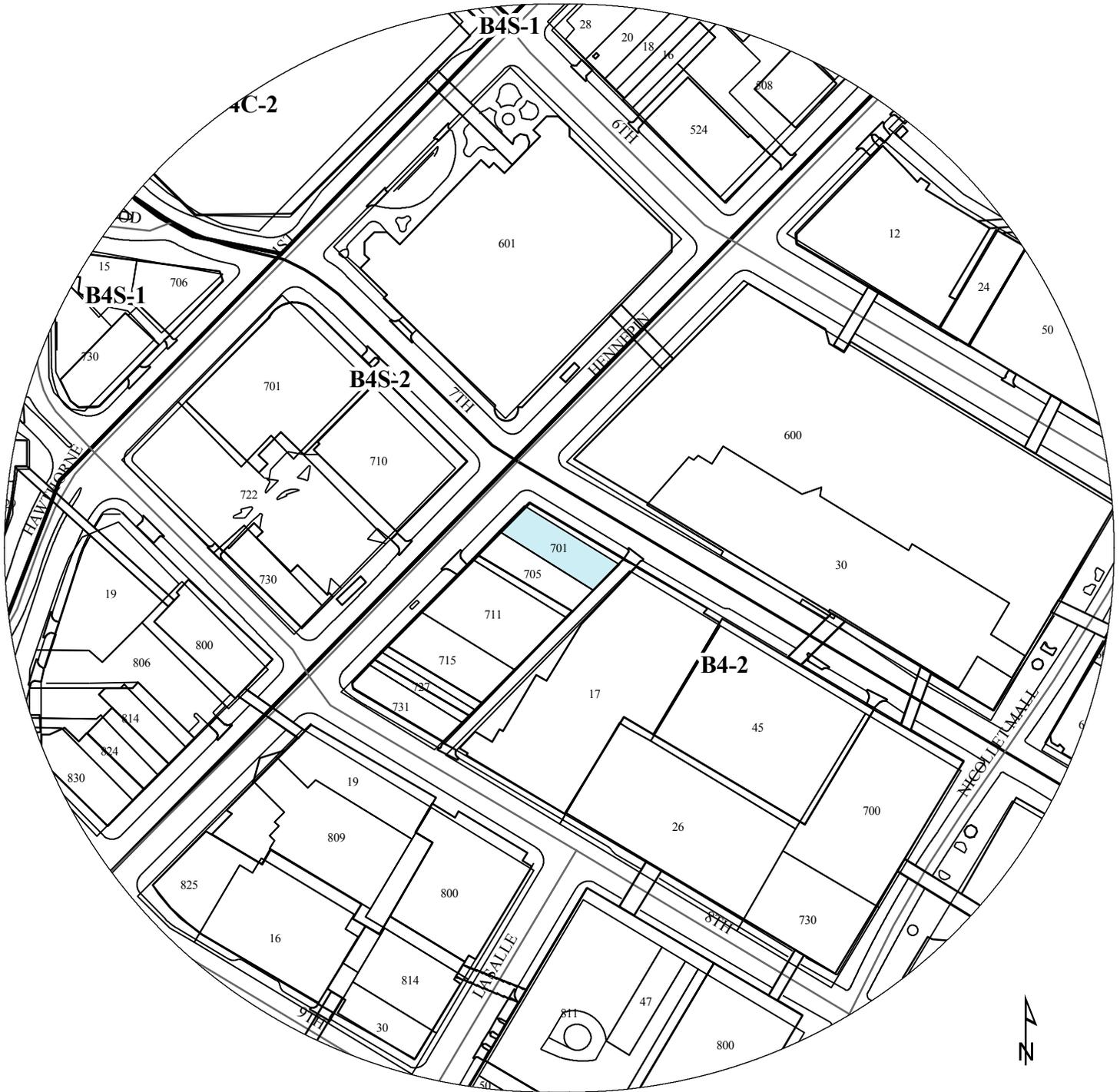


**Josh Cohen, Pearl Media LLC**

**7th**

NAME OF APPLICANT

WARD



200 100 0 200 400

PROPERTY ADDRESS

**701 Hennepin Ave**

FILE NUMBER

**BZZ-6529**



## Statement of Reason for Appeal

To Whom It May Concern:

The Owner of 701 Hennepin Ave received a Notice of Non-Compliance from the City of Minneapolis (Request Number: 14-1029171) (the **"Non-Compliance Order"**) stating that the stickers in the window violated the Minneapolis code of Ordinances for signs. On behalf of the OWNER we are appealing the Non-Compliance Order to the City Board of Adjustments (the **"Appeal"**).

The stickers in the window should be treated as temporary signage and will be up for no more than 60 days. Further the stickers were placed in conjunction with a potential Pop Up Store for the client. We have found no ordinance or law pertaining to Pop Up Store signage that would suggest we are in non-compliance. Our client is evaluating the location and the City of Minneapolis for further investment and has been deterred due to the notices of non-compliance. Further the issuance of non-compliance is direct violation our First Amendment rights. The First Amendment forbids government from making a law "abridging the freedom of speech." The City of Minneapolis can't punish someone because he or she speaks their mind, or expresses themselves artistically. The Supreme Court decided that the First Amendment applies to advertising because of the importance of commercial information to consumers and the overall marketplace. Based on our First Amendment rights and having no zoning ordinance pertaining to Pop up Stores we ask that the board of adjustment appeal the issuance of Non-Compliance.

A handwritten signature in black ink, appearing to read 'Brian Cohen', written over a horizontal line.

Brian Cohen | SVP Real Estate & Acquisitions

April 11, 2014

City of Minneapolis  
CPED, Zoning Enforcement Section  
300 Public Service Center  
250 South 4<sup>th</sup> Street  
Minneapolis, MN 55415

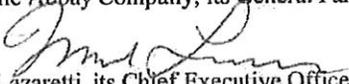
Re: Notice of Non-Compliance (Request Number: 14-1029171) (the "Non-Compliance Order")  
regarding property at 701 Hennepin Avenue South, Minneapolis, MN (the "Property")

Dear Sir or Madame:

The undersigned, the fee owner of the Property, hereby authorizes the appeal of the Non-Compliance Order to the City Board of Adjustment by Pearl Media, LLC.

**METRO HOLDINGS, LP**

By: The Abbay Company, its General Partner

By:   
Mike Lazaretti, its Chief Executive Officer

Chevy

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