

Board of zoning appeals

Members present: Jim Beneke, Mia Divecha, Sylvie Hyman, Sarah Strain, Tom Weber, John Flanagan, Estella Hughes (youth member)

Members absent: Matt Eckholm

Staff present: Gary Morrison, Livia Klechefski, Intern

Guests: none

1. Call to order – roll call
2. Approval of minutes – March 19, 2025 - The minutes were approved unanimously.
3. Hearings
 - 3a. Application for sign variance at 9445 Minnetonka Blvd.
Applicant: Brad Middendorf
Case No: 25-02-VAR

Ms. Klechefski presented the application. She noted the applicant is requesting a wall sign that is approximately 54 square feet in the 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 Avenue for a total of 70 square feet of sign face area.

Commissioner Hyman asked about wildlife and light pollution concerns expressed by a resident and related to the property and the adjacent watershed area.

Mr. Morrison stated staff reviewed these concerns and noted the wall sign is only visible to Hwy. 169, and not from the creek or the adjacent residences. He added that the wall sign is internally lit and would not be lit from any outside source.

Commissioner Flanagan noted the resident's concerns, but added that given cars are driving constantly, and the sign is adjacent to a highway on-ramp, he sees no concerns and will support the motion.

Commissioner Weber agreed and added that the point about the watershed is moot because it is on the other side of the highway and Minnetonka Blvd from the creek, and any wildlife issue has already been addressed when the interchange was created. He stated he will support the motion as well.

Chair Divecha agreed and added she will vote to approve this also. She asked if there are more legally non-conforming variances that have come up and if that is a risk.

Mr. Morrison stated that staff do not receive many requests for variance pertaining to existing legal non-conforming uses. He stated staff is comfortable with the requested variance as the existing office use is a reasonable use of land as a legally non-conforming use and allowing the variance for the requested sign is reasonable for the existing legally non-conforming business.

Commissioner Strain stated she appreciates that the applicant is requesting a sign that is less than what is allowed in commercial zoning districts, to bridge the gap between non-conforming use and what is legally allowed.

It was moved by Commissioner Weber, seconded by Commissioner Flanagan, to approve the sign variance as recommended by staff at 9445 Minnetonka Blvd. The motion passed unanimously.

4. Other Business - none

5. Communications

Mr. Morrison noted the planning commission's future meeting schedule:

- 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

Mr. Morrison stated that new planning commission officers will be elected at the Aug. 20 meeting.

Chair Divecha thanked youth member Estella Hughes for her time on the commission and wished her luck as she begins college in the fall.

6. Adjournment – 6:32 p.m.

Gary Morrison, liaison

Sarah Strain, chair member