

FINDING OF FACT
SUPPORTING/DENYING A VARIANCE

400 SUPPER CLUB
EXHIBIT A

A variance may be granted only where the strict enforcement of city zoning controls will result in unnecessary hardship. A determination that a "hardship" exists is based upon the consideration of the following criteria as defined in Minnesota Statutes, Section 394.27:

1. Will the issuance of the requested variance maintain the essential character of the locality?
Why or Why not? _____

JB YES TH YES DB YES JT YES SP YES

2. Will the issuance of the requested variance be in keeping with the spirit and intent of the Ordinance and/or the comprehensive plan?
Why or Why not? (Health, Safety & Welfare issues)

JB YES TH YES DB YES JT YES SP YES

3. Are there circumstances created by someone or something other than the property owner that make compliance with the ordinance difficult or not possible?
Why or Why not?

JB YES TH YES DB YES JT YES SP YES

4. The grant of variance will not be detrimental to the public welfare or injurious to other land or improvements in the vicinity in which the parcel of land is located?
Why or Why not?

JB YES TH YES DB YES JT YES SP YES

5. Without a variance, is the owner deprived of a reasonable use of the property as that use relates to the Ordinance? Why or Why not? **Still has reasonable use of the property**

JB YES TH YES DB YES JT YES SP NO

IF ALL OF THE ANSWERS ARE "YES", THE CRITERIA FOR GRANTING THE VARIANCE
HAVE BEEN MET. FINDING OF FACT APPLICATION FORM.FORMS