



**DEEPHAVEN PLANNING COMMISSION  
MEETING MINUTES**

**TUESDAY, APRIL 21, 2026**

**CALL TO ORDER:** Chair Mike Petersen called the meeting to order at 7:00 p.m.

**PRESENT:** Commissioners Kjell Nafstad, Preston Ahrens, Kendall Carlson, Patrick Donlin, Jerome D'Alessandro, Dan Goodrich and Chair Mike Petersen

**ABSENT:** None

**OTHERS PRESENT:** Planning Director Pat Smith and City Council Liaison Tom Erdmann

**1. APPROVAL OF MINUTES  
Minutes of March 17, 2026**

Motion by Commissioner Carlson, seconded by Commissioner Donlin, to approve the minutes of December 16, 2026, with the edits presented by staff. Motion carried 7/0.

**2. PUBLIC HEARINGS**

a) Conditional Use Permit for a Wall Sign at 3610 County Road 101

Smith presented the staff report. The applicant is proposing to install a new wall sign above the north entrance. The proposed sign has a dual color perforated film that appears black when unlit, and then when illuminated the white light shows through. Sheri King, Albrecht Sign Company, was present to answer any questions.

Chair Petersen opened the public hearing. No one spoke. Chair Petersen closed the public hearing.

Chair Petersen asked if the proposed new ordinance prohibits internally-illuminated signs. Smith said only in the downtown. Commissioner Goodrich asked what is north of the subject building. Smith stated a single-family residence.

Motion by Commissioner Donlin, seconded by Commissioner Nafstad, to accept the recommendation and findings of staff and recommend the City Council approve a conditional use permit to add a wall sign to the north façade at 3610 County Road 101, as presented. Motion carried 7/0.

b) Lake Yard Variance and Side Yard Variance for a porch at 20060 Minnetonka Boulevard



**DEEPHAVEN PLANNING COMMISSION  
MEETING MINUTES**

**TUESDAY, APRIL 21, 2026**

Smith presented the staff report. The applicant is requesting a lake yard setback variance and a side yard setback variance conjunction with adding a porch to the side and rear of the existing house. According to Hennepin County records, the subject house was constructed in 1965. The house was constructed with a lake yard setback of 50.9 feet making the house a legal non-conforming structure. The applicants are proposing to remove six feet of the driveway (204 SF total), which is not needed and would result in reducing the hardcover from 33.8% to 32.7%.

Chair Petersen asked about the deck in the rear of the house if that is new or has it been there. Smith stated the new deck is replacing an old deck in the same location, and the owners are removing a bedroom under the rear deck. The variance request is for the six-foot cover over the rear patio, the deck would remain non-conforming.

Chair Petersen asked if there was ever a variance for the lean-to. Smith stated no.

Chair Petersen opened the public hearing. No one spoke. Chair Petersen closed the public hearing.

Greg Roane, Barnwood Group, addressed the Planning Commission. He said the lean-to was right up to the property line and the neighbors are thrilled that the lean-to is being removed.

Commissioner Nafstad said it seems like a reasonable request and is a nice improvement. Chair Petersen said the lean-to was in violation of the ordinance and should not be a basis for approving the proposed porch on the side of the house. He would support the porch on the rear of the house. Commissioner Goodrich wished there was more information on the history of the lean-to.

Councilmember Erdmann asked if the combined side yard setbacks is 25 feet for this zoning district. The west side yard setback is 18 feet and the proposed east side yard setback is 5.2 feet, which is 23.2 feet. Smith said the larger setback on the west side could be used as an argument to support the east side yard setback. Commissioner Carlson stated that the unique size and shape of the lot justifies the variance request.

Motion by Commissioner Nafstad, seconded by Commissioner Carlson, to accept the recommendation and findings of staff recommend the City Council approve a variance to encroach 4.8 feet into the minimum required side yard setback and 6 feet into the lake yard setback to construct a covered walkway and porch for the house located at 20060



**DEEPHAVEN PLANNING COMMISSION  
MEETING MINUTES**

**TUESDAY, APRIL 21, 2026**

Minnetonka Boulevard, as proposed. Motion carried 5/2 with Chair Petersen and Commissioner Goodrich voting nay.

- c) Conditional Use Permit to Exceed Hardcover Limit for an Addition at 18745 Rutledge Road

Smith presented the staff report. The house was completed in 2017 with a hardcover of 24.5%. After issuance of the Certificate of Occupancy, the driveway was expanded from 817 SF to 1204 SF and a 768-square-foot patio was added to the rear of the house. The existing hardcover is 33.1%. The applicants are proposing to reduce the patio from 768 SF to 639 SF and add two small additions to the rear of the house 482 SF. The resulting hardcover would increase from 34.8% to 36.6%.

Peter Eskuche, architect, addressed the Planning Commission. He said the City's plan of using the CUP process to mitigate hardcover over 25% is a really good plan. He's proposing to direct more stormwater from the room to the proposed infiltration trench. Anne Tursi, property owner, addressed the Planning Commission. She was not aware that her house was impacting her neighbor's house. So they are proposing all downspouts on the rear of the house to be directed to the infiltration trench. Peter Eskuche said he believes the amount of stormwater runoff to the west will be reduced 10%.

Chair Petersen opened the public hearing. No one spoke. Chair Petersen closed the public hearing.

Commissioner Goodrich asked about the location of the infiltration trench. Smith said the infiltration trench is strategically placed for this lot preventing stormwater from draining to the property to the east. Commissioner Goodrich asked where the stormwater from the roof will go. Peter Eskuche said the rear half of the roof would be directed to the infiltration trench, including the roof area in P1 area.

Councilmember Erdmann asked where the sump-pump is draining to. Peter Eskuche did not know. But he said that he installed a similar draining system at his house and now has no water in his basement. Smith will ask the City Engineer.

As long as the City Engineer approves the new drainage plan, Commissioner believes the plan is great. Commissioner Ahrens appreciated the neighbors working together to resolve any concerns.

Motion by Commissioner Nafstad, seconded by Commissioner Goodrich, to accept the recommendation and findings of staff and recommend the City



**DEEPHAVEN PLANNING COMMISSION  
MEETING MINUTES**

**TUESDAY, APRIL 21, 2026**

Council approve a conditional use permit to increase the hardcover to 36.6% for an addition to the house located at 18745 Rutledge Road, contingent of City Engineering review of the final drainage plans. Motion carried 7/0.

d) Side Yard Setback Variance and Conditional Use Permit to Exceed Hardcover Limit for a New House at 18965 Lake Avenue

Smith presented the staff report. Tim Jones and Angie Hauth are requesting variances to encroach one foot into the west side yard setback and 3.1 feet into the east side yard setback and a Conditional Use Permit to exceed the hardcover limit by 5.1% in conjunction with constructing a new house. The existing house has non-conforming side yard setbacks on both sides of the house. The new house would improve the westerly side yard setback.

The current site has a hardcover of 17.5%. The proposed development would increase the hardcover to 30.1%. The applicants are proposing to mitigate the hardcover over 25% by installing an infiltration trench in the backyard. The infiltration trench is designed to be 4 feet wide x 12 feet long x 3 feet deep. The amount of hardcover that exceeds the 25% limit requires treatment of 42.8 cubic feet. The applicant is providing 43.2 cubic feet of stormwater treatment.

Councilmember Erdmann asked if the driveway could abut the property. Smith stated yes. Commissioner Goodrich asked if the driveway was shared with the neighbor.

Tim Jones and Angie Hauth, property owners, addressed the Planning Commission. He said it is impossible to meet both the minimum building width and the required side yard setbacks without a variance. Mr. Jones said there is a shared driveway easement, six feet on both sides, that he will use to access the garage. Mr. Jones said the easement allows both property owners to improve the driveway as they wish. He plans to paving both portions of the easement.

Councilmember Erdmann asked about the placement of the house. Mr. Jones said placed the house in approximately the same location has the existing house. Councilmember Erdmann suggested if the west side yard setback could be increased to 10 feet would be preferred. Mr. Jones said that would make driving into the garage more challenging.

Chair Petersen ask if the house could be moved farther to the west. Mr. Jones said he plans to use the full access easement.



**DEEPHAVEN PLANNING COMMISSION  
MEETING MINUTES**

**TUESDAY, APRIL 21, 2026**

Chair Petersen opened the public hearing.

Dian Schwarze, owns the property to the east, 18945 Lake Ave, addressed the Planning Commission. She is concerned that the shared driveway will have a negative impact on the value of her property. She is not concerned now about the proposed plans. She appreciates the size of the house is not a mansion.

Gary and Deb Nelson, own the property to the rear of the subject lot, 3830 Talton Place, addressed the Planning Commission. He is concerned about the stormwater drainage from the new house. He is not sure if the infiltration trench will improve the stormwater drainage to his property or not. The Planning Commission suggested the Nelsons contact the City Engineer. Chair Petersen said the stormwater drainage plans will reduce the stormwater runoff onto the Nelson's property.

Chair Petersen closed the public hearing.

Chair Petersen motioned to approve the variance requests with a condition that the applicants consider moving the house to the west. Commissioner Goodrich said he supports the plans as proposed. Commissioner Nafstad said even if the house moved west, the access easement would still be where it is located. Chair Petersen said a typical sedan will be tight to drive into the garage where the house is proposed to be located.

Commissioner Goodrich asked if the infiltration trench could be moved more into P3 to capture more stormwater runoff.

Chair Petersen motioned to approve the side yard setbacks with the condition that the house be moved four feet to the west. Angie Hauth said they are proposing a pedestrian door in that direction. Chair Petersen said the setback should be three feet. No one seconded. Motion failed.

Commissioner Carlson said the Planning Commission seems to support the plans as presented with the caveat that the homeowners consider moving the house to the west.

Councilmember Erdmann said he would recommend the house to be moved back from Lake Avenue to be more in line with the neighboring properties even if that increased hardcover, which can be mitigated.



**DEEPHAVEN PLANNING COMMISSION  
MEETING MINUTES**

**TUESDAY, APRIL 21, 2026**

Mr. Jones said even if the house was moved farther west, they would still be using the same driveway so does not understand how moving the house would eliminate the concern of the neighbor. He is planning nine-foot wide garage doors to make it easier to drive into the garages and the garage doors are two feet into the house, making the distance from the edge of the access easement to the garage doors 22 feet.

Motion by Chair Petersen, seconded by Commissioner Carlson, to accept the recommendation and findings of staff and recommend the City Council approve a variance to encroach 3.1 feet into the east side yard setback, a variance to encroach one foot into the west side yard setback and a Conditional Use Permit to exceed the hardcover limit by 5.1% in conjunction with building a new house at 18965 Lake Avenue, with the strong encouragement of the City Council if the applicants move the house farther west a few feet to provide more room between the new house and the neighbor to the east. Motion carried 7/0.

e) Conditional Use Permit to Exceed Hardcover Limit at 20445 Park Place

Smith presented the staff report. Arien Yineman, Measured Inc., is requesting a Conditional Use Permit to exceed the hardcover limit by 11.5% in conjunction with constructing an addition to the rear of the house. The applicant is proposing to mitigate the additional hardcover by installing a rain garden in the backyard. The effective hardcover is 21.2%. The City Engineer has reviewed and approved the grading and stormwater management plans.

Arien Yineman, Measured Inc, applicant, addressed the Planning Commission. He said they have made substantial improvements since the proposal that the Planning Commission reviewed in January. He stated that the hardcover of both neighbors are greater than the effective hardcover of the proposed addition. Arien Yineman said the addition was moved back 16 feet. The stormwater mitigation is improving the runoff to the property to the east. The drainage to the west does not change. The elevation of the property to the west is higher than the subject lot.

Commissioner Goodrich said this is a significantly improved design. There was significant discussion on how far the proposed addition would project from the rear of the house.



**DEEPHAVEN PLANNING COMMISSION  
MEETING MINUTES**

**TUESDAY, APRIL 21, 2026**

Chair Petersen opened the public hearing.

Mike DeRosier, 20425 Park Place, addressed the Planning Commission. He is concerned about the size of the proposed addition and how far in goes into the rear backyard. The amount of hardcover seems excessive. He acknowledged that he received a CUP to exceed the hardcover limit by 6.8% for a swimming pool.

Chair Petersen closed the public hearing.

Chair Petersen asked if the proposed house and addition meet the maximum building coverage that was recently adopted by the City. Smith stated that the original addition exceeds the maximum building coverage limit, but the revised plans now meet the limits.

Sara Beth-Goldfine, homeowner, addressed the Planning Commission. She said the proposed addition will actually improve privacy for both neighbors. She said they did not complain about the swimming pool for one neighbor or the yurt of the other neighbor.

Commissioner Goodrich asked Mike DeRosier where the stormwater is draining to his property. He said most of the stormwater is coming from the property to his east, but his property is the lowest in the area. Commissioner Goodrich said he believes the proposal would reduce the runoff going onto Mike DeRosier's property.

Sara Beth-Goldfine said they are planning on planting trees to help screen the addition and add privacy. Commissioner Donlin appreciates the idea of planting trees for privacy.

Councilmember Erdmann question if the CUP is a convenience or a necessity.

Motion by Commissioner D'Alessandro, seconded by Chair Petersen, to accept the recommendation and findings of staff and recommend the City Council approve a Conditional Use Permit to exceed the hardcover limit by 9.4% in conjunction with building an addition to the house at 20445 Park Place, as proposed. Motion carried 7/0.

- f) Rezoning to a PUD for a New Building at 19450 Park Avenue



## DEEPHAVEN PLANNING COMMISSION MEETING MINUTES

TUESDAY, APRIL 21, 2026

Smith presented the staff report. The Minnetonka Yacht Club is proposing to build a building for meetings and shelter; however, that type of use is not permitted in the R-3 Zoning District; therefore, the Minnetonka Yacht Club is requesting to rezone the island from R-3 to a Planned Unit Development (PUD).

Since the mid 1950's, Minnetonka Yacht Club has owned Bug Island. Members store sailboats on boat lifts or on land dollies. Minnetonka Yacht Club is proposing to construct a 30' x 16.5' clubhouse and a 700 SF patio on Bug Island. The building and patio would be used for the following purposes:

- Storage for maintenance and safety equipment
- Changing areas and storage for members' gear
- Shelter for sailors during sudden inclement weather
- Pre/post-race gathering spaces for fleet camaraderie and coaching
- Provide an inviting space that enables Social Members a setting to interact with Sailing Members.

Mark Bury, Minnetonka Yacht Club, addressed the Planning Commission. Members are already gathering on Bug Island to discuss sailing strategies, have a beer or grill out.

Tara Engebreston, Minnetonka Yacht Club, addressed the Planning Commission. She stated that the demographics of their members is changing. Most of their members used to live on Lake Minnetonka and would keep their boats at their own docks. Now most members live off the lake and keep their sailboats on Bug Island. Weather patterns have also changed with inclement weather occurring more rapidly and there is no shelter on the island for members.

Councilmember Erdmann asked about restrooms. Tara Engeberston said there would not be any restrooms. People would have to go to Lighthouse Island to go to the restroom. There is no electricity so lighting will be minimal and will be powered by solar.

Chair Petersen opened the public hearing. No one spoke. Chair Petersen closed the public hearing.

Commissioner D'Alessandro asked what would happen if someone is on the island after the permitted hours. Smith stated it would be enforced by complaints. Mark Bury said they typically go on sunset sails and would like the end time to be later than 9:30 pm. Mark Bury suggested having consistent hours with Light House Island.



**DEEPHAVEN PLANNING COMMISSION  
MEETING MINUTES**

**TUESDAY, APRIL 21, 2026**

Chair Petersen suggested 10:00 pm. Tara Engebreston, said they would like a later end time because people are still using the island past 10:00 pm. Commissioner Goodrich asked where the 9:30 pm end time came from. Smith said the Light House and Bug Island are guided limited commercial in the Comprehensive Plan and suggested a 9:30 pm end time to be consistent with commercial businesses in Deephaven. Smith also stated there is no enforcement issue if Bug Island and Light House Island end up having two different end times. They will ultimately be zoned two different PUDs, have different uses (Light House Island hosts weddings and other events), Light House Island has plumbing while Bug Island will not have any restrooms.

Motion by Chair Petersen, seconded by Commissioner Goodrich, to recommend the City Council rezone 19450 Park Avenue from R-2 to PUD-3, changing the hours of operation from 6AM – 9:30PM to 6AM – 10:30PM. Motion carried 7/0.

g) Creating the Public and Institutional Use Zoning Districts

Smith presented the staff report. State law requires the cities' comprehensive plans to be consistent with the zoning ordinance. Minnesota statute 473.858 states, "If the comprehensive municipal plan is in conflict with the zoning ordinance, the zoning ordinance shall be brought into conformance with the plan by local government units in conjunction with the review." There are several properties that are guided public or institutional but zoned differently. Smith compared the proposed development regulations and the existing development of Calvary Church, St. Therese school and the Minnetonka Community Education Center.

Chair Petersen opened the public hearing. No one spoke. Chair Petersen closed the public hearing.

There was quite the discussion on the proposed maximum height of 40 feet. Commissioner Goodrich and Carlson stated they would prefer and maximum height limit of 35 feet. The Planning Commissioner settled on a maximum height limit of 38 feet, 8 feet higher than the maximum height in the commercial zoning districts, but the proposed Public Use Districts have greater building setback requirements.

Motion by Chair Petersen, seconded by Commissioner Goodrich, to recommend the City Council establish new zoning districts for public buildings (P-1) and parks (P-2) with the maximum building height being 38 feet. Motion carried 7/0.



**DEEPHAVEN PLANNING COMMISSION  
MEETING MINUTES**

**TUESDAY, APRIL 21, 2026**

**3. DISCUSSION ITEMS**

None

**4. LIAISON REPORT**

Councilmember Erdmann presented the Liaison Report.

**5. ADJOURNMENT**

Motion by Chair Petersen to adjourn the meeting at 10:31 p.m. Motion seconded by Commissioner Goodrich. Motion carried 7/0.

Respectfully submitted,

Patrick Smith  
Planning Director