
Board of zoning appeals

The St. Louis Park board of zoning appeals meeting is in person at St. Louis Park City Hall, 5005 Minnetonka Blvd. Members of the public can attend the meeting in person. Visit bit.ly/slppcagendas to view the agenda and reports.

You can provide comment on board of zoning appeals agenda items in person at the meeting or by emailing your comments to info@stlouispark.org by noon the day of the meeting. Comments must be related to an item on the meeting agenda. Public comments will not be accepted during the planning commission study session.

Agenda

Board of zoning appeals

1. Call to order – roll call
2. Approval of minutes – March 19, 2025
3. Hearing
 - 3a. Application for sign variance at 9445 Minnetonka Blvd.
Applicant: Brad Middendorf
Case No: 25-02-VAR
4. Other business – none
5. Communications
6. Adjournment

Future scheduled meeting/event dates:

August 20, 2025 - planning commission regular meeting/study session
September 3, 2025 - planning commission study session
September 17, 2025 - planning commission regular meeting
October 8, 2025 – planning commission study session

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UNOFFICIAL MINUTES

Board of zoning appeals

Members present: Mia Divecha, Matt Eckholm, Tom Weber, Sylvie Hyman, Jan Youngquist, John Flanagan, Estella Hughes (youth member)

Staff present: Sean Walther, Marcus Hansen

Guests: Tom Schoenberger, Alex Schoenberger

1. Call to order- roll call

Chair Divecha called the meeting to order and roll call was taken.

2. Approval of minutes - December 18, 2024

It was moved by Jim Beneke, seconded by Tom Weber, to approve the Dec. 18, 2024 minutes as presented.

The motion passed unanimously.

3. Hearings

3a. Application for variance at 8016 Minnetonka Blvd
Applicant: Tom Schoenberger
Case No: 24-28-VAR

Mr. Hansen presented the report.

Chair Divecha opened the public hearing.

Tom Schoenberger, owner of westside market 8016 Minnetonka Blvd., the applicant, thanked BOZA and city staff their time and pleasant interactions. He stated he believed the remodel was necessary to be a competitive business in the area and that the additional seating was intended to enhance the community. He stated that the market has been doing well and anticipate the changes should help continue to grow their business.

Commissioner Weber stated he believed the additional seating was a smart and more efficient use of the space at Westside Market.

Chair Divecha said her family has gone and not had anywhere to sit, which is difficult for any family with younger children, so the addition of seating will be very beneficial.

Commissioner Hyman said the seating would be great for bicyclist like herself to be able to stop and enjoy a quick meal and get out of the weather.

Mr. Schoenberger thanked the commissioners for their support and stated he had heard that feedback before and is part of why they are applying for the variance to add seating.

Commissioner Hyman asked if Mr. Schoenberger was aware of Hennepin County's planned road construction on Minnetonka Blvd.

Mr. Schoenberger replied that the business is very aware and supports the project but are obviously afraid the fiscal impacts it could have on the business.

Commissioner Hyman discussed the design of the middle portion of the parking lot and how it results in some odd movements and can create a confusing space for cars, bikes and pedestrians.

Mr. Schoenberger replied that portions of the parking lot can be a bit difficult to navigate but that it was overall designed pretty well for traffic flow and that the increased cars resulting from the restaurant seating should not make a large difference. Commissioner Youngquist stated that she prioritizes choosing to support small businesses over parking any day.

Commissioner Hyman stated she supported the application and wished the city didn't require parking and having to go through a variance process.

It was moved by Tom Weber, seconded by John Flanagan to approve the resolution as recommended by staff to grant an amended parking variance for 8016 Minnetonka Blvd. The motion passed unanimously.

4. Other business – none

5. Communications

- a. Mr. Walther stated the city is now accepting applications for boards and commissions members through March 31, 2025.
 - i. Commissioner Youngquist announced her decision to not re-apply.
 - ii. Commissioner Hughes announced she is going to college and will vacate her youth member seat at the end of her term.
- b. Mr. Walther stated that Vision 4.0 facilitator training for community conversations scheduled for May 1 and May 8. There will be two in-person opportunities and on virtual. Commissioner Hyman shared she had communication issues with her appointment to the Vision ambassador cohort.
- c. Chair Divecha discussed the cancelation of the upcoming April 2, due to interference with St. Louis Park public school spring break.

6. Adjournment - 6:22 p.m.

3a Request for variance to exceed the maximum sign area allowed at 9445 Minnetonka Blvd.

Location: 9445 Minnetonka Boulevard

Case Number: 25-02-VAR

Applicant: Brad Middendorf

Owner: Waldorf Properties LLC

Review Deadline: 60 days: August 22, 2025 120 days: October 21, 2025

Recommended motions: Chair to open the public hearing, take testimony and close the hearing.
Motion to adopt resolution approving variance to section 36-362(f)(19) to allow 70 square feet of sign face area instead of the two square feet allowed by code in the Neighborhood-2 district at 9445 Minnetonka Boulevard as recommended by staff.

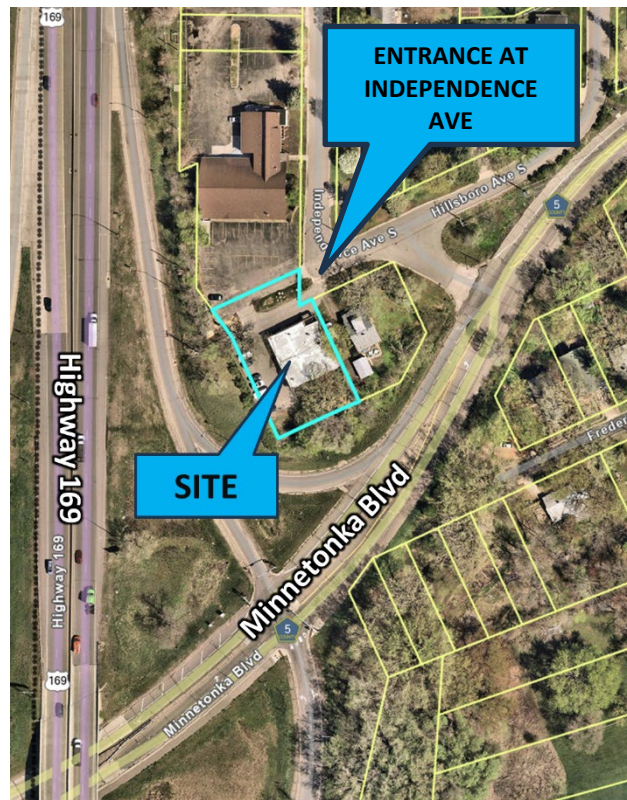
Request: Applicant is requesting a wall sign that is approximately 54 square feet in sign face area. This sign is in addition to an existing 16 square foot free-standing sign located at the parking lot entrance on Independence Ave S for a total of 70 square feet of sign face area.

Site information:

Zoning: N-2 Neighborhood District
Site area: 15,849 square feet

Adjacent land uses:

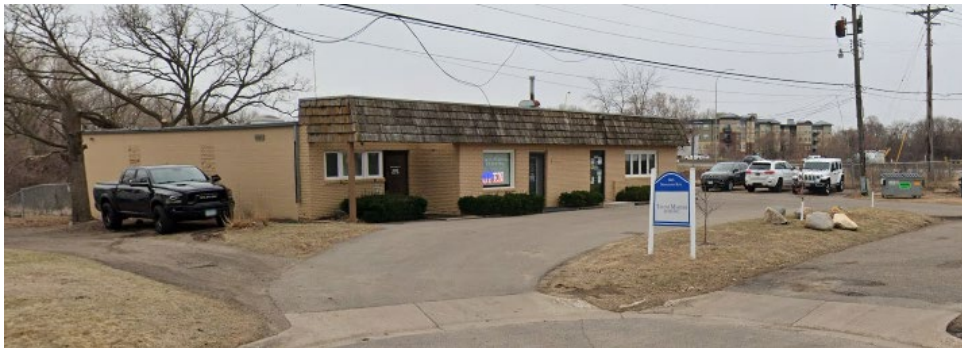
North: Church
East: Residential Property
South: Minnetonka Blvd
West: Highway 169



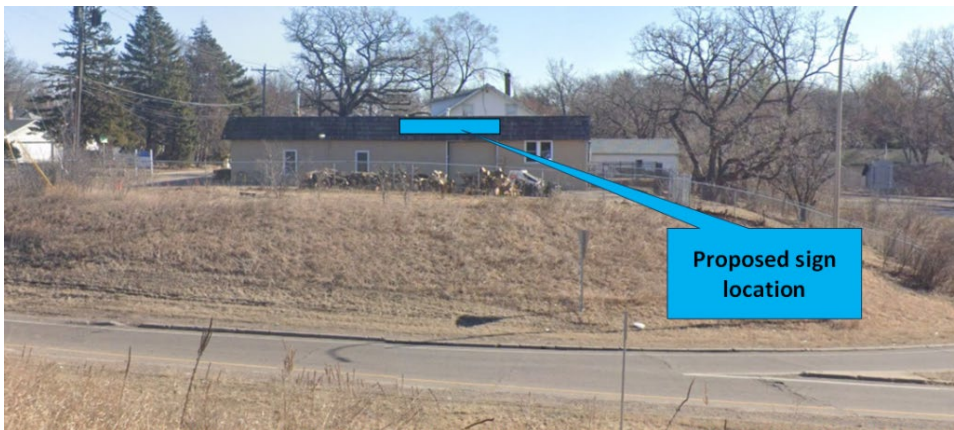
Background. The subject property is a one-story, 3700 square foot building built in 1946 as an auto repair shop. The property was rezoned to R-1 single-family residence after the building was constructed, and before 1949. As a result of the zoning change, the business use of the property became legally non-conforming. In 1988, the city council approved a building permit allowing the entire building to be used as an office use. As a result of this decision, the property remains legally non-conforming, but the entire building can be occupied with an office use.

The current owner purchased the building in 2023 and is occupying it as an employment agency, which is consistent with the office land use allowed to occupy the building under the legally non-conforming regulations.

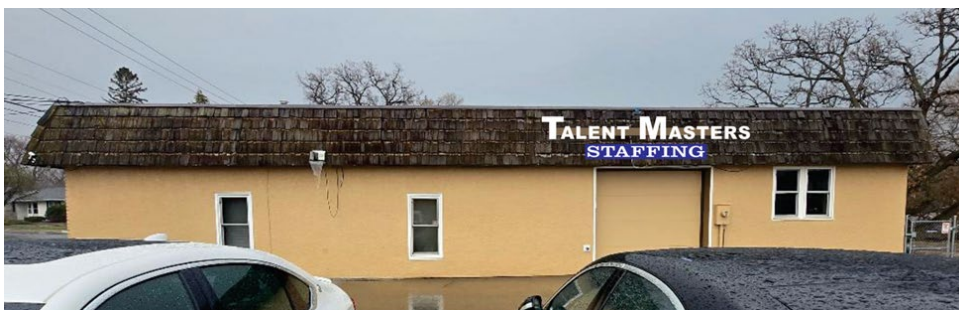
Site. The subject property is situated at the corner of Minnetonka Blvd and Highway 169. The entrance to the property is on Independence Ave S.



View of the entrance to the property on Independence Ave S.

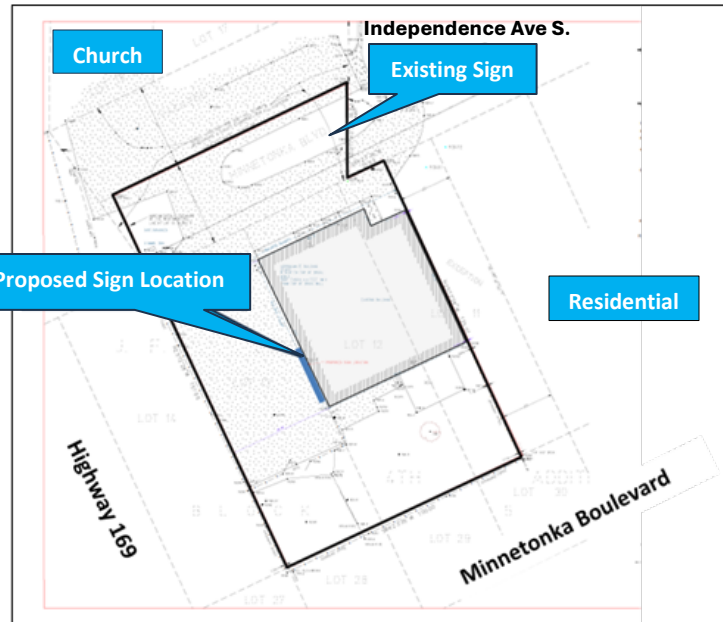


View of property from Highway 169.



View showing proposed sign.

Analysis: The applicant intends to add a 54 square foot wall sign to the west side of the property that faces Highway 169 shown on the image to the right. This is in addition to an existing 16 square foot free-standing sign located at the parking lot entrance on Independence Ave S.



Code requirement: City code section 36-362(f)(19) is the section of code that establishes sign area and height. It reads as follows:

The allowable sign area and height are established by table 36-362A in this subsection (f)(20) and adjustments to table 36-362A in subsection (g) of this section according to the parcel size or PUD site size and use district in which the sign is located.

The portion of table 36-362A pertaining to the Neighborhood-2 district is highlighted in the table below. It indicates that the property is allowed up to two square feet of signage. A permit was previously issued for the existing 16 square foot free-standing sign, so it is legally non-conforming. Granting the variance to allow 70 square feet of sign face area would make the existing sign and the proposed sign legal. They would not be considered legally non-conforming. They would, however, be allowed only as defined in the proposed resolution of approval. This being a 54 square foot wall sign facing Highway 169, and a 16 square foot, unlit, free-standing sign at the parking lot entrance.

Use District & Lot Size (sq ft)	Maximum Sign Height (feet)	PERMANENT SIGNAGE		TEMPORARY SIGNAGE	REAL ESTATE SIGNAGE
		Maximum Total Area (sq ft)	Maximum Size of Sign Face (sq ft)	Maximum Total Area (sq ft)	Maximum Total Area (sq ft)
N-1	6	2	2	6	6
N-2	6	2	2	6	6
N-3					
0-30,000	10	40	40	25	80
Over 30,000	10	60	60	25	80
N-4					
0 - 30,000	15	60	40	25	80
Over 30,000	15	100	60	25	80
C-1					
0 -10,000	25	100	75	80	80
10,000 - 20,000	25	150	100	80	80
Over 20,000	25	200	150	80	80

Variance analysis: The applicant proposes the following:

1. The addition of a 54 square foot sign on the southwest side of the subject property, facing Highway 169 for a total of 70 square feet of sign face area instead of the two square feet allowed by code.

The applicant submitted a letter explaining their request for the variance. The letter is attached to this report.

Findings: As required by city code, the board of zoning appeals (BOZA) considers the following criteria prior to ruling on a variance. City staff provided an analysis of each point below.

- 1. The effect of the proposed variance upon the health, safety, and welfare of the community.** While the sign is visible from traffic on Highway 169, it is not visible from the adjacent residential properties. Therefore, it does not have an effect on the health, safety, and welfare of the community.

Staff finds this criterion has been met.

- 2. Whether or not the request is in harmony with the general purposes and intent of the zoning ordinance.** The property is a legally non-conforming commercial use in a Neighborhood-2 district. As stated above, in 1988, the city council approved the entire building to be used as a legally non-conforming office use. Therefore, the existing office use is allowed at the property. An office use of this size, and located adjacent to residential uses is typical of a neighborhood commercial node, such as others located along Minnetonka Blvd. These nodes are typically zoned C-1 neighborhood commercial. For signage purposes, if we were to compare this property to similar C-1 neighborhood commercial zoned properties adjacent to residential properties, they would be allowed up to 100 square feet of sign face area. The applicant is requesting a total of 70 square feet of sign face area, which is less than what would be allowed for similarly sized properties zoned C-1 neighborhood commercial. Therefore, staff determines that the request is in harmony with the general purposes and intent of the zoning ordinance.

Staff finds this criterion has been met.

- 3. Whether or not the request is consistent with the comprehensive plan.** While the comprehensive plan designates this property as low-density residential, the office use is legally non-conforming and is allowed to operate. The request for a sign facing Highway 169 is not inconsistent with the comprehensive plan.

Staff finds this criterion has been met.

4. Whether or not the applicant establishes that there are practical difficulties in complying with the zoning ordinance. Practical difficulty means:

- a. *The proposed use is permitted in the zoning district in which the land is located. A variance can be requested for dimensional items required in the zoning ordinance, including but not limited to setbacks and height limitations.* The office use is allowed as a legally non-conforming use. The variance request is for additional signage, which is a dimensional code requirement.

Staff finds this criterion has been met.

- b. *The plight of the landowner is due to circumstances unique to the property and not created by the landowner.* The commercial building was constructed in 1946, and the lot was rezoned R-1 single-family residence around 1949 (rezoned to Neighborhood-2 in 2025). The use operating on the property has been legally non-conforming since 1949. The unique circumstances of the property were not created by the landowner.

Staff finds this criterion has been met.

- c. *The variance, if granted, will not alter the essential character of the locality.* The proposed sign faces Highway 169 and will not be visible from the adjacent residential properties.

Staff finds this criterion has been met.

- d. *Economic considerations alone do not constitute practical difficulties.* The primary purpose of the sign is for wayfinding. This criterion is not applicable.

- e. *Practical difficulties include inadequate access to direct sunlight for solar energy systems.* This criterion is not applicable.

5. Whether or not there are circumstances unique to the shape, topography, water conditions, or other physical conditions of the property. The property is adjacent to Highway 169 and the entrance is on Independence Avenue S. While there are no wetlands, flood plains or other physical conditions that restrict reasonable use of the property, the property was constructed as a commercial use in 1946, and has been a legally non-conforming use since 1949.

Staff finds this criterion has been met.

6. Whether or not the granting of the variance is necessary for the preservation and enjoyment of a substantial property right. While the business is legally non-conforming, it has been operating with various business uses since the building was constructed in 1946. It is typical for businesses to utilize wall signs to identify their location, especially on building walls facing highways such as Highway 169, which is adjacent to this property.

Staff finds this criterion has been met.

- 7. Whether or not the granting of the variance will impair light and air to the surrounding properties, unreasonably increase congestion, increase the danger of fire, or endanger public safety.** The proposed location of the sign will not impair light and air on the surrounding properties as it is a wall sign attached to the side of the building facing Highway 169.

Staff finds this criterion has been met.

- 8. Whether or not the granting of the variance will merely serve as a convenience or is it necessary to alleviate a practical difficulty.** The property has been operating as a legally non-conforming commercial use since 1949. The legally non-conforming status results in the commercial use only able to utilize two square feet of sign face area. Two square feet of sign face area is typical of a residential property improved with a single-unit home. It is difficult for a business to identify its location with only two square feet of signage. Therefore, the request for 70 square feet of sign face area is necessary to alleviate a practical difficulty.

Staff finds this criterion has been met.

Recommendation: Staff recommends BOZA adopt the attached resolution to approve a variance to section 36-362(f)(19) to allow up to 70 square feet of sign face area for the property located at 9445 Minnetonka Boulevard with the conditions recommended by staff.

Supporting documents: Draft Resolution, letter from applicant, and exhibits

Prepared by: Livia Klechefski, community development intern

Reviewed by: Gary Morrison, zoning administrator

DRAFT BOZA Resolution No. _____

**Resolution approving a variance to allow 70 square feet of sign face area
for property located at 9445 Minnetonka Boulevard.**

Whereas, on June 23, 2025, the applicant, Brad Middendorf, submitted a complete application for a variance from the requirements of the Zoning Ordinance Section 36-362(f)(19) to allow up to 70 square feet of sign face area for his property located at 9445 Minnetonka Blvd within the Neighborhood-2 District.

Whereas, the property is located at 9445 Minnetonka Boulevard and described below as follows:

Lots 12 and 13; and

Lot 11 except the East 20 feet as measured along the North and South lines thereof; and

That part of the adjoining Southeast half of vacated Minnetonka Boulevard dedicated in said plat and lying West of the Southerly extension of the East line of Block 4 and East of the Northwesterly extension of the Southwesterly line of Lot 13,

All in Block 5, J.F. Lyons 4th Addition, Hennepin County, Minnesota.

Torrens Property
Certificate of Title No. 1383150

Whereas, the property has an existing legally non-conforming free-standing sign located at the parking lot entrance at Independence Ave S which has a sign face area of 16 square feet.

Whereas the applicant is requesting a 54 square foot wall sign to be located on the west side of the building, which faces Highway 169.

Whereas, the property is zoned Neighborhood-2.

Whereas, the city code section 36-362(f)(19) allows up to two square feet of sign face area for the subject property.

Whereas, there is a legally non-conforming office use operating on the property.

Whereas, the Board of Zoning Appeals held a public hearing and reviewed the application for variance Case No. 25-02-VAR on August 6, 2025.

Whereas, based on the testimony, evidence presented, and files and records, the Board of Zoning Appeals has determined that the requested variance does meet the requirements of

Section 36-34 of the zoning ordinance necessary to be met for the Board of Zoning Appeals to grant variances, and makes the following findings:

- a. The proposed wall sign faces Highway 169 and is not visible from the adjacent residential properties. Therefore, the proposed sign does not impact the health, safety, and welfare of the community.
- b. A commercial use has been operating on the property since 1946, and the requested 70 square feet of sign face area is typical of a business operating on a property zoned C-1 neighborhood commercial.
- c. The variance is necessary to alleviate the practical difficulty that the code allows only two square feet for a legally non-conforming commercial use that was established in 1946.
- d. The circumstances necessitating the variance request were not created by the land owner.

Whereas, The contents of the Board of Zoning Appeals Case File 25-02-VAR are hereby entered into and made part of the public hearing record and the record of decision for this case.

Now therefore be it resolved by the Board of Zoning Appeals of St. Louis Park, Minnesota, that the requested variance to section 36-362(f)(19) to allow 70 square feet of sign face area is hereby approved with the following conditions:

1. The wall sign must be located on the west building elevation, and cannot exceed 54 square feet in sign face area.
2. In addition to the wall sign, a one-sided, unlit, free-standing sign no larger than 16 square feet is allowed at the parking lot entrance on Independence Ave S.
3. The free-standing sign cannot exceed six feet in height.
4. Assent form and official exhibits must be signed by the applicant (or applicant and owner if applicant is different from owner) prior to issuance of a building permit.
5. In addition to other remedies, the developer or owner shall pay an administrative fee of \$750 per violation of any condition of this approval.

Adopted by the Board of Zoning Appeals: August 6, 2025
Effective date: August 18, 2025

Mia Divecha, Chair

ATTEST:

Gary Morrison, Zoning Administrator

Dear Planning Board of St. Louis Park,

I am submitting this letter in support of my request for a variance to allow a sign larger than the maximum size permitted by the City's sign ordinance at 9445 Minnetonka Blvd St. Louia Park, MN 55426. Below, I address each of the city's variance criteria as it relates to this request:

1. Unique physical conditions or location justify the request.

The property is uniquely situated on a corner lot on Minnetonka Blvd. It was visible from Hwy 169 but it is set back off the Hwy, which limits the visibility of standard-size signage. The increased size is necessary to ensure that the sign is legible and effective from the street, especially for drivers traveling at 60 mph.

2. The variance is necessary for reasonable use of the property.

The visibility of our sign directly impacts the viability of our business, especially in attracting new customers. Without adequate signage, the property's commercial use is significantly limited, putting us at a competitive disadvantage. The proposed sign is essential for reasonable and effective business operations.

3. The larger sign will not alter the character of the neighborhood.

The proposed sign has been designed to align with the surrounding area's aesthetics. It will be professionally constructed, well-maintained, and appropriately scaled to the building and the lot. It will not introduce visual clutter or negatively affect nearby properties or businesses.

4. The hardship is not self-created.

The need for a larger sign result from existing site conditions and roadway characteristics, not from any action taken by the business or property owner. We are simply responding to external limitations that reduce the effectiveness of a code-compliant sign.

5. The variance is the minimum necessary.

We are only requesting an increase to the minimum size necessary to make the sign visible and legible from a safe distance. The design has been scaled with restraint and consideration to ensure it does not exceed what is reasonably required.

6. The sign will not harm public health, safety, or welfare.

The proposed signage will not obstruct views, distract drivers, or otherwise pose any risk to public safety. On the contrary, improved visibility may help reduce abrupt stops or unsafe last-minute turns by making the location easier to identify in advance.

For these reasons, I respectfully request approval of this variance. I am committed to maintaining the quality and appearance of the sign in accordance with city standards and ensuring it contributes positively to the surrounding area.

Thank you for your time and consideration.

Sincerely,
Brad Middendorf
Talent Masters Staffing
9445 Minnetonka Blvd,

St. Louis Park MN 55426
612-267-3486
brad.middendorf@gmail.com

LED LIGHTED CHANNEL LETTER SIGN

16 FT.

24 IN.

TALENT MASTERS

12 IN.

STAFFING

PROPOSED



EXISTING



