

Variance Request from:

Sweet Sounds, Inc
1418 N Riverfront Dr
Mankato, MN 56001

RE: 1420 N Riverfront Dr, Suite 102

Please answer the following questions as they relate to your specific variance request:

- 1) In your opinion, is the variance in harmony with the purposes and intent of the ordinance?
Yes () No () Why or why not?

Yes, this request is in harmony with the purpose and intent of the ordinance. The ordinance is designed to locate adult use business at least 350' away from residentially zoned areas. The adult use business' entrance would be located in excess of 425' from the residentially zoned areas and the corner of the building that will house the adult use business is about 400'. Only a tiny little corner of the property, an area that is only used for piling up snow in the winter impedes on the 350' restriction and then, only by about 5'. Clearly, the intent is to keep residential areas separated from the business, not a property boundary that has nothing to do with the adult use business.

- 2) In your opinion, is the variance consistent with the comprehensive plan?
Yes () No () Why or why not?

Yes, 1420 N Riverfront Dr, Suite 102 is a B2 business district and does not immediately face any residential areas.

- 3) In your opinion, does the proposal put property to use in a reasonable manner?
Yes () No () Why or why not?

Yes, they city code has already determined that the B2 business district is the appropriate destination and location for adult use businesses.

- 4) In your opinion, are there circumstances unique to the property?
Yes () No () Why or why not?

Yes, several. The plat was cut up years before we bought the property. We had no control over how those boundaries we set. In addition, as the plat only has one public road access without the ability to create a second. If had a second access, we would consider simply platting the two section into separate plats which would remove the need for the variance. Unfortunately, this is also out of our control.

- 5) In your opinion, will the variance maintain the essential character of the locality?
Yes () No () Why or why not?

Yes, this is clearly a business district. The property owner and potential tenant both agree the need for a “classy” operation is essential. Seeing as how their current business operates within the city code, we don’t see any reason for that won’t be maintained to the same standards in the city code.

The Planning Commission/City Council must make an affirmative finding on all of the five criteria listed above in order to grant a variance. The applicant for a variance has the burden of proof to show that all of the criteria listed above have been satisfied.