effective Date: February 3, 2009

(10-05-2010)

§ 11.02

**H. Loading and Storage.** No materials, supplies or equipment shall be stored in any area on a lot except inside a closed building or behind visual barrier screening such areas from the view of adjoining properties and public streets. Garbage and refuse containers shall be concealed from the view of adjoining properties and public streets by means of screening walls that complement the exterior of the adjoining building.

**I. Exterior Storage and Facilities.**

**1. Fencing.** All fences located in the Park shall be of complete opaque materials, so as to substantially screen from outside view the contents of the fenced area. Where chain link fence is used, the fence shall be fully screened either by the use of vegetation of the same height, or by the use of inserts rendering a substantially opaque result.

**2. Other Fence Standards.** Fences shall be not less than 6 feet and not more than 12 feet in height.

**3. Outside Storage.** The outside storage of any shall be prohibited, unless the storage is completely screened from view by fencing, by natural topography, or by vegetation which completely screens the stored materials from view from any outside sources. No storage shall be permitted which is not required as a part of the business operated on the premises.

Source: Ordinance No. 92, Second Series  
Effective Date: March 18, 1999

Source: Ordinance No. 231, Second Series  
Effective Date: April 7, 2009

Source: Ordinance No. 241, Second Series  
Effective Date: October 5, 2010

**4. Exception for Inventory.** Articles which comprise completed product inventory being displayed for current retail sale may be stored outside, but may be subject to conditions for such storage to be imposed on a case-by-case basis by the City.

**5. Storage.** Unscreened outside storage is prohibited and inoperable vehicles and equipment cannot be stored on-site or in the open for longer than 5 working days.

(10-05-2010)

§ 11.02

**J. Landscaping.** Landscaping plans are required for all developments and are subject to the approval of the Projects/Land/Streets and Infrastructure Committee as part of the site plan approval process outlined in Subd. 6 and Subd. 7. All lots shall be landscaped within 90 days of substantial completion of construction and issuance of Certificate of Occupancy in accordance with approved plans, weather permitting.

Source: Ordinance No. 92, Second Series

Effective Date: March 18, 1999

Source: Ordinance No. 231, Second Series

Effective Date: April 7, 2009

**K. Subdivision.** No lot may be subdivided, and no portion of a lot may be sold or otherwise conveyed, without the written consent of the Ely City Council.

**Subd. 6. Committee.** The Projects/Land/Streets and Infrastructure Committee will review and recommend approval to the Planning Commission all plans for development in the Park. Approval of the Committee does not imply compliance with other applicable building codes, permitting process, or other requirements. The Projects/Land/Streets and Infrastructure Committee will also negotiate directly with all interested businesses seeking development in the Ely City Business Park. The Projects/Land/Streets and Infrastructure Committee will review and recommend approval to the Planning Commission all preliminary agreements/contracts between the City of Ely and prospective businesses.

Source: Ordinance No. 148, Second Series

Effective Date: November 6, 2003

Source: Ordinance No. 231, Second Series

Effective Date: April 7, 2009

**Subd. 7. Construction Improvements.** All proposals for development must be submitted to the Projects/Land/Streets and Infrastructure Committee and approved by the Planning Commission prior to submission of construction documents. Work scheduling and estimated completion dates should be included with plans. Approvals under this section do not remove the obligation to obtain all other necessary construction permits that may be required by the City or other agency. Submissions shall include the following:

**A. Site Plan**

1. Building footprints and dimensions to property lines
2. Building roof overhangs
3. Configuration of parking and vehicular circulation areas
4. Parking lot lighting locations
5. Truck service, loading area, trash enclosures
6. Setback lines and easements

(10-05-2010)

7. Location of on-site transformers, gas meters, switchgear
8. Adjacent roadways
9. Parcel area, building floor area, coverage ratios, total parking, estimated employment at peak, anticipated shift schedules.

**B. Grading, drainage and erosion control plan**

1. Proposed finish grades, slopes, building pad elevation
2. Site drainage structures and runoff calculations
3. Grades of existing streets and curbs

Site drainage and erosion control plans must be integrated with the Park's regional stormwater management plans. Drainage and erosion control submittals shall follow the format prescribed by Ely City Ordinances.

Source: Ordinance No. 231, Second Series  
Effective Date: April 7, 2009

**C. Landscape Plan**

1. Plant materials, Spacing, and sizes
2. Walkways and paved areas
3. Other landscape features

**D. Building elevations**

1. Wall and roof material, textures and colors
2. Location of wall mounted signs and lighting
3. Roof and parapet heights above ground floor line
4. Profile or room-mounted equipment
5. Roof elevations above finished floor

**E. Conceptual graphics**

1. Ground, wall mounted, and directional signs
2. Locations, designs, materials, colors, textures, heights, area, illumination, typography.

**F. Process Time.** Land purchase agreements with the City of Ely will take a minimum of 60 days to be final. Additional time requirements are project/development specific.

**Subd. 8. Stormwater Control.** Stormwater runoff shall be properly channeled into storm drains and/or pond areas and shall not be permitted to flow over walkways. All roof stormwater must be collected by a system constructed inside the exterior walls of the building or by

(10-05-2010)

**§ 11.02**

a system that blends into the facade of the building and discharged less than 2 feet above grade of the point of discharge, or be conducted directly to the storm drainage system. Alternatives other than gutter and downspout systems shall be considered relative to impacts on pedestrian and vehicle areas and integration with other lot-based and regional stormwater management systems, structures and objectives.

(10-05-2010)

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§ 11.02

Infiltration on each property is encouraged. Improvements which direct stormwater runoff to the detriment of other property owners are prohibited.

Each owner shall take the necessary precautions to ensure that stormwater drainage from the owner's lot is not contaminated with motor vehicle fuels and lubricants, salt, or other chemical compounds that are detrimental to aquatic life.

Source: Ordinance No. 72, Second Series  
Effective Date: February 18, 1997

**Subd. 9. Park and Recreational Uses Facilities.** The Council of the City of Ely finds that it would be beneficial for the help and welfare of the City of Ely and to enhance the amenities in the Ely Business Park to provide for the construction and improvement of park space and recreational facilities and improvements in the area of the Ely Business Park. To fulfill that purpose, the Ely Business Park Covenants, Section 11.02 of the Ely City Code are hereby amended to exempt park uses and improvements and recreational uses and facilities from the operation of the Ely Business Park Covenants.

Source: Ordinance No. 148, Second Series  
Effective Date: November 6, 2003

Source: Amended by Ordinance No. 229, Second Series  
Effective Date: February 3, 2009

Source: Ordinance No. 231, Second Series  
Effective Date: April 7, 2009

**SEC. 11.03. HERITAGE PRESERVATION COMMISSION.**

**Subd. 1. Declaration of Public Policy and Purpose.** The Council of the City of Ely hereby declares as a matter of public policy that the preservation, protection, perpetuation and use of areas, places, buildings, structures, and other objects having a special historical, community or aesthetic interest or value is a public necessity and is required in the interest of the health, prosperity, safety and welfare of the community. The purposes of this section are to:

A. Safeguard the heritage of the City of Ely by preserving sites which reflect elements of the City's cultural, social, economic, political, engineering or architectural history;

B. Protect and enhance the City of Ely's appeal to residents, visitors and tourists, and serve as a support and stimulus to business and industry;

C. Enhance the economic viability of heritage preservation sites through the protection and promotion of their unique character;

D. Enhance the visual and aesthetic character, diversity and interest of the City of Ely;

E. Foster civic pride in the beauty and notable accomplishments of the past; and

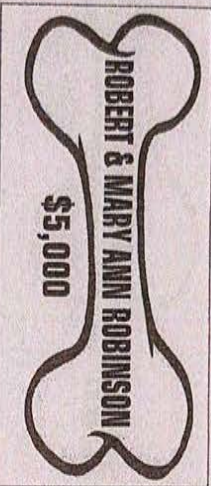
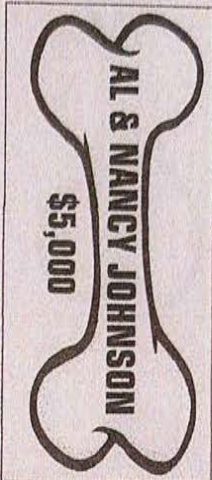
F. Promote the preservation and continued use of historic sites for the education and general welfare of the people of the City of Ely.

(02-02-99)

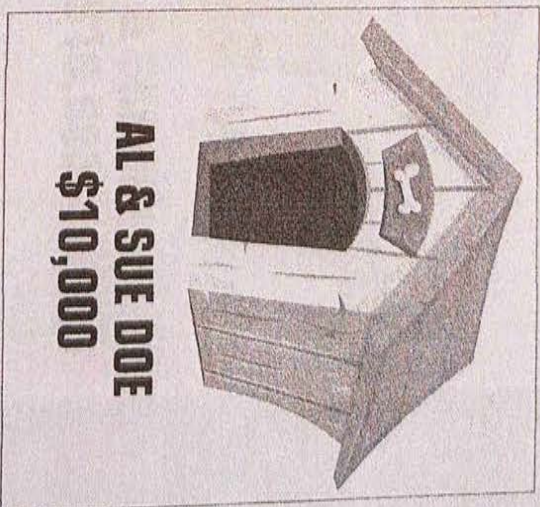
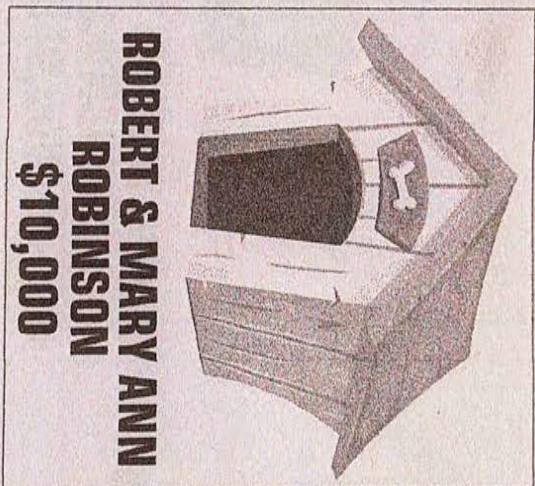
14,  
8 X 8



28,  
8 X 18



70,  
18 X 20



metal backing  
custom  
Personal or business lettering/signage.  
Fence section



Scott Kochendorfer <pzadmin@ely.mn.us>

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## Ely Dog Park

12 messages

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**Bruce Wheelright** <bonesusmvmc@yahoo.com>

Thu, Aug 14, 2025 at  
5:41 PM

Reply-To: Bruce Wheelright <bonesusmvmc@yahoo.com>

To: Scott Kochendorfer <pzadmin@ely.mn.us>

Hi Scott,

I was wondering if we could get approval to raise funds by selling metal plates, paw print, dog bone and a dog house along with a section of fencing for advertising. This would be for businesses and private signage.

Bruce Wheelright

[Yahoo Mail: Search, Organize, Conquer](#)

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**Planning and Zoning** <pzadmin@ely.mn.us>

Mon, Aug 18, 2025 at 7:14  
AM

To: Bruce Wheelright <bonesusmvmc@yahoo.com>

Are you looking to sell these items at the Dog Park Field?

As far as ads on the fencing, we could run this through Planning and zoning or Park and Rec, and then forward to the city council, I would just need to see some sort of draft proposal on what your looking to do.

Let me know what you think.

## Scott Kochendorfer

**Planning & Zoning Administrator |City of Ely**

209 E Chapman St, Ely, MN 55731

Office: 218-365-3224 Ext 3

031

Mobile: 218-504-9130

[pzadmin@ely.mn.us](mailto:pzadmin@ely.mn.us)

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**Bruce Wheelright** <bonesusmvmc@yahoo.com> Mon, Aug 18, 2025 at 8:26 AM  
 Reply-To: Bruce Wheelright <bonesusmvmc@yahoo.com>  
 To: pzadmin@ely.mn.us

It would be for ads that would stay on the fence. Instead of banners, it would be metal signs.

[Yahoo Mail: Search, Organize, Conquer](#)

[Quoted text hidden]

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**Planning and Zoning** <pzadmin@ely.mn.us> Mon, Aug 18, 2025 at 8:58 AM  
 To: Bruce Wheelright <bonesusmvmc@yahoo.com>

What's the size on the signs? Is this for people who donated money for sections of the fence?

## Scott Kochendorfer

**Planning & Zoning Administrator |City of Ely**

209 E Chapman St, Ely, MN 55731

Office: 218-365-3224 Ext 3

Mobile: 218-504-9130

[pzadmin@ely.mn.us](mailto:pzadmin@ely.mn.us)

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**Bruce Wheelright** <bonesusmvmc@yahoo.com> Mon, Aug 18, 2025 at 10:54 AM

032

Reply-To: Bruce Wheelright <bonesusmvmc@yahoo.com>  
To: pzadmin@ely.mn.us

We will get copy of what we want to submit for the signs of the actual size. It's for people and businesses and option for a section of fence. I will get more details and templates

Yahoo Mail: Search, Organize, Conquer

On Mon, Aug 18, 2025 at 8:58, Planning and Zoning <pzadmin@ely.mn.us> wrote:

[Quoted text hidden]

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**Planning and Zoning** <pzadmin@ely.mn.us> Mon, Aug 18, 2025 at 11:13 AM  
To: Bruce Wheelright <bonesusmvmc@yahoo.com>

Perfect, thanks Bruce.

## Scott Kochendorfer

### Planning & Zoning Administrator | City of Ely

209 E Chapman St, Ely, MN 55731

Office: 218-365-3224 Ext 3

Mobile: 218-504-9130

[pzadmin@ely.mn.us](mailto:pzadmin@ely.mn.us)

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**Bruce Wheelright** <bonesusmvmc@yahoo.com>

Tue, Aug 19, 2025 at 2:49 PM

Reply-To: Bruce Wheelright <bonesusmvmc@yahoo.com>  
To: pzadmin@ely.mn.us

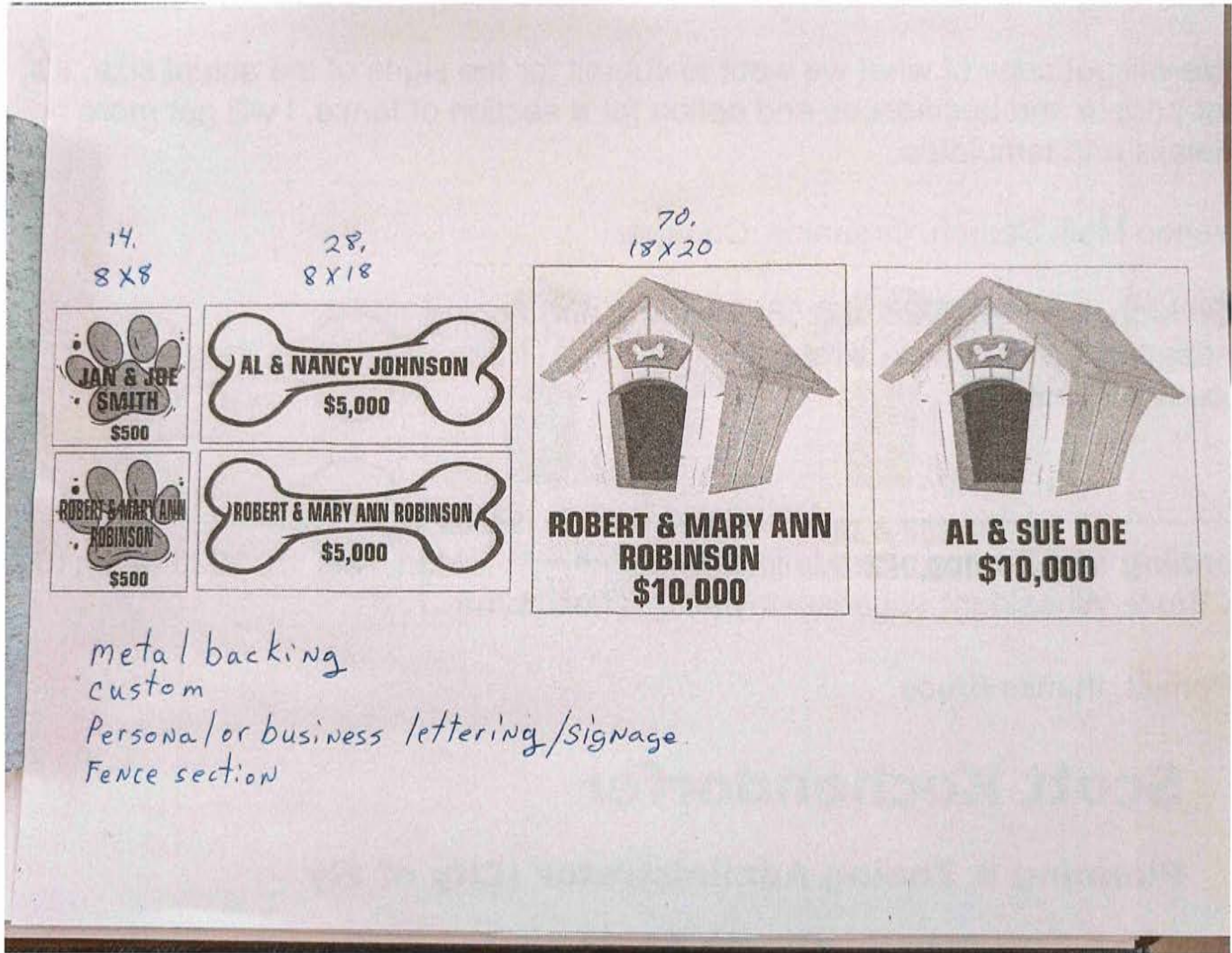
Hi Scott,

Here's a black n white of what we are going to get for personal and business. The fence section can also be personal or business, as long as it is

033

tasteful and no wear.

Bruce



Yahoo Mail: Search, Organize, Conquer

On Mon, Aug 18, 2025 at 11:14, Planning and Zoning

<pzadmin@ely.mn.us> wrote:

[Quoted text hidden]

Planning and Zoning <pzadmin@ely.mn.us>

Wed, Aug 20, 2025 at 6:13 AM

To: Bruce Wheelright <bonesusmvmc@yahoo.com>

I dont see any major issues with either of these, but I will run them by both planning and zoning and park and rec. What is your timeline on these?

034

# Scott Kochendorfer

**Planning & Zoning Administrator |City of Ely**

209 E Chapman St, Ely, MN 55731

Office: 218-365-3224 Ext 3

Mobile: 218-504-9130

[pzadmin@ely.mn.us](mailto:pzadmin@ely.mn.us)

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**Bruce Wheelright** <bonesusmvmc@yahoo.com> Wed, Aug 20, 2025 at 6:37 AM  
Reply-To: Bruce Wheelright <bonesusmvmc@yahoo.com>  
To: pzadmin@ely.mn.us

Yesterday! Lol

[Yahoo Mail: Search, Organize, Conquer](#)

On Wed, Aug 20, 2025 at 6:13, Planning and Zoning  
<pzadmin@ely.mn.us> wrote:

[Quoted text hidden]

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**Planning and Zoning** <pzadmin@ely.mn.us> Wed, Aug 20, 2025 at 7:20 AM  
To: Bruce Wheelright <bonesusmvmc@yahoo.com>

Ha! I'll see what I can do here. It may end up with the final vote at council but we'll get there!

# Scott Kochendorfer

**Planning & Zoning Administrator |City of Ely**

209 E Chapman St, Ely, MN 55731

Office: 218-365-3224 Ext 3

035

Mobile: 218-504-9130

[pzadmin@ely.mn.us](mailto:pzadmin@ely.mn.us)

[Quoted text hidden]

**Bruce Wheelright** <bonesusmvmc@yahoo.com>

Wed, Aug 20, 2025 at 8:43 AM

Reply-To: Bruce Wheelright <bonesusmvmc@yahoo.com>

To: pzadmin@ely.mn.us

Thanks Scott, Craig and I are very happy with the way it's coming along. We get some volunteers to help. The fencing behind the home plate is our next project, the biggest hole. The people are appreciative of the park! I believe for the most part people are keeping the dogs off the other fields. I still notice dogs in Whiteside Park inspite of the signs. Ongoing!

I know the process and it has been long, yet very educational and everyone very supportive.

Thank You!

Bruce

Yahoo Mail: Search, Organize, Conquer

On Wed, Aug 20, 2025 at 7:21, Planning and Zoning

<[pzadmin@ely.mn.us](mailto:pzadmin@ely.mn.us)> wrote:

[Quoted text hidden]

**Planning and Zoning** <pzadmin@ely.mn.us>

Wed, Aug 20, 2025 at 9:59 AM

To: Bruce Wheelright <bonesusmvmc@yahoo.com>

All good things to hear Bruce. Like I told Craig, I think the faster you can get it to become a dog park, the better success you will have raising more funds for improvements.

**Scott Kochendorfer**

**Planning & Zoning Administrator |City of Ely**

036

ORDINANCE NO. 296, 2<sup>nd</sup> SERIES

AN ORDINANCE OF THE CITY OF ELY, MINNESOTA,  
AMENDING THE ELY CITY CODE, CHAPTER 11, SECTION 11.01 RELATED  
TO LAND USE REGULATION (ZONING) AND ADDING SECTION 11.04  
RELATED TO FENCES

THE COUNCIL OF THE CITY OF ELY DOES HEREBY ORDAIN:

SECTION 1. Chapter 11 of the Ely City Code is amended to read as follows:

SECTION 11.04. FENCES

**Subd. 1. Definitions.** For the purposes of this section, the following terms are defined as follows:

- A. Berm:** An earthen mound designed to provide visual interest on a site, to screen undesirable views, or to reduce noise.
- B. Fence:** A structural enclosure or barrier used as a visual boundary, means of protection /privacy, or concealment.
- C. Boundary Fence:** A fence specifically located on or within the property line specific to visually defining the property line.
- C. Screen:** A method of visually shielding or obscuring one abutting or nearby structure or use from another by fencing, walls, berms, or densely planted vegetation.
- D. Snow Fence:** Temporary fencing used to prevent snow from drifting onto walks, driveways or roads.
- E. Safety Fence:** A barrier which prevents passage into a dangerous area, commonly used within construction areas.

**Subd. 2. General Regulations.** All fences in all zoning districts are subject to the following requirements:

- A. Permit required.** No person, firm or corporation, shall hereafter construct or cause to be constructed or erected any fence, wall or similar without first obtaining a permit from the City of Ely.
- B. Locations.** All boundary, concealment, and privacy fences, berms, screens or walls shall be located entirely upon the private property of the persons, firm or corporation placing, constructing or causing the construction of the fence, berm or screen, unless the owner of the property adjoining agrees in writing that the fence, berm

or screen may be erected or placed on the division line of the respective properties. The Zoning Administrator may require the property owner desiring to erect or place a fence, **berm, screen or wall** is required to establish the boundary lines of his or her property by a survey thereof to be made by any registered land surveyor.

**C.** The side of a fence without primary structural supports shall be considered the finished side and must face outward from the property on which it is constructed towards the adjacent property. If a fence has two (2) similarly finished sides either side may face the adjacent property.

**D.** Any fence, berm, or screen maintained within a Corner Triangle shall have a maximum height of 36 inches and support post height of 42 inches. A "Corner Triangle" is defined as the triangle formed by the intersection of the front and side lot lines forming the corner of the lot adjacent to the intersection of two or more public right-of-ways. The dimensions of the Corner Triangle are determined from the point of intersection of the front and side lot lines forming the Corner Triangle by three legs measuring (1) 15 feet along the front lot line from the point of intersection, (2) 15 feet along the side lot line from the point of intersection, and (3) the third leg as the line connection the end points of legs one and two. Where there is no sidewalk at the corner, the lot lines are determined by measuring from the center line of the adjacent public right-of-way one-half the distance of the right-of-way as depicted on the official plat map to the lot line.

**E.** If the property of the person, firm or corporation placing, constructing or causing the construction of a fence, berm or screen borders a sidewalk, it is required to maintain a setback of 18 inches from the **property line**. Any fence constructed adjacent to street or avenue right of ways shall maintain a setback of 18 inches from the right of way.

**F.** Barbed wire fences are prohibited in all zoning districts except P1, P2, and M. Electric fences are prohibited.

**G.** Any fences may not exceed six feet in height, as measured from the ground to the top of the fence with exceptions of a two-inch ground clearance and posts not higher than six feet six inches. Fences on any street or avenue may not exceed four feet, structural supports may be four feet six inches in height, as measured from the ground to the top of the fence. **Exceptions: Fences may be built up to 6 feet in height on streets or avenues, so long as the fence is not considered to be in the "front yard" as defined by city code, and the fence does not extend past the front most corner of the house/primary structure.**

**Fences located in C1, C2 and M Zoning may erect up to a ten-foot-high fence, only with the approval of the Zoning Administrator, and must submit a building permit for fences exceeding 7 feet, per the international building code.**

**H.** Fences shall be maintained and kept in good repair by property owners. Any hazardous fence or fence in a state of disrepair shall be repaired or removed by the property owner within thirty (30) days of notice by the City of Ely. If a property owner fails to comply with such notice, the City of Ely may remove the fence and assess the property owner the cost of such removal in addition to all other applicable penalties under City Code.

**I.** Permitted fence materials. Permitted fence materials shall be limited to brick, stone, wood planks, split rail, wrought iron, or chain link, vinyl, or composite material. Materials commonly used for temporary snow or safety fencing shall not be permitted material for a permanent fence.

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**Subd. 3. Exceptions.** Any deviation from this Section shall require a variance in accordance with Section 11.43A of this chapter except the following:

**A.** Tennis Courts, Basketball Courts, Athletic Fields and Playgrounds in all zoning districts may have a single perimeter fence no higher than ten (10) feet.

**B.** Fences bordering highways or properties with a P1, P2, and M zoning classification may erect a fence, berm, or screen in excess of three feet in height provided it complies with Subdivision 2 of this ordinance.

**C.** Snow fencing shall be temporary in nature and may only be issued upon the approval of a permit. Snow fencing shall not be erected prior to October 15<sup>th</sup> of each year and shall be removed no later than May 30<sup>th</sup> of each year. Snow fences must comply with all regulations set forth by this chapter.

**D.** Safety fencing may be erected temporarily, without a permit, only after a building permit has been issued by the building official.

**SECTION 2. Effective Date:** Pursuant to Section 3.08 of the Charter of the City of Ely, Minnesota, the adoption of this Ordinance is effective immediately after final adoption and publication.

First Reading: December 16, 2014

Second Reading: February 3, 2015

Adopted this 3<sup>rd</sup> day of February, 2015.

Mayor

Clerk-Treasurer

Publication Dates: December 19, 2014 and February 7, 2015

Newspaper: Ely Timberjay and Ely Echo

Suggested Edits

**§ 11.01**

Subd. 28. "Structure" - Anything constructed or erected with a fixed location on the ground, or attached to something having a fixed location on the ground. Among other things, structures include buildings, mobile homes, walls, fences, billboards and poster panels.

Subd. 29. "Variance" - 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 undue hardship because of irregular lot size, topographic or other characteristics of any land. No variance shall have the effect of allowing in any district uses prohibited in that district.

Subd. 30. "Yard" - A required open space unoccupied and unobstructed by any structure or portion of a structure from 30 inches above the general ground level of the graded lot upward; provided, however, that fences and walls may be permitted in any yard subject to height limitations as indicated herein.

Subd. 31. "Yard, Front" - A yard extending between side lot lines across the front of a lot. In any required front yard, no fence or wall shall be permitted which materially impedes vision across such yard above the height of 30 inches and no hedge or other vegetation shall be permitted which materially impedes vision across such yard between the height of 30 inches and ten feet

Subd. 32. "Yard, Side" - A yard extending from the rear line of the required front yard to the rear lot line.

Subd. 33. "Yard, Rear" - A yard extending across the rear of the lot between inner side yard lines.