

**Board of Adjustment Public Hearing  
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: Prioreshi, 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**